

ST. JOHNS COUNTY, FLORIDA
ORDER
REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

Howard W. Mizell
c/o Tim Gabriel
66 Cuna St.
St. Augustine, Fl. 32084

R-89-051

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE NO. 90- 1



*See Attached Copy of Minutes

DATE OF COMMISSION ACTION: January 23, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Caro A. Maguire
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Connie E. McDaniel
DEPUTY CLERK

(Pursuant to St. Johns County Zoning Code, Section 11-9-5b: failure to exercise an exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board, shall render the exception or variance invalid and all rights granted thereunder shall terminate)

Maguire stated this function has taken place and the BCC has approved, prior to today's BCC meeting some grants which were presented to the BCC for approval in November/December; there were questions at that time, thus these were tabled until further notice. As a result, they are being brought back to the BCC for approval today, reported Maguire. Moreover, all of these agencies have been approved by both the grants panel, the Arts Alliance and by the Tourist Development Council. The projects which are outlined in pink on the attached documentation is what is under consideration for the BCC today, stated Maguire. Betty Usina, 4090 Myrtle Street, TDC Member, pointed out that possibly the questions would revolve around line item budgets and at the time these people went through their first application process, the present line item budgets, that are now requested, were not requested in that form although they have now developed line item budgets. Usina further requested that since these people have made presentations already before the Arts Alliance and the TDC it might be possible to give these items approval with the submission of a line item budget. At the time they went through their approval process, the TDC was not requiring the present line item budget; what has been done in reality, the TDC has made this retroactive and these people have now developed line item budgets to meet this requirement, stated Usina. Upon motion by Waldron, seconded by Herold, carried 5/0, to approve all the budgets submitted in this material labeled item #17, with submission of line item budgets to Finance Director, Henry Hendrix' office. Markel questioned the Palm Valley Little Theatre Group and requested that Maguire get the Arts Alliance Group to look into how the Palm Valley Little Theatre Group promotes tourism in St. Johns County.

The meeting thereupon recessed and reconvened at 1:30 p.m. with Waldron, Bailey, Brubaker, Herold, Maguire, Sisco, Castle, Mulligan and McDaniel present. Also present was Planning Coordinator Jerry Napier.

(1/23/90 - 9 - 3.0428)

Hearing on R-89-051/Howard Mizell-Tim Gabriel, rezoning from OR to RS-3 with conditions, located on Lightsey Road, 20 acres. Proof of publication of notice of hearing on R-89-051 was received, having been published in The St. Augustine Record on December 15, 1989; upon motion by Brubaker, seconded by Herold, carried 5/0, was ordered filed. Waldron filed a conflict of interest form on this application. Tim Gabriel, representing Mizell requested the rezoning. Napier reported that prior to any development they will have to proceed through the platting process and comply with all land development regulations on the property at that time. Brubaker questioned if this application will be in close proximity to the County's water and sewer lines. Gabriel responded that they have run a line down Lightsey Road about 1500 feet and back into the subdivision; this would just be continuing the existing lines. Waldron suggested the condition pertaining to this issue will have to be changed in the ordinance. Bailey questioned the water and sewer facilities. Upon motion by Herold, seconded by Brubaker, carried 4/0, Waldron abstaining on a measure which inures to his special private gain, to approve Ordinance No. 90-1, with conditions.

(1/23/90 - 9 - 3.0688)

Hearing on Major Modification to R-PUD-83-66/Ordinance No. 84-30/Mallard Landing, extension of time limit for schedule of Development. Napier reported that this item was continued at the last Planning and Zoning Agency (PZA) meeting until February 1, 1990; the PZA's action is necessary prior to the BCC hearing and recommended this item be continued until February 27, 1990 at 1:45 p.m. Upon motion by Herold, seconded by Bailey, carried 5/0, to continue R-PUD-83-66 until February 27, 1990 at 1:45 p.m.

(1/23/90 - 9 - 3.0720)

Hearing on R-PSD-89-054/St. Augustine Ocean Gallery Partners, rezoning from CG-B to PSD for development of single family lots, located A1A South at Ocean Gallery development. Proof of publication of notice of hearing on R-PSD-89-054 was received having been published in The St. Augustine Record on December 21, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Herold filed a conflict of interest form on this application. George McClure, 81 King Street representing the applicants requested the rezoning. Upon motion by Bailey, seconded by Waldron, carried 4/0, Herold abstaining on a measure which inures to his special private gain, to approve Ordinance No. 90-2.

(1/23/90 - 9 - 3.0938)

Continued hearing on R-89-050/Sokolay and Kluger, rezoning from OR to RS-2 with conditions, located off Kings Road. Karen Taylor, 3070 Harbor Drive representing Drs. Sokolay and Kluger requested approval on this application. Taylor stated that