

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

NAME OF APPLICANT

Stephen and Maureen Chapman
5961 A1A South
St. Augustine, FL 32084

APPLICATION NUMBER

V-89-051

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE

December 19 89. The applicant Stephen and Maureen Chapman

requested the following:

Variance to relax the paving requirements for a period of 2 years.

on the following described land located in St. Johns County, Florida:

Lot 13, Block 2, Treasure Beach Subdivision



DATE OF COMMISSION ACTION: February 13, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Craig A. Maguire*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Amy B. Mulligan*
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)

motion by Bailey, seconded by Herold, carried 5/0 to approve Ordinance No. 90-7, with conditions.

(02/13/90 - 7 - 3.1011)

Hearing on R-PUD-89-052/Tom West/B.A.T Palm Valley, Inc. from OR to PUD, 54 acres, located on the east side of CR 210, east of and adjacent to Plantation Development, to create residential subdivision, with conditions, Ordinance 90-8. Proof of publication was received, having been published in the St. Augustine Record on January 6, 1990; upon motion by Waldron, seconded by Brubaker, carried 5/0 was ordered filed. Court reporter, Brenda Rutgers, was present. Attorney John D. Bailey, Jr., requested approval of R-PUD-89-052 from OR to PUD, with the following conditions: The identification sign shown on the site plan and located at the entrance to the development shall be set back a minimum of fifteen feet (15') from the right-of-way of County Road 210 and five feet (5') from the right-of-way of the project's entrance road. The sign shall be lighted, have a maximum height of five feet (5') and a maximum size of fifty (50) square feet. The applicant reserves the right to install up to two (2) sales/construction trailers within the property during the period of construction. The location of such sales/construction trailers shall be designated upon the Final Development Plan. Construction trailers shall not be visible from County Road 210. Both the sales and construction trailers shall be removed from the property within thirty (30) days following approval of all subdivision improvements by St. Johns County. The applicant shall have the right to construct up to four (4) model homes within the property and to place temporary "For Sale" signs on the property advertising such model homes for sale. Such signs shall not exceed thirty (30) square feet in size and the location of same shall be designated on the Final Development Plan. All swimming pools constructed or installed on the property shall be fenced. The type and height of fencing shall be determined by the Architectural Control Committee. A picnic area, with tables, shall be located in the recreation area adjacent to the tennis courts. A sidewalk shall be installed on the north side of the project's entrance road. The sidewalk will commence at the point where the western most cul-de-sac intersects the entrance road and shall terminate at the eastern end of the entrance road. The sidewalk shall be installed in phases as homes are constructed on individual lots fronting the north side of the entrance road, or, within five (5) years from the date of approval of the Final Development Plan for the initial phase, whichever shall occur first. No land clearing or construction activities shall occur on the property until approval of the Final Development Plan. Setbacks for the corner lots within the property shall be established at the time of Final Development Plan approval. The Homeowners' Association will be granted an easement over all wetland areas for the maintenance of such areas. The owner shall dedicate twelve and a half feet (12 1/2 ') of additional right-of-way adjacent to CR-210 at the time of final plat approval, at no cost to the County. Todd Lake, 222 South Roscoe; Graham White, 22 S. Tenth Ave., Jacksonville Beach; Durham Parker, 250 S. Roscoe; Chuck James, Plantation Development; Ed Layman, Cobia Road; Baron Bartlett, 127 N. Roscoe; Alec Lawson, 172 Barberry Lane; Bob Martin 45 S. Roscoe; Bill Brookham, Roscoe Blvd.; George Sporer, 24294 Marsh Landing Pkway.; Peter _____, 179 Water Oak Dr.; Kathryn Rowe, Palm Valley; Terry Dubuque, Jacksonville Beach; Stan Smith, S. Roscoe Blvd. spoke in favor of the rezoning. Mary Kohnke, 29 S. Roscoe Blvd., and Commander Roberts, Palm Valley, spoke in opposition to the rezoning. Roberts also submitted a letter. Upon motion by Waldron, seconded by Brubaker, carried 5/0 to approve Ordinance No. 90-8, with conditions.

(02/13/90 - 7 - 3.2429)

Hearing on E-89-080, James Edmonds III, appeal of denial of exception, located Surfside Subdivision, corner of Sherwood and A-1-A North. Proof of publication was received, having been published in the St. Augustine Record on January 10, 1990; upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Court reporter Brenda Rutgers was present. Maguire stated that he had a conflict of interest and stepped down, turning the gavel over to Herold. Attorney Frank Upchurch, representing Edmonds, requested approval of E-89-080. Linda Bryan, representing Elizabeth Barton, had the clerk read a letter into the record from Sister Mary Albert Lussier, S. S. J. stating her objection to the Exception. Mrs. Barton, 709 Coastal Highway is opposed to the Exception. Margie Blossage, Coastal Highway; Peggy Bailey, 3008 Sherwood Street; Christine Moses, 124 Surfside Ave.; Everett Segui, 153 Surfside Ave.; Ann Wilson, 3008 First Street; Harold Baker, 4240 Coastal Highway; Ed _____, Palmetto St.; James Bedsole, 3036 Second Street; Sammy Lanham, 3008 First Street and Stacy Netherland, 3000 First Street all spoke in opposition to the Exception. Upon motion by Bailey, seconded by Waldron, carried 4/0 with Maguire abstaining, to deny E-89-080.

