

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

NAME OF APPLICANT

APPLICATION NUMBER

Jerry Coby
P.O. Box 860188
St. Augustine, FL 32086

R-90-009

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

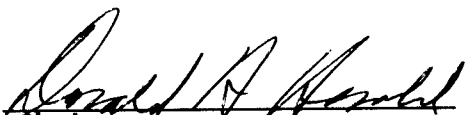
DENIED

ORDINANCE NO. 90-30

*See Attached

DATE OF COMMISSION ACTION: May 22, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Vice 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)

(05/22/90 - 5 - 1.2599)

Eric Schulle of the Cantrell Weaver Company, representing the owners of Marsh Creek Unit III, requested approval of the Final Plat for Marsh Creek Unit III, Resolution No. 90-102. Sisco stated that the Resolution calls for a \$303,628.25 construction bond and a zero warranty bond. Waldron asked if the bond had been submitted and Schulle answered that it had. Upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, to approve Resolution No. 90-102.

RESOLUTION NO. 90-102

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA FOR APPROVAL TO RECORD A SUBDIVISION PLAT KNOWN AS MARSH CREEK UNIT THREE.

(05/22/90 - 5 - 1.2662)

Greg Barber of Stokes-Osteen Communities requested approval of Marsh Creek Unit Four Final Development Plan, Resolution No. 90-103. Upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, to approve Resolution No. 90-103.

RESOLUTION NO. 90-103

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A FINAL DEVELOPMENT PLAN FOR UNIT FOUR LOCATED WITHIN THE PARCEL OF LAND ZONED PUD KNOWN AS MARSH CREEK COUNTRY CLUB PURSUANT TO ORDINANCE 86-79 FILE (R - PUD - 86 - 060)

(05/22/90 - 5 - 1.2697)

Waldron commented on the June 12th presentation by DCA staff to County staff concerning the Comprehensive Plan. Waldron would like the Board to be kept informed. Napier and Campbell commented that they expected this meeting to be one at which staff would try to get objections to the comment stage or answer questions and avoid objections; comments from Tallahassee are due back by July 10th; the Board will then have 60 days to resubmit the plan. Herold hoped the Board will have some input on the implementation and the potential financial burden of the Plan; the Board needs an opportunity to express its views on the Plan. Brubaker expressed concern about citizen reaction to the implementation of the Plan by the Board.

(05/22/90 - 5 - 2.0272)

Hearing on R - 90 - 007/Pierre Thompson, et al; rezoning from OR to CHT and IW, with conditions; located northwest corner of SR #16 and Inman Road. Proof of publication of notice of hearing was received, having been published in the St. Augustine Record on April 21, 1990; upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, was ordered filed. Pierre Thompson, 1 Pelican Reef, requested approval of this application. The Chairman had the clerk read the conditions into the record. Mike Scalla, 2205 SR 16 spoke in favor of the application. Upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, to approve Ordinance No. 90-29.

ORDINANCE NO. 90-29

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

(05/22/90 - 5 - 2.0443)

Hearing on R - 90 - 009/Jerry and Constance Coby; rezoning from OR to RS - 2 with conditions; located SR #206, one mile east of U S #1. Proof of publication of notice of hearing was received, having been published in the St. Augustine Record on April 21, 1990; upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, was ordered filed. Jerry Coby, 2250 Old Moultrie Road, requested approval of the application. The Chairman had the clerk read the conditions into the record. Upon motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, to approve Ordinance No. 90-30.

ORDINANCE NO. 90-30

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO RS - 2 WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(05/22/90 - 6 - 2.0516)

Upon recommendation by Stewart Craig of the County Engineering Department, motion by Waldron, seconded by Brubaker, carried 3/0 with Maguire and Bailey absent, to approve a temporary easement between St. Johns County and the United States of America, c/o the U.S. Army Engineers.

(05/22/90 - 6 - 2.0571)

Weldon Johnson, Chairman of the Ponte Vedra Zoning Board, (PVZB), spoke about the Planning and Zoning Agency's (PZA) finding that the PVZB Regulations were in conflict with the current Comprehensive Plan. The PVZB has therefore reviewed the PSD which is to be submitted as part of the new Comprehensive Plan. Johnson submitted proposed changes to the PSD. Napier commented. Brenna Durden, of Mahoney Adams, requested that she be allowed to address the Board at a later time. Waldron asked staff if the PSD element was in conflict with the Comprehensive Plan. Napier responded no. Sisco stated that he saw no conflict. Discussion followed. David Conn, stated that he felt that with the additional language, the PSD addresses all the concerns of the PZA. Napier reported that the next step is to conduct public hearings. Sisco recommended that the proposed changes go back to the PZA for their thoughts on them. Napier stated that within one year of submission of the Comprehensive Plan, all land development regulations must be consistent with the Plan. Johnson requested that a date be set for public hearings on the regulations. Waldron and Herold stated that they wanted to be sure that the proposed PSD would be in compliance with the new Comprehensive Plan. The Board directed staff to get the PVZB regulations back to the PZA on a timely basis so that it can be studied concurrently with the Comprehensive Plan hearings. Brenna Durden requested that the County move forward as quickly as possible on the proposed revisions. Discussion followed. David Conn commented. The Board instructed Staff to begin the procedure for PZA to consider the revisions and requested that the hearings be held at the County Administration Building in the evening. Cliff Pettit, 960 Alcala, commented.

(05/22/90 - 6 - 2.1622)

Weldon Johnson requested consideration of, not action on, an issue which was heard by the PVZB. He then submitted copies of a memorandum from himself to the Board of County Commissioners and copies of the PVZB minutes of April 16 and April 23, 1990. Sisco requested clarification of a hand written document submitted by Johnson. Johnson stated that it was from the PVZB Regulations. Johnson advised the Board that, in the opinion of the PVZB, the plans for a dwelling at 63 Ponte Vedra Boulevard do not conform to the PVZB Regulations. Alan Collier, 693 Ponte Vedra Boulevard, President of the Ponte Vedra Community Association, commented in support of the PVZB's opinion. Collier requested that the Board of Commissioners not take any action at this meeting. Gary Christian, of Christian, Prom, Corn and Zimmer, representing Ed McClamma, the applicant for the building permit at 63 Ponte Vedra Boulevard, stated that the proposed application was not in violation of the PVZB regulations. Gerard Vermey, 65 Shell Street, Atlantic Beach, architect of the proposed dwelling, submitted blue line plans of the dwelling, a drawing of the existing homes and the proposed home, photographs of one of the neighboring homes and photographs of the vacant lot at 63 Ponte Vedra Boulevard. Johnson commented. Discussion followed. Napier stated that the Zoning Department signed off on these plans on May 15th and that they are currently in the Building Department; that he withheld approval of the plans pending approval of the drainage plans by the Engineering Department; that he found them to be in compliance with the PVZB Regulations. Sisco looked into this issue and concluded that the applicant met the requirements of the Zoning Code. David Conn also concurred with Napier's conclusion. Napier stated that the PVZB Code provides for appeals to the Board of Zoning Adjustment which may be the next step for the PVZB. Waldron asked if the large pile of dirt on the site will be leveled off as this seems to be a source of concern. Napier responded that according to the plans, it will be. It was the general consensus of the Board to let nature take its course and see what comes out of the Building Department. Herold instructed Castle to follow up on this issue with Don Germain of the Building Department.

(05/22/90 - 6 - 2.3434)

Castle reported that Commissioner Bailey had called and said that the Governor and the Cabinet have agreed to hear the appeal on the Southeast Landfill issue. They did