

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 11, 2002
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chair
Nicholas Meiszer, District 1, Vice Chair
John Reardon, District 2
Mary Kohnke, District 4
Ben W. Adams, Jr., County Administrator
Michael Hunt, Assistant County Attorney
Yvonne King, Deputy Clerk

Also present were: Cheryl Strickland, Clerk of Courts; and Allan MacDonald, County Finance Director.

Absent was: Marc Jacalone, District 3

(06/11/02 - 1 - 9:04 a.m.)

The meeting was called to order by Chair Bryant.

(06/11/02 - 1 - 9:05 a.m.)

Rev. Ken Aspen, Kingdom Fellowship, gave the Invocation. Bryant led the Pledge of Allegiance.

(06/11/02 - 1 - 9:06 a.m.)

ROLL CALL

All commissioners were present except Jacalone.

(06/11/02 - 1 - 9:07 a.m.)

PUBLIC COMMENTS

Ronald Gates, 5500 Mobile Street, commented on tapes that were delivered to the library by Commissioner Reardon. The tapes were memories of World War II veterans. (9:10 a.m.) Wayne Hickox, 5318 Shore Drive, commented on tapes that were delivered to the library by Commissioner Reardon. (9:15 a.m.) Dante Salamone, 5225 Datil Pepper Rd., St. Augustine, commented on tapes that were delivered to the library by Commissioner Reardon. (9:17 a.m.) Rev. Helen Tobey, 205 E. Latin St., Hastings, honored her deceased father by passing out cookies to commissioners Reardon and Jacalone for Father's Day. (9:19 a.m.) Reardon commented on the WWII Legacy Project, his part in the project, and the disposition of the tapes.

(06/11/02 - 1 - 9:29 a.m.)

DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

Motion by Reardon, seconded by Bryant, carried 4/0 with Jacalone absent, to approve the Consent Agenda, as follows:

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
05/21/02 - BCC Regular Meeting
3. Motion to adopt **Resolution No. 2002-104** recognizing unanticipated revenue in the amount of \$1,149.09 and increasing the expenditure budget of EMS (0001-0048-54602) in the same amount

RESOLUTION NO. 2002-104

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AUTHORIZING THE AMENDMENT OF ITS FY 2002 EMERGENCY MEDICAL SERVICES BUDGET TO RECEIVE UNANTICIPATED REVENUE FOR THE PURPOSE OF PROVIDING VEHICLE MAINTENANCE FUNDS FOR COUNTY AMBULANCES

4. Motion to adopt **Resolution No. 2002-105** accepting easements for utilities and access easement for water and sewer service to Golfway Centre

RESOLUTION NO. 2002-105

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ACCEPTING EASEMENTS FOR UTILITIES AND ACCESS EASEMENT FOR WATER AND SEWER SERVICE TO GOLFWAY CENTRE

5. Motion to adopt **Resolution No. 2002-106** accepting easement for utilities for water service to Whispering Oaks Subdivision Phase III

RESOLUTION NO. 2002-106

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO WHISPERING OAKS SUBDIVISION PHASE III

6. Motion to adopt **Resolution No. 2002-107** approving the terms of a Purchase and Sale Agreement for the acquisition of property for the construction of the Holmes Boulevard Extension

RESOLUTION NO. 2002-107

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY FOR THE CONSTRUCTION OF THE HOLMES BOULEVARD EXTENSION

7. Motion to allow the County Administrator, or his designee, to enter into a contract under Bid No. 02-99, Construction of Countywide Guardrail-Solano Road, Lewis Speedway and Old Moultrie Road, with C.E.M. Enterprises in the amount of \$77,077.00 (*See Exhibit A*)
8. Motion to adopt **Resolution No. 2002-108** approving a final plat for Sea Pines

RESOLUTION NO. 2002-108

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING A SUBDIVISION PLAT FOR SEA PINES

9. Motion to adopt **Resolution No. 2002-109** approving a Final Plat for Marshall Creek DRI Unit SV-2

RESOLUTION NO. 2002-109

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING A SUBDIVISION PLAT FOR MARSHALL CREEK DRI UNIT SV-2

10. Motion to approve the homeowner education contract extension between St. Johns County and the St. Johns Housing Partnership, Inc. for \$15,000.00
11. Proofs:
 - a. Proof, Notice of Public Hearing on Proposed Non-Zoning Variance, Biondo, June 11, 2002
 - b. Proof, Certificate of Liability Insurance, Econowaste Inc. & Econosweep, Inc.
 - c. Proof, Certificate of Liability Insurance, Oasis Outsourcing, Inc.
 - d. Proof, Certificate of Liability Insurance, Oasis Outsourcing, Inc.
 - e. Proof, Certificate of Liability Insurance, Wilford Roofing Company, Inc.
 - f. Proof, Certificate of Liability Insurance, Wilford Roofing Company, Inc.
 - g. Proof, Certificate of Liability Insurance, Wilford Roofing Company, Inc.
 - h. Proof, Certificate of Insurance, Collier Waste Containers, Inc.
 - i. Proof, Certificate of Insurance, Collier Waste Containers, Inc.
 - j. Proof, Certificate of Liability Insurance, Painting Unlimited Contractors, Inc.
 - k. Proof, Gayco Electric Company, Inc.
 - l. Proof, Jacksonville Eighteen Construction, Inc.
 - m. Proof, Certificate of Insurance, Waste Management, Inc.
 - n. Proof, Notice of Public Hearing, Water Utility Purchase, Crescent Cove Water Systems, June 4, 2002
 - o. Proof, Notice of Meetings, Banking Services, St. Johns County Finance Committee, June 10, 2002

- p. Proof, Notice of Meeting, St. Johns County Finance Committee, 3rd Wednesday of every month
- q. Proof, Notice of Meeting, Environmental Issues Regional Cooperation Summit, June 19, 2002
- r. Proof, Notice of Meeting Cancellation, St. Johns County Water & Sewer Authority, June 5, 2002
- s. Proof, Notice of Public Hearing, Intercoastal Utilities, May 24, 2002

Assistant County Attorney Isabelle Lopez entered the meeting at 9:30 a.m.

(06/11/02 - 4 - 9:30 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were no additions, nor deletions to the Regular Agenda.

(06/11/02 - 4 - 9: 33 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Reardon, seconded by Meiszer, carried 4/0 with Jacalone absent, to approve the Regular Agenda, as presented.

Assistant County Attorney Isabelle Lopez left the meeting at 9:33 a.m.

(06/11/02 - 4 - 9:34 a.m.)

1. 9:00 A.M. PUBLIC NOTICE - WEST AUGUSTINE COMMUNITY REDEVELOPMENT AGENCY. CONSIDER A CONTRACT WITH GARDNYR MICHAEL CAPITAL, INC. FOR THE PURPOSE OF PREPARATION AND SUBMISSION OF AN APPLICATION TO THE USDA RURAL DEVELOPMENT FOR THE FUNDING OF THE FIRST PHASE OF EXPANDED WATER & SEWER SERVICE WITHIN THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT AGENCY

Proof of publication of the notice of public meeting of the West Augustine CRA was received having been published in the St. Augustine Record on June 3, 2002.

Tom Crawford, Director of Housing and Community Services, gave a general overview of the contract. (9:35 a.m.) Steven Crooms, Chairman of the West Augustine CRA, 936 Ervin Street, commented on the funding that was cut by the State. (9:45 a.m.) Rev. Helen Tobey, 205 E. Latin St., Hastings, commented in favor of the contract. (9:47 a.m.) **Motion by Reardon, seconded by Kohnke, carried 4/0 with Jacalone absent, to approve a contract with Gardnyr Michael Capital, Inc. in the amount of \$19,000 for consulting services related to the preparation of an application to USDA Rural Development for the funding of the first phase of expanded water and sewer service within the West Augustine Community Redevelopment Agency. The contract is payable from loan and grant proceeds and due under the terms of the contract only if funding is approved by USDA Rural Development.**

(06/11/02 - 4 - 9:47 a.m.)

2. 9:00 A.M. PUBLIC HEARING - RESOLUTION REQUESTING THE TRANSFER OF THE CABLE TELEVISION FRANCHISE HELD BY AT&T BROADBAND TO AT&T COMCAST. AT&T BROADBAND (ATT), A COUNTY CATV FRANCHISE HOLDER, HAS ADVISED THAT IT IS MERGING WITH COMCAST CORPORATION. ATT HAS SUBMITTED AN APPROPRIATE REQUEST TO TRANSFER THAT FRANCHISE TO A NEW COMPANY; NAMED "AT&T COMCAST CORPORATION" (AT&T COMCAST). IN

ACCORDANCE WITH COUNTY ORDINANCE 95-63, THE CONSIDERATION OF THIS REQUEST REQUIRES THE BCC TO HOLD AT LEAST ONE PUBLIC HEARING, AND ALLOW ALL EXISTING CATV FRANCHISE GRANTEEES TO SUBMIT OBJECTIONS TO OR REQUESTS FOR CLARIFICATION AND TO BE HEARD AND MAKE PUBLIC PRESENTATIONS AT THE PUBLIC HEARING

Proof of publication of the notice of public hearing on the CATV Franchise was received having been published in the St. Augustine Record on June 1, 2002.

Joe Vonasek, Director of Management and Budget, made a presentation regarding the transfer request of the Cable Television Franchise held by AT & T Broadband to AT & T Comcast. Discussion followed regarding the transfer request. (10:05 a.m.) Lynn Faulter, Vice President and General Manager for AT & T Broadband in the Jacksonville area, and Ann Murphy, Director of Government Affairs, addressed the owner of the franchise and the service provided to the Hastings area. (10:15 a.m.) **Motion by Reardon, seconded by Kohnke, carried 4/0 with Jacalone absent, to adopt Resolution No. 2002-110, consenting to the transfer of the CATV Franchise held by AT&T Broadband to AT&T Comcast.**

RESOLUTION NO. 2002-110

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, TO CONSENT TO THE CHANGE IN CONTROL OF MEDIA ONE OF GREATER FLORIDA, INCORPORATED, ARISING FROM THE PROPOSED MERGER BETWEEN AT&T BROADBAND CORPORATION, AND COMCAST CORPORATION

(06/11/02 - 5 - 10:16 a.m.)

3. UPDATE BY MR. JERRY MALLOT ON CORNERSTONE (REGIONAL ECONOMIC DEVELOPMENT PARTNERSHIP)

Ted Zebrowsky, Director of Intergovernmental Relations, introduced Jerry Mallot. Jerry Mallot gave an update on Cornerstone. (10:31 a.m.) Norman Gregory, Chairman of the Economic Development Council for St. Augustine/St. Johns County Chamber of Commerce, 5344 Turtleback Crossing Lane, Jacksonville, commented in favor of Cornerstone.

The meeting recessed at 10:32 a.m. and reconvened at 10:37 a.m.

(06/11/02 - 5 - 10:38 a.m.)

4. PRESENTATION ON COUNTY ROAD 5A (OLD MOULTRIE ROAD) CAPACITY IMPROVEMENTS STUDY ALTERNATIVE ANALYSIS

Nick Perpich, Project Engineer, reported that the project is approximately 2/3 of the way through the study, and the public participation phase is about to begin. (10:39 a.m.) David Kemp, Ayres Associates, 9440 Phillips Highway, Jacksonville, reviewed the CR 5A Capacity Improvement Study alternatives analysis, as follows: displayed the location map; explained the project process, the existing conditions, the alternatives analysis, phasing alternatives, alternative cost and right-of-way comparison, and the next step after the study is completed. (10:50 a.m.) Dante Salamone, 5225 Datil Pepper Road, commented in favor of the Old Moultrie Road capacity improvements.

(06/11/02 - 6 - 11:00 a.m.)

5. REQUEST TO WAIVE THE \$500 APPLICATION FEE FOR A MINOR MODIFICATION APPLICATION FOR CROSSROADS PLANNED UNIT DEVELOPMENT

Danielle Mayoros, Planner II, explained the request to waive the \$500.00 application fee for the submittal of a minor modification to the Crossroads PUD. (11:05 a.m.) Deputy County Attorney Daniel Bosanko entered the meeting; Assistant County Attorney Michael Hunt left the meeting. (11:10 a.m.) Rev. Nathaniel Jackson, 582 Willow Walk Place, commented on building fees. (11:16 a.m.) Dante Salamone, 5225 Datil Pepper Road, commented on building fees. (11:19 a.m.) **Motion by Kohnke, seconded by Reardon, carried 3/1 with Meiszer dissenting and Jacalone absent, to waive the minor modification application fee, finding that the waiver of said fees is in the best interest of the County and will serve a public purpose.**

(06/11/02 - 6 - 11:20 a.m.)

Reardon introduced Ms. Branna Scoggins and two boy scouts, Chris Scoggins and Jim Sherrell, from Troup 225 who is working on a Citizenship of the Nation and Communication of the Nation Report.

(06/11/02 - 6 - 11:21 a.m.)

6. CONSIDER TWO PROPOSED PROJECTS FOR FLORIDA COMMUNITIES TRUST APPLICATIONS 2002

Shorty Merritt, Department of Recreation and Parks, submitted the two projects recommended by the L.A.M.P. Board to receive funding from the Florida Communities Trust: 1) Turnbull/Pacetti Tract, and 2) Orangedale/Boyd Tract. Discussion followed regarding the two projects. (11:30 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., Chairman of the L.A.M.P. Board, commented in favor of the two projects to receive the funding. (11:35 a.m.) Sarah Bailey, 2202 Bishop Estates Road, commented in favor of the two projects to receive funding. (11:36 a.m.) **Motion by Meiszer, seconded by Reardon, carried 4/0 with Jacalone absent, to adopt Resolution No. 2002-111, authorizing the submission of two (2) grant applications to the Florida Communities Trust for property at Turnbull and Orangedale.**

RESOLUTION NO. 2002-111

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE GRANT APPLICATIONS TO THE FLORIDA COMMUNITIES TRUST (A.K.A. FLORIDA FOREVER PROGRAM) FOR ACQUISITION OF APPROXIMATELY 800 ACRES OF LAND FOR PRESERVATION AND RECREATION PURPOSES; PROVIDING FOR THE IDENTIFICATION OF THE KEY CONTACT PERSON

(06/11/02 - 6 - 11:40 a.m.)

7. CONSIDER A RESOLUTION FOR CHANGES TO THE ST. JOHNS COUNTY'S LEGAL DEPARTMENT

Bryant explained proposed changes to the Legal Department, as follows: Deputy County Attorney Dan Bosanko to transfer into a newly created part-time assistant county attorney position on August 5, 2002. He would remain in that position until January 19, 2003 when he would become County Attorney, and present County Attorney James Sisco would become the part-time assistant county attorney. A new

assistant county attorney would fill the full time attorney position vacated by Deputy County Attorney Bosanko on August 5, 2002. Discussion followed on the two contracts. (11:59 a.m.) **Motion by Bryant, seconded by Reardon, carried 4/0 with Jacalone absent, to continue this agenda item to a later date.**

(06/11/02 - 7 - 12:01 p.m.)

8. CONSIDER MITIGATION IN LIEU OF PAYMENT TO FDEP FOR CONSENT ORDER PENALTY AT TILLMAN RIDGE TRANSFER STATION

David Halstead, Assistant County Administrator, requested the Board approve submission for mitigation project to FDEP in lieu of a penalty that was assessed at the Tillman Ridge Transfer Station and also to direct the County Administrator to sign the Consent Order. Halstead added that during an inspection several violations were found. (12:07 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., commented on mitigation. (12:05 p.m.) **Motion by Reardon, seconded by Meiszer, carried 4/0 with Jacalone absent, to approve submission of a proposal for Mitigation Project to DEP in lieu of penalty and payment of \$200.00 for DEP Costs for Consent Order No. 02-0414-55-SW.** (12:10 p.m.) **Motion by Meiszer, seconded by Reardon, carried 4/0 with Jacalone absent, to authorize the County Administrator sign the Consent Order.**

(06/11/02 - 7 - 12:10 p.m.)

COMMISSIONERS' REPORTS

Commissioner Kohnke:

No report.

(12:10 p.m.)

Commissioner Reardon:

No report.

(12:11 p.m.)

Commissioner Bryant:

Bryant informed the Board of a memo he received from Dr. Colavito, Mental Health Department, informing him that St. Johns County received the Drug Court Grant from the U.S. Department of Justice.

(12:11 p.m.)

Commissioner Meiszer:

Meiszer informed the Board of several letters he received from constituents of their complaints of the treatment the residents in Julington Plantation have been receiving from JEA. Bryant requested that Adams further address this issue.

(06/11/02 - 7 - 12:13 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams informed the Board that a representative from the Division of Forestry will be on the next agenda regarding the burn ban.

(06/11/02 - 8 - 12:13 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(06/11/02 - 8 - 12:13 p.m.)
CLERK OF COURT'S REPORT

No report.

The meeting recessed at 12:13 p.m. and reconvened at 1:30 p.m. with Bryant, Meiszer, Kohnke, Reardon, Adams, Lopez, and Deputy Clerk Judy Hamilton present. Jacalone was not yet present, but later joined the meeting.

(06/11/02 - 8 - 1:43 p.m.)

9. PUBLIC HEARING - PUD 2001-03 TOLOMATO RIVER PLANNED UNIT DEVELOPMENT. THIS REQUEST SEEKS TO REZONE 14.75 ACRES, LOCATED ON COASTAL HIGHWAY FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE DEVELOPMENT OF UP TO 56 DWELLING UNITS. COMPRISED OF THE NORTH PARCEL WITH 36 CONDOMINIUM UNITS, NINE (9) SINGLE FAMILY LOTS AND ONE (1) DUPLEX AND THE SOUTH PARCEL WITH SIX (6) SINGLE-FAMILY LOTS WITH TWO (2) OF THE LOTS ALLOWING TWO (2) UNITS (EITHER AN INDEPENDENT GUESTHOUSE OR DUPLEX) FOR A TOTAL OF EIGHT (8) RESIDENTIAL UNITS. A FINAL CERTIFICATE OF CONCURRENCY (00-CD-54) WAS APPROVED ON JANUARY 10, 2001 FOR THE DEVELOPMENT OF 41 RESIDENTIAL CONDOMINIUM/TOWNHOUSE UNITS AND 16 SINGLE-FAMILY UNITS. THE PROPOSED PUD INCLUDES A MIXTURE OF 44 MULTI-FAMILY UNITS AND 12 SINGLE-FAMILY UNITS. WHILE THE MIXTURE OF RESIDENTIAL DIFFERS, THE TRIP GENERATION IS LESS. THIS MODIFICATION IS ALLOWED AND NO ADDITIONAL CONCURRENCY REVIEW IS REQUIRED. THE APPLICANT IS AWARE THAT THE FCOC WILL BE MODIFIED TO REFLECT THE CORRECT NUMBER OF EACH TYPE OF UNIT AS APPROVED IN THE PUD. SUBJECT TO THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS FOR THE WAIVERS REQUESTED, THE REVIEW PROCESS AND APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, SPECIFICALLY WITH PART 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. STAFF ALSO FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THEREFORE, STAFF HAS NO OBJECTIONS TO APPROVING THIS REZONING, SUBJECT TO THE BOARD OF COUNTY COMMISSIONERS APPROVAL OF THE WAIVERS REQUESTED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR MEETING HELD MAY 16, 2002. VOTE 7-0.

Proof of publication of notice of proposed rezoning in the matter of File #PUD 2001-03, Tolomato River Farms was received, having been published in *The St. Augustine Record* on May 24, 2002.

Laura Pierle, Court Reporter, was present.

Danielle Mayoros, Planner II, addressed the Board, presenting various aspects of the requested waivers, with utilization of visual display. The property is located at 3311 Coastal Highway. The total acreage of 14.75 acres includes 11.5 upland acres and 3.5 wetland acres. Mayoros stated the project was proposed to have access provided via a new roadway located directly on A1A for both parcels. Internal sidewalks shall be

installed as well as along A1A to connect the north and south parcels. North Beach Utilities will provide central sewer and water; utilities will be underground. It was Staff's opinion that the requested rezoning and the proposed PUD complied with the Comprehensive Plan in the Future Land Use element designation, specifically related to providing diverse living opportunities and managed growth. The review process and the application were consistent with applicable requirements of the St. Johns County Land Development Code. Staff also found that the proposed development was consistent and compatible with the surrounding developments. Therefore, Staff had no objection to approving the requested rezoning, subject to the Board's approval of the waivers requested.

(1:49 p.m.) Kohnke disclosed ex-parte communication: correspondence received, both for and against; a meeting with Karen Taylor. Bryant disclosed ex-parte communication: pro and con correspondence; met with Derick Woolverton and another lady [Kogut], discussing waivers and layout of the project. Meiszer disclosed ex-parte communication with Woolverton and Kogut, and the same correspondence. Discussion was held on the allowance of horses. (1:54 p.m.) Reardon disclosed ex-parte communication: a meeting with Derick Woolverton and Brenda Kogut; phone conversation with Garry Phillips, regarding the project and the layout.

(1:55 p.m.) Gary Davenport, 3266 Pacetti Road, representing the owners of the property, Derick Woolverton, Brenda Kogut, Shaler Richardson, and Garry Phillips, gave a brief rundown of the development plan, utilizing the overhead projector, and then answered questions from the Board. (1:58 p.m.) Karen Taylor, 3070 Harbor Drive, also answered questions from the Board.

Kohnke requested text be written to provide for construction of a left-turn lane, at the time they start building the first condominium complex, before a certificate of occupancy was issued, for safety's sake. Staff added that turn lanes are normally tied to the infrastructure improvements. Further discussion ensued. Davenport stated the applicant would agree to do as requested, if the trigger was when development of the condominium was begun; when multifamily on the site was getting the CO, it would trigger them doing that. Davenport then completed his presentation.

(2:20 p.m.) Taylor stated this fell within the North Coastal Corridor Overlay, the A1A Coastal Corridor portion, which required compliance with the Architectural Design by the multifamily portion of any PUD. She then gave a brief visual presentation of Woolverton's Florida vernacular designs previously done in other developments.

(2:22 p.m.) Kohnke disclosed further ex-parte communication with Terry Rune, who was upset about the development. Public comment was then received.

(2:22 p.m.) Bill Kavanaugh, 3954 Ponte Vedra Blvd., spoke in favor of the development. (2:24 p.m.) Shaler Richardson, 3235 Coastal Hwy., Vilano Beach, spoke in favor of the development. (2:25 p.m.) Renee Farrell, 5020 Bentgrass Circle, spoke in support of the project. (2:28 p.m.) Susan Jones, 2848 Coastal Hwy., St. Augustine, spoke in favor of the development. (2:30 p.m.) Bill Morgan, 48 Loggerhead Lane, Ponte Vedra Beach, spoke in favor of the development. (2:31 p.m.) Chris Ricketson, 2897 S. Ponte Vedra Blvd., spoke in favor of the Tolomato project. (2:33 p.m.) Brenda Kogut, 9064 Regina Rd., Jacksonville, appeared in favor of the project, as one of the applicants, stating she felt she was entitled to the 25-foot buffer. (2:34 p.m.) Eddy Mussallem, 65 Busam St., St. Augustine, spoke in support of the project. (2:35 p.m.) Vivian Browning, 40 Beachcomber Way, St. Augustine, Chairman of the Waterfront's Vilano group, spoke in support of the project. (2:37 p.m.) Kevin Partel, 4230 Myrtle Street, St. Augustine, spoke in opposition to the development.

(2:43 p.m.) Davenport gave brief rebuttal.

(2:46 p.m.) **Motion by Reardon, seconded by Kohnke, carried 4/0 with Jacalone absent, to enact Ordinance No. 2002-34, known as Tolomato River PUD, adopting Findings of Fact 1 through 6 that support the motion, and adding to Page 6 of 18, the last sentence of the first paragraph in Item 2, "Construction of the left-turn lane will be included as part of the Phase II development infrastructure (and must be constructed as a part of sub-phase II A and/or II B, whichever commences first).**

ORDINANCE NO. 2002-34

AN ORDINANCE OF THE COUNTY OF ST. JOHNS COUNTY, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/11/02 - 10 - 2:47 p.m.)

10. PUBLIC HEARING - NZVAR 02-005 BIONDO. THIS APPLICANT IS REQUESTING A NON-ZONING VARIANCE TO THE PLATTING REQUIREMENTS (SECTION 5.01.01), ACCESS EASEMENT (SECTION 6.02.01.B.3.a) AND ROADWAY DESIGN REQUIREMENTS (SECTION 6.04.07) OF THE LAND DEVELOPMENT CODE. THE APPLICANT DESIRES TO SUBDIVIDE THEIR 3.5-ACRE PARCEL INTO A 1-ACRE AND 2.5-ACRE PARCEL. THE PROPERTY IS LOCATED WITHIN THE JACKSON PARK PLAT AT 394 NORTH BOULEVARD. A TOTAL OF 7 RESIDENTIAL UNITS CURRENTLY USE THIS EASEMENT. STAFF CANNOT SUPPORT THE VARIANCE REQUESTS BASED ON THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, ALL APPLICABLE DEPARTMENTS HAVE REVIEWED THIS REQUEST AND STAFF HAS NO OTHER OBJECTIONS.

Proof of publication for notice of public hearing in the matter of File #NZVAR 02-005, Biondo was received, having been published in *The St. Augustine Record* on May 24, 2002.

Darrell Locklear, Development Review Engineering Manager, addressed the Board, reviewing the applicant's requests: To divide the property without platting; to use the existing easement for access to the new division within the Jackson Park plat; and, to use the easement in an as-is condition. Although Staff could not support the variances, based on the requirements of the Land Development Code, all applicable departments had reviewed the requests and Staff had no other objections. One notice favoring and one notice objecting to the proposed variances were received.

(2:50 p.m.) The applicant, Albert J. Sesona, stated Filomena Biondo and he were owners of the property and their sole wish was to sell one of the homes on the property. Sesona stated Susan Bloodworth, an attorney for the Airport, had approached him, saying the airport intended to acquire this property at some later date. He said he would be 76-years-old next month, he did not know when the airport would buy this property, and he asked the Commission to grant them the ability to sell the property. Public comment was then received.

(2:52 p.m.) Susan Bloodworth, 170 Malaga Street, on behalf of the St. Augustine-St. Johns County Airport Authority, stated the property was located within the Airport District, under the Comprehensive Land Use Plan, and was identified within the Airport Authority's Five-Year Master Plan for acquisition. She requested the application be denied. Discussion was held regarding the Airport Authority's possible acquisition of this property.

(3:04 p.m.) Malcolm Kingsley, 365 North Blvd., spoke in favor of the requested variance.

(3:11 p.m.) Jacalone entered the meeting. Further discussion was held.

(3:17 p.m.) Motion by Reardon, seconded by Bryant, carried 4/1 with Meiszer opposed, to grant a continuance for two weeks from this date [June 25] at 1:30 p.m., with the admonition to the Airport Authority that if they were serious about buying this property, they needed to talk with the applicant seriously; if not, Sesona would come back before the Commission, who would act on his request for a non-zoning variance.

The meeting recessed at 3:18 p.m. and reconvened at 3:24 p.m.

(06/11/02 - 11 - 3:25 p.m.)

11. PUBLIC HEARING - MAJMOD 2002-02 ROYAL ST. AUGUSTINE GOLF & COUNTRY CLUB PUD. THE SUBJECT PROPERTY IS LOCATED AT 665 STATE ROAD 16 AND IS COMPRISED OF 254.6 ACRES. THIS REQUEST SEEKS TO MODIFY THE PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT SETBACKS FOR FRONT ENTRY GARAGES ON SINGLE-FAMILY RESIDENTIAL LOTS FROM 25 FEET TO 20 FEET. IT IS STAFF'S OPINION THAT THE REQUESTED MAJOR MODIFICATION COMPLIES WITH THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE DESIGNATION OF MIXED-USE DISTRICT (MD) AND RESIDENTIAL-C. THIS REQUEST SUPPORTS THE GOALS AND POLICIES OF THE FUTURE LAND USE OF THE COMPREHENSIVE PLAN. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE. STAFF ALSO FINDS THAT THE MODIFICATION IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THEREFORE, STAFF HAS NO OBJECTIONS TO THE MAJOR MODIFICATION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR MAY 6, 2002 MEETING WITH A 4-3 VOTE.

Proof of publication for notice of proposed major modification in the matter of File #MAJMOD 2002-02, Royal St. Augustine Golf & Country Club was received, having been published in *The St. Augustine Record* on May 24, 2002.

Nicole Clayton, Planner II, addressed the Board, advising them of various aspects of the requested modification and utilizing visual display. Staff had no objections to the Board's approval of the major modification. The Planning and Zoning Agency did recommend approval at their May 16, 2002 meeting with a 4-3 vote. Correspondence had been received: three in favor and six in opposition. Discussion was held on the 20-foot setback line and addition of a pool.

(3:29 p.m.) The applicant, Ronnie Leinwohl, 13400 Sutton Park Dr. S., #1402, Jacksonville, addressed the Board, commenting on setbacks and responses received. Leinwohl then answered questions from the Board. Public comment was then received.

(3:35 p.m.) Chip Mitchell, 5150 Belfort Rd., Bldg. 700, Jacksonville, of ICI Homes, spoke in favor of the requested modification.

(3:37 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2002-35, known as The Royal St. Augustine Golf & Country Club PUD, adopting Findings of Fact 1 through 6 to support the motion.**

ORDINANCE NO. 2002-35

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE ROYAL ST. AUGUSTINE GOLF AND COUNTRY CLUB PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 99-37, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(06/11/02 - 12 - 3:39 p.m.)

12. PUBLIC HEARING MAJMOD 2001-08 CUMBERLAND INDUSTRIAL PARK PUD FOR ACTION RECYCLING CORPORATION PARCEL A. THIS REQUEST SEEKS TO MODIFY THE CUMBERLAND INDUSTRIAL PARK PUD, ORDINANCE 94-32, AS AMENDED, LOCATED AT 1405 COUNTY ROAD 210 WEST, SPECIFICALLY A ACTION RECYCLING CORPORATION TO INCLUDE CONCRETE AND PAVING MATERIAL RECYCLING AND PROCESSING AS A PERMITTED USE PROVIDED THAT THE PROCESSING EQUIPMENT IS LOCATED WITHIN AN ENCLOSED STRUCTURE AND RESTRICTED TO PARCEL A. THERE ARE NO OUTSTANDING COMMENTS FROM ANY DEPARTMENT RELATED TO THE MAJOR MODIFICATION. IT IS STAFF'S OPINION THAT THE REQUESTED MAJOR MODIFICATION AND THE PROPOSED PLAN OF DEVELOPMENT COMPLY WITH THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE DESIGNATION OF MIXED-USE DISTRICT (MD). THIS REQUEST SUPPORTS THE GOAL AND POLICIES OF THE FUTURE LAND USE OF THE COMPREHENSIVE PLAN. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR MAY 16, 2002 MEETING WITH A 4-3 VOTE. SUBJECT TO THE USE BEING LIMITED TO PARCEL A, STAFF HAS NO OBJECTIONS TO APPROVAL.

Proof of publication on notice of proposed major modification in the matter of File #MAJMOD 2001-08, Aaction Recycling Corp was received, having been published in *The St. Augustine Record* on May 24, 2002.

Laura Pierle, Court Reporter, was present.

Teresa Bishop, Planning Director, explained why they were before the Board. Nicole Clayton, Planner II, made a presentation to the Board, with visual display. Brief discussion followed.

(3:44 p.m.) George McClure, 170 Malaga Street, Suite A, representing the applicant, spoke on the formation of the industrial park and establishment of a concrete recycling machine on Parcel A. McClure further explained that in later years, a noise complaint was filed and the applicant appeared before the Code Enforcement Board, who instructed Townsend to enclose the concrete recycling equipment in an enclosed building. Townsend then obtained plans to construct said building. The Zoning

Department said, in their opinion, this would not matter, because concrete recycling or crushing was a heavy industrial activity, not light industrial. The applicant appealed this determination, which the Board heard in February, 2002, who tabled interpretation of the Code to allow the applicant to file a PUD modification. The applicant then applied for modification, which allowed only concrete recycling on the site, no other portion of the site, not on the outparcels, and did not allow any other use that could be construed as heavy industrial. Mike Simpson, President of Aaction Recycling, then explained the process. Discussion was held on noise buffering, a planned irrigation system to keep material damp and avoid dust blows, three-sided building versus actual four-sided building with doors, operation hours in daylight only, intermittent machine runs, being subject to the County's noise ordinances, storage of materials, and dust causes. Public comment was then received. (4:00 p.m.) Sid Mansur, 34 Genoa Rd., voiced concerns about contents of crushed concrete and dust blowing. Further discussion ensued on regulating agencies, irrigation system being installed to control dust, visual screening with vegetation, and meeting the definition of an enclosed building.

(4:06 p.m.) **Motion by Jacalone, seconded by Meiszer, carried 5/0, to enact Ordinance No. 2002-36, known as The Cumberland Industrial Park PUD (MAJMOD 2001-08), adopting Findings of Fact 1 through 6 to support the motion, and adding the condition that the sprinkler system to control onsite dust be a condition of the awardment of the request.**

ORDINANCE NO. 2002-36

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE CUMBERLAND INDUSTRIAL PARK PUD, ORDINANCE NUMBER 94-32, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(06/11/02 - 13 - 4:09 p.m.)

13. PUBLIC HEARING - APPEAL OF AN ADMINISTRATIVE INTERPRETATION FOR AACTION RECYCLING CORP. THIS PUBLIC HEARING WAS CONTINUED FROM FEBRUARY 12, 2002. THIS IS AN APPEAL OF AN ADMINISTRATIVE INTERPRETATION FOR THE AACTION RECYCLING CORPORATION. THE SPECIFIC ISSUE IS WHETHER THE "CONCRETE CRUSHING" ACTIVITIES INVOLVED IN CONCRETE RECYCLING IS A LIGHT INDUSTRIAL ACTIVITY ALLOWED WITHIN THE CUMBERLAND PARK PUD, OR IS A HEAVY INDUSTRIAL ACTIVITY PROHIBITED WITHIN BY THE PUD. THE CUMBERLAND INDUSTRIAL PARK PUD STATES THAT "ALLOWABLE INDUSTRIAL USES WILL BE MORE LIMITED THAN THOSE ALLOWED UNDER THE COUNTY'S IW ZONING CLASSIFICATION." IT WAS LATER DISCOVERED THAT THE CONCRETE RECYCLING USE INVOLVED "CONCRETE CRUSHING." THE ZONING PROGRAM DETERMINED THAT "CONCRETE CRUSHING" WAS A HEAVY INDUSTRIAL ACTIVITY AND NOT ALLOWED BY THE PUD. THE OWNER'S REPRESENTATIVE REQUESTED AN ADMINISTRATIVE INTERPRETATION TO DETERMINE WHETHER "CONCRETE CRUSHING" WAS A HEAVY INDUSTRIAL USE OR A USE ALLOWED BY THE PUD. ON SEPTEMBER 24, 2001, AN ADMINISTRATIVE INTERPRETATION WAS ISSUED CONFIRMING THE EARLIER INTERPRETATION THAT "CONCRETE CRUSHING" WAS

NOT A PERMITTED ACTIVITY WITHIN THE CUMBERLAND INDUSTRIAL PARK PUD.

Proof of publication of public hearing on notice of proposed appeal hearing, File #PLNAPPL 2001-04, Aaction Recycling Corp., was received, having been published in *The St. Augustine Record* on May 24, 2002.

The applicant withdrew their appeal.

Bryant stated Item #14 and Item #15 would be heard concurrently and voted on separately. He stated public comment would be limited to Russell Sampson Road and retention pond within PUD boundaries.

(06/11/02 - 14 - 4:09 p.m.)

14. PUBLIC HEARING - DEV AGREEMENT 2001-01 TW ACQUISITIONS, INC. DEVELOPMENT & IMPACT FEE AGREEMENT FOR TAYLOR WOODROW/ST. JOHNS FOREST. THE CONTINUED PUBLIC HEARING SCHEDULED FOR JUNE 4, 2002 WAS CONTINUED TO JUNE 11, 2002. THE TWO REQUIRED PUBLIC HEARINGS WERE HELD ON MAY 7, 2002 AND MAY 14, 2002. CHANGES TO THE DEVELOPMENT AGREEMENT WERE NECESSITATED BY THE MODIFICATIONS MADE TO THE PUD. CHANGES ARE SHOWN BY UNDERLINE AND STRIKE-THROUGH. THE NUMBER OF ACRES CHANGED FROM 452 TO 435.65 AND THE TOTAL SINGLE FAMILY RESIDENTIAL UNITS CHANGED FROM 587 TO 545. THE DEVELOPERS (TW ACQUISITIONS, INC.) OF THE ST. JOHNS FOREST PUD HAVE PROPOSED A DEVELOPMENT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED DEVELOPMENT AGREEMENT WILL SERVE AS THE DEVELOPERS' COMMITMENT TO BUILD THE TRANSPORTATION FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENT, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY ON LINK #35 (CR 210 FROM LEO MAGUIRE PARKWAY TO INTERSTATE 95) TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS. A REQUEST FOR APPROVAL OF ROAD IMPACT FEE CREDITS IS INCLUDED IN THE AGREEMENT. COUNTY ROAD 210 IS CONSIDERED AN "OFF-SITE" ROADWAY AND IS CLASSIFIED AS A MAJOR COLLECTOR BY THE COUNTY, THUS THE COST OF THE IMPROVEMENTS TO CR 210 ARE ELIGIBLE FOR IMPACT FEE CREDITS. THE CRC VOTED (3-0) TO SUPPORT THE PROPOSED AGREEMENT IN THAT THE PROPOSED IMPROVEMENT IS SUFFICIENT TO PROVIDE ADEQUATE CAPACITY ON CR 210 TO ACCOMMODATE IMPACTS FROM THE PROJECT. THE CRC DID NOT PROVIDE A RECOMMENDATION ON THE REQUEST FOR IMPACT FEE CREDITS THAT DO NOT FALL WITHIN THE JURISDICTION OF THE CONCURRENCY REVIEW COMMITTEE.

Proof of publication for notice of continued public hearing in the matter of proposed rezoning, File #PUD 2001-06, Taylor Woodrow was received, having been published in *The St. Augustine Record* on May 29, 2002.

Laura Pierle, Court Reporter, was present.

(06/11/02 - 15 - 4:09 p.m.)

15. PUBLIC HEARING - PUD 2001-06 TAYLOR WOODROW/ST. JOHNS FOREST. THIS IS A REQUEST TO REZONE PROPERTY FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE TAYLOR WOODROW PUD. THIS REZONING REQUEST WAS CONTINUED FROM MAY 14 TO

JUNE 4 TO ALLOW THE APPLICANT TIME TO ADDRESS THE BOARD'S CONCERNS ABOUT THE PROJECT. AT THE MEETING OF MAY 28, A LOCAL RESIDENT OF THE AREA REQUESTED THE ITEM BE FURTHER CONTINUED TO ALLOW THE SAMPSON ROAD CIVIC ASSOCIATION TIME TO REVIEW THE REVISED APPLICATION AND MAKE SUGGESTIONS FOR IMPROVEMENTS TO RUSSELL SAMPSON ROAD. THE BOARD AGREED TO CONTINUE THIS ITEM TO JUNE 11 AT 1:30. RUSSELL SAMPSON ROAD: THE APPLICANT IS WORKING WITH THE RUSSELL SAMPSON ROAD CIVIC ASSOCIATION AND THE COUNTY STAFF TO PROVIDE IMPROVEMENTS TO RUSSELL SAMPSON ROAD. THE PROPOSED PUD COMPLIES WITH THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE AND WITH THE EXCEPTION OF RUSSELL SAMPSON ROAD ISSUES; THE APPLICANT HAS ADDRESSED STAFF'S PREVIOUS CONCERNS. STAFF HAS NO OBJECTION TO APPROVAL. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL AT THEIR MAY 2, 2002 MEETING WITH A 5-1 VOTE.

Proof of publication of the notice of public hearing on PUD 2001-06, Taylor Woodrow/St. Johns Forest, was received having been published in *The St. Augustine Record* on May 30, 2002.

Laura Pierle, Court Reporter, was present.

Ex-parte communications were disclosed. Kohnke stated she had talked with Joe Stephenson, Public Works Director, about the conditions on Russell Sampson Road; she talked with Mr. Ansbacher who was upset because he thought they still had a moving target; and, Mrs. Ansbacher said the same thing. Meiszer stated he also had ex-parte conversation with Mr. Ansbacher. Reardon stated he had ex-parte communication with Mr. Ansbacher, who was concerned about some of the merits of the project, specifically Russell Sampson Road, and some of the setback buffers. He also had a conversation with Richard Bowers, who explained his position on the project and some of the issues with the project. Meiszer stated he had met with Bowers also, discussing pros and cons of the development and its compliance with County regulations.

