

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

NAME OF APPLICANT

APPLICATION NUMBER

Fletcher Land Corporation/Gate Lands Corp.
c/o Brenna Durden
Mahoney, Adams & Criser
3300 Barnett Center
50 North Laura St.
Jacksonville, FL 32202

PV-91-002

**DECISION OF
COUNTY COMMISSION**



GRANTED



**GRANTED WITH
CONDITIONS**



DENIED

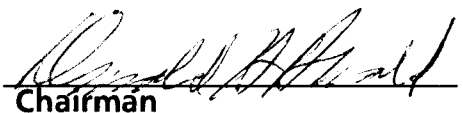
ORDINANCE #91-35

The request is to rezone 26.7 acres from R-1-C and RG-1 to PSD to allow for a neighborhood office park; subject to the amendments offered of access change, deleting alcohol consumption at food establishments and restrictive covenants.

*See Attached

DATE OF COMMISSION ACTION: August 27, 1991

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
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)

RESOLUTION NO. 91-128

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A FINAL DEVELOPMENT PLAN FOR THE TOWNHOME SECTION WITHIN SEA GATE AT ST. AUGUSTINE BEACH (FORMERLY COASTAL POINT PUD) ZONED "PUD" PURSUANT TO ORDINANCE #PUD-82-30.

(08/27/91 - 5 - 3.0360)

Continued hearing - SW-91-007 Edward J. Barkoskie, et al, definition of a subdivision - division of property creating an easement for access and Section 90.6 which requires fire hydrants located on 20 Mile Road off County Road 210: (Did not state name) Sister of Edward J. Barkoskie, Jr. represented applicant. Napier stated Planning and Zoning recommended approval on August 1 subject to four conditions. Staff recommends approval subject to the four conditions with a change in condition No. 1. Barkoskie's sister agreed to conditions offered. **Motion by Roberts, seconded by Balsavage, carried 7/0 to allow the division of land with the creation of an easement and also to waive Section 90.6 which requires fire hydrants with the following conditions:**

1. **Submittal and approval by the Engineering Department, of a recorded easement across Twenty Mile road, prior to receipt of a clearance sheet for development.**
2. **Submittal of a recorded easement extending from Twenty Mile Road into the most distant lot at least 100', prior to receipt of a clearance sheet for development.**
3. **No more than the 6 lots, 2 accessing from Twenty Mile road and 4 from the new easement, as shown on the attached site plan and no more than one unit per lot.**
4. **Construction of easements must be in compliance with the Ordinance 86-4 with revisions (Paving & Drainage Ordinance).**

(08/27/91 - 5 - 3.0421)

Continued hearing on R-91-012 - Roger G. and LaDonna E. Doss and Ronald V. and Sharon A. West, Colee Cove Road, rezoning from RMH to OR: Proof of publication to consider an ordinance for rezoning lands from the present zoning classification of RMH to OR was received having been published in The St. Augustine Record on July 25, 1991, upon **motion by Balsavage, seconded by Brinkhoff, carried 7/0, was ordered filed.** Sharon West, 8045 Colee Cove Road, was present to request rezoning from RMH to OR in order to construct homes. Napier stated Planning and Zoning Agency along with Staff, recommends approval. **Motion by Floyd, seconded by Brinkhoff, carried 7/0, adopting Ordinance No. 91-34**

ORDINANCE NO. 91-34

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

(08/27/91 - 5 - 3.0464)

PV-91-002 - Fletcher Land Corporation/Gate Lands Corporation located on west side of A1A, just south of Duval County line (Pt. in Ponte Vedra District) R-1-C and RG-1 to PSD/neighborhood office park: Proof of publication to consider an ordinance rezoning lands from the present zoning classification of R-1-C and RG-1 to PSD was received having been published in The St. Augustine Record on July 25, 1991, upon **motion by Brinkhoff, seconded by Bailey, carried 7/0, was ordered filed.** Paul Fletcher, President of Fletcher Land Corp. was present to request rezoning 26.7 acres from R-1-C and RG-1 to PSD to allow for a neighborhood office park. Napier stated Planning and Zoning Agency along with staff, recommends approval. Weldon Johnson, Ponte Vedra Zoning Board, voiced concern that no alcoholic beverages and the 40 year deed restriction on land uses were taken into consideration. Herold assured him that those conditions have been offered and recorded. Brenna Durden, Mahoney, Adams & Criser, Jacksonville, FL stated the conditions were in the packet of the written description, making it a part of the ordinance. Durden agreed to conditions. Sally Augustine, Cranes Lake 1, voiced concern regarding the building material. Jean Feuga, Cranes Lake 2, voiced concern regarding the safety features. Maguire submitted a letter from Thomas J. Fraser of Beachwood Realty Inc. to be entered into the records. (Clerk did not receive copy of letter) **Motion by Floyd, seconded by Brinkhoff, carried 7/0, adopting Ordinance No. 91-35 with the added provision that the request is to rezone 26.7 acres from R-1-C and RG-1 to PSD to allow for a neighborhood office park; subject to the amendments offered of access**

