

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

NAME OF APPLICANT

APPLICATION NUMBER

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

*See Attached

DATE OF COMMISSION ACTION: October 10, 1989

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Vice Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: 
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)

(10/10/89 - 9 - 2.2314)

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 for notice of hearing on SW-89-013 was received, having been published in The St. Augustine Record on August 19, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Clemens Byatt, 3041 Mack Road, owner of the property requested permission to divide a 5 3/4 acre tract in Kings Estate Road, into 4 parcels, each one to be one acre or greater and to waive the hydrants; the access will be a 30 foot easement down the common property line with his neighbor, who owns Lot 42. Napier reported that the PZA has reviewed this request (at the time, PZA reviewed both Lot 42 and Lot 43, which would have resulted in approximately 8 lots) and recommended approval of the division of Lot 42 into 4 lots, subject to the conditions that it be a maximum of 4 lots, minimum of 1 acre, exclusive of the easement with one dwelling unit per lot and that all lots should have access to the easement with no direct access to Kings Estate Road and the easement meeting all county standards and said easement shall be for the exclusive access/egress for lots within tract 43 and not serve as access to tract 42. PZA's final condition, prior to the BCC taking action on this matter, was that a scaled drawing be provided showing the division of Lot 43 and also a letter from the owner of Lot 42 recognizing that the easement (15 feet of which is on Lot 42) would be for the exclusive access of Lot 43. However, Napier stated the recommendation before the BCC was to approve the division of Lot 43 and not Lot 42. A letter was submitted at approximately 1:30 p.m. by Napier from the Masterson's, owners of Lot 42, authorizing Clemens Byatt to proceed with the division of Lots 42 and 43, with a 30 foot easement down the common property line, 15 feet of which is on each of Lots 42 and 43 providing access solely to 4 parcels being created from Lot 43. A separate 30 foot easement down the center of Lot 42 will access four parcels to be created therefrom should it be sold in more than one parcel at a later date. Maguire asked if the Masterson's will give Byatt a deed of easement to this effect to which Napier stated a deed of easement will be required prior to issuance of any permits for the lots. Discussion followed. Upon motion by Brubaker, seconded by Herold, to approve the waiver. Waldron responded by saying that if this particular road is impacted without doing a proper transportation system, there will be problems. The county has subdivision laws; if they are to be lived with, so be it, if not they should be changed but waivers can be very expensive to the county later on. At the last moment drawings are submitted, but this motion deals with only Lot 43, stated Maguire. Maguire suggested the lot lines be moved, making one lot larger than one acre; the reason being that at some point the county will have to come back to the first lot that will be created, if this application is approved, and buy additional easement for expansion of Kings Estate Road. Napier agreed with Maguire's suggestion. Discussion followed. (2.3511) Bailey requested the question be called for. Waldron called for the question, those in favor 1, those opposed 4. The application was defeated 4/1.

(10/10/89 - 9 - 2.3542)

Bruce Douglas, site plan approval for construction of a bank at Sawgrass Corners, Resolution No. 89-227, pursuant to Ordinance No. 73-8. Ben Franklin, 2209 River Road, Jacksonville, developer of subject property requested approval of the site plan. Napier reported that staff has reviewed the amended text that was submitted today; further, the PZA has recommended approval of the final development plan, subject to several things being accomplished prior to the BCC action on this. Additionally, everything that has been agreed to has been changed. Napier pointed out a minor change in the "savings clause" to reference this application as being a PUD rather than a PSD. (3.0122) Jack Ditzel, 18 Lake Julia Drive North, read a brief statement, as a representative of the Sawgrass Property Owners Association, in opposition to the proposed median cut leading to the new Ponte Vedra National Bank off Sawgrass Drive West. Bob Tims, 3131 St. Johns Bluff Road, engineer for the project, commented with regard to the driveway. Bruce Douglas, 67 Ponte Vedra Blvd., feels the developers have addressed the concerns with reference to the median cut. Discussion followed. Upon motion by Maguire, seconded by Bailey for discussion. Bailey asked how far is the median cut from A1A, to which Waldron replied approximately 152 feet; carried 4/1, Bailey dissenting, to approve Resolution No. 89-227, pursuant to Ordinance No. 73-8.

RESOLUTION NO. 89-227

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A FINAL DEVELOPMENT PLAN FOR A PORTION OF COUNTRY CLUB AT SAWGRASS LOCATED WITHIN THE PARCEL OF LAND ZONED PUD, PURSUANT TO ORDINANCE 73-8.

(10/10/89 - 9 - 3.0393)