

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

RE: James and Linda Bowen
6381 Jack Wright Island Road
St. Augustine, Florida 32092

FILE NUMBER: Zoning V-92-006

ORDER DENYING APPEAL

The above-referenced applicants requested a variance in an RS-3 zoning district pursuant to the St. Johns County Zoning Ordinance (Zoning Code) for the reduction of the required front yard setback (§5-2-6a, Zoning Code) for an accessory building (shed)(§7-17-1, Zoning Code) from twenty-five feet to twelve feet on Lot 81, Island View Subdivision Unit III. On May 7, 1992, the matter went before the Planning and Zoning Agency for public hearing and the request was denied. On July 14, 1992, the matter came before the St. Johns County Board of County Commissioners on appeal by the applicants from the Planning and Zoning Agency's order denying the variance.

FINDINGS OF FACT

Having considered the application and supporting documents, the planning staff report dated May 7, 1992, the Planning and Zoning Agency's order denying the variance dated May 13, 1992, and statements from the applicants and the public, the Board

of County Commissioners adopts the findings of fact stated in the Planning and Zoning Agency's order, a copy of which is attached hereto as Exhibit A, incorporated and made a part hereof.

ACCORDINGLY, the Board of County Commissioners denies the appeal of V-92-006 because it fails to sufficiently indicate a hardship in accordance with section 6-1-86 of the Zoning Code because there is room to move the building on the property to avoid violating the Zoning Code; and approval would result in a compatibility problem for the area, and would be inconsistent with development trends of the area.

The Board of County Commissioners specifically affirms that part of the Planning and Zoning Agency's order which requires the shed to be brought into conformance with RS-3 Zoning District Regulations, and the applicant shall have forty-five days from the date of this action to comply with those provisions.

DATE OF COMMISSION ACTION: July 14, 1992

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: J. D. B. [Signature]
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: [Signature] Carter
Its

cc: James and Linda Bowen
Planning and Zoning Agency

ORDER OF THE ST. JOHNS COUNTY

PLANNING AND ZONING AGENCY

RE: James C., Jr., and Linda Z. Bowen
6381 Jack Wright Island Road
St. Augustine, Florida 32092

FILE NUMBER: V-92-006

ORDER DENYING VARIANCE

The above referenced applicants requested a variance pursuant to the St. Johns County Zoning Ordinance for the reduction of the required front yard setback for accessory building (shed) from 25 ft. to 12 ft. on lot 81, Island View Subdivision, Unit 3, currently zoned RS-3. On May 7, 1992 the matter came before the Planning and Zoning Agency (Agency) for public hearing.

FINDINGS OF FACT

Having considered the application and supporting documents, the staff report dated May 7, 1992, statements from neighboring resident, correspondence to the Planning and Zoning Department, and statements from the applicants, the Agency makes the following findings of fact:

- (1) V-92-006 has been fully considered after public hearing pursuant to legal notice duly published as required by law and the St. Johns County Zoning Ordinance;
- (2) Island View Subdivision is a platted subdivision in St. Johns County;
- (3) Section 6-1-86 of the County Zoning Ordinance provides approval of Variances meeting certain criteria;

NOW THEREFORE, although the request is not inconsistent

EXHIBIT A

with the St. Johns County Comprehensive Plan, this request fails to sufficiently indicate a hardship in accordance with Section 6-1-86 of the County Zoning Ordinance because there is room to move the building on the property to avoid violating the Zoning Ordinance; and approval would appear to result in a compatibility problem for the area and would be inconsistent with development trends of the area, the Agency DENIES V-92-006.

FURTHER, in that there exists on the property the shed described in the application, the Agency requires the shed to be brought into conformance with RS-3 zoning district regulations within 45 days from the date of this Order, unless, on appeal, the Variance is approved by the Board of County Commissioners.

This decision may be appealed to the St. Johns County Board of County Commissioners within 30 days of May 7, 1992 pursuant to Section 11-9-6, St. Johns County Zoning Ordinance.

DATED THIS 13TH day of May, 1992.

PLANNING AND ZONING AGENCY OF
ST. JOHNS COUNTY, FLORIDA:

BY: John Q. McDonald
Chairman

The undersigned Clerk of the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct copy of the Order adopted by said Agency as the same appears in the record of Planning and Zoning Agency minutes.

by: Rosemary Yeoman
Clerk