

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

RE: Patty Severt  
3160 W. Beaver St.  
Jacksonville, FL 32254

FILE NUMBER: TUP 94-012

ORDER GRANTING TEMPORARY  
USE PERMIT

The above-referenced applicant requested a temporary use permit (TUP) under the St. Johns County Zoning Ordinance to allow outdoor sale of Christmas trees from November 25, 1994 to December 22, 1994 in the area west of Sears at the Ponce de Leon mall, U.S. #1 South, St. Augustine, FL (as further described in the application) Since the TUP is for four weeks or less, it was not reviewed by the Planning and Zoning Agency.

FINDINGS OF FACT AND ORDER

Having considered the application and supporting documents, and the applicant's statements at the November 8, 1994, Board of County Commissioners meeting, the Board of County Commissioners makes the following findings of fact:

1. The request was duly considered in accordance with the Zoning Code and law;
2. The request is consistent with the development trends of the surrounding area and is customary within shopping center locations;
3. The request is not in conflict with the Comprehensive Plan;
4. With the condition that the activities do not hinder the flow of traffic and pedestrians, nor create a fire hazard, the request is compatible with the

CLERK COUNTY COMMISSIONERS

*Paul B. [Signature]*

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present development of the land and is not inconsistent with the area.

NOW THEREFORE, the Board of County Commissioners hereby grants the temporary use permit, TUP-94-012 as follows:

The application from Patty Severt for a TUP authorizing the outdoor sale of Christmas trees in the area west of Sears at the Ponce de Leon Mall, U.S. #1 South is hereby granted with the following conditions:

1. The request shall be non-transferable and limited to sale from November 25, 1994 to December 22, 1994;
2. The sale and display of Christmas trees shall not hinder the flow of traffic and pedestrians nor create a fire hazard in and around the existing shopping center.

Date of Commission action: November 8, 1994

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: *Alan Roberts*  
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Jenna Paetti*  
Deputy Clerk

cc: Patty Severt

(11/08/94 - 12 - 3.1233)

PUBLIC HEARING - ORDER - TEMPORARY USE PERMIT - TUP-94-012 - PATTY SEVERT. THE REQUEST IS FOR A TEMPORARY USE PERMIT FOR THE SALE OF CHRISTMAS TREES FROM NOVEMBER 25, 1994 THROUGH DECEMBER 22, 1994, IN THE AREA WEST OF SEARS AT THE PONCE DE LEON MALL, U.S. 1 SOUTH. THE REQUEST IS LESS THAN ONE MONTH, THEREFORE THE APPLICATION IS NOT CONSIDERED BY THE PLANNING AND ZONING AGENCY. PLANNING AND ZONING STAFF HAS NO OBJECTION TO THE REQUEST IN THAT ADEQUATE PARKING AND ACCESS IS AVAILABLE WITHIN THE SHOPPING CENTER, HOWEVER, THE APPLICANT SHOULD BE CAUTIONED THAT THE PLACEMENT OF THE TENT AND DISPLAY SHALL NOT CREATE A FIRE HAZARD OR IMPEDE VEHICULAR OR PEDESTRIAN TRAFFIC. THE REQUEST DOES NOT APPEAR TO BE INCONSISTENT WITH THE COMPREHENSIVE PLAN OR DEVELOPMENT TRENDS IN THE AREA

Proof of publication of the notice of public hearing regarding TUP-94-012 was received having been published in The St. Augustine Record on October 21, 1994.

Napier gave a brief overview of the Order for a Temporary Use Permit. Motion by Ward, seconded Jordan, carried 4/1 with Brinkhoff opposing and Balsavage and Floyd absent, to approve the Temporary Use Permit with the condition that the applicant shall not impede traffic nor create a fire hazard and adopting Findings of Fact to support the motion 1 through 4.