

DRAFT A

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

RE: Irene Mora Reed  
2860 N. 6th St.  
St. Augustine, FL 32095

FILE NO: E-92-084

ORDER AFFIRMING ACTION OF THE  
PLANNING AND ZONING AGENCY  
AND DENYING ZONING EXCEPTION

The above-referenced applicant appeared before the Planning and Zoning Agency (Agency) on November 19, 1992, requesting an exception under the St. Johns County Zoning Ordinance for the placement of a park model travel trailer to be used for security purposes in conjunction with an existing apartment building and catering business on Lots 32, 33 and 34, Block 5, Santa Rosa Subdivision, St. Johns County, currently zoned commercial intensive (CI). The Agency denied the request for an exception and gave the applicant 45 days from November 19, 1992 to remove the travel trailer from the property. The applicant timely filed an appeal to the denial on December 11, 1992. On January 12, 1993, the matter came before the St. Johns County Board of County Commissioners on appeal from the Agency's order denying the exception.

FINDINGS OF FACT AND ORDER

Having considered the application for appeal and supporting documents; the November 19, 1992, Agency minutes; the Agency order dated November 24, 1992; the staff report dated November 19, 1992 and its supporting documents; and statements from the appellant, the Board of County Commissioners adopts the findings of fact stated in the Agency's order of November 24, 1992, a copy of which is attached hereto as Exhibit A incorporated and made a part hereof.

ACCORDINGLY, the Board of County Commissioners affirms the Agency's action in denying the exception to allow the placement of a park model travel trailer on Lots 32, 33, 34, Block 5, Santa Rosa Subdivision, St. Johns County. Further, the Board affirms that portion of the Agency order which requires the removal of the travel trailer. The travel trailer shall be removed from the property within 45 days from the date of this order.

Any appeal of this decision may be made by filing a petition for writ or certiorari with the Clerk of the Circuit Court of St. Johns County within 30 days.

Date of Commission action: January 12, 1993

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Linda Balsavage  
Its Chairman - Linda Balsavage

ATTEST: CARL "BUD" MARKEL, CLERK

By: Carl "Bud" Markel  
Deputy Clerk

cc: Planning and Zoning Agency  
Irene Mora Reed

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR THE GATES AT CUNNINGHAM CREEK**

(01/12/93 - 12 - 4.1022)

PUBLIC HEARING - ORDINANCE - R-PSD-92-021 - SOUTHERN CENTERS ASSOCIATES & APPLE SOUTH, INC., REPRESENTED BY JOHN D. BAILEY, JR. THE REQUEST INVOLVES THE REZONING OF LANDS LOCATED ON THE SOUTH SIDE OF SR 312, EAST OF SCOTTYS' AND IS COMPRISED OF 8.79 ACRES OF LAND. THE REZONING TO PSD IS TO ALLOW THE DEVELOPMENT OF THREE PHASES OF COMMERCIAL, PHASE I TO BE AN APPLEBEE'S RESTAURANT, PHASE II A SECOND RESTAURANT WITH THE REMAINING 5.51 ACRES TO BE RESERVED FOR FUTURE DEVELOPMENT. THE PLANNING & ZONING AGENCY RECOMMENDED APPROVAL On NOVEMBER 19, 1992, BY UNANIMOUS VOTE, WITH THE APPLICANT AGREEING TO LIMIT THE SIGNAGE TO 50 FT. HEIGHT. STAFF CONCURS WITH THE AGENCY RECOMMENDATION: Proof of publication of a public hearing to consider proposed ordinance R-PSD-92-021 - Southern Centers Associates & Apple South, Inc. was received having been published in The St. Augustine Record on December 11, 1992. Attorney John Bailey representing the applicant was present. Planning Director Jerry Napier reported that work is continuing between the applicant and the Public Works Department to work out the final alignment of the entrance drive. It was mutually requested by the applicant and staff that this item be continued to the February 9, 1993, meeting. (4.1054) *It was the consensus of the Board to continue this item to February 9, 1993 at 6:01 p.m.*

(01/12/93 - 12 - 4.1132)

PUBLIC HEARING - ORDER - APPEAL - E-92-084 - IRENE MORA REED. APPEAL TO DENIAL OF ZONING EXCEPTION FOR THE PLACEMENT OF A PARK MODEL TRAVEL TRAILER ON LOTS 32, 33, AND 34, BLOCK 5, SANTA ROSA SUBDIVISION AT 206 MIRULLO AVENUE OFF STATE ROAD 16, CURRENTLY OCCUPIED BY APARTMENT BUILDING AND CATERING BUSINESS. THE PLANNING AND ZONING AGENCY DENIED THE REQUEST ON NOVEMBER 19, 1992, BY UNANIMOUS VOTE. STAFF CONCURS WITH THE AGENCY ACTION: Proof of publication of a public hearing to consider an Order - Appeal - E-92-084 - Irene Mora Reed was received having been published in The St. Augustine Record on December 18, 1992. (4.1132) Commissioner Floyd temporarily left the meeting at this juncture. Napier reviewed the request and reported that staff recommends approval of Draft A affirming the PZA action. Irene Mora Reed, 2860 North 6th Street, was present and explained why she was requesting the exception. Discussion followed. (4.1195) Motion by Brinkhoff, seconded by Ward, carried 5/1 with Roberts dissenting and Floyd absent for the vote, to approve Draft A, Order affirming action of the Planning and Zoning Agency and denying zoning exception.

(4.1413) Commissioner Floyd returned to the meeting at this juncture.

(01/12/93 - 12 - 4.1298)

5:01 P.M. - PUBLIC HEARING FOR A PROPOSED ORDINANCE TO UPDATE THE COUNTY FIRE PREVENTION CODE: Proof of publication of a public hearing to consider a proposed ordinance to update the county fire prevention code was received having been published in The St. Augustine Record on December 30, 1992. Campbell reviewed the proposed ordinance. (4.1345) Motion by Brinkhoff, seconded by Jordan, carried 7/0, to adopt the ordinance updating the County Fire Prevention Code. Discussion followed. (4.1730) Subsequently, Hurst reported that this is the first of two public hearing on this ordinance and the Board is not required to take action today. The second hearing on the proposed ordinance is scheduled for January 26, 1993 at 5:01 p.m. (4.1805) Motion by Maguire, seconded by Brinkhoff, carried 7/0, to reconsider. (4.1857) Motion by Maguire, seconded by Floyd, carried 7/0, to authorize the chairman to remove the motion relating to item number 15 from consideration at this time.

(01/12/93 - 12 - 4.1550)

5:01 P.M. - PUBLIC HEARING FOR A PROPOSED ORDINANCE TO ADOPT A SWIMMING POOL CODE: Proof of publication of a public hearing to consider a proposed ordinance to adopt a swimming pool code was received having been published in The St. Augustine Record on December 30, 1992. Holt reported that this was submitted by his department in August 1992; at that time it had the support of the Builders Council; yesterday Michael Arthur, a member of the Council, brought in some technical review and it has since been redrafted with the submission. Holt spoke on the need to adopt the Code. Discussion followed. (4.1597) Mike Arthur, 218 Sea Turtle Way, representing the St. Johns Builders Council, recommended adoption with the modifications presented. Hurst reported that this is the first of