

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

RE: William and Julia Chalfin
1435 East 101 Street
Brooklyn, New York 11236

FILE NUMBER: SW-94-001

ORDER DENYING SUBDIVISION WAIVER

The above-referenced applicant requested a subdivision waiver pursuant to the St. Johns County Residential Subdivision Regulations to allow the division of the subject property into four parcels, each of greater than one acre. On June 16, 1994 the matter came before the Planning and Zoning Agency (PZA) for public hearing, and the PZA recommended disapproval. This matter came before the St. Johns County Board of County Commissioners for public hearing and action on August 23, 1994.

FINDINGS OF FACT

Having considered the application, supporting documents, exhibits and the PZA recommendation, the Board of County Commissioners made the following findings of fact:

1. The application, SW-94-001, has been fully considered after public hearing pursuant to legal notice duly published as required by law and the St. Johns County Residential Subdivision Regulations.

2. The applicant failed to establish public benefit or hardship in accordance with Article XI Section 110.0 of the Residential Subdivision Regulations.

NOW THEREFORE, the applicants subdivision waiver request to divide the subject property into four lots is hereby **DENIED**.

Date of Commission action: August 23, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Alan Roberts
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Patricia De Grande
Deputy Clerk

Date filed with the Clerk: September 9, 1994

The applicant may appeal this Order in accordance with the applicable Florida law and the Florida Rules of Appellate Procedure.

SEP 21 6-113 76.

SEP 21 1994

9-16-94
Patricia De Grande
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ordinance approving the zoning, adopting Findings of Fact found in Section 3a, b, c, d, and e to support the motion.

ORDINANCE NO. 94-38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO PLANNED SPECIAL DEVELOPMENT

(08/23/94 - 9 - 4.1228)

PUBLIC HEARING - ORDINANCE - REZONING - R-PSD-94-008 - A.H. CRAIG, A.H. CRAIG III, REPRESENTED BY WALTER J. O'KON, ARCHITECT. THE REQUEST IS TO REZONE 1.4 ACRES FROM OR TO PSD, LOCATED AT 1475 OLD DIXIE HIGHWAY, TO ALLOW THE CONSTRUCTION OF AN OFFICE ANNEX FOR CRAIG FUNERAL HOME WHICH EXISTS ON THE ADJACENT PROPERTY. THE SUBJECT PARCEL LIES WITHIN A MIXED USE AREA OF THE COMPREHENSIVE PLAN. ON JUNE 16, 1994 THE PLANNING AND ZONING AGENCY CONSIDERED THE REQUEST AND RECOMMENDED APPROVAL SUBJECT TO COMPLIANCE WITH STAFF RECOMMENDATIONS AND THE APPROVAL OF THE ELIMINATION OF THE NEED FOR STRIPING OF THE PARKING AREAS. THE ORDINANCE AND SUPPORTING DOCUMENTS REFLECT COMPLIANCE WITH THE PZA AND STAFF RECOMMENDATIONS AND PROVIDES FOR THE WAIVER OF THE STRIPING REQUIREMENTS OF THE PARKING AREA. THE PZA RECOMMENDATION OF APPROVAL WAS UNANIMOUS

Proof of publication of notice of public hearing to consider rezoning R-PSD-94-008 A. H. Craig, A. H. Craig III, was received, having been published in The St. Augustine Record on July 23, 1994.

Jerry Napier reviewed the request for rezoning. Walter O'Kon was present representing the applicant. There were no public comments. Motion by Brinkhoff, seconded by Floyd, carried 6/0 with Maguire absent, to adopt the ordinance approving the rezoning, adopting the Findings of Fact found in Section 4a, b, c, d, e, and f of the ordinance.

ORDINANCE NO. 94-39

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO PLANNED SPECIAL DEVELOPMENT.

