

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

RE: Harriett Mussallem  
2500 Ponce de Leon Blvd.  
St. Augustine, FL 32084

RE: Appeal of Planning and Zoning Agency's denial of V-93-019

ORDER REVERSING ACTION OF  
PLANNING AND ZONING AGENCY

The above-referenced applicant appeared before the Planning and Zoning Agency (Agency) on July 1, 1993 requesting a variance pursuant to the St. Johns County Zoning Ordinance to reduce the front yard setback from 25 feet to 15 feet on lots A, B, and C of Parcel 16, Section 32, Township 6 South, Range 30 East, St. Johns County, Florida. On July 15, 1993, the Agency entered its order denying the variance.

The applicant timely filed an appeal to the Agency's action on July 21, 1993. On September 14, 1993, the matter came before the St. Johns County Board of County Commissioners (Board) on appeal.

FINDINGS OF FACT AND ORDER

Having considered the application for appeal and supporting documents; the July 1, 1993, Agency minutes; the

Agency order dated July 15, 1993; the staff report dated June 18, 1993 and its supporting documents; and statements from the affected parties, the Board makes the following findings of fact:

1. The appeal of the Agency's action was properly filed in a timely manner;

2. The appeal of the Agency's action denying the request for a variance to reduce the front yard setback from 25 feet to 15 feet on lots A, B, and C of Parcel 16, Section 32, Township 6 South, Range 30 east, St. Johns County, Florida (V-93-019) has been fully considered after public hearing pursuant to legal notice as required by law and the Zoning Ordinance.

3. Based on statements from the appellant at the July 14, 1993 hearing and other evidence of record, the Board hereby reverses the Agency's order denying the variance for the following reasons:

- (a) It is found that since the applicant has owned the subject lots since 1974 and that since the lots would be unusable without the 15 ft. setback the applicant suffers a hardship that justifies the variance;
- (b) It is found that lots in identical situations in this area have been permitted to have a 15 ft. setback on condition that there is adequate vehicle turn around space thus this variance is consistent with development trends in the area.

ACCORDINGLY, V-93-019 is hereby granted and made transferable on condition that it be exercised within two years of this order and that St. Johns County Public Works Department approval is obtained to ensure that there is adequate vehicle turn around space in the site to prevent backing onto A1A Highway.

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

Date of Commission action: September 14, 1993

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Linda Balavage*  
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Seneca Racetti*  
Deputy Clerk

cc: Harriett Mussallem  
Planning and Zoning Agency