

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

RE: Huguenot Harbour  
William R. Gunby, Jr.  
2415 Coasta Verde Blvd., Suite 317  
Jacksonville Beach, FL 32250

Represented by: Karen M. Taylor, Land Planner  
3070 Harbor Drive  
St. Augustine, FL 32095

FILE NUMBER: R-PSD-92-014

ORDER DENYING REZONING APPLICATION  
R-PSD-92-014

The applicant requested a rezoning of an 8.68 acre parcel from open rural to a Planned Special Development (PSD) to construct 36 multifamily units. The property is located at the intersection of Lightsey Road and Century Blvd., west of State Road 207; APO Section 35, Township 7 South, Range 29 East. The applicant intends to develop a 36 unit low income multifamily housing development. On September 3, 1992, the application was reviewed by the Planning and Zoning Agency (PZA), which recommended denial of the rezoning request. The application was scheduled for consideration by the Board at a public hearing by the Board of County Commissioners on November 10, 1992. On November 10, 1992, the Board heard presentations by Karen Taylor, Land Planner, and John Metcalf, Esq., representing the applicant. Following their presentations, the Board heard statements from

various nearby landowners and residents who voiced concerns about traffic safety, property devaluation, and increased crime in the area. The Board also heard statements from two members of the PZA, John McDonald and Mel Kutzer. Mr. McDonald informed the Board that he had voted in favor of approval of PSD-92-014 because he feels the County needs a project such as the proposed Huguenot Harbour. Mr. Kutzer informed the Board that he voted against the project because he feels it is incompatible with the surrounding neighborhood.

After consideration of the application and supporting documents; the September 3, 1992 staff report; minutes from the September 3, 1992 PZA meeting; statements from the applicant and his representatives; statements from the public; and statements from two PZA members, the Board of County Commissioners denied the application for the following reasons:

1. The location of the project in this area would cause a devaluation of surrounding property;
2. The project would cause increased traffic on the road; and
3. The project would not be compatible with the surrounding residences.

ACCORDINGLY, the Board hereby denies R-PSD-92-014.

Any appeal of this decision may be made by filing a petition for writ of certiorari with the Clerk of the circuit court of St. Johns County within 30 days from the date of Commission action.

Date of Commission action: November 10,  
1992.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Juanita Balzavage*  
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Irma Parretti*  
Clerk

cc: John Metcalf, Esq.  
Planning and Zoning Agency

FLORIDA APPROVING A DECLARATION OF RESTRICTIVE  
COVENANT

(11/10/92 - 8 - 3.0254)

PUBLIC HEARING - ORDINANCE - R-PSD-92-007 OLD STONE CREDIT CORPORATION - JOHN D. NOCK, REPRESENTED BY WILLIAM JUSTICE NOCK - A REZONING FROM OR TO PSD TO ALLOW THE LOCATION OF A COQUINA SHELL SIZING PLANT. THE PROPERTY IS LOCATED ON THE EAST SIDE OF HOLMES BOULEVARD, NORTH OF THE LAKES SUBDIVISION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST ON AUGUST 6, 1992 BY UNANIMOUS VOTE, STAFF CONCURS IN THE PLANNING & ZONING AGENCY RECOMMENDATION: Proof of publication of the public hearing to consider an ordinance R-PSD-92-007-Old Stone Credit Corporation to rezone lands from the present zoning classification of OR to PSD was received having been published in The St. Augustine Record on October 2, 1992. Napier reported that the Planning and Zoning Agency recommended approval and staff also recommends approval. Attorney William Nock was present at the meeting. (3.0280) Motion by Roberts, seconded by Herold, carried 7/0, to approve Ordinance Number 92-42

ORDINANCE NO. 92-42

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 SPECIAL DEVELOPMENT

(11/10/92 - 8 - 3.0306)

