

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

**NAME OF APPLICANT**

**APPLICATION NUMBER**

Thomas M. Burns  
2507 U. S. 1 South  
St. Augustine, Fl. 32086

SW-89-010

**DECISION OF  
COUNTY COMMISSION**

**GRANTED**

**GRANTED WITH  
CONDITIONS**

**DENIED**

**LOCATION:** The property is located of the north side of S.R. 206 and east of FPL right-of-way.

**REQUESTED CHANGE:** The request is for a waiver of Section 90.6 of the County Subdivision Regulation. The subject parcel is currently undergoing a rezoning from OR to RS-2 with conditions. The applicant intends to provide a six (6) inch free flowing well with a Fire Service approved connection.

**DESCRIPTION:** The subject property is comprised of approximately 40 (+/-) acres and is currently vacant.

**Comment/Recommendation**

Planning Staff has no objections to approval of this request based on the attached April 24 letter from County Fire Service, which recommends approval of this request subject to the provision of the suggested alternative well system. Planning Staff would add that this waiver should apply to Phase I only; it was Staff's understanding a rezoning condition was offered by the applicant to provide a fire hydrant system during Phase II, although this was not specified in the appropriate terms within the conditional ordinance. Additionally, this waiver should be subject to rezoning approval by the Board of County Commissioner's at their June 27, 1989 meeting.

**\*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:   
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**