

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

NAME OF APPLICANT

APPLICATION NUMBER

JOSEPH BONAFEDE, PRESIDENT
B & S ENTERPRISES OF ST. AUGUSTINE, INC.
P. O. BOX 3146
ST. AUGUSTINE, FL. 32085

R-PUD-91-007

DECISION OF
COUNTY COMMISSION



GRANTED



GRANTED WITH
CONDITIONS



DENIED

CONDITIONAL ORDINANCE: 91-43

*See Attached

DATE OF COMMISSION ACTION: October 22, 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)

this is a workable settlement. Considerable discussion followed. (2.2203) Motion by Roberts, seconded by Herold, carried 7/0, to accept the proposal as offered, with the attorneys working out the final negotiations.

(10/22/91 - 5 - 2.2604)

PGA Tour, Inc.: Sisco presented for the record a letter from PGA Tour, Inc., dated October 21, 1991. (2.2832) Floyd left the meeting. Jim Davidson, Ponte Vedra, was present and discussed the possibility of the PGA Tour Hall of Fame facilities coming to the St. Johns Project. Vernon Kelly, President of PGA Tour Investments, stated that the project would include the Hall of Fame, the headquarters of PGA Tour Productions, a major new resort hotel, and 36 holes of golf. Kelly explained the many benefits the County could expect to receive from this project. Kelly requested the Board consider adoption of the resolution that would allow them to work with County Staff on an ordinance that would allow proceeding with the Hall of Fame. Kelly made a presentation showing the kinds of increased impact and additional revenues the Hall would bring to the County. (2.3483) Floyd returned to the meeting. Considerable discussion followed. Sisco explained that if the resolution is passed it will commit the Board to publicize the ordinance, set a hearing date, and hold a public hearing on it. The ordinance if passed, would authorize the Chairman to sign a Tourist Development Agreement that would accomplish many of the tasks as described in that agreement. The earliest the ordinance can be heard, if published in The Record by October 24, 1991, would be November 12, 1991. Discussion continued. Motion by Brinkhoff, seconded by Roberts, carried 7/0, to adopt Resolution Number. 91-166.

RESOLUTION NUMBER 91-166

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA PROVIDING ENCOURAGEMENT TO PGA TOUR, INC. TO LOCATE PGA TOUR PRODUCTIONS AND THE PGA TOUR GOLF HALL OF FAME IN ST. JOHNS COUNTY; ACKNOWLEDGING THE POSITIVE ECONOMIC AND OTHER BENEFITS TO BE DERIVED BY THE COUNTY; EVIDENCING INTENT TO HOLD A PUBLIC HEARING TO CONSIDER PASSAGE OF AN ORDINANCE AUTHORIZING THE COUNTY TO PURCHASE PRODUCTION AND PROMOTIONAL SERVICES FROM PGA TOUR, INC. AS A RESULT OF THE LOCATION OF THE PGA TOUR GOLF HALL OF FAME IN ST. JOHNS COUNTY; INDICATING THAT THE BOARD WILL CONSIDER RELIEF FROM IMPACT FEES AND OTHER TAXES AND FEES FOR THE NON-PROFIT ELEMENTS OF THE PGA TOUR GOLF HALL OF FAME PROJECT; INDICATING THE BOARD'S INTENT IN THE EVENT THE PGA TOUR GOLF HALL OF FAME PROJECT IS LOCATED WITHIN A DEVELOPMENT OF REGIONAL IMPACT APPROVED BY ST. JOHNS COUNTY; CONTAINING OTHER PROVISIONS PERTAINING TO THE PGA TOUR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

(3.0121) It was the consensus of the Board to set the public hearing to consider the PGA ordinance on November 12, 1991 at 9:00 a.m.

The meeting thereupon recessed and reconvened at 1:30 p.m. with Herold, Brinkhoff, Roberts, Bailey, Floyd, Balsavage, Maguire, Meiszer, Sisco, and DeGrande present. Also present were Clerk of Courts Carl "Bud" Markel, Finance Director Michael Givens, Assistant County Administrator Andy Campbell, and Planning and Zoning Director Jerry Napier.

Commissioner Maguire was not yet present.