PUBLIC HEARING - ORDINANCE - R-PSD-92-014 WILLIAM R. GUNBY, JR. APPLICANT/HAROLD AND GWENDOLYN WALDRON, OWNERS - REPRESENTED BY JOHN METCALF AND KAREN TAYLOR - REQUEST TO REZONE FROM OR TO PSD TO ALLOW DEVELOPMENT OF 36 MULTI-FAMILY UNITS AT A DENSITY OF 5.4 UNITS PER ACRE, LOCATED AT LIGHTSEY ROAD AND CENTURY BOULEVARD. ON SEPTEMBER 3, 1992, THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL BY A 6-1 VOTE. SUBJECT TO COMPLIANCE WITH STAFF RECOMMENDATIONS AND ALL APPLICABLE LAND DEVELOPMENT REGULATIONS, THE STAFF REPORT WAS FAVORABLE TO THE REQUESTED REZONING. THE PROJECT WILL BE SERVED WITH CENTRAL WATER AND SEWER AND LIES WITHIN THE URBAN SERVICE BOUNDARY AND A MIXED USE CORRIDOR WHICH PERMITS DENSITIES UP TO 13 UNITS PER ACRE. THEREFORE, THE PROJECT WAS DEEMED TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN: Proof of publication of the public hearing to consider an ordinance R-PSD-92-014 - William Gunby, Jr./Huguenot Harbour rezoning lands as described hereinafter from the present zoning classification of OR to PSD was received having been published in The St. Augustine Record. Attorney John Metcalf, 3301 Independent Square, was present representing William R. Gunby, Jr. Court Reporter Brenda Rutgers was present. Karen Taylor, land planner for the project, reviewed the planned project, displayed a large area map, aerial photographs, a poster showing landscaping and provided pictures on poster board of similar developments. Taylor noted that a waiver was requested from the Ordinance, requiring accel/decel lanes. Discussion followed. (3.0880) John Metcalf presented a letter to the Chairman of the Board, dated November 2, 1992, the Management Plan, and Concurrency Certificate Number 92-CD-51. (3.0990) Constance Evans, 1697 Brian Way, spoke opposing the project and presented petitions with 122 names opposing the project. (3.1070) Cathy Riddle, 1785 Lightsey Road, presented 24 petitions and spoke opposing the project. (3.1190) Paula Coates, 1820 Lightsey Road, spoke opposing the project. (3.1220) Dorothy Johnson, 1950 Lightsey Road, spoke opposing the project. (3.1250) Ferrell Lightsey, 2321 Lightsey Road, spoke opposing the project. (3.1255) Regina Pitts, 2136 Century Boulevard E., spoke opposing the project. Cindy Clifford, 1990 Lightsey Road, spoke opposing the project. Joe Manville, 2134 Century Boulevard, spoke opposing the project. Joanna Hanky, spoke opposing the project. Bill Krell, 1925 Sheridan Drive, spoke opposing the project. Julie Adams, 1740 Lightsey Road, spoke opposing the project. (3.1495) John Lester, 116 San Rafael Road, spoke opposing the project. Gwen Peterson, 1503 Edgewood, spoke opposing the project. Diana Hatchcock, 2105 Century Boulevard, spoke opposing the project. Peggy Rake, 2081 Century Boulevard, spoke opposing the project. Beth Masters, 1875 Lightsey Road, spoke opposing the project. Pat Murray, 1585 Lightsey Road, spoke opposing the project. Lois Usina, 1512 Edgewood Place, spoke opposing the project. David Webb, 1855 Century Boulevard, spoke opposing the project. Charles Duffy, 1617 Brian Way, spoke opposing the project. Mollie O'Rourk, spoke opposing the project. Linda Layfield, 1629 Brian Court, spoke opposing the project. (3.1963) Danny Riley, 1627 Brian Court, spoke opposing the project. Jeanette Ashton, Lightsey Road, spoke opposing the project.

(3.2090) John Metcalf continued speaking of the project. Discussion ensued. John McDonald stated that he was the Chairman of the PZA when this project was considered and voted affirmatively for the project. Mel Kutzer, 3385 Coastal Highway, commented. (3.2532) William Gunby, Jr. discussed why he chose this site. John Metcalf commented regarding a traffic problem and the possibility of a turn lane. Discussion followed. (3.3158) Motion by Floyd, seconded by Bailey, failed 2/5, with Maguire, Balsavage, Roberts, Herold, and Brinkhoff dissenting, to continue this item until the next regular Board meeting, November 24, 1992 at 6:00 p.m. Discussion followed. (3.3400) Motion by Floyd, seconded by Herold, carried 7/0, to deny for reasons of devaluing existing properties, increasing an already crowded roadway, and not compatible with the existing residents of St. Johns County in that area.

