

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

RE: Pine Ridge Subdivision  
Pine Lakes, Inc.  
176 Vilano Road  
St. Augustine, FL 32095

Represented by: David Bruner  
St. Johns Survey Company  
3000 North Ponce de Leon Blvd.  
St. Augustine, FL 32095

FILE NUMBER: R-PUD-92-001

ORDER DENYING REZONING APPLICATION  
R-PUD-92-001

On October 27, 1992, the above-referenced rezoning application came before the Board of County Commissioners (Board) with a recommendation for approval from the Planning and Zoning Agency (Agency) which had considered the request for rezoning at its May 7, 1992 meeting. Prior to the October 27, 1992 Board meeting, however, David Bruner, on behalf of Pine Lakes, Inc., requested that the applicant be allowed to withdraw the rezoning request.

The Board has considered the applicant's request for withdrawal. In withdrawal requests where the Agency's recommendation is before the Board and a public hearing has been set, noticed, and advertised, the Board may deny the pending application, based upon the withdrawal requests; and may impose a one year restriction against refiling, which one year restriction can be waived by a majority of the Board.

Accordingly, the Board hereby denies the application for the rezoning requested by Pine Lakes, Inc. in R-PUD-92-001. Further, the one year restriction against refiling is hereby waived, based on a unanimous vote of the Board.

Date of Commission action: October 27, 1992.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Fred Bilby  
Its Chairman

ATTEST:

By: Irma Sautter  
Clerk

Copies to: David Bruner (Pine Lakes, Inc.)  
Planning and Zoning Agency

asked for the backup and support of the finance from the Board. Motion by Herold, seconded by Balsavage, carried 7/0, to support the Property Appraiser and commit the Board to support him financially up to \$50,000.

(10/27/92 - 8 - 2.3440)

Consent Agenda #10: Approval of waiver of occupational license fee for the Great American Circus sponsored by the Sertoma Club to be held November 15, 1992 at St. Joseph Academy.

Charles Green, 4600 A1A South asked for the Board to waived the fee for the Great American Circus sponsored by the Sertoma Club, and the be held November 15, 1992 as a fund raiser for Toy for Tots. Maguire asked if the County was waiving the fee for charity and not for an independent company to come in and make money and leave town. Maguire asked how much money was Sertoma going to net. Mr. Green responded. Discussion ensued about the cost of the occupational license. Brinkhoff asked Sisco if he had reviewed the resolution. Sisco responded in the affirmative. Motion by Herold, seconded by Floyd, carried 7/0 to approve Resolution No. 180.

**RESOLUTION NO. 92-180**

**A RESOLUTION FINDING THAT A PUBLIC PURPOSE IS SERVED BY THE PERFORMANCE OF THE GREAT AMERICAN CIRCUS IN ST. JOHNS COUNTY IN NOVEMBER 1992 AS SPONSORED BY THE SERTOMA CLUB WITH A PORTION OF THE PROCEEDS TO BE USED FOR TOYS FOR TOTS AND AUTHORIZING THE PAYMENT OF THE NECESSARY ST. JOHNS COUNTY OCCUPATIONAL LICENSE FEE FOR SUCH PERFORMANCE FROM THE COUNTY GENERAL FUND.**

The meeting thereupon recessed and reconvened at 1:30 p.m. with Brinkhoff, Roberts, Bailey, Floyd, Herold, Balsavage, Maguire, Meiszer, Campbell, Hurst, and Pacetti present. Also present were Planning Coordinator Jerry Napier, and Jeannette Bradley, St. Augustine Record.

(10/27/92 - 8 - 3.0085)

12. Continued from 8/25/92 - Ordinance - R-PUD-92-001 - Pine Lakes, Inc., represented by David Bruner - St. Johns Survey - Rezoning from OR, Open Rural to PUD, Planned Unit Development, a development of 40 acres, proposed 35 units single family/mobile home community. Property is located on the north side of CR 214, 1,000 ft. east of I-95. The Planning & Zoning Agency recommended approval on May 7, 1992 by unanimous vote, subject to inclusion of amendments provided at the public hearing. Staff concurs in Planning & Zoning Agency recommendation and has verified that the amendments verbally offered and by letter have been included into the adopting rezoning ordinance being considered for rezoning.

As requested by Brinkhoff, Hurst presented an explanation concerning item #12, which was pulled from the agenda. Hurst said that there was a provision in the Zoning Code that requires the Board upon receipt of a report recommendation from the Zoning Board to set the matter for public hearing before the Board of County Commissioners, and the Board does have to take action on that. The action may be to continue it or to table it, or to approve it or to deny it. Hurst further stated that the applicant typically has not been allowed to withdraw at this point. Hurst made reference to a letter asking for the withdrawal of the request for rezoning. Jerry Napier noted that he had talked to Mr. Bruner, and they did not wish to proceed at the present time, but they may want to refile at a latter date. Napier recommended the ordinance be denied without prejudice, and waive the one year filing time period. Motion by Herold, seconded by Floyd, carried 7/0, to deny the ordinance without prejudice, and waive the one year filing time period.

(10/27/92 - 8 - 3.0136)

13. Ordinance - R-92-009 Jerry Sluder, Owner, represented by Richard Walker - Rezoning from OR, Open Rural to RS-2, single family residential with conditions: (1) Maximum two lots; (2) Maximum one residence per lot; and (3) minimum lot size shall be one-half acre. Property is located in Palm Valley, North side of Canal Boulevard and contains 1.08 acres of land. The Planning & Zoning Agency recommended approval on August 20, 1992 by unanimous vote. Staff concurs in Planning & Zoning Agency recommendation. Proof of publication of notice of a public hearing on intent to consider enactment of an ordinance was received; having been published in The St. Augustine Record on September 14, 1992.