

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

NAME OF APPLICANT

APPLICATION NUMBER

Montgomery Land Company
c/o Mitchell Montgomery
707 Mill Creek Rd. - Suite 100
Jacksonville, Florida 32211

R-90-012

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL ORDINANCE 90- 35

*See Attached

DATE OF COMMISSION ACTION: JULY 10, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Craig A. Maguire*
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)

by Herold, seconded by Brubaker, carried 5/0, to approve Breit's recommendation.

The meeting thereupon recessed and reconvened at 1:30 p.m. with Waldron, Bailey, Brubaker, Herold, Maguire, Sisco, Castle, Campbell and Mulligan present. Also present was Planning Coordinator Jerry Napier.

(7/10/90 - 8 - 3.0057)

Chairman Maguire reported that Item # 17 has been pulled from the Agenda.

(7/10/90 - 8 - 3.0062)

Final Plat for L'Atrium Unit IV Phase B, within L'Atrium PUD. Sisco requested this item be considered later today as there is a problem with this application.

(7/10/90 - 8 - 3.0067)

Final Plat Plantation Place, Plantation Developers Plantation PUD, off old Palm Valley Road, Resolution No. 90-128. David Strickland, representing Plantation Developers requested approval of this application. Sisco reported that the construction bond is set in the amount of \$32,251.00 and the warranty bond is \$0. Motion by Waldron, seconded by Herold, carried 5/0, to approve Resolution No. 90-128.

RESOLUTION NO. 90-128

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

(7/10/90 - 8 - 3.0094)

Hearing on R-PSD-90-011/Jacksonville Methodist Home Inc. and Wesley Village, located at Orange Avenue and Bishop Estates Road adjacent to Julington Creek Development, rezoning from RG-2 and OR to Planned Special Development, 15.8 acres of land to be developed for 92 residential units to be operated as a Life Lease facility, Ordinance No. 90-34. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on June 4, 1990; motion by Waldron, seconded by Bailey, carried 5/0, was ordered filed. Grady Snowden, 1675 Bishop Estates Road, Executive Director of Wesley Manor Retirement Village, requested approval of this application; further, Snowden displayed sketch drawings which he referred to in this presentation. Karen Taylor spoke to the merits of this proposal and the specifics of it. Snowden submitted 2 letters in support of this application and a petition with 206 names in favor of this application. Further, 32 letters in support of this application were submitted to the Clerk's Office, 1 against. Mary Ratterree, 2995 Bishop Estate Road read from a document and submitted a written request from the Julington Creek Civic Association requesting a delay of Wesley Manor Application, and a supplemental petition submitted by Earl Johnson, 203-1 Orange, from the residents of Wesley Manor expressing the concerns of 99 signors. Larry Jordan, Nature's Hammock West spoke in favor of this application. Don Hallman, SJC Health Department questioned Snowden on what increase the 92 units represent and what population uses the sewage treatment plant. Snowden replied 1.5 people per unit, and 321 persons using the treatment plant. Hallman replied that this would be an additional 30-40% increase. However, the existing plant is permitted for 100,000 gallons per day and last year the plant average rate was 68,000. Hallman stated it would appear the plant may be over capacity to which Snowden replied they are basing this on the statement of St. Johns Engineering Firm who did a study of it. Jack Petty, 2335 Bishop Estates Road submitted a petition in opposition to this application. Sara Bouche, 2093 Bishop Estate Road commented in opposition to the PSD. John Douglas, resident of Wesley Manor, spoke in opposition to the density of Wesley Village. Betty Kron, resident of Wesley Manor spoke in favor of this application. Hubert Yunt (?) commented in opposition to the PSD. Wayne Newman, 820 Pheasant Court, commented in favor of this application. Roger Durant, commented in favor of this application. Nan Critten, 201 Orange Avenue, commented in favor of this application. Walter Johnson, Wesley Manor commented in favor of the application. Bascom Hardy, Wesley Manor, commented in opposition to the application. Considerable discussion followed. Motion by Herold, seconded by Bailey, carried 5/0, to table this application for no less than 20 minutes.

(7/10/90 - 8 - 4.1298)

Hearing on R-90-012/Mitchell R. Montgomery, located off Roberts Road, Greenridge Subdivision; rezoning from RS-1 with conditions to RS-2 to permit front and rear setback requirements and maximum height restrictions to conform to the RS-2 minimum standards, Ordinance No. 90-35, with conditions. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on June 4, 1990; motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Ken LePoint, 707 Mill Creek Road, requested approval of this application.

filed. Ken LePoint, 707 Mill Creek Road, requested approval of this application. Discussion followed. Motion by Waldron, seconded by Bailey, carried 5/0, to approve Ordinance No. 90-35, with conditions.

ORDINANCE NO. 90-35

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 RS-2 WITH CERTAIN CONDITIONS: REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(7/10/90 - 9 - 4.1540)

Hearing on R-90-10/Frederick Mueller, located off Colee Cove Road, change from OR to RS-2 to subdivide into residential subdivision, Ordinance No. 90-36, with conditions. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on June 4, 1990; motion by Brubaker, seconded by Herold, carried 5/0, was ordered filed. Xavier Pellicer, 906 Anastasia Blvd, requested approval. Discussion followed. Upon motion by Herold, seconded by Brubaker, carried 5/0 to approve Ordinance No. 90-36, with conditions.

ORDINANCE NO. 90-36

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.

(07/10/90 - 9 - 4.1795)

Hearing on R-90-006/Cynthia D. Marler/Charles Binninger; located on SR 206, 3/10 mile east of US #1; 23.7 acres, rezoning from OR to RS-2 with conditions, Ordinance Number 90-37. Proof of publication of notice of hearing was received, having been published in the St. Augustine Record on June 4, 1990; upon motion by Brubaker, seconded by Waldron, carried 5/0 was ordered filed. Richard Joyce, Suite 308, 100 Southpark Blvd. requested approval. Upon motion by Herold, seconded by Brubaker, carried 5/0 to approve Ordinance No. 90-37, with conditions.

ORDINANCE NO. 90-37

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.

(07/10/90 - 9 - 4.1997)

Hearing on V-90-018, variance granted to William Morton; petitioners are William and Brenda Collins; location 2 Viejo Street, Vilano Beach; request granted was to reduce setbacks, north and south property lines and allow construction "over" existing easement. Proof of publication of notice of hearing was received, having been published in the St. Augustine Record on June 4, 1990; upon motion by Bailey, seconded by Herold, carried 5/0 was ordered filed. Bill and Brenda Collins requested the denial of the variance. Collins submitted drawings and photographs showing the property in question. Charles Pellicer, 28 Cordova Street, representing Collins, requested denial of the variance. Discussion followed. Bill and Lesley Morton, 2 Viejo Street, requested that the Board of County Commissioners uphold Variance 90-018. Morton submitted drawings and photographs of the subject property. Discussion followed. Pellicer commented further. Upon motion by Waldron, seconded by Herold, carried 4/1, with Bailey dissenting, to uphold V-90-018.

(07/10/90 - 9 - 5.0756)

Approval, Resolution expressing St. Johns County's interest in retaining a portion of the easterly approach to Vilano Bridge for fishing pier, Resolution Number 129. Upon motion by Waldron, seconded by Brubaker, carried 5/0 to approve Resolution No. 90-129.

RESOLUTION NO. 90-129

EXPRESSING ST. JOHNS COUNTY'S INTEREST IN RETAINING A PORTION OF THE EASTERLY APPROACH TO VILANO BRIDGE FOR A FISHING PIER.