

Draft A

ORDER OF THE ST. JOHNS COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

RE: Anastasia Advertising Art, Inc.  
c/o Keith E. Sebree  
P.O. Box 9014  
St. Augustine, FL 32085-9014

FILE NO.: V-92-016

ORDER DENYING VARIANCE

The above-referenced applicant requested a variance for an increase in height from 35 feet to 40 feet for an off site billboard at 4253 A1A South, zoned CG. The applicant requested the variance following construction of the sign. On August 6, 1992, the matter went before the Planning and Zoning Agency (PZA) for public hearing and the request was denied. On October 13, 1992, the matter came before the St. Johns County Board of County Commissioners pursuant to section 11-9-2 (a)(1) of the Zoning Code, which mandates that any variance for increase in permitted height of a structure may be granted only by the Board of County Commissioners.

FINDINGS OF FACT

Having considered the application and supporting documents; the Planning staff report dated August 6, 1992; the PZA's recommendation of denial; minutes from the August 6, 1992

PZA meeting; and statements from the applicant, the Board of County Commissioners (Board) makes the following findings of fact:

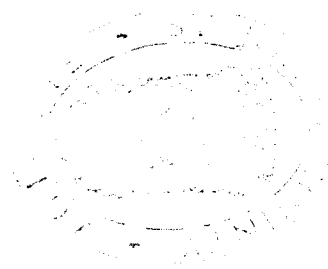
1. V-92-016 has been fully considered at public hearing pursuant to legal notice duly published as required by law in the St. Johns County Zoning Ordinance;
2. Section 6-1-86 of the County Zoning Ordinance provides approval of variances meeting certain criteria;
3. The PZA recommended denial of the request because the applicant failed to sufficiently indicate a hardship in accordance with section 6-1-86 of the County Zoning Ordinance and additionally found that the "increase in height would be inconsistent with the development trends of the area or as encouraged by the Comprehensive Plan", which findings the Board hereby adopts.
4. The hardship claimed by the applicant was that the sign has already been constructed, and that the additional height was necessary because of a last minute change in the design of the sign. The design change was made for increased visibility.
5. Section 6-1-86 of the County Zoning Ordinance instructs that a hardship created by the act of the owner is not considered a hardship justifying a variance. The Board finds that the hardship claimed in this request for a variance was created by the act

of the owner in making a design change in the sign which resulted in the additional height of the sign.

6. There is no condition related to the property on which the sign is located which would justify granting the variance.

ACCORDINGLY, the Board of County Commissioners adopts the PZA's recommendation, and hereby denies V-92-016 for failure to sufficiently indicate a hardship in accordance with section 6-1-86 of the Zoning Ordinance because the applicant changed the design of the sign which resulted in an increase in height and a need for the variance.

DATE OF COMMISSION ACTION: October 13, 1992



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Fred Brankhoff  
Its Chairman - Fred Brankhoff

ATTEST: CARL "BUD" MARKEL, CLERK

By: Wenae Carter  
Deputy Clerk

cc: Planning and Zoning Agency  
Anastasia Advertising Art, Inc.  
Attn: Keith Sebree  
P.O. Box 9014  
St. Augustine, FL 32085-9014