change, deleting alcohol consumption at food establishments and restrictive covenants

ORDINANCE NO. 91-35

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF R-1-C AND RG-1 TO PLANNED SPECIAL DEVELOPMENT.

(08/27/91 - 6 - 3.1538)

Hearing on the Julington Creek DRI to determine if the proposed changes constitute a Substantial Deviation: Proof of publication on proposed changes to the Julington Creek DRI was received having been published in The St. Augustine Record on August 12, 1991, upon motion by Brinkhoff, seconded by Floyd, carried 7/0, was ordered filed. Zeman stated Staff found and recommends further conditions to the Development Order. Harry Lerner, General Development Corporation, stated in detail the four changes with conditions being made. Tom Mores, 1162 Lindwood Loop, Julington Creek, voiced concern regarding any changes or input from General Development Corporation. On behalf of the Homeowners Association, Mores would like the BCC to include a rider that the GDC settles some of the claims with the homeowners prior to making any additional moves. Hurst was in agreement with Herold that that this was a civil matter for a civil court. Linda Bell, DCA voiced approval regarding the conditions that were worked out. Motion by Roberts, seconded by Brinkhoff, carried 7/0, adopting Resolution No. 91-129 with conditions which does not constitute a substantial deviation.

RESOLUTION NO. 91-129

A RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA AMENDING THE DEVELOPMENT PLAN (MAP H) AND PHASING PLAN (MAP H-1); FINDING SUFFICIENT COMPLIANCE WITH RESOLUTION 82-37, THE DEVELOPMENT ORDER FOR JULINGTON CREEK AS SUBSEQUENTLY AMENDED; FINDING THAT THE AMENDMENTS DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION; PROVIDING FOR AN EFFECTIVE DATE.

(08/27/91 - 6 - 3.2343)

Staff Reports:

1. Approval of resolution setting water and sewer unit connection fees and tap fees for Exxon Corporation site at SR 16 and I-95: Meiszer requested that the BCC consider a resolution setting the water and sewer unit connection fees for Exxon Corporation site at SR 16 and I-95. Campbell stated there were concerns with bond council, therefore he requested that the BCC approve working on a resolution of that intent to assure that wording was approved by both bond council and staff. Motion by Floyd, seconded by Bailey, carried 7/0 that staff works on rewording the resolution setting the water and sewer unit connection fees for Exxon Corporation site at SR 16 and I-95 so that it meets with the approval of both bond council and staff.
2. Discussion of Funding Agreement between St. Johns County and St. Augustine/St. Johns County Chamber of Commerce: Meiszer stated this was in regard to the purchase of the food booths, making \$25,000 available to the Chamber. Maguire recommended that on No. 1 (a) the wording should read "the county shall transfer to the Chamber up to \$25,000" Motion by Balsavage, seconded by Floyd, carried 7/0, to approve the Funding Agreement between St. Johns County and St. Augustine/St. Johns County Chamber of Commerce with changes.
3. Correspondence advising that Lt. Governor Buddy MacKay will hold a meeting on August 28, 1991 in Gainesville to discuss challenges of growth in Florida: Meiszer reminded BCC of this meeting.
4. Correspondence regarding the Vilano Boat Basin Dredging Permit: Campbell stated staff hopes to receive approval from the Army Corps within the next few weeks.

(08/27/91 - 6 - 3.2578)

Hearing on the Development Order for the St. Johns DRI, a Substantial Deviation to the St. Johns Harbour Master Development Order/Incremental Development Order: Zeman explained that the developer has proposed modifications. The Master Development Order is being abandoned in favor of a simple Development of Regional Impact. It has been reconsidered under the substantial deviation provisions, and Staff recommends approval, upon motion by Brinkhoff, seconded by