

ST. JOHNS COUNTY, FLORIDA

ORDER

REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

Henry W. Cagle, Jr.

SW-88-008

DECISION OF  
COUNTY COMMISSION

GRANTED

GRANTED WITH  
CONDITIONS

DENIED

Location of Property: North side of C.R. 208

Waiver of Section: Article V requires compliance with St. Johns County Subdivision Regulations due to the creation of an easement to divide land

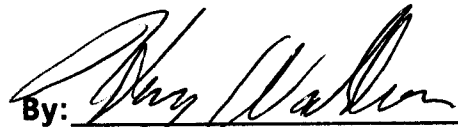
Description: The subject property consists of approximately five acres and is currently vacant. Surrounding zoning is OR. The applicant intends to divide the subject property into 4 lots.

Comments/Conditions/Recommendations: The applicant is requesting a waiver to all requirements under the Subdivision Regulations. The waiver is contingent upon compliance with the paving and drainage Ordinance #86-4 and all amendments, and a waiver of Section 90.6 which requires fire hydrants.

\*See Attached

DATE OF COMMISSION ACTION: November 8, 1988

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY:   
DEPUTY CLERK

(Pursuant to St. Johns County Zoning Code, Section 11-9-5b: failure to exercise an exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board, shall render the exception or variance invalid and all rights granted thereunder shall terminate)

Motion by Bailey, seconded by Lydon, carried 4/0, Waldron was absent, to adopt Resolution No. 88-293.

**RESOLUTION NO. 88-293**

**WHEREAS, SUMMER ISLAND INC., AS OWNER, HAS APPLIED TO THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, FOR APPROVAL TO RECORD A SUBDIVISION PLAT KNOWN AS SUMMER ISLAND**

(11/08/88 -9- 2.3422)

Continued, hearing on SW-88-008/Henry J. Cagle, Jr., waiver of platting requirements due to division of land with creation of an easement, north side of CR-208. A report was received from the Planning and Zoning Agency recommending approval of the waiver contingent upon compliance with the paving and drainage Ordinance 86-4 and all amendments; and a waiver of Section 90.6 which requires fire hydrants, Napier indicated the Fire Service has no problem with granting the waiver of the fire hydrants. (2.3444) Henry W. Cagle, Jr., 5155 Stephen Colee Road, appeared before the Board requesting approval of SW-88-008. There were no citizens commenting. (2.3522) Motion by Brubaker, seconded by Bailey, carried 4/0, Waldron was absent, to approve SW-88-008 waiver of platting requirements due to division of land with creation of an easement, north side of CR-208.

Waldron returned to the meeting at 1:45 pm.

(11/08/88 -9- 2.3540)

Hearing on SW-88-009/Dean and Debi Anderson, request waiver of platting requirements due to the division of land with creation of an easement and to allow same easement to be 12 feet in width. (2.3568) Jerry Napier, Planning and Zoning Coordinator, commented that at the Planning and Zoning Agency meeting last week continued this item pending review by the fire department; Napier recommended the Board continue this hearing until a time certain. There were no citizens commenting. (2.3602) Motion by Brubaker, seconded by Bailey, carried 5/0, to continue the hearing of SW-88-009/Dean and Debi Anderson until December 13, 1988, at 1:30 pm.

(11/08/88 -8- 2.3652)

Lydon distributed a copy of the annual report of the Library Advisory Board and encouraged the members to read this report thoroughly. This report was filed with the Clerk.

(11/08/88 -9- 3.0001)

Lydon updated the Board members on the Federal International lawsuit. Federal International was a renter of one of the Courthouse stores. Federal International has always recognized that they were past due in their rent; Federal International would like to put the lawsuit on hold; pending the full payment of what is owed; they would like to work out a payment schedule with a six month payout; two payments have been paid since our last discussion with them. David Cohn, our attorney in this matter, has requested this matter be discussed at Board level and Cohn could prepared an agreement that would put the lawsuit on a hold pending full payment. Prior discussion on this the Board indicated they did not want any prolonged payments and therefore there was lawsuit started. Federal International would like to enter into an agreement with a six month payout; Federal International recommended paying 10 percent interest; Lydon recommended 12 percent interest. Lydon indicated if this agreement goes into effect if Federal International defaults at all it will go immediately into court. (3.0070) Sisco indicated this would be basically in the nature of a settlement; before judgment. Sisco suggested the interest rate be set at 12 percent, which is the legal rate, and any judgment that is entered would be at 12 percent; the Board is authorized to settle lawsuits and this should not present a constitutional question under title 5. Considerable discussion followed regarding this matter. (3.0084) Motion by Waldron, seconded by Bailey, carried 5/0, to instruct David Cohn to continue the process of settlement with Federal International with the rate of set interest at 12 percent.

(11/08/88 -9- 3.0100)

Brubaker reported some people have expressed interest in purchasing some property owned by the County since the 1800's in the Toco Creek area. The people are interested only in one acre of this piece of property. Brubaker indicated the property is in the middle of the woods in the Toco Creek area. Staff was requested to look into this matter and report back to the Board.