(02/13/90 - 7 - 5.0192)

Hearing on V-89-051/Stephen and Maureen Chapman, appeal denial of a variance to relax paving requirements for a period of two years, subject property located at Lot 13, Block Two, Treasure Beach Subdivision. Proof of publication was received, having been published in the St. Augustine Record on January 10, 1990; upon

motion by Bailey, seconded by Brubaker, carried 4/0, Maguire absent, was ordered filed. No one appeared to speak to the issue. Upon motion by Waldron, seconded by Brubaker, carried 4/0, Maguire absent, to deny the appeal.

(02/13/90 - 8 - 5.0229)

Hearing on TUP-90-001, Albertson's, request for TUP, sale and display of plants and soil from March 1, 1990 to March 29, 1990. Lance Gruny, 200 SR-312, requested approval of TUP-90-001. Proof of publication was received, having been published in the St. Augustine Record on January 20, 1990; upon motion by Waldron, seconded by Bailey, carried 5/0, Maguire having returned, was ordered filed. Upon motion by Waldron, seconded by Bailey, carried 5/0 TUP -90-001 was approved.

(02/13/90 - 8 - 5.0248)

Maguire read an announcement from the Governor's office stating that the Governor has ordered any planned construction on the proposed Southeast Landfill to be stopped.

(02/13/90 - 8 - 5.0333)

Request for approval, Resolution No. 90-35, creating "aquatic preserve status" for certain sections of the St. Johns River lying in St. Johns County which was tabled in section - 4 - 2 .0045 of these minutes. Upon motion by Waldron, seconded by Herold, carried 5/0 to approve Resolution No. 90-35.

RESOLUTION NO. 90-35

A RESOLUTION OF ST. JOHNS COUNTY SUPPORTING THE CREATION OF "AQUATIC PRESERVE STATUS" (F.S. CHAPTER 258.35-258.394 AND 258.40-258.46) FOR STATE-OWNED SUBMERGED LANDS ALONG THE EASTERN SHORELINE OF THE ST. JOHNS RIVER, FROM THE NEW SANDS BRIDGE NORTHWARD, INCLUDING HALLOWES COVE, TO OLD BULL'S BAY, EASTWARD TO INCLUDE THE SOUTH SHORE OF JULINGTON CREEK, TO INCLUDE DURBIN CREEK TO DURBIN SWAMP, TO ALSO INCLUDE THE UNNAMED DRAINAGES AND PETTY BRANCH, KENDALL CREEK, ORANGE GROVE BRANCH, KENTUCKY BRANCH, MILL CREEK, CUNNINGHAM CREEK, FLORA BRANCH, CORKLAN BRANCH, ALL TRIBUTARIES OF THE ST. JOHNS RIVER LYING IN THE NORTHWEST QUADRANT OF ST. JOHNS COUNTY.

(02/13/90 - 8 - 5.0437)

Bailey reported that St. Johns County could seek designation as a "Manatee County" but this would entail having signs posted by the County to that effect.

(02/13/90 - 8 - 5.0477)

Motion by Waldron to recess until 7:00 PM. Motion withdrawn.

(02/13/90 - 8 - 5.0484)

Bailey reported that people in the Northwest quadrant of the County want a road name changed. The consensus of the Board was to advise those citizens to bring a petition to the Board. Herold reported on a demonstration of a machine to clean the beach. He also reported that the Budget Committee of the Civic Roundtable will be meeting on a regular basis and will consider making budgetary recommendations to Staff and the Board. Brief discussion of "Days In Spain" followed. Herold congratulated Sisco for his efforts on behalf of the County in the court case versus the City of St. Augustine. Maguire congratulated Sisco for his work in the Southeast Landfill case. Waldron suggested joining with the City of St. Augustine in applying for a DRI for the downtown area rather than squaring off in court over the Courthouse issue.

(02/13/90 - 8 - 5.0738)

The meeting thereupon recessed and reconvened at 7:00 PM with Waldron, Bailey, Brubaker, Herold, Maguire, Sisco, Castle and Napier and Jones present.

Also present was: Don Germaine, Director of the Building Department.

(02/13/90 - 8 - 5.0752)

Hearing on ordinance amending and restating the St. Johns County Sign Ordinance. Proof of publication of the notice of hearing on the ordinance amending and restating the St. Johns County Sign Ordinance was received, having been published in the St. Augustine Record on January 19, 1990; upon motion by Waldron, seconded