

ST. JOHNS COUNTY, FLORIDA

O R D E R

Rezoning/Exception/Variance

NAME OF APPLICANT

APPLICATION NUMBER

Marsh Creek Partnership

R-PUD-88-006

DECISION OF
COUNTY COMMISSION



GRANTED



GRANTED WITH
STIPULATIONS



DENIED

Ordinance No. 88-21

*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: Lynn 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.)

Motion by Waldron, seconded by Bailey, carried 5/0, adopting Resolution No. 88-122.

RESOLUTION NO. 88-122

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA FOR APPROVAL TO RECORD
A SUBDIVISION PLAT KNOWN AS SUMMERFIELD AT PONTE
VEDRA BEACH.**

(04/26/88 - 7 - 3.1705)

Hearing on application #R-PUD-88-006; Marsh Creek located off SR-#3 and south/west of Cooksey's Campground; addition of 77 acres to Planned Unit Development of Marsh Creek filed in conjunction with Major Modification to PUD Ordinance 86-79. Proof of publication of Notice of Public Hearing was received having been published in The St. Augustine Record on February 29, 1988, upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Planning & Zoning Agency Report recommending approval was received. Harry Lerner; Prosser, Hallock & Kristoff, Inc. on behalf of Stoke-O'Steen Communities, Inc. was present requesting approval. Motion by Brubaker, seconded by Bailey, carried 5/0, adopting Resolution No. 88-123.

RESOLUTION NO. 88-123

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA APPROVING A MAJOR
MODIFICATION TO PUD 86-060.**

(04/26/88 - 7 - 3.1820)

Hearing on Major Modification; Marsh Creek Planned Unit Development located between SR-#3 and Matanzas River; modification adds lands to Ordinance 86-79 and relocates types of units and road network and adds and relocates open space; rezoning of the additional 77 acres filed concurrently. Proof of publication of notice to consider passage of an ordinance rezoning lands from the present zoning classification of OR to PUD was received having been published in The St. Augustine Record on March 25, 1988, upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Planning & Zoning Agency Report recommending approval was received. Harry Lerner; Posser, Hallock & Kristoff, Inc. was present requesting approval. Motion by Waldron, seconded by Bailey, carried 5/0, adopting Ordinance No. 88-21.

(04/26/88 - 7 - 3.1877)

Hearing on application #R-88-003; Mohamad Issam Ajlouni located off Old Moultrie Road; containing 1-1/4 acres of land currently zoned CG, Commercial General; request for rezoning to CI. Proof of publication of notice to consider passage of an ordinance rezoning lands from the present zoning classification of CG to CI 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. Mrs. Ajlouni was present requesting rezoning and submitted letter from M. Issam Ajlouni offering additional exceptions regarding the rezoning request. Napier gave background on the rezoning request indicating when the Planning & Zoning Agency reviewed this it was a request from CG to straight CI with a recommendation for denial; since this hearing the applicant has provided conditions which are restrictions of some of the uses permitted in the CI District. The P&Z Agency did not have the opportunity to review these conditions but Staff has reviewed them and an updated Report has been submitted recommending denial with or without the conditions. (3.2080) Valerie Kroll, 712 Mickler Blvd. was present and spoke on behalf of the applicant. Discussion followed regarding the proposed conditions. It was the consensus of the Board to add condition (d) to the ordinance as follows: "No outside display, storage or sales." . The conditions were read to the applicant. All conditions were agreed to by the applicant except Condition (d); "No outside display, storage or sales.". Motion by Bailey approving the rezoning with conditions (a), (b), and (c); motion dies due to lack of a second. Motion by Waldron, seconded by Brubaker, carried 4/1 with Bailey dissenting, denying the rezoning request. Motion by Waldron, seconded by Bailey, carried 5/0, waiving the one (1) year waiting period.

(04/26/88 - 7 - 3657)

Hearing on application #R-88-004; David and Linda Murray located off Moremen