

ST. JOHNS COUNTY, FLORIDA
O R D E R
Rezoning/Exception/Variance

NAME OF APPLICANT

APPLICATION NUMBER

Applicant:
John E. Wilson, Jr.
Owner:
Sallie M. Barnhill

R-88-005

DECISION OF
COUNTY COMMISSION



GRANTED



GRANTED WITH
STIPULATIONS



DENIED

*See Attached

DATE OF COMMISSION ACTION: April 26, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Lawrence O. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Sybil M. McDonald
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.)

(04/26/88 - 8 - 4.006)

Hearing on application #R-88-005; John E. Wilson (owner: Sallie Barnhill) located U.S. #1 South, west side just north of Datil Pepper Road; currently zoned OR, request to rezone to CG for professional and business offices. Proof of publication of notice to consider passage of an ordinance rezoning lands from the present zoning classification of OR to CG was received having been published in The St. Augustine Record on March 25, 1988, upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Planning & Zoning Agency Report recommending denial was received. Court Reporter Terri Toomer was present recording. Attorney John Bailey, Jr. representing the applicant explained the rezoning request. He submitted into the file; copy of a letter dated April 7, 1988 to the owner of the property Sallie Barnhill from Rhodes Robinson, Environmental Services, Inc. along with a copy of a General Permit issued by the Corps of Engineers stating these documents indicate the property does consist of a good deal of wetlands but that they can be filled. Referring to Ordinance No. 81-47 which was also submitted into the file he explained the Comp Plan should be used as a guide which can be deviated from by the Commission suggesting that in this case; due to its location; more of a conflict would occur with low density residential rather than allowing some type of limited commercial use. Attorney Bailey read and submitted for the Board's consideration a list of five proposed conditions stating these conditions are generally attached to rezonings in the U.S. #1 area and are intended to limit strip commercial development. (4.0345) Cliff Petitt, 960 Alcala Drive, spoke in opposition to the proposed rezoning and urged the Board support staff's recommendation for denial. Sisco read Section-4, Ordinance No. 81-47; explaining same. Discussion followed. It was suggested the rezoning request be continued for staff to review the proposed conditions. The Comp Plan and deviation from the Comp Plan were discussed. Motion by Bailey, seconded by Lydon, denying the request, with roll call vote:

Waldron	No
Bailey	Yes
Lydon	Yes
Brubaker	No
Hartley	Yes

the motion carried 3/2.

(04/26/88 - 8 - 4.0802)

Hearing on Major Modification - Marsh Lake at Ponte Vedra (to be known as Seawalk at Ponte Vedra), located east of and adjacent to Ponte Vedra Village; modification to Resolution No. 87-177, regarding the card operated gate at entrance and exit. Proof of publication of notice of public hearing on proposed Major Modification was received having been published in The St. Augustine Record on March 21, 1988, upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Planning & Zoning Agency Report recommending approval was received. John Powers, Powers & Merritt, Inc. was present requesting approval. Using site plans Mr. Powers explained safety problems involved in placing a turnaround lane in the area originally proposed suggesting the modification to place a double card gate at the western location which would disallow ingress into the property along with egress. (4.1009) Gene Jentry, 512 LaMaster Drive speaking on behalf of the Ponte Vedra Community Association expressed opposition to the proposed modification. Space verified safety problems indicating limited site viewing on the north side of the project would cause problems with people backing out onto the road; by placing both gates at the same point it prevents people from going around the gates at each end. Discussion followed. Motion by Brubaker, seconded by Waldron, carried 4/1 with Bailey dissenting, adopting Resolution No. 88-124.

RESOLUTION NO. 88-124

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
APPROVING A MAJOR MODIFICATION TO RESOLUTION
87-177 WHICH MODIFIED P.U.D. ORDINANCE NO. 84-49
ALSO KNOWN AS MARSH LAKE AT PONTE VEDRA.**

(04/26/88 - 8 - 4.1390)

Hearing on Major Modification - Moultrie Lakes PUD, located west of Moultrie Lakes Apartments and north of S.R. #312 Extension; request to relocate the sanitary waste treatment facility; modification to rezoning Ordinance No. 86-83 and Resolution approving Final Development Plan No. 87-67. Planning & Zoning Agency Report recommending denial was received along with Memorandum from Jerry Napier, Planning & Zoning Coordinator recommending specific conditions to regulate the temporary use should the request be approved. Tim Gabriel, Gabriel & Associates representing the applicant Mr. David Dennison was present requesting approval. Mr. Gabriel summarized events which took place prior to the relocation of the sanitary waste treatment facility. With the use of an aerial map he explained the previous and present location of the facility indicating the plant did not operate properly in the previous location and further stated they will work with the DER to ensure the facility operates properly at the new location. (4.1995) Eunice Ruddy, 290 Sunrise Blvd. distributed letters dated April 21, 1987, December 23, 1987 and February 5, 1988 along with copy of Page-20 from the Construction Permit