

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

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NAME OF APPLICANT	APPLICATION NUMBER
J.R. Brown, Jr. P.O. Box 625 Ponte Vedra Beach, FL 32004	R-PUD-90-032

DECISION OF COUNTY COMMISSION       GRANTED       GRANTED WITH CONDITIONS       DENIED

CONDITIONAL ORDINANCE:    *Ordinance No. 91-3*  
*SEE ATTACHED*

\*See Attached

DATE OF COMMISSION ACTION:    *January 22, 1991*



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Donald H. Arnold*  
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)

the old Board had even considered putting paid ads in the newspaper; reporting of County government is very important. Brinkhoff agreed that there should be a public relations person; more than a part time person.

(01/22/91- 6 - 3.0636)

Hearing on R-PUD-90-032 J.R. Brown, Jr. - located east off Lake Kathryn Drive, in Sawgrass Country Club; parcel is not a part of Sawgrass, but contiguous to; rezoning from RG-1 and OR to PUD, for 28 single family lots. Proof of publication of the notice of the hearing was received, having been published in the St. Augustine Record on December 14, 1990; upon motion by Brinkhoff, seconded by Bailey, carried 7/0 was ordered filed. J. R. Brown, Jr., 29 Solano Road, Ponte Vedra Beach requested approval of the rezoning from RG-1 and OR to PUD, Ordinance No. 91-3. Brown stated that all the recommended changes have been incorporated into the ordinance, Sections 4 through 11. Napier stated that Staff recommend approval. Upon motion by Brinkhoff, seconded by Floyd, carried 7/0 to approve the rezoning from RG-1 and OR to PUD, Ordinance No. 91-3.

### ORDINANCE NO. 91-3

#### **AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL AND RG-1 TO PLANNED UNIT DEVELOPMENT**

Court Reporter Brenda Rutgers was present at this time.

(01/22/91 - 6 - 3.0949)

Hearing on R-PUD-90-035 O.A. Shatila, located on north side of SR# 16 adjacent to St. Augustine Collision; Rezoning from OR to PSD to locate automobile storage business. Proof of publication of the notice of the hearing was received, having been published in the St. Augustine Record on December 22, 1990; upon motion by Brinkhoff, seconded by Floyd, carried 7/0 was ordered filed. Paul Martz, 3 Palm Row, representing Osman Shatila, applicant, submitted written documents and photographs and asked that they be labeled as exhibits in this proceeding. Martz introduced Karen Taylor, whom he introduced as a qualified expert in land planning. Martz noted that this application was denied by the Planning and Zoning Agency (PZA) but had received County zoning Staff approval. Karen Taylor, 3070 Harbor Drive, answered questions of Martz at this time concerning her qualifications and her knowledge of R-PUD-090-035. Taylor stated that she is a land planning consultant, has been in land planning for over 10 years, has served as an expert witness in 2 other cases, and represented Shatila before the PZA. Martz questioned Taylor about her knowledge of R-PUD-090-035. Taylor stated that in her opinion, this application was consistent with the St. Johns County Comprehensive Land Plan. She continued by saying that Shatila, in his application, proposed to provide a storage yard for wrecked and towed vehicles, to provide a dispatch center to send out towing vehicles, a residence on site for security purposes and 24-hour towing service. Taylor then answered questions of Martz concerning the specifics of the application. Taylor showed the Board a poster depicting the site plan. Taylor read the conditions offered by the applicant into the record. (3.1678) Herold asked Napier for his recommendation. Napier said that Martz and Taylor were very comprehensive in their testimony; he took no exceptions to anything which had been stated. Staff initially did not find the use inconsistent with the Comprehensive Plan, although they did indicate several issues or raise questions with the applicant and he has responded to all of Staff concerns and they have been incorporated into the ordinance. (3.1728) Frank Loosbrock, 10433 Deer Foot Lane, Jacksonville, spoke in opposition to the proposed rezoning. (3.1768) Emil Billitz, 2170 SR 16, spoke in opposition to the proposed rezoning. (3.1916) A.J. McGuinness, Atlantic Commercial Properties, commented on the proposed rezoning. (3.2181) Roberts moved denial of the application, R-PUD-090-035, seconded by Brinkhoff. Maguire stated that he had not had time to analyze Martz's packet of information and questioned Taylor at length. Upon motion by Maguire, amended by Sisco, seconded by Floyd, carried 4/3 with Bailey, Roberts and Brinkhoff dissenting to table this application, R-PUD-090-035, until April 23, 1991 at 1:30. The chairman called for a voice vote at this time and the clerk polled the Board as follows:

Maguire	Yes
Floyd	Yes
Balsavage	Yes
Herold	Yes
Bailey	No
Roberts	No
Brinkhoff	No

ORDINANCE NUMBER: 91-3

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS

AS DESCRIBED HEREINAFTER FROM PRESENT ZONING  
CLASSIFICATION OF OPEN RURAL AND RG-1  
TO PLANNED UNIT DEVELOPMENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,  
FLORIDA:

SECTION 1 That as requested by J. Randolph Brown, Jr. in his application with supporting documents for zoning change, dated August 31, 1990, and as amended on October 4, 1990, (hereinafter, the R-PUD-90-032 PUD application), the zoning classification of the lands described on the attached Exhibit "A" is hereby changed from OR and RG-1 to Planned Unit Development.

SECTION 2 That development of the lands within this PUD shall proceed in accordance with the PUD Application and supporting documents which are a part of zoning file R-PUD-90-032 and which are incorporated by reference into and made a part of this ordinance, and as supplemented by the provisions of this ordinance. In the case of conflict between the Application or supporting documents and the below described provisions of this Ordinance, the below described provisions shall prevail.

SECTION 3 That the North "Flag" corridor on lot 8 will not be used for ingress/egress. Access to lot 8 will be through the South Corridor only.

SECTION 4 That the existing residence on lot 6 will be connected to the Utility central sewer system as soon as it is available.

SECTION 5 That all swimming pools be fenced in accordance with ZONING CODE SECTION 7-17-1 (c) (3) or be located within a screen enclosure.

SECTION 6 That the sign containing the name of the development will be single faced and shall not exceed 140 square feet.

SECTION 7 That the spacing of fire hydrants and street lights will be in accordance with County requirements.

SECTION 8 That lot 25 and lot 26 are restricted to one story buildings to ensure privacy to the L'Atrium homes abutting lot 25 and lot 26.

SECTION 9 That the small amount of wetlands on the south half of the east side of the property will not be developed.

SECTION 10 That the rear set back on lots 5, 6, 8, 10, 11, 12, and 13 shall be increased to fifty (50) feet from the west property line.

SECTION 11 That the front set back line on lot 20 and lot 21 be decreased to twenty (20) feet.

SECTION 12 That all roads and parking areas within the project either public or private shall be constructed to approve County Standards.

SECTION 13 That all easements required for drainage purposes shall be granted to the County at no cost, upon County's request.

SECTION 14 All building code, zoning ordinance and other land use and development regulations of St. Johns County as may be amended from time to time shall be applicable to this development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.