

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

NAME OF APPLICANT  
PATTY SEVERT  
1 FERN STREET  
ST. AUGUSTINE, FL 32084

APPLICATION NUMBER  
TUP-91-004

DECISION OF  
COUNTY COMMISSION

GRANTED

GRANTED WITH  
CONDITIONS

DENIED

For the purpose of retail pumpkin sales, from the period of October 5, 1991 thru October 31, 1991 and for the retail christmas trees sales, from the period of November 28, 1991 thru December 24, 1991.

\*See Attached

DATE OF COMMISSION ACTION: September 10, 1991



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: L. L. Bishop  
Vice Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: [Signature]  
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)

(09/10/91 - 8 - 3.0910)

**XII. SW-91-010 - WILLIAM H. PACETTI**

Hearing on SW-91-010 - William H. Pacetti to waive fire hydrant requirement, Section 90.6, for Oakland Subdivision, south side of Lightsey Road. Proof of publication of notice of hearing on SW-91-010 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. William H. Pacetti, 273 Bass Road, gave a brief recap of the subdivision's history and the recent problems incurred regarding the County's waterline requirements. Pacetti requested the fire hydrant requirement be waived.

Napier reported that because Oakland was a new subdivision the Board and the Fire Marshall recommended that fire hydrants be provided. Napier also concurred with Pacetti's comments that the County would not extend waterlines solely for the purpose of hooking up to a fire hydrant. This meant that units within 200 ft. of the water line would be required to tie-in with the County. Lengthy discussion on the subject followed. Upon motion by Roberts, seconded by Brinkhoff, to grant the fire hydrant waiver. Lengthy discussion on guidelines requiring hookup followed. Upon motion by Bailey, seconded by Brinkhoff, carried 7/0 to continue SW-91-010 until additional information pertinent to the subject was obtained.

(09/10/91 - 8 - 3.1986)

**XIII. TUP-91-004 - PATTY SEVERT**

Hearing on TUP-91-004 - Patty Severt, to allow Temporary Use Permit from October 5, 1991 through October 31, 1991 for Pumpkin Sales and from November 28, 1991 through December 24, 1991 for Christmas Tree Sales. Proof of publication of notice of hearing on TUP-91-004 was received, having been published in The St. Augustine Record on August 29, 1991; upon motion by Brinkhoff, seconded by Bailey, carried 7/0, was ordered filed. No discussion of the subject ensued. Upon motion by Bailey, seconded by Floyd, carried 7/0 to allow Temporary Use Permit from October 5, 1991 through October 31, 1991 for Pumpkin sales and from November 28, 1991 through December 24, 1991 for Christmas Tree sales.

(09/10/91 - 8 - 3.2032)

**Continuation of SW-91-010 - WILLIAM H. PACETTI**

Campbell reported that under Section 1 - Connection with County water and sewer system requirements, the water line must be 200 ft from the dwelling structure. Further discussion on the purpose for the requirement followed. Herold called the question on Roberts' motion that was seconded by Brinkhoff to grant the waiver of Section 90.6 of the subdivision regulations, which requires a fire hydrant in Oakland Subdivision. Approval was denied by a 2/5 vote, with Balsavage, Bailey, Floyd, Maguire and Herold dissenting. An in-depth discussion ensued on an avenue to assist Mr. Pacetti. Upon motion by Maguire, seconded by Floyd, carried 7/0 to waive any time restrictions that may be applicable to the situation in order to allow Mr. Pacetti the opportunity to come back before the Board with a resolution that would assist in resolving the problem.

(09/10/91 - 8 - 3.2520)

**XIV. HEARING ON COMPREHENSIVE PLAN AMENDMENT**

Public transmittal hearing for Comprehensive Plan Amendment incorporating the Stipulated Settlement Agreement Remedial Changes and Planned Rural Development Exemption. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on September 3, 1991; Upon motion by Bailey, seconded by Brinkhoff, carried 7/0, was ordered filed. Growth Management Coordinator, Bobbie Zeman capsulized the contents of the Stipulation Settlement Agreement at this juncture. Zeman stated that upon the directions of the Board, a change in language has been proposed within the textural appendix of the land use elements to address the "two year use it or lose it". Basically the proposed change would delete that language and allow private property owners with undersize acreages to develop it with a house irregardless of the size of the property, provided the property was owned as of September 14, 1990. Further discussion on the subject of the "two year use it or lose it" proposal change followed at length.

(09/10/91 - 9 - 3.3115)

Public Comments on the subject were entertained at this juncture.

William R. Rowles, Elkton, Fl, presented a scenario of his past and present land status. Rowles expressed his concerns of not being able to sell or subdivide his lots according to the new Comp Plan. Napier stated that the provision proposed today