(4:12 p.m.) Lopez left the meeting and Daniel Bosanko, Deputy County Attorney, entered the meeting. George McClure, 170 Malaga Street, Suite A, St. Augustine, representing the applicant, addressed the Board, utilizing visual display and explaining changes to the development agreement. Discussion was held on the revised master development plan map, the development agreement, loss of the anchor tenant, utility easements, buffers, impact fees, and traffic, among other various aspects of the issue.

(4:48 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Judy Hamilton left the meeting.

(4:46 p.m.) McClure entertained questions from the Board regarding a utility easement for others to connect and buffers. (4:50 p.m.) Barry Ansbacher commented on the ownership of the property, concurrency, development area boundaries, the Northwest Sector Plan, buffers, existing rural neighborhood characteristics, and flooding. (5:15 p.m.) Bill Thomason, 10785 Russell Sampson Road, commented on buffers, road conditions, and surrounding zoning uses. (5:16 p.m.) Mildred Wheeler, 10805 Russell Sampson Road, commented in opposition to the project. (5:17 p.m.) Robert Wheeler, 10805 Russell Sampson Road, commented in opposition to the project. (5:21 p.m.) Shirley Crawford, 2125 Quarter Horse Circle, commented in opposition to the project. (5:22 p.m.) Elaine Ansbacher, 10545 Russell Sampson Road, commented in opposition to the project. (5:24 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove,

commented in opposition to the project. (5:27 p.m.) John Bennett, 10150 Terrell Pappy Road, commented in opposition to the project. (5:30 p.m.) Sarah Bailey, 2202 Bishop Estates Road, commented in opposition to the project. (5:33 p.m.) Louise Thrower, 288 Orange Avenue, commented in opposition to the project. (5:37 p.m.) Bill Watson, representing Rayland Company, commented in favor of the project. Discussion followed regarding Russell Sampson Road.

(5:47 p.m.) This public hearing was closed, and Agenda Item #16, the public hearing on the amendments to Article II of the Land Development Code, was opened.

Discussion continued regarding Russell Sampson Road. (6:02 p.m.) Ansbacher gave closing statements. (6:04 p.m.) George McClure gave closing statements. (6:18 p.m.) **Motion by Kohnke, seconded by Reardon, carried 3/2 by a roll call vote, to deny the TW Acquisitions, Inc. Development and Impact Fee Agreement, known as DEVAGREE2001-01 on the basis that she was not comfortable with the impact fee credits that have been allotted to the development.**

Jacalone	nay
Kohnke	aye
Bryant	nay
Meiszer	aye
Reardon	aye

Motion carried 3/2.

(6:21 p.m.) **Motion by Kohnke, seconded by Meiszer, carried 5/0, to deny rezoning application PUD 2001-06, adopting Findings of Fact to support this motion because they do not have concurrency.**

The meeting recessed at 6:22 p.m. and reconvened at 6:32 p.m.

(06/11/02 - 16 - 6:32 p.m.)

16. PUBLIC HEARING - AMENDMENTS TO ARTICLE II OF THE LAND DEVELOPMENT CODE. THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER AMENDMENTS TO ARTICLE II OF THE LAND DEVELOPMENT CODE. THESE AMENDMENTS PROVIDE FOR VETERINARY OFFICES AND ANIMAL HOSPITALS AS A SPECIAL USE IN OPEN RURAL ZONING DISTRICTS, ALLOW PRIVATE AIRSTRIPS AS A SPECIAL USE IN OPEN RURAL ZONING DISTRICTS, AND INCREASE THE NUMBER OF ALLOWABLE HOUSEHOLD ANIMALS KEPT AS PETS IN RESIDENTIAL ZONING DISTRICTS FROM FOUR (4) TO FIVE (5) WITHOUT REQUIRING A SPECIAL USE PERMIT. THESE AMENDMENTS REPRESENT CHANGES RECOMMENDED BY THE BOARD OF COUNTY COMMISSIONERS AT PREVIOUS WORKSHOPS OR HEARINGS. IN ADDITION, ARTICLE II IS CLARIFIED TO SPECIFICALLY ALLOW EXTERMINATION AND PEST CONTROL SERVICES IN THE LIGHT INDUSTRIAL USE CLASSIFICATION. THE SECOND PUBLIC HEARING TO CONSIDER THESE AMENDMENTS IS SCHEDULED FOR JUNE 25, 2002 AT 1:30 P.M.

Proof of publication of the notice of public hearing on the amendments to Article II of the Land Development Code was received having been published in The St. Augustine Record on May 31, 2002.

Bryant opened this public hearing at 5:47 p.m.; then, closed it and returned to Agenda Items #14 & 15. (6:32 p.m.) Scott Clem, Director of Growth Management Services, reviewed the proposed changes to Article II of the Land Development Code.

(6:34 p.m.) Reardon left the meeting.

Discussion followed on the proposed changes. (6:44 p.m.) Sarah Bailey, 2202 Bishop Estates Road, commented on the number of allowable household animals and private airstrips being allowed as a special use. (6:52 p.m.) Bill Brown, 32 Grove Avenue, commented on airstrips. (6:54 p.m.) Louise Thrower, 288 Orange Avenue, asked questions regarding the proposed changes. Clem responded to the questions. (6:57 p.m.) *Jacalone announced that the second public hearing on this ordinance is scheduled for June 25, 2002 at 1:30 p.m.*

(6:59 p.m.) **Motion by Jacalone, seconded by Bryant, carried 4/0 with Reardon absent, to adjourn the meeting.** There being no further business to come before the Board, the meeting adjourned at 6:59 p.m.

REPORTS:

1. St. Johns County Check Register; approving checks number 319966 through 320204 totaling \$552,011.26 (06/04/02)
2. St. Johns County Check Register; approving checks number 320205 through 320479 totaling \$1,068,062.59 (06/11/02)

Approved July 16, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King
Deputy Clerk