

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

NAME OF APPLICANT

Susan Scott Cesaritti
c/o Stephen Joca
3285 Wilderness Circle
Middleburg, FL 32068

APPLICATION NUMBER

R-89-012

**DECISION OF
COUNTY COMMISSION**

GRANTED

GRANTED WITH
CONDITIONS

DENIED

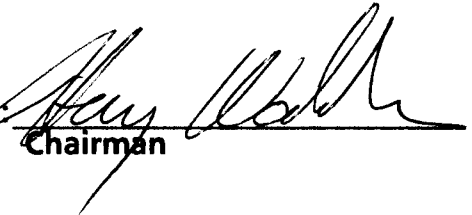
CONDITIONAL ORDINANCE

89-27

*See Attached

DATE OF COMMISSION ACTION: June 13, 1989

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
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)

staff recommended to the developer several times that a PUD was expected. Herold stated he is uncomfortable with all the conditions because of the fact that when there is a PUD and Variance it should be presented to PZA and they make their decision; however, with the number of conditions presented in this item, the developer would have to go to the PZA and ask for approval then return to the BCC for approval and Herold felt it was a very unwieldy way to work. With regard to the property behind the shopping center, Herold stated he would feel more comfortable if the developer would have presented it as a PUD for the shopping center and the additional acreage that's behind it. Prosser responded to Herold's concerns saying that staff did originally recommend the developer come back with a PUD, but part of the problem is that there are two different developers picking up one piece of property put on the market for two different purchases and it was not practicable for them, Prosser stated, from the commercial aspect to put it into the PUD. Discussion followed. (3.3306) Waldron suggested a modification of Item #4 of the conditions, which was agreed to. (3.3407) Further, Bailey suggested Item #12(f) of the conditions be modified with respect to the sign and this was agreed to. Herold questioned Prosser with regard to Item #6 of the conditions (...the St. Augustine style of architecture). Prosser explained this would be a stucco structure with a roof line very similar to what is at the National Park Headquarters at the base of the Fort. Deputy clerk read the conditions. Discussion followed. Cliff Petitt felt this item should be zoned PUD. Napier commented this item has undergone a long process and staff continues to recommend PUDs for this type of development. During the process of several hearings it started out with very few conditions, staff has suggested changes and it has resulted in conditions that are not dissimilar to what a PUD is and in fact in many ways is stronger than a PUD. Also, Napier mentioned staff did not recommend this under the requested zoning classification as it takes more time to deal back and forth with conditions. Upon motion by Brubaker, seconded by Maguire, carried 4/1, Herold dissenting, to approve Ordinance No. 89-26 with conditions.

(6/13/89 - 11 - 4.0246)

Hearing on R-89-012/Susan Scott Cesaritti, rezoning from OR to RS-E with possible conditions; located at 270 North Roscoe Boulevard, Palm Valley Gardens, Ordinance No. 89-27 with conditions. Proof of publication of notice of R-89-012 was received having been published in The St. Augustine Record on May 9, 1989; upon motion by Brubaker, seconded by Maguire, carried 5/0, was ordered filed. H. C. Stone, 216 Center Street, Green Cove Springs requested the rezoning. Waldron expressed his concern stating this road cannot take any more capacity and an area that is the highest polluting area in St. Johns County. Napier reported this parcel is zoned OR now and with five acres, if remained in private ownership, a person could place five mobile homes on the property; however, this rezoning would only allow four lots as RS-E requires an acre more and would not permit mobile homes, as it is restricted to single family homes. (4.0461) Herold made a motion for denial. Brubaker stated that after analyzing what could be placed on the property now, certainly RS-E is a better zoning as there would be better facilities and better housing than Open Rural with trailers. Bailey questioned how the fire protection request had been addressed. Napier stated they have agreed to plat prior to any construction activity or request a waiver from the platting. This will have to be addressed at that time; however, if the developer plat and don't receive a waiver of fire requirements, then some means of fire protection will have to be provided. Bailey questioned what the wetlands would be and Stone stated the wetlands run across the front of one of the lots. Maguire felt the issue is greater than just an approval or denial and stated if a denial is chosen this needs to be done with a plan as there will probably more coming and the BCC has responsibility to provide direction to the public as to what will happen. There is need for a plan that this denial would lead into such as to widen, build, rebuild the road, or provide sewage. Discussion followed. (4.0690) Herold withdrew his previous motion to deny this rezoning. Deputy clerk read the conditions; upon motion by Brubaker, seconded by Maguire, carried 5/0, to approve Ordinance No. 89-27 with conditions.

(6/13/89 - 11 - 4.0744)

Hearing on R-PUD-89-017/(Fla. Golf Resources) now known as Ponce de Leon Resort and Convention Center Inc.; land located on U.S. #1 North occupying the land of the Ponce de Leon Motor Lodge, motel, restaurant, golf course, and is an addition to the remaining lands to PUD, to add residential, golf course expansion, and multi-family. The applicant amended the application to reduce the multi-family units total and to decrease height to 45 feet maximum, Ordinance No. 89-28. Court Reporter present. Proof of publication of notice of hearing on R-PUD-89/017 was received, having been published in The St. Augustine Record on May 3, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. John Bailey, 780 No. Ponce de Leon Boulevard, representing the applicant, reported on this item. John Bailey introduced the two principals of the company, who will be developing the project which are: Frank Swope, President, and Henry Muller, the company's Development Coordinator. John Bailey stated that as the project stands