

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

NAME OF APPLICANT

APPLICATION NUMBER

Prosperity Bank of St. Augustine
c/o John D. Bailey, Jr.
Upchurch, Bailey, and Upchurch, PA
P.O. Drawer 3007
St. Augustine, FL 32085

R-PSD-91-004

DECISION OF
COUNTY COMMISSION



GRANTED



GRANTED WITH
CONDITIONS



DENIED

ORDINANCE NO. 91- 23

The request is to rezone a parcel from CN to PSD to allow uses consisting of retail use, and office use, and 3 residential units.

*See Attached

DATE OF COMMISSION ACTION: May 28, 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)

(05/28/91 - 6 - 2.1565)

Hearing on SW-91-005 Susan Jean Donlon, waiver of platting & fire hydrant requirements for division of land requiring an easement. Proof of the publication of the notice of the hearing to consider a subdivision waiver was received, having been published in The St. Augustine Record on April 16, 1991; upon motion by Bailey, seconded by Roberts, carried 6/0 with Brinkhoff absent, was ordered filed. Susan Jean Donlon, 5935 A Winifred Masters Road, Elkton, Fl., requested a waiver to the subdivision regulations due to the creation of an easement. Napier stated the Planning and Zoning Agency recommended approval and Staff recommends approval subject to conditions outlined in report. Motion by Roberts, seconded by Bailey, carried 6/0 with Brinkhoff absent to approve SW-91-005 Susan Jean Donlon with the following conditions:

- 1) 30 ft. strip of land which connects to Winifred Masters Road must be recorded as a 30 ft. easement.
- 2) A 30 ft. easement is only acceptable for up to four (4) dwelling units. This request is approved to serve only one (1) unit.
- 3) Must provide 30 ft. recorded easement and construct to St. Johns County standards, 16 ft. stabilized driving surface, drainage swales along both sides of driving surface, and turn around (cul-de-sac) within limits of recorded easement at most distant point.
- 4) Land clearing/tree removal permit for any new clearing or tree removal.

(05/28/91 - 6 - 2.1644)

Hearing on PV-91-001 Gloria Child Goelz, rezoning from R-3 to R-1-B, property located on east side of Ponte Vedra Boulevard, running south from Duval County Line, includes 20 contiguous lots. Proof of publication of the notice of the hearing to consider rezoning lands from R-3 to R-1-B was received, having been published in The St. Augustine Record on April 25, 1991; upon motion by Bailey, seconded by Roberts, carried 6/0 with Brinkhoff absent, was ordered filed. Gloria Goelz, 77 Ponte Vedra Blvd., was present on behalf of 19 of the 20 property owners. Napier stated the Ponte Vedra Zoning Board and the Planning and Zoning Agency recommends approval. Motion by Bailey, seconded by Roberts, carried 6/0 with Brinkhoff absent, adopting Ordinance No. 91-22.

ORDINANCE NO. 91-22

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF R-3 TO R-1-B AND PROVIDING AN EFFECTIVE DATE.

(05/28/91 - 6 - 2.1730)

Hearing on TUP-91-003 Publix Super Market Inc., 4255 U.S. 1 South, Moultrie Square Shopping Center; requesting Temporary Special Use for outside sales. Proof of publication of the notice of the hearing to consider a temporary use permit TUP-91-003 Publix Super Market was received having been published in The St. Augustine Record on April 25, 1991, upon motion by Balsavage, seconded by Bailey, carried 6/0 with Brinkhoff absent, was ordered filed. Von Hughes, Meat Department Manager, Moultrie Square Publix, appeared; he presented photographs; explained the money received from the booths would go to a charity but the money received from the food sales would go to Publix. Board indicated they would like a percentage of the total earnings from these sales events donated to a charity. Motion by Bailey, seconded by Floyd, carried 6/0 with Brinkhoff absent, to continue this hearing to try to obtain authorization to donate a percentage of the total earnings to a charity. (2.3097) Subsequently Hughes indicated he was unable to contact the person he needed to speak with to obtain authorization to donate a percentage of the earnings to a charity. Motion by Balsavage, seconded by Bailey, carried 6/0 with Brinkhoff absent, to continue the hearing on TUP-91-003 Publix Super Market, requesting Temporary Special Use for outside sales until June 11, 1991 at 1:30 p.m.

(05/28/91 - 6 - 2.2200)

Hearing on R-PSD-91-004 Prosperity Bank of St. Augustine, property located west side of Highway A1A at 6225 A1A South; rezoning from CN to PSD, to allow existing structure to convert portion of commercial to residential. Proof of publication of the notice of the hearing to consider rezoning lands from CN to PSD was received, having been published in The St. Augustine Record on April 27, 1991; upon motion by Bailey, seconded by Roberts, carried 6/0 with Brinkhoff absent, was ordered filed. Attorney John Bailey representing Prosperity Bank was present. A Court Reporter was present recording. Bailey gave a brief history of zoning for this property; gave a copy of a synopsis (clerk did not receive a copy) of various trips that

would be generated by the uses proposed under this PSD; he indicated the traffic generated by this PSD would be substantially less than the prior uses or the uses that could be made under CN zoning. Napier stated Planning and Zoning and Staff recommends approval. Motion By Roberts, seconded by Bailey, carried 6/0 with Brinkhoff absent, adopting Ordinance No. 91-23.

ORDINANCE NO. 91-

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF "CN" TO "PLANNED SPECIAL DEVELOPMENT." AND PROVIDING AN EFFECTIVE DATE.

(05/28/91 - 7 - 2.2512)

Hearing on R-91-006 Michael Boles represented by Baron Bartlett, property located southeast corner of Watson Road and Datil Pepper Road, contains 33.81 acres of land, rezoning from OR to RS-2 with conditions to allow residential subdivision. Proof of publication of the hearing to consider rezoning lands from OR to RS-2 was received, having been published in The St. Augustine Record on April 27, 1991; motion by Balsavage, seconded by Bailey, carried 6/0 with Brinkhoff absent, was ordered filed. Attorney Baron Bartlett was present representing Michael Boles. He reviewed the request and the conditions. Napier stated approval is recommended subject to the 8 conditions outlined. Danny Salamone, 5225 Datil Pepper Road, commented. Motion by Floyd, seconded by Balsavage, carried 6/0 with Brinkhoff absent, adopting Ordinance No. 91-24.

ORDINANCE NO. 91-24

AN ORDINANCE OF ST. JOHNS COUNTY, 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.

(05/28/91 - 7 - 2.3158)

Continuation of hearing on R-PSD-90-035 O.A. Shatila, located on north side of SR#16 adjacent to St. Augustine Collision, Rezoning from OR to PSD to locate automobile storage business. Proof of publication of the hearing to consider rezoning lands from OR to PSD was received, having been published in The St. Augustine Record on April 27, 1991; Motion by Balsavage, seconded by Floyd, carried 6/0 with Brinkhoff absent, was ordered filed. Attorney Paul Martz was present representing O.A. Shatila. A Court Reporter was present recording. Martz submitted 5 photographs. Wilma Halshaw, 2121 State Road 16, voiced her concern that this will make a junky situation and will down grade the property value in that area. Napier stated Staff and the Planning and Zoning Agency recommends approval. Herold said he feels the sign with the truck on top is a real eyesore to the County. O.A. Shatila verbally agreed to clean up the sign within 60-90 days. Motion by Floyd, seconded by Bailey, carried 5/1 with Maguire dissenting and Brinkhoff absent, adopting Ordinance No. 91-25.

ORDINANCE NO. 91-25

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO PSD; AND PROVIDING AN EFFECTIVE DATE.

(05/28/91 - 7 - 2.3690)

Campbell reported word was just received that Goldberg from DCA has recommended to dismiss the appeal for the Administrative Hearing concerning the Comp. Plan. Napier stated an agreement should be coming to the County within 2 weeks; the DCA agreed to a grant of \$18,000 to assist with the cost of bringing it to compliance.

(05/28/91 - 7 - 3.0090)

Danny Salamone requested information on the Community Redevelopment Committee. Campbell suggested Salamone get with Tom Renner to go over the entire program; at this point the area has only been determined to be blight; now the Committee will meet with a planning firm for recommendations on what to do with the property. Salamone spoke in opposition to this program; feels it will end up being a very costly project for the County.

(05/28/91 - 7 - 3.0344)