

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

RE: Roger Fomby
c/o Loren Jones
906 Anastasia Blvd.
St. Augustine, FL 32084

RE: Appeal of Planning and Zoning Agency's denial of V-93-018

ORDER REVERSING ACTION OF
PLANNING AND ZONING AGENCY

The above-referenced applicant appeared before the Planning and Zoning Agency (Agency) on June 17, 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 a lot located in North Beach Subdivision, 3740 Coastal Highway. On June 17, 1993, the Agency entered its order denying the variance.

The applicant timely filed an appeal of the Agency's action on July 16, 1993. On August 24, 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 June 17, 1993, Agency minutes; the Agency order dated June 22, 1993; the staff report dated June 4,

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 a lot located in North Beach Subdivision, 3740 Coastal Highway 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 August 24, 1993 hearing and other information presented at the August 24, 1993 hearing, the Board hereby reverses the Agency's order denying the variance for the following reasons:

(1) lack of information previously provided to the Planning and Zoning Agency;

(2) change of the application to move the front stair location to a location behind the 15 feet front setback;

(3) new information regarding the Planning and Zoning Agency staff recommendation of approval in light of change of stair location; and

(4) hardship to the application based on the topography of the lot.

ACCORDINGLY, V-93-018 is hereby granted.

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: August 24, 1993

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Lina Babawaga*
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Carl Markel*
Clerk

cc: Roger Fomby
c/o Loren Jones
Planning and Zoning Agency