

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

NAME OF APPLICANT

APPLICATION NUMBER

Thomas and Joseph Taylor
c/o Karen Taylor
3070 Harbor Dr.
St. Augustine, Fl. 32084

Major Modification

DECISION OF
COUNTY COMMISSION



GRANTED



GRANTED WITH
CONDITIONS



DENIED

See attached PZA report

*See Attached Copy of Minutes

DATE OF COMMISSION ACTION: June 27, 1989

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

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)

received participation from adjoining owners that they agree. The total lineal footage in the bond is 2,500 feet from the end of pavement at Mitch Montgomery's first phase to some 50 feet past their entrance. Napier stated there is also an additional 40 foot of right-of-way they have dedicated. Sisco reported: a construction bond is set in the amount of \$332,192.92, warranty bond is in the amount of \$16,609.65; upon motion by Bailey, seconded by Herold, carried 5/0, to approve Resolution No. 89-139.

RESOLUTION NO. 89-139

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA

(6/27/89 - 8 - 3.0289)

SW-89-008/Clemens Byatt, waive definition of a subdivision due to the division of parcel with creation of an easement, and waive Section 90.6 fire hydrants; location St. Augustine Heights. (This is withdrawn due to incorrect legal description.) Napier reported the applicant withdrew application at the Planning and Zoning Agency, but it was pre-advertised for this hearing, thus it will be re-filed.

(6/27/89 - 8 - 3.0316)

Hearing on SW-89-010/Thomas M. Burns, waive Section 90.6 which requires fire hydrants; location SR-206; Proof of publication of notice of hearing on SW-89-010 was received, having been published in The St. Augustine Record on May 20, 1989; upon motion by Brubaker, seconded by Herold, carried 5/0, was ordered filed. Tom Burns, 1365 SR 206 requested this waiver. Napier reported this waiver is only for Phase I of the development and any action taken on it should be subject to BCC approval of Item #18 which is the actual rezoning of the property. Planning and Zoning Agency recommended approval of the waiver with it relating only to Phase I and it is a provision that it would be retro-fitted to fire hydrants at the time Phase II is done. It was the general consensus of the Commission to address this issue at a later time this afternoon when the rezoning item is brought before the BCC.

(6/27/89 - 8 - 3.0387)

Final Development Plan for Camachee Island Phase IV, Vilano Beach. R-PUD-89-023, Resolution No. 89-140 pursuant to Ordinance No. 81-45. Karen Taylor, 3070 Harbor Drive, requested approval of the final development plan. Discussion followed. Herold asked Taylor if the homeowners association is part of the existing homeowners associations or a separate one; to which Taylor answered it will have its own association to maintain its own roads but overall it will belong to the master association. Bailey asked Taylor if they have architectural control over what will go in there; Taylor replied in the affirmative, this being through deed restriction. David Brunner, Chairman of St. Johns Surveyors spoke in favor of this project. Cecil Carter, 42 Hibiscus Avenue, spoke in opposition to this project; also submitted graph charts and a comprehensive shellfish growing area survey. Discussion followed. Upon motion by Maguire, seconded by Herold, carried 4/1, Bailey dissenting, to approve Resolution. 89-140.

RESOLUTION NO. 89-140

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS, STATE OF FLORIDA APPROVING A FINAL DEVELOPMENT PLAN FOR PHASE IV CAMACHEE ISLAND PLANNED UNIT DEVELOPMENT PURSUANT TO ORDINANCE NUMBER 81-45.

(6/27/89 - 8 - 3.1135)

Hearing on R-PUD-89-023/Camachee Cove, rezoning, Ordinance No. 89-29 and major modification to Ordinance No. 81-45 (A Planned Unit Development): includes a major modification, Resolution No. 89-141 pursuant to Ordinance No. 81-45, to existing Camachee Cove PUD; rezoning from OR to PUD to add land to existing PUD (does not add units to overall density). Proof of publication of notice of hearing on R-PUD-89/023 was received having been published in The St. Augustine Record on May 17, 1989; upon motion by Brubaker, seconded by Maguire, carried 5/0, was ordered filed. Napier stated that both items have been covered in the previous presentation; upon motion by Maguire, seconded by Herold, carried 4/1, Bailey dissenting, to approve Ordinance No. 89-29 for the rezoning. Proof of publication of notice of hearing of the major modification to existing Camachee Cove PUD was received having been published in The St. Augustine Record on May 17, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Upon motion by Herold, seconded by Maguire, carried 4/1, Bailey dissenting, to approve Resolution No. 89-141.

RESOLUTION NO. 89-141

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF ST. JOHNS APPROVING A MAJOR MODIFICATION FOR CAMACHEE ISLAND PLANNED UNIT DEVELOPMENT PURSUANT TO ORDINANCE 81-45

(6/27/89 - 9 - 3.1172)

Hearing on R-89-019/Cary Cowan owner, applicant Randy Beverly; rezoning from CG to CI with conditions, for the location of a car-wash; property located on U.S. #1 South in front of Sargeants Auto Service. Pursuant to a memorandum dated June 20, 1989 from the Planning and Zoning Department stating that due to a clerical error the hearing will not be heard on June 27, but will be continued to July 25, 1989 at 1:45 p.m.

(6/27/89 - 9 - 3.1196)

Hearing on R-89-020/Thomas and Francis Burns, Ordinance 89-30, rezoning from OR to RS-2 with conditions, for the development of a single family subdivision located on north side of SR-#206, 40.87 acres. Proof of publication of notice of hearing on R-89-020 was received having been published in The St. Augustine Record on May 20, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Tom Burns, 1365 SR 206 was present to request the rezoning; Burns also displayed a sketch in his presentation. Deputy Clerk read conditions to which applicant agreed to the conditions; upon motion by Bailey, seconded by Maguire, carried 5/0, to approve Ordinance No. 89-30. (3.1437) Item #14 was addressed at this juncture which was to waive fire hydrants; upon motion by Bailey, seconded by Brubaker, carried 5/0, to grant waiver of Section 90.6 which requires fire hydrants.

(6/27/89 - 9 - 3.1451)

Hearing on R-89-022/Richard Davis, rezoning from RMH-S to IW with conditions, located on Northwood Drive off Holmes Boulevard directly across from Davis PreCast. Proof of publication of notice of hearing on R-89-022 was received having been published in The St. Augustine Record on May 27, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. This item was addressed later as Richard Davis nor a representative of his was present.

(6/27/89 - 9 - 3.1488)

Hearing on R-89-018/W. R. Townsend represented by Richard Prosser, PHK; rezoning from CHT to IW with conditions, to locate a construction office and yard, located in the SE corner of I-95 and CR-210. Proof of publication of notice of hearing on R-89-018 was received having been published in The St. Augustine Record on May 27, 1989; upon motion by Bailey, seconded by Brubaker, carried 5/0, was ordered filed. Richard Prosser, PHK was present representing W. R. Townsend requesting the rezoning. Discussion followed. (3.1953) Bob McKutrich, 9950 KOA Road, spoke in opposition to the rezoning. Napier reported that staff, in their hearings at the PZA, suggested a PSD due to the fact that initially the request of this item was for straight IW use. Napier stated this rezoning would be in conflict with the comprehensive plan and incompatible with other uses in that immediate area. The comp plan does call for industrial development along 210, but further away from the intersection. Discussion followed. Upon motion by Bailey, seconded by Herold, carried 5/0, to deny because this request is not compatible with the County's land use plan. Waldron asked Sisco with regard to the rezoning issue, should the BCC take action on that to which Sisco stated the issue cannot be rezoned as it is in violation of the comprehensive plan; however, there can be a motion to indicate whether, other than the comprehensive plan it is good zoning or not. Further, Sisco mentioned the application can be denied because it is in conflict with the plan. Napier stated that the Commission has indicated this application is inconsistent with the comprehensive plan, it's already been discussed that it tends to be incompatible with surrounding uses so therefore if action is taken to deny the zoning it would be based on the inconsistency with the comprehensive plan and incompatibility with adjacent developments. Upon motion by Bailey, seconded by Herold, carried 5/0, to deny the rezoning as it is in conflict with the comprehensive plan.

(6/27/89 - 9 - 3.2406)

This item was addressed previously which was Richard Davis, rezoning from RMH-S to IW with conditions, Ordinance No. 89-31. Richard Davis, 1590 Northwood Drive, was present; Deputy Clerk was instructed to read the conditions to which applicant offered the conditions. Upon motion by Bailey, seconded by Brubaker, carried 5/0, to approve Ordinance No. 89-31 with conditions.

