

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

Re : Joseph H. and Florence Richards
1181 Cherry Tree Road
St. Augustine, FL 32086

File No.: E-92-068

ORDER GRANTING EXCEPTION

The above-referenced applicants requested an exception to place a second mobile home on 4.77 acres, zoned OR, pursuant to Section 7-3 of the Zoning Code, which allows erection of more than one main use structure on a single lot under certain circumstances. The applicants requested the second mobile home for a family member residence. On September 17, 1992, the matter went before the Planning and Zoning Agency (PZA) for public hearing, and the PZA recommended approval of the exception. The matter is now before the Board of County Commissioners pursuant to Section 7-3 of the Zoning Code, which requires exceptions for the erection of more than one main use structure on a lot to be approved by the Board of County Commissioners.

FINDINGS OF FACT

Having considered the application and supporting documents, the planning staff report dated September 17, 1992, the PZA's order recommending approval of the exception dated September 25, 1992, and statements from the applicants, the Board

of County Commissioners hereby adopts the findings of fact stated in the PZA's order, a copy of which is attached hereto as Exhibit A, incorporated herein and made a part hereof. In addition, the Board of County Commissioners makes the following findings of fact:

1. The addition of a second mobile home on the 4.77 acre parcel does not exceed a greater density than one dwelling unit per acre, as required by Section 7-3, Zoning Code; and

2. The 4.77 acre parcel is sufficient to allow each residence to meet yard, area, and other requirements of the zoning code.

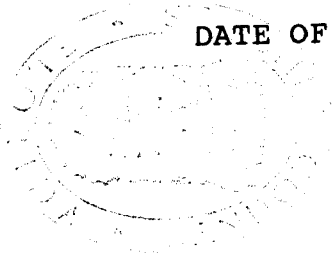
ACCORDINGLY, the Board of County Commissioners hereby grants exception E-92-068 subject to the following conditions:

1. The mobile home shall be skirted within 30 days of receiving a certificate of occupancy;

2. Use of the second mobile home is limited to the applicant's family only and shall be nonrental;

3. The exception is nontransferable; and

4. The applicants shall submit a lot grading plan to the public Works Department for review and approval prior to beginning work on the site.



DATE OF COMMISSION ACTION: October 13, 1992

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Fred Brinkhoff
Its Chairman - Fred Brinkhoff

ATTEST: CARL "BUD" MARKEL, CLERK

By: Yvonne Carter
Deputy Clerk

cc: Planning and Zoning Agency
Joseph H. and Florence Richards

ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY
REPORT AND RECOMMENDATION
TO THE BOARD OF COUNTY COMMISSIONERS

RE: E-92-068
Joseph H. and Florence Richards
1181 Cherry Tree Road
St. Augustine, Florida 32086

DATE OF PLANNING AND ZONING AGENCY HEARING: Sept. 17,
1992

LOCATION: The property is located at 1181 Cherry Tree Road in St. Augustine Heights Subdivision and contains 4.77 acres of land. The property is currently zoned OR, Open Rural, and is occupied by the applicants' single family residence.

PROPOSED CHANGE/REQUEST:

The request is for an **EXCEPTION** to place a second mobile home on the subject parcel, for a daughter to live in, in accordance with Section 7-3 of the Zoning Code and Ordinance 90-52, which requires exceptions for the erection of more than one main use structure on a lot to be approved by the Board of County Commissioners. The property is located within St. Johns County's Comprehensive Plan Future Land Use district "B" which allows two units per acre.

STAFF REPORT:

The staff report of September 17, 1992 was favorable with approval subject to the conditions of (1) compliance with Public Works Department comments; (2) non-rental; (3) family use only; (4) skirting; and (5) non-transferability.

MEETING ATTENDANCE BY CITIZENS/CORRESPONDENCE:

There were no persons other than the applicant to speak on the request; one letter in favor of the request was received by the Planning and Zoning Department.

PLANNING AND ZONING AGENCY FINDINGS/RECOMMENDATION:

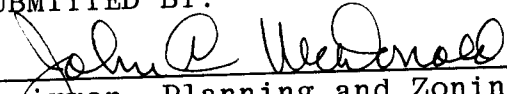
Having considered the application and supporting document; the staff report dated September 17, 1992; correspondence to the Planning and Zoning Department; and statements from the applicant, the Planning and Zoning Agency **Recommends approval** of the request for a second residence (mobile

Exhibit "A"

home) on the property subject to the following conditions: (1) Mobile home to be skirted within thirty days of occupancy; (2) family use only, non-rental; (3) non-transferable; and (4) submission of a lot grading plan if fill is to be placed on the lot for review and approval by the Public Works Department. The Agency recommends approval of the request for the following reasons:

- (1) The area is comprised of a mixture of mobile home and conventional single family residences, therefore approval subject to the listed conditions would not appear to result in a compatibility problem nor inconsistent with Section 6-1-26 of the County Zoning Ordinance. In addition, granting the request for the second unit will not adversely affect the public interest.
- (2) Since the Comprehensive Plan does not make specific reference to mobile homes or their location, and also the land use designation of this area is "B", which allows two units per acre and this lot is 4.77 acres, approval would not appear to be inconsistent with the Plan or the density requirements of the Future Land Use Map.

SUBMITTED BY:



Chairman, Planning and Zoning Agency
John G. McDonald

Dated this 25th day of September, 1992.

VOTE: UNANIMOUS