

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

RE: Lawrence Mitchell
278 SR 16
St. Augustine, FL 32095

FILE NO: R-93-005

ORDER DENYING
APPLICATION FOR REZONING

The above-referenced applicant appeared before the Planning and Zoning Agency (Agency) on June 3, 1993 requesting rezoning from RS-3 to CG of lots 19 and 20, in block 1 Santa Rosa Subdivision (278 SR 16) as recorded in map book 3, page 103 of the public records of St. Johns County, Florida. The Agency recommended denial of the rezoning. On August 24, 1993 the matter came before the Board of County Commissioners of St. Johns County for final action on the request for rezoning.

FINDINGS OF FACT AND ORDER

1. The property is located at 278 SR 16, lots 19 and 20, Block 1 Santa Rosa Subdivision as recorded in Map Book 3, page 103 of the public records of St. Johns County.

2. The request is to rezone a parcel of land approximately 120 ft. x 150 ft. currently zoned RS-3 to CG with limited conditions; permitted uses to be those allowed in section 5-8-1v (psychics) and section 5-8-4i (mobile home on same premise

for owner occupancy) with a variance to waive the required paving of the parking area for a period of 5 years.

3. R-93-005 has been fully considered after a public hearing pursuant to legal notice duly published as required by law and the St. Johns County Zoning Ordinance.

4. The property lies within a mixed use planning area as described by the County comprehensive plan.

5. The applicant has not demonstrated a hardship supporting the need for transforming the original September of 1992 request for an exception for a home occupation as a hobby, to an actual business as would be permitted if the rezoning was to be approved.

6. The rezoning of the subject property to zoning classification CG would not be consistent with development trends of the area, even though it is a mixed area corridor. The system and process for seeking the requested business use of this property was not followed as the applicant should have sought the intended use by applying for a Planned Special Development. Thus, the rezoning to the CG classification did not accomplish the objective standards and criteria of the zoning ordinance and comprehensive plan.

Wherefore, it is found that:

1. The need and justification for the requested rezoning has been considered in accordance with the Zoning Code

and has been found insufficient to support the requested rezoning.

2. The request to rezone the subject property to a CG zoning district is found not to be consistent with the development trends of the surrounding area.

3. The proper system and format for obtaining business zoning has not been followed, and therefore the requested rezoning from RS-3 to CG zoning district is hereby denied.

Date of commission action: August 24, 1993

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Linda Balowage*
Chair

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Amy Bennett*
Deputy Clerk

cc: Lawrence Mitchell
Planning and Zoning Agency