(10/22/91 - 5 - 3.0131)

R-PUD-91-007 - B. S. Enterprises of St. Augustine, Inc., property located south of CR 214, 3/4 mile east of I-95, containing 90.26 acres of land rezoning from OR to PUD for the development of a single family subdivision of 73 lots. PZA recommended approval with modifications to the application, unanimous vote: Proof of publication of notice of hearing to consider passage of an ordinance on R-PUD-91-007 B.S. Enterprises of St. Augustine, Inc., rezoning land from OR to PUD was received having been published in The St. Augustine Record September 16, 1991, upon motion by Brinkhoff, seconded by Roberts, carried 6/0, with Maguire absent, was ordered filed. David Bruner, CEL of St. Johns Survey Company, was present to answer questions concerning the project. Roberts questioned if the modifications

were included in the ordinance, to which Bruner replied in the affirmative. Napier stated that Planning and Zoning recommended approval. Herold asked Bruner if he agreed to the conditions contained in the ordinance. Bruner stated that the applicants agreed at the PZA level and he was sure that they still do. Motion by Roberts, seconded by Bailey, carried 6/0, with Maguire absent, to approve Ordinance Number 91-43.

ORDINANCE NUMBER 91-43

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO PLANNED UNIT DEVELOPMENT WITH CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

(10/22/91 - 6 - 3.0223)

E-91-040 - Appeal to granted exception for Brenda Cowgil, the appellant is: Stephen R. Cissell, President of Palm Valley Harbour Homeowners Association. The Exception for on premise consumption of alcoholic beverages at the Palm Valley Fish Camp was granted by the Planning and Zoning Agency on August 15, 1991. The appeal is being filed in accord with the provisions of the zoning code, and has met all time and notice requirements: Proof of publication of notice to consider an appeal to the Zoning Board decision on August 15, 1991 was received having been published in The St. Augustine Record September 25, 1991, upon motion by Balsavage, seconded by Floyd, carried 6/0, with Maguire absent, was ordered filed. Attorney Steve Alexander was present representing Brenda Cowgil. Stephen Cissell was present representing the Palm Valley Harbour Homeowners Association. (3.0277) Commissioner Maguire arrived at this point. Cissell reviewed conditions he would like the exception to include. Cissell stated that the outdoor music was his major concern. Considerable discussion ensued concerning the outdoor music that is played at the Fish Camp. Campbell reviewed portions of the County Noise Ordinance. Roberts questioned if Cissell's real concern was on the music and not the consumption of alcoholic beverage, which is what the appeal is on. Cissell stated he feels he is entitled to quite enjoyment of his property. Phyllis Crowdy, a resident of Palm Valley Harbour was present and stated she moved to the area to have a nice quite place to retire; her desire is for the Fish Camp to comply with the request to quite the music down. She stated that she did not anticipate the music problems when she bought her home. Discussion followed. (3.1100) Motion by Roberts, seconded by Brinkhoff, carried 6/1, with Bailey dissenting, to deny the appeal to the granted exception for on premise consumption of alcoholic beverages. Herold urged the owners of the Fish Camp and the Palm Valley Harbour Homeowners Association to work on a solution to the music issue and be good neighbors.

(10/22/91 - 6 - 3.1311)

Ordinances and Resolutions, (a) Set public hearing for a proposed ordinance creating the Thompson Bailey Road Assessment, recommended date, November 26, 1991 at 9:00 A.M.: Motion by Brinkhoff, seconded by Floyd, carried 7/0, to set the date for a public hearing to consider an ordinance creating the Thompson Bailey Road Assessment on November 26, 1991 at 9:00 a.m.

(10/22/91 - 6 - 3.1328)

Staff Reports:

Meiszer reported on a meeting he attended in New York with the Rating Services and the Bond Insurers.

1992 Legislative Session/Proposed Legislative Amendments: Meiszer reported that staff came up with 2 items for possible legislative support.

- 1) Meiszer requested support for the grant application to the Florida Department of Natural Resources (DNR) Division of Beaches and Shores Fixed Capital Outlay Legislative Budget request.
- 2) Meiszer reported that action was taken by the Board last year requesting the Legislature to amend and modify the local bid law but the timing was off and it did not get through the Legislature. Meiszer recommended going under the General Act, allowing the Board to set the policy to be followed in St. Johns County. Markel stated that he would like to see the amount raised to \$10,000 and to change the wording in the Local Act on the bidding of automobiles to take the State Contract price or the Bid price.