(08/23/94 - 9 - 4.1277)

PUBLIC HEARING - SW-94-001 - WILLIAM AND JULIA CHALFIN. REQUEST TO WAIVE THE PLATTING/RECORDING REQUIREMENTS OF THE SUBDIVISION REGULATIONS TO ALLOW THE DIVISION OF PROPERTY LOCATED AT SOUTH WINTERHAWK DRIVE. EACH DIVISION WILL CONTAIN A MINIMUM OF ONE ACRE OF LAND. THREE OF THE DIVISIONS HAVE FRONTAGE ON SOUTH WINTERHAWK WHILE THE FOURTH IS TO BE ACCESSED FROM A 30' EASEMENT EXTENDING FROM SOUTH WINTERHAWK. THE FOURTH DIVISION WITH THE CREATION OF AN EASEMENT REQUIRES THE REQUESTED WAIVER. SINCE THE APPLICANT WAS UNABLE TO PRESENT A HARDSHIP WHICH IS REQUIRED UNDER ARTICLE XI, SECTION 110.0 OF THE SUBDIVISION REGULATIONS, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED DENIAL AT ITS REGULAR MEETING OF JUNE 16, 1994

Proof of publication of notice of a public hearing to consider SW-94-001 William and Julia Chalfin was received, having been published in The St. Augustine Record on August 1, 1994.

Development Review Coordinator Betty Sue Solano reviewed the requested waiver; turned in two additional letters of opposition to the clerk. The applicant was not present for the hearing. Discussion followed.

(4.1532) Fredrick LaNinfa, 418 Nervia Court, offered comments in opposition to the requested waiver; expressed that a hardship was not proven by the applicant.

(4.1625) Tracy Wells, 1067 Winterhawk, reported that endangered species are living on this property.

(4.1680) Joe Bennett, 1050 B Winterhawk Drive, voiced opposition to the request.

Motion by Ward, seconded by Brinkhoff, carried 6/0 with Maguire absent, to authorize staff to prepare an order denying Subdivision Waiver SW-94-001 based on Findings of Fact 1 and 2.

(08/23/94 - 10 - 4.1790)

APPROVAL OF RESOLUTION FOR FINAL PLAT FOR RIVER OAKS PLANTATION UNIT ONE REPLAT

Bosanko requested to continue this item until the end of the meeting to clear up some problems with the title opinion. Discussion followed. **Motion by Jordan, seconded by Floyd, carried 6/0 with Maguire absent, to continue this item until September 13, 1994 at 1:30 in order to receive all of the information.**

(08/23/94 - 10 - 4.1900)

APPROVAL OF RESOLUTION FOR FINAL PLAT FOR MARSH LANDING UNIT 27

Motion by Balsavage, seconded by Ward, carried 6/0 with Maguire absent, to approve resolution for Final Plat for Marsh Landing Unit 27.

RESOLUTION NO. 94-158

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR MARSH LANDING AT SAWGRASS UNIT TWENTY-SEVEN

Discussion followed on the procedure and time frame for submission of mylars and information for plats and plans to be on the agendas.

(4.2646) Commissioner Floyd left the meeting.

(08/23/94 - 10 - 4.2646)

BID AWARD 94-63 Purchase of Autoanalyzer for Laboratory Chemical Analysis

Bids for Bid No. 94-63 were opened on July 26, 1994, at 3:00 p.m. by Purchasing Agent Don Hein and tabulated as follows:

(See attached Exhibit A)

Memo from staff was received explaining that the low bidder did not meet the bid specification; staff recommended that the bid be awarded to the next lowest bidder Lachat Instruments in the amount of \$44,707.00.

Motion by Ward, seconded by Brinkhoff, carried 5/0 with Maguire and Floyd absent, to award the best bid of 94-63 meeting specifications to Lachat Instruments in the amount of \$44,707.

Campbell reported that a protest on the bid was received but it was after the time limit expired.

(08/23/94 - 10 - 4.2662)

STANDING COMMITTEE REPORTS/COMMISSIONERS REPORTS

Brinkhoff did not present a report.

Jordan did not present a report.