(6/27/89 - 9 - 3.2654)

Holmes requested permission from the BCC to accept the maintenance bond for Seagate Cove in the amount of \$5,400 and release, with conditions, the construction bond for Seagate Cove in the amount of \$26,000 if work is done satisfactorily as of July 7, 1989, if not, staff will cash in the bond. Upon motion by Herold, seconded by Maguire, carried 4/0, Bailey was absent, to grant permission to accept the maintenance bond for Seagate Cove in the amount of \$5,400 and release, with

Requested Change/Description/Location

The initial application approved by the St. Johns County Board of County Commissioners by Ordinance 81-45 was for a total of 182 multi-family and townhouse units on 47.53 acres of property. The applicant now wishes to include the remainder of the island, adjacent to and north of the existing developed and nondeveloped portions of Camachie Island Planned Unit Development, a total of 39.11 acres. The total number of 115 units remains as modified by the St. Johns County Planning and Zoning Agency on 4 February 1988.

This modification, as indicated, allows for the inclusion of additional property within the CIPUD while lowering the intensity of use from multi-family units to single family homes. It allows for a total of 115 units on a total of 86.64 acres of property.

It should be noted that along with this major modification, a number of minor modifications to the CIPUD are requested from the St. Johns County Planning and Zoning Agency to bring the original documentation current with this request and to allow for single family home construction.

Comments/Recommendation

Planning Department

Staff has reviewed this request and basically would have no objections. However, approval of this request must be contingent on approval of the PUD rezoning R-PUD-89-023 also before the Agency on the May 4, 1989 hearing date.

In addition as of date of this writing, Staff is awaiting the County Engineering Department recommendations concerning the major and minor modification and therefore, approval should be subject to this department's recommendation relative thereto - these comments will be forth coming.

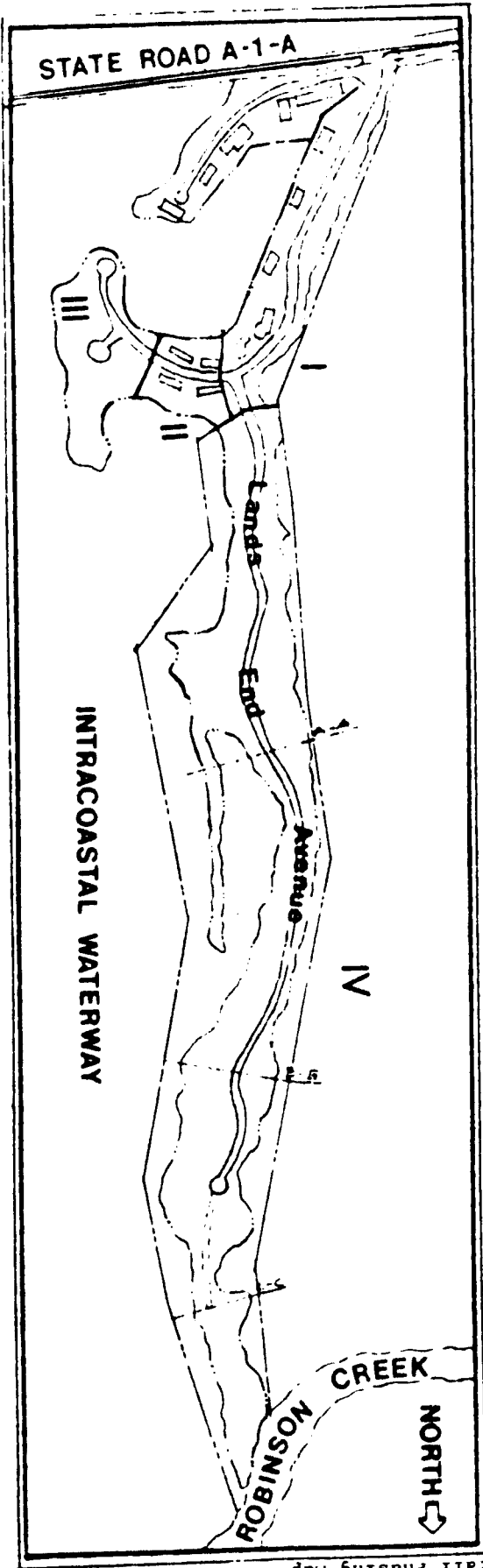


EXHIBIT D
Overall Phasing Map

OVERALL PHASING MAP

R-PUD-89-023

Camachee Cove-
 Rezone a 39.11 acres of land
 from OR to PUD; and a Major
 Modification to Original PUD
 to incorporate these lands.