

ST. JOHNS COUNTY, FLORIDA
ORDER
REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT	APPLICATION NUMBER
KENNETH and DONNA DUBOSE Tract 99, St. Augustine Heights Subd., Unit 3 1151 Cherry Tree Road St. Augustine, Florida 32084	E-92-001 APPEAL

DECISION OF COUNTY COMMISSION GRANTED GRANTED WITH CONDITIONS DENIED

APPEAL ON VARIANCE TO PAVING REQUIREMENTS

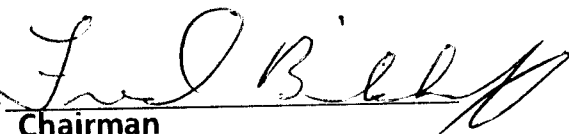
CONDITIONS:

- 1) NON-TRANSFERABLE
- 2) REMOVAL OF SHELLS TWICE WEEKLY
- 3) WILL PAVE THEIR BUISNESS AREA WHEN THE COUNTY PAVES THE COUNTY ROAD IN THAT AREA.

*See Attached

DATE OF COMMISSION ACTION: MARCH 24, 1992

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: 
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)

(03/24/92 - 11 - 3.2711)

E-92-001 - KENNETH & DONNA DUBOSE, EXCEPTION FOR OYSTER PROCESSING PLANT AND VARIANCE TO PAVING REQUIREMENTS WHICH WAS DENIED BY THE PZA - LOCATED AT 1151 CHERRY TREE ROAD - PZA VOTE ON BOTH ISSUES 4-4, THEREFORE RECOMMENDATION FOR DENIAL ON EXCEPTION AND DENIAL OF VARIANCE: Proof of publication of notice of a Public Hearing on an appeal on a request for an exception for an oyster processing plant and variance to paving requirements was received having been published in the St. Augustine Record on February 13, 1992. Hurst informed the Board that this appeal has two matters. On the exception the PZA sent the Board a recommendation of a denial and the Board takes final action on that exception. On the Variance the PZA has denied the request for variance and that is final action and is before the Board on a final appeal. Donna Dubose, 1151 Cherry Tree Road, St. Augustine, informed the Board that one of their back landowners was Mr. Dimare who is a member of the PZA and voted against their having the oyster house. Dubose also gave a brief summary of the neighborhood and the various oyster houses throughout the county using photographs. (3.2937) Ted Bucner, representing the Prairie Creek Property Owners Association, was opposed to the oyster house. **Motion by Roberts, seconded by Herold, carried 7/0, to grant exception E-92-001 along with Variance to the paving requirement for a parking lot with conditions, non-transferable and removing of shells twice weekly. Motion by Floyd, seconded by Maguire, carried 4/3 with Roberts, Herold and Brinkhoff dissenting to amend the previous motion by adding "will pave their business area when the county paves the county road in that area."**

(03/24/92 - 11 - 3.3605)

R-PSD-91-019 - ROLLING HILLS COMMUNITY REPRESENTED BY LARRY PAINE LOCATED OFF INDUSTRIAL PARK ROAD OFF SR 207 - CONTAINS 57 ACRES, REZONING TO ALLOW 140 SINGLE FAMILY UNITS - PZA RECOMMENDED APPROVAL - VOTE, UNANIMOUS: Proof of publication of notice of a Public Hearing on an ordinance rezoning lands as described from present zoning classification of open rural and planned unit development was received having been published in the St. Augustine Record on February 21, 1992. Larry Paine, Consulting Engineer, representing Rolling Hills Community Inc. Paine stated he was requesting the Boards' final approval for the rezoning of a 57 acre tract from open rural to PUD. **Motion by Herold, seconded by Bailey, carried 7/0, to approve Ordinance 92-10.**

ORDINANCE NUMBER 92-10

AN ORDINANCE OF THE COUNTY OF ST. JOHNS. STATE OF FLORIDA REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL AND PLANNED UNIT DEVELOPMENT. TO PLANNED UNIT DEVELOPMENT.

(03/24/92 - 11 - 3.3740)

R-PUD-91-020 - RAYMOND RINEHART REPRESENTED BY DAVID BRUNER, LOCATED ON WEST SIDE OF HOLMES BOULEVARD, SOUTH OF FEC - CONTAINS 19.5 ACRES, REZONING TO PSD TO ALLOW AUTOMOBILE RECYCLING FACILITY - PZA RECOMMENDED APPROVAL SUBJECT TO ADDITIONAL CONDITIONS OFFERED AT MEETING, VOTE 5-3: Proof of publication of notice of a Public Hearing on an ordinance rezoning lands as described hereinafter from present zoning classification of open rural to planned special development having been published in the St. Augustine Record on February 21, 1992. David Bruner, CEO St. Johns Survey Company, 3000 North Ponce De Leon Blvd. Bruner informed the Board that Mr. Rinehart and Mr. McElroy, County Fire Marshall, request a one sentence modification in the ordinance. The reason for the sentence is McElroy's fear of a fire pump being rusted out over a period of time for non-use and would rather have the option of having a fifty thousand gallon storage tank not only to have to fight fires on this site but in the general area. Hurst informed the Board that the ordinance was correct. (4.0126) Patrick Han, 1623 Natalie Road, St. Augustine, was opposed to the ordinance. Bruner entertained questions from the Board using exhibits. **Motion by Maguire, seconded by Herold, carried 7/0, to approve Ordinance No. 92-11 with the following changes in section 5, page 1 after the word installed, on the second line, put the words "and maintained" also in section 12, page 2 the amendment is to be included.**

ORDINANCE NO. 92-11

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER