

ST. JOHNS COUNTY, FLORIDA

ORDER

REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

EARL S. and FAYE JOYNER
6421 JACK WRIGHT ISLAND ROAD
ST. AUGUSTINE, FL. 32092

APPEAL
V-92-001

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

After public hearing duly noticed, the St. Johns County Board of County Commissioners grants the above indicated appeal and therefore, grants the requested variance, conditioned upon the requirement that Mr. & Mrs. Joyner obtain the proper permits for the shed which is the subject of this appeal. The Board's action is based upon the following findings of fact:

- (1) Mr. & Mrs. Joyner own lots #12 & #14; ownership of the intervening lot, #13, is in a close family member, Mr. Joyner's father;
- (2) A shed has been in place on lot #14 for a long time (since 1957);
- (3) A large percentage of nearby residents on Jack Wright Island Road have no objection to the variance; and
- (4) When previous shed 2 was destroyed in 1985, a hardship existed in that Mr. & Mrs. Joyner needed to replace the shed in order to protect the items which had been in the shed.

*See Attached

DATE OF COMMISSION ACTION: April 28, 1992

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: J. L. Bibb
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl "Bud" Markel
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)

Commissioner Maguire suggested looking into having County employee drug testing and to start with the commissioners. The Board agreed with the suggestion and directed Meiszer to look into it.

Maguire requested authorization for staff to ask CDM to make a report on Stormwater Utilities at the workshop scheduled for May 19, 1992.

Maguire reported that he received a letter from Mr. Jennigan in St. Augustine South requesting an exemption of the road tax on his lots on Argus and Cypress Roads. Staff was directed to research the request.

Maguire reported that the county schools need people to speak for the Know Your County Government Program if anyone wants to volunteer.

(4.0468) Commissioner Floyd requested an update on the Community Redevelopment Agency. Meiszer stated that the Agency does not have the authority or the funds to hire anyone; what they did was make a commitment that if and when they get funding then they will hire Tom Renner to be their executive director. The Board expressed concern with this situation. Discussion followed regarding CRA's involvement with the Florida Memorial College property.

Floyd questioned information presented in the warrant and bills document to which Meiszer replied. (4.0850) E. A. Rowe, 6 Alice Street, commented that he disagreed with Meiszer's statement. Rowe reported that papers are being drawn up in Federal Court regarding a check for over \$30,000 that was never received by the person it was made out to.

(4.0915) Commissioner Balsavage reported that the most recent rental at the Courthouse, Mr. and Mrs. Gonzales, has asked for a month to month rental; after discussion with the County Attorney it was determined that this and other leases, as they come up, should be on a month to month rental. (4.0935) **Motion by Balsavage, seconded by Bailey, carried 6/0, with Herold absent, to go on a month to month lease on this and all other leases on the Courthouse.**

(4.0948) Commissioner Bailey reported that she will be having a Town Hall Meeting at Mill Creek School on Thursday night.

(4.0975) Commissioner Roberts requested a date be set for the presentation from the Economic Recovery Committee. It was the consensus of the Board to schedule it for a special meeting on May 19, 1992 at 9:00 a.m.

(4.1040) Commissioner Brinkhoff questioned if we are still farming out consulting work from the Engineering Department and if so, why. Meiszer stated that yes we are and explained why.

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

Commissioner Balsavage was not yet present at the meeting.

(04/28/92 - 8 - 3.0179)

Commissioner Balsavage arrived at the meeting.

V-92-001 - EARL S. JOYNER AND FAYE JOYNER, 6425 JACK WRIGHT ISLAND ROAD, APPEAL TO DENIAL OF VARIANCE. THE VARIANCE REQUESTED WOULD ALLOW THE CONTINUED PLACEMENT OF ACCESSORY STRUCTURE ON LOT NOT OCCUPIED BY MAIN USE STRUCTURE (SECTION 3-3 OF ZONING CODE) PZA DENIED - BY VIRTUE OF 4/4 VOTE, FAILURE TO RECEIVE A MAJORITY VOTE OF THOSE PRESENT: Proof of publication for a hearing to consider an appeal on a variance on V-92-001 Earl and Faye Joyner, was received having been published in The St. Augustine Record on March 25, 1992. Earl S. Joyner, 6425 Jack Wright Island Road, was present and explained the background of the property on which he is requesting the variance; the existing shed has been on the property since 1985; his mother and father purchased 3 lots on Jack Wright Island Road in 1957, Lots number 12, 13, and 14; lots number 12 and 14 have been deeded to him and his wife and lot number 13 is still owned by his father. Joyner presented a copy of a letter from his mother and father stating their Will indicates lot number 13 will part of Earl S. and Faye Joyner's inheritance. Joyner stated that originally, in 1970, there were two sheds on the property, in 1985 a storm destroyed one shed and did minor damage to the other. Joyner presented photographs of these sheds. Joyner said that if he is allowed to keep the shed he will pull all of the necessary building permits. (3.0584) Joe Larsen, 6426 Jack Wright Island Road, commented in favor of allowing the variance; he presented a colored map of the lots on Jack Wright Island Road. Attorney George McClure was present representing Allan and Melody Benson, spoke in opposition to