(11/10/92 - 9 - 4.0060)

PUBLIC HEARING - ORDER - V-92-021 - APPEAL - ARIBBA, INC., DOUG BURNETT, PRESIDENT - THE REQUEST IS TO REDUCE THE REQUIRED FRONT YARD SET BACK ON TWO PARCELS OF LAND LOCATED ON A1A NORTH FROM 25 FEET TO 15 FEET. ON SEPTEMBER 17, 1992, THE PLANNING AND ZONING AGENCY DENIED THE REQUEST BY VIRTUE OF THE LACK OF FIVE VOTES (A MAJORITY) AS REQUIRED BY SECTION 11-7-3 OF THE ZONING CODE. THE STAFF HAS NO OBJECTION IF THE APPLICANT CAN PROVIDE SUFFICIENT TURN-AROUND ROOM FOR VEHICULAR TRAFFIC ONTO A1A AND COMPLIANCE WITH ALL OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS: Proof of publication of the public hearing to consider an appeal to the Planning and Zoning Board decision on zoning variance V-92-021 Arribba, Inc. was received having been published in The St. Augustine Record on October 13, 1992. Court Reporter Brenda Rutgers was present. (4.0061) Jewel Kutzer, 3385 Coastal Highway, urged the Board to deny the request. (4.0163) Doug Burnett, 11080 Phillips Highway, Jacksonville, spoke regarding his request for a variance. Jerry Napier commented. Kevin Partel, 23 Bayview Drive, urged denial of the request. (4.0310) Barbara Naler, 3385 Coastal Highway, requested the Board to please deny the request. (4.0390) Bob Suttle, 7160 A1A South, commented. (4.0445) Josh VonKoschembahr, 3395 N. Coastal Highway, requested the Board deny the request. (4.0530) Ray Carter, 3385 Coastal Highway, requested denial of the variance. Discussion followed. Hurst suggested adding a finding to Draft "A" based on Maguire's comments that the applicant created any hardship that might be present. (4.0784) Motion by Balsavage, seconded by Herold, carried 7/0 to approve Order Draft "A" affirming action of the Planning and Zoning Agency and denying variance with the added finding as suggested by Assistant County Attorney Linda Hurst.

(11/10/92 - 9 - 4.0894)

PUBLIC HEARING - ORDER - V-92-019 - APPEAL - LAWRENCE AND MARIA SCHINELLER - THE REQUEST WAS FOR A VARIANCE TO THE REQUIRED REAR YARD SET BACK FROM 10 FEET TO 6 INCHES IN ORDER TO CONSTRUCT A SCREEN ENCLOSURE AROUND AN EXISTING POOL. THE PLANNING AND ZONING AGENCY DID NOT APPROVE THE 6 INCHES REQUEST, HOWEVER GRANTED THE VARIANCE TO REDUCE FROM 10 FEET TO 2 FEET ON SEPTEMBER 3, 1992 BY UNANIMOUS VOTE. THIS APPEAL IS TO REQUEST THE REDUCTION TO 6 INCHES BE ALLOWED. STAFF CONCURS WITH THE AGENCY'S APPROVAL: Proof of publication of the public hearing to consider an appeal to the Planning and Zoning Board decision on zoning variance V-92-019 was received having been published in The St. Augustine Record on October 16, 1992. Lawrence Schineller was present and explained why the variance was being requested. Discussion followed. (4.1060) John Demo, 61 Catalina Circle, spoke opposing the request. (4.1245) Maria Schineller commented. (4.1326) Motion by Maguire, seconded by Roberts, carried 6/1 with Bailey dissenting, to approve Order Draft "B" reversing action of the Planning and Zoning Agency and granting variance.

(11/10/92 - 9 - 4.1494)

PUBLIC HEARING - ORDER - E-92-060 - APPEAL - ALL AMERICAN MINI STORAGE - REPRESENTED BY ERNEST LEE - THE REQUEST WAS TO ELIMINATE A CONDITION OF AN EXCEPTION GRANTED FOR THE PLACEMENT OF MINI-WAREHOUSES IN 1985 (E-85-060) WHICH WAS TO PROVIDE ACCELERATION/DECELERATION LANE ON A1A. ON SEPTEMBER 3, 1992 THE PLANNING AND ZONING AGENCY DENIED THE REQUEST WITH A VOTE OF 4-3. THE STAFF REPORT GENERALLY RECOMMENDED DENIAL, HOWEVER, IF THE REQUEST IS GRANTED, THE REPORT REFLECTS CERTAIN CONDITIONS: Proof of publication of the public hearing to consider an appeal to the Planning and Zoning Board decision on E-92-060 was received having been published in The St. Augustine Record on October 13, 1992. Ernest Lee was present and explained the request. Discussion followed. (4.1844) Motion by Roberts, seconded by Herold, carried 7/0, to approve Order Draft "B" reversing action of the Planning and Zoning Agency and granting variance with the following findings: