

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

APPLICATION NUMBER

NAME OF APPLICANT

Robert & Dorothy Masterson
c/o Clemens Byatt
3041 Mac Road
St. Augustine, FL 32086

SW-89-013

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

Requested Change

The request is for a subdivision waiver to the platting and fire hydrant requirements as to allow the division of 2 parcels (42 and 43) into a total of 8 lots.

Location

The property is located at the south side of Kings Estates Road, Lots 42 and 43, Unit I, St. Augustine Heights Subdivision.

Description

The property is comprised of approximately 10 acres. The applicants wish to divide this property into eight lots with two easements.

See attached sheet for the conditions

*See Attached

DATE OF COMMISSION ACTION: January 9, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Craig A. Maguire
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Rosemary Jones
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)

As outlined in the memorandum it is staff's recommendation that if approved the subdivision/fire hydrant waiver be subject to the following conditions:

1. That the north 20' of Lot 43 shall be deeded to St. Johns County for right-of-way purposes for Kings Estates Road.
2. That the waiver is granted for a maximum of four lots with only one dwelling unit per lot. All lots shall be a minimum of 1 acre and have a minimum of 100' width exclusive of the easement and Kings Estates Road right-of-way.
3. The easement shall meet all County Standards as specified by the Engineering Dept. and be recorded prior to issuance of any construction permits. Said easement shall be for the exclusive access/egress to the four lots within Lot 43 with no vehicular access buffer to Lot 42. (Note: all lots must have a minimum of 100' frontage on the easement to meet zoning
4. That prior to issuance of any construction permits the applicant shall provide a scaled site plan, a recorded easement, a deed for right-of-way, written evidence of concurrence from the owners of Tract 42, (Robert and Dorothy Masterson), with all conditions of the waiver.

some assistance in letting the public know what businesses are located down Dobbs Road. Waldron also was in agreement with putting signage in an effort to help the merchants in the area. Further, Waldron stated that the road can be marked; however, the county cannot mark the businesses, the merchants will have to undertake that task themselves. Castle inquired if it may be possible to give the merchants temporary use for approximately 90 days to advertise their signs on the county right-of-way so long as the signs are away from the travel portion of the roadway, in an effort to get the public used to finding them on the new roadway. Elijah Baker, 2205 Dobbs Road, also expressed that his business has also suffered due to the cut-off on Dobbs Road. Baker requested a slow down of growth on the new Dobbs Road cut-off allowing the merchants to get back on their feet. Joe Orlando, Orlando's Body and Fender, 1941 Dobbs Road commented that he was never informed of a notification of a 10-year planning; Orlando stated that he could not understand the concrete wall and fill dirt to put an overpass over Dobbs Road.

(1/9/90 - 9 - 3.0745)

Ludy Beaver, Director of Data Processing reported on Resolution No. 90-7 and requested approval of such in order to get revenue back into her budget. Further, Beaver reported that Data Processing would like to get copyright and sell their in-house computer programs, the software that is generated. Beaver is requesting the State Legislature to give them that right which will generate revenue back into the budget. Upon motion by Bailey, seconded by Herold, carried 5/0, to approve Resolution No. 90-7.

RESOLUTION NO. 90-7

SUPPORT OF THE BILL AS PRESENTED BY THE FLORIDA LOCAL GOVERNMENT DATE PROCESSING ASSOCIATION

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

(1/9/90 - 9 - 3.0788)

Hearing on SW-89-013/Clemens Byatt, waive Article V - definition of a subdivision - division of parcel with creation of easement, and further to waive requirement of fire hydrants, Section 90.6. Proof of publication of notice of hearing on SW-89-013 was received, having been published in The St. Augustine Record on December 20, 1989; upon motion by Brubaker, seconded by Herold, carried 4/0, Bailey was absent, was ordered filed. Clemens Byatt, 3041 Mac Road requested a re-consideration of his previous application from November to divide lot 43 along Kings Estate Road into 4 one-acre plus parcels; Byatt stated that the lots have been re-drawn since his previous appearance before the BCC and a 20 foot strip has been set aside along Kings Estate Road, which he is willing to deed to the county for future road widening purposes. Napier reported that he has discussed with Sisco item #1 of the conditions - the dedication of right-of-way; Napier stated that he did not know if a time-specific be placed on this to be deeded; it would have to be done prior to issuance of any permits. In conjunction with this, when property is deeded the county would need an updated title opinion and warranty deed on the right-of-way to show clear title, reported Napier. Upon motion by Waldron, seconded by Herold, carried 4/0, Bailey was absent, to approve SW-89-013 with conditions as noted in the January 8, 1990 correspondence from Jerry Napier, Planning Director.

(1/9/90 - 9 - 3.0948)

Hearing on SW-89-017/Roger Hendricks, waive Subdivision Regulations due to creation of an easement to divide property, 850 and 860 Oakridge Road. Proof of publication of notice of hearing on SW-89-017 was received, having been published in The St. Augustine Record on November 15, 1989; upon motion by Brubaker, seconded by Waldron, carried 4/0, Bailey was absent, was ordered filed. Roger Hendricks, 880 Oakridge Road requested the subdivision for deeding the property to his children. Napier reported that the conditions, as recommended by the PZA and staff are; there be no access buffer to prevent any access to lot 43; there can only be two accesses to Oakridge Road; that lot 2 access the easement and that the easement be constructed in conformance with Engineering Department requirements. Upon motion by Herold, seconded by Brubaker, carried 4/0, Bailey was absent, to approve SW-89-017, subject to conditions as recommended by PZA and staff and offered by the applicant, Roger Hendricks.

(1/9/90 - 9 - 3.1079)

Hearing on SW-89-018/Frank J. and Elizabeth Martin, waive Subdivision Regulations due to creation of an easement to divide property, off Watson Road. Proof of