

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

NAME OF APPLICANT

Dan Palmer & Jenny Henningsen
1821 Prunier Road
St. Augustine, FL 32084

APPLICATION NUMBER

R-90-004

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE

*See Attached

DATE OF COMMISSION ACTION: MAY 08, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Craig A. Maguire*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Rosemary Jones*
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)

Final Development Plan for Azalea Point Unit 3, Fairfield at Ponte Vedra. Mike Boyer of Hill Boring and Associates representing Fairfield requested approval of this application, Resolution No. 90-94, pursuant to Ordinance No. 84-3. Boyer reported that they are due to receive the Corp. of Engineers dredge and fill permit next month and the county's Engineering Department, in the course of their staff review, has agreed to recommend approval of the final development plan but not the plat until such time as that permit is received. Napier reported that the permits will have to be available prior to the final plat. Further, Napier commented that everything is in order with this application. Upon motion by Herold, seconded by Brubaker, carried 4/0, Bailey was absent, to approve Resolution No. 90-94, pursuant to Ordinance No. 84-3.

RESOLUTION NO. 90-94

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A FINAL DEVELOPMENT PLAN AZALEA POINT UNIT THREE AT FAIRFIELD PONTE VEDRA LOCATED WITHIN THE PARCEL OF LAND ZONED P.U.D. PURSUANT TO ORDINANCE NUMBER 84-3.

(5/8/90 - 8 - 2.2168)

Final Plat for Marsh Creek Unit Three, SR-#3. The BCC received, just prior to this hearing, from the Planning and Zoning Department, a memorandum regarding a May 8, 1990 letter from Gregory Clary, Professional Surveyor, requesting that this application be continued until May 22, 1990 at 1:30 p.m. Staff recommends the request be approved. Upon motion by Brubaker, seconded by Herold, carried 4/0, Bailey was absent, to continue this application until May 22, 1990 at 1:30 p.m.

(5/8/90 - 8 - 2.2204)

Final Plat for Wellington Oaks Unit Two, end of Kings Road, Resolution No. 90-95. David Bruner, St. Johns Survey Company for Wellington Oaks requested approval of this application. Sisco reported that the construction bond is waived and the warranty bond is waived. Upon motion by Waldron, seconded by Herold, carried 5/0, to approve Resolution No. 90-95.

RESOLUTION NO. 90-95

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

(5/8/90 - 8 - 2.2313)

Waldron reported that on May 10, 1990 at 10:00 a.m., the Regional Planning Council will be reviewing Comp Plans and there are some comments to SJC's comp plan.

(5/8/90 - 8 - 2.2895)

Hearing on R-90-005/James H. Cason, rezoning from CN to RMH-S, located on Costanero Road, Treasure Beach, Ordinance No. 90-26. Proof of publication of notice of hearing on R-90-005/James H. Cason was received, having been published in The St. Augustine Record on March 29, 1990; upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. James Cason, P.O. Box 78, Worthington Spring, requested approval of this application. Napier advised the Commission that this application is in the Treasure Beach area and is a requested rezoning from CN to RMH-S and as a companion element that went before the PZA was a request for an exception to locate a mobile home provided the rezoning is approved. The Agency approved the exception and has recommended favorably on the rezoning. Discussion followed. Jim Rhodes, Treasure Beach commented in favor of this application. Ruth Myers, Treasure Beach commented in favor of this application. Carl Voltier(?), 6171 Costanero Road, commented in favor of this application. Merlin Myers, 6094 Oahu Road, commented in favor of this application. There was a photograph submitted to the Clerk's Office. Upon motion by Waldron, seconded by Bailey, carried 5/0, to approve Ordinance No. 90-26.

ORDINANCE NO. 90-26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF CN TO RMH-S

(5/8/90 - 8 - 3.0292)

Hearing on R-90-004/Dan Palmer-Jenny Henningsen, change from RS-1 to OR to conform to surrounding zoning, located 1/4 mile south of intersection CR #214/CR #13 on east side of CR #13, Ordinance No. 90-27 with conditions. Proof of publication of notice of hearing on R-90-004/Dan Palmer-Jenny Henningsen was

received, having been published in The St. Augustine Record on March 29, 1990; upon motion by Bailey, seconded by Brubaker, carried 5/0, was ordered filed. Daniel Palmer and Jenny Henningsen, 1821 Prunier Road, requested approval of this application. Napier reported that this is a conditional request. Upon motion by Waldron, seconded by Herold, carried 5/0, to approve Ordinance No. 90-27 with conditions.

ORDINANCE NO. 90-27

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RS-1 TO OR WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(5/8/90 - 9 - 3.0388)

Hearing on E-90-015/Irene Batenic, request to place storage of live lobsters for sale, wholesale and retail, on property zoned OR, located at 4955 Porter Road. Proof of publication of notice of hearing on E-90-015/Irene Batenic was received, having been published in The St. Augustine Record on April 20, 1990; upon motion by Waldron, seconded by Bailey, carried 5/0, was ordered filed. The applicant did not appear. Frankie Pacetti, 36 Hildreth Drive, questioned if this matter is over, to which Maguire replied this application can come before the BCC in one year's time. Upon motion by Herold, seconded by Bailey, carried 5/0, to deny this application for lack of appearance.

(5/8/90 - 9 - 3.0454)

Hearing on TUP-90-002/Alicia Branagan, Temporary Use Permit, with conditions, for the location of outdoor entertainment activity, weekend of May 19-20, located 170 Vilano Road. Proof of publication of notice of hearing on TUP-90-002/Alicia Branagan was received, having been published in The St. Augustine Record on April 23, 1990; upon motion by Brubaker, seconded by Waldron, carried 5/0, was ordered filed. Alicia Branagan, 104 Jarez requested approval of this application. Considerable discussion ensued with regard to the sale of alcoholic beverages outside of the Branagan establishment. Campbell suggested that if this activity will exceed the decibel level the applicant should apply for a special event noise permit. Margie Blocksidge, 3272 Coastal Highway commented in opposition to the drinking of alcoholic beverages at this event. Thomas Branagan, 104 Jarez commented in favor of this application. Considerable discussion ensued. (3.1140 to 2140) Upon motion by Herold, seconded by Bailey, carried 2/3, Waldron, Brubaker, Bailey dissenting to deny TUP-90-002/Alicia Branagan. The motion failed. Discussion ensued. (3.2149) Motion by Waldron, seconded by Brubaker, carried 4/1, Herold dissenting, to approve the TUP-90-002/Alicia Branagan for outside entertainment on the conditions that there will be no alcoholic beverages outside of the Branagan building and that the applicant will apply to obtain a noise permit. Herold requested that the Sheriff's Department be advised of this event, and that extra patrol personnel to control traffic be requested.

(5/8/90 - 9 - 3.2307)

Maguire requested consideration from the BCC of the separation of judicial and non-judicial functions of government to separate site locations. Maguire presented an offer for another site for the construction of a courthouse facility, and stated that there are two available sites inside of St. Augustine, the northern edge of the City with no less than 15 acres. Considerable discussion ensued. (3.3526) Waldron suggested a site off of 207, 30 acres of land free of charge, that may be considered as a possible site for the courthouse facility. Discussion ensued. (4.0173) Maguire requested endorsement by the BCC for staff to look into the three sites mentioned here and get the costs immediately; further, Maguire requested authorization to go before the City of St. Augustine asking for their support on the rezoning of the two sites inside of the City Limits, take a look at the City's Comp Plan, and address the issue of the lawsuit. Upon motion by Waldron, seconded by Herold, carried 5/0, authorizing Maguire to go before the City of St. Augustine asking for their support on the rezoning of the two sites inside of the City Limits, take a look at the City's Comp Plan, and address the issue of the lawsuit. Maguire suggested that staff be directed to immediately look into getting appraisals on each of the three properties or the two parcels that money is required for, including in the appraisals the cost to develop each. Cliff Petitt, 960 Alcala Drive commented in favor of the BCC going forward with the plans that have been made by the BCC for a new judicial complex on the Lewis Speedway site. Tracy Upchurch, 285 St. George Street, assured the BCC that the City of St. Augustine's staff will be more than available and delighted to have any of the BCC meet with them at any time. Steve Kuvick commented regarding roadblocks with the courthouse issue. J. H. Rollins, 1870 SR 207, commented in opposition to the downtown site for the courthouse.

(5/8/90 - 9 - 4.1040)