the appeal for a variance by the Joyners. Discussion followed. (3.1426) Motion by Maguire, seconded by Roberts, carried 6/1 with Herold dissenting, that in consideration of, 1) the fact that the ownership of lot 13 is a close family relative, specifically a father, 2) in consideration of the existence, for a long period of time, of a previous structure in that location, 3) in consideration of the fact that there was a petition signed by a tremendously large percentage of people in that neighborhood, and 4) in consideration of the fact that when a storage shed is destroyed by any means, there's something in it usually, so it needs to be rebuilt to store what you've been trying to protect from the elements, and that does create some form of a hardship; in consideration of those four elements to accept and grant the variance requested by Earl S. and Faye Joyner and that all appropriate permits must be obtained by them.

(04/28/92 - 9 - 3.1592)

TUP - 92 - 005 - INTERSTATE AMUSEMENTS OF AMERICA, REPRESENTATIVE: LOU WEAVER, REQUEST IS FOR A CARNIVAL TO BE PLACED ON THE OUT-PARCEL LOCATED IN FRONT OF THE CLOSED "AMES" STORE AT RIVERSIDE CENTER ON THE WEEKEND OF MAY 5 THROUGH MAY 10, THIS REQUEST IS FOR LESS THAN FOUR WEEKS, THEREFORE, THE APPROVAL IS REQUIRED BY THE BOARD OF COUNTY COMMISSIONERS ONLY. THERE IS NO HEARING BY THE PLANNING AND ZONING AGENCY: Proof of publication for a hearing on TUP-92-005 Interstate Amusements of America, representative Lou Weaver, was received having been published in The St. Augustine Record on April 15, 1992. Joe Jones, 2216 Deer Run Road, Lakeland, Florida, was present to present the request. Jones explained the purpose of the carnival is a Muscular Dystrophy fund raising event; stated that proper insurance has been obtained and contact has been made regarding the proper permits. (3.1627) Commissioner Herold left the meeting at this point. Napier indicated that staff would not have a problem with approval of the request, provided all permitting has been met. (3.1660) Motion by Floyd, seconded by Bailey, carried 6/0, with Herold absent, to grant approval of the request, with proper permitting.

(04/28/92 - 9 - 3.1700)

REPORT ON BOND ISSUE REFINANCING, LAVON WISHER, PUBLIC FINANCIAL MANAGEMENT: Lavon Wisner, Managing Director with Public Financial Management, was present. Wisner presented an update of the report that she presented in January 1992, on the refunding of the Transportation Bonds, Series 1988. Meiszer requested the Board set an annual average savings figure they would like with respect to the refinancing; suggested the Board pass a resolution setting a minimum figure in the range of \$186,603; when the market reaches that level we could proceed with the refunding. Discussion followed. Givens commented that if additional transportation funding is going to be necessary within the next 24 months it would be a benefit to the County to do both of these at one time. Floyd recommended that the Board ask the County Administrator, Finance Director, and Ms. Wisner meet and make a decision and present it at the next Board meeting. Markel asked how many additional dollars would be available, using the same pledge if needed, on a wrap around parity issue. Wisner stated it would be another \$12-15 million. Discussion continued. Markel pointed out that the Board should set a minimum and maximum that they can instruct the underwriters and financial managers to go with on short notice since the market is fluctuating. Maguire stated that he was in favor of watching this awhile longer so we can line up all of the improvements needed; feels we need time to get more information. It was the consensus of the Board that a workshop should be scheduled at 2:00 p.m. on May 19, 1992, for discussion of Public Financial Management, and 3:00 p.m. to discuss Stormwater Utilities.

(04/28/92 - 9 - 3.3088)

PRESENTATION BY THE EMERGENCY MEDICAL SERVICES DEPARTMENT: Margo Stevens, Director of Emergency Medical Services, was present and briefly reviewed services provided by the County's Department of Emergency Medical Services; reported that 7,324 emergency calls were answered last year and it is expected that number will increase by about 500 this year. Stevens presented a video that the EMS Department produced to help train Helping Hands Volunteers. Stevens entertained questions from the Board and discussion ensued regarding the possibility of charging a user fee.

There being no further business to come before the Board; upon motion by Maguire, seconded by Bailey, carried 6/0 with Herold absent, the meeting adjourned.