

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

NAME OF APPLICANT	APPLICATION NUMBER
Patty Severt, Severt Tree Company 1 Fern St. St. Augustine, Fl. 32084	TUP-90-007

DECISION OF COUNTY COMMISSION GRANTED GRANTED WITH CONDITION DENIED

Type of Use Requested: Sale of Christmas Trees

Physical Location: Corner U.S. 1 South and Southpark Blvd. - Across from Flagler Hospital entrance

Beginning and Ending Date of Use: November 25, 1990 thru December 24, 1990

Condition: Ingress and egress shall be restricted to Southpark Blvd. and no ingress or egress from U. S. 1 South.

*See Attached

DATE OF COMMISSION ACTION: November 13, 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)

Upchurch requested approval. John Bailey offered this fifth condition: **No development within the wetlands, and all jurisdictional agency requirements shall be met.** Upon motion by Bailey, seconded by Herold, carried 5/0 to approve Ordinance 90-66 with conditions, including (5.) "No development within the wetlands, and all jurisdictional agency requirements shall be met."

ORDINANCE NO. 90-66

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS DESCRIBED AS HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF "OR" TO "RS - 3" WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

(11/13/90 - 5 - 2.3656)

Hearing on TUP - 007 Patty Severt - sale of Christmas Trees, on west side of U.S. #1 South, south of Southpark Boulevard, across from the Flagler Hospital Entrance; to extend from 11/25/90 thru 12/24/90. Proof of publication for the notice of hearing was received, having been published in the St. Augustine Record on October 9, 1990; upon motion by Bailey, seconded by Herold, carried 5/0 was ordered filed. Patty Severt, 1 Fern Street, requested approval. Severt offered the following condition: **Ingress and egress shall be restricted to Southpark Boulevard and no ingress or egress from U.S. 1 South.** Upon motion by Bailey, seconded by Brubaker, carried 5/0 to approve TUP 90 - 007 subject to the condition that ingress and egress shall be restricted to Southpark Boulevard and no ingress or egress from U.S. 1 South.

(11/13/90 - 5 - 3.0117)

Final Plat approval, Cunningham Creek Unit IV, Resolution No. 90-202. Tom Turner, 3030 Hartley Road, Jacksonville, representing Fruit Cove, Limited, requested approval. A call was made by Campbell to Clerk Markel to determine if the bond for this agenda item had been approved. Turner stated that his Letter of Commitment is a form of financial assurance that the subdivision would be completed and that under the County ordinance, any financial undertaking by an underwriter is acceptable if the Clerk will accept it. In this case, the issuer is Ring Power Pension Fund. Campbell reported that Clerk Markel has accepted the bond. Upon motion by Waldron, seconded by Herold, carried 5/0 to approve the Final Plat, Cunningham Creek Unit IV, Resolution No. 90-202.

RESOLUTION NO. 90-202

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA APPROVING FINAL PLAT, CUNNINGHAM CREEK, UNIT IV.

(11/13/90 - 5 - 3.0371)

Final Plat approval, Ocean Gallery Homes Unit I and Unit II. George McClure, 81 King Street, representing St. Augustine Ocean Gallery Partners, addressed the Commission requesting approval. He requested waiver of Staff's request for non-access buffers on certain corner lots. He further requested 15' drainage easements instead of the 20' easements requested by the County Engineering Department. McClure asked for a waiver of the bonding requirements subject to the following conditions: the plat will not be recorded until the completion of the roadway and the certification that the roadways are done to county specifications. Secondly, the owners will not close any lots in the subdivision until the county has approved the completion of the roadways and until the plat has been recorded. Napier stated that the issue of non-access buffers had been resolved. Discussion followed concerning drainage easements. County Engineer Sharon Holmes stated that county ordinances support requiring that open drainage easements be up to 30' wide and that the request for a 20' easement is standard policy. McClure stated that the setbacks on the approved PSD were 8' and that county ordinances required 15' drainage easements. Discussion followed. Motion by Bailey to require a 20' drainage easement on the Final Plat, Ocean Gallery Homes Units I and II died for lack of a second. Sisco read a portion of the resolution he had prepared as follows: "...and an acknowledgement from the Engineering Department that completion of the roadway and drainage improvements according to the county requirements has been delivered to the Clerk". Sisco asked that a date be inserted in the resolution other than the traditional 14 days to allow for compliance with the conditions offered by McClure. It was the general consensus of the Board to insert the date November 13, 1991 as the date on which such approval and acceptances shall terminate if the plat has not been recorded. McClure asked what requirements