

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

RE: Wal Mart Store  
Wal Mart Stores, Inc.  
2355 U.S. 1 So.  
St. Augustine, FL 32086

ORDER GRANTING  
TEMPORARY USE PERMIT

Wal Mart Stores, Inc. requested a Temporary Use Permit (TUP) under the St. Johns County Zoning Ordinance to allow temporary outdoor garden center, sporting goods and seeds sales and display at a site the address of which is 2355 U.S. 1 South, St. Augustine, FL 32086 and which is more specifically described in the application. The times requested for these uses are May 1 through 21 and June 27 through July 28, 1994.

FINDINGS OF FACT  
AND ORDER

Having considered the application and supporting documents, testimony at the April 26, 1994 hearing of this matter, the St. Johns County Board of County Commissioners makes the following findings:

1. The request was duly considered in accordance with the Zoning Code and law;
2. The request (as limited to the one week period granted), is consistent with the development trends of the surrounding are and is customary at this location;
3. The request (as limited to the one week period granted), is not in conflict with the Comprehensive Plan;
4. With the condition that the sales and activities do not hinder the flow of traffic nor create a fire hazard, the request (as limited to the one week period granted), is compatible with the development of land and consistent with the area.

NOW THEREFORE, the Board of County Commissioners hereby grants temporary use permit TUP 94-004 to Wal Mart Stores, Inc.

to allow outdoor garden center, sporting goods, and seed display and sales by Wal Mart Stores, Inc. at said 2355 U.S. 1 South, St. Augustine, FL 32086 site for one week during the period from May 1 through May 23, 1994, with the condition that said dates and activities do not hinder the flow of traffic nor create a fire hazard. Other periods applied for are denied.

Date of Commission action April 26, 1994

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Allan Roberts  
Its Chair - Allan Roberts

ATTEST: CARL "BUD" MARKEL, CLERK

By: Irma Dacetti  
Deputy Clerk

Date filed with the Clerk May 12, 1994

cc: Planning and Zoning Dept.  
Wal Mart Stores, Inc.

(04/26/94 - 11 - 4.1345)

PUBLIC HEARING - ORDER - TEMPORARY USE PERMIT - TUP-94-004 - WAL-  
MART STORES, INC. THE REQUEST IS TO ALLOW OUTDOOR GARDEN CENTER,  
SPORTING GOODS AND SEEDS DISPLAY AND SALES DURING MAY 1 THROUGH MAY  
21 AND JUNE 27 THROUGH JULY 28, 1994. SINCE THE EVENTS ARE LESS  
THAN FOUR WEEK DURATION, THE PLANNING AND ZONING AGENCY DOES NOT  
CONSIDER THE REQUEST. SUBJECT TO THE PLACEMENT OF ARTICLES SO AS  
NOT TO IMPEDE TRAFFIC AND NOT TO CREATE A FIRE HAZARD, THE PLANNING  
AND ZONING STAFF HAS NO OBJECTION

Proof of publication of notice of public hearing - Order - TUP-94-  
004 - Wal Mart Stores, Inc. was received, having been published in  
The St. Augustine Record on April 13, 1994.

Napier explained the request. Steve Adams, Manager, Wal-Mart, St. Augustine, gave the reason for requesting the permit. Considerable questions and answers between the Board and Staff followed concerning the proposed request.

**Public Comments:**

(4.1707) Michael Burkhardt, 2400 US 1, South, St. Augustine, voiced his concern regarding the proposed request.

(4.1760) Ben Welch, Manager, K-Mart Store, 1777 U.S.1, South, voiced his opinion on the proposed request.

(4.1896) Steve Adams, offered additional information to facilitate granting the permit. Discussion continued. (4.2101) Motion by Maguire, seconded by Floyd, carried 7/0, adopting Findings of Facts 1 through 4, and granting one week of sales out front, from May 1 to May 23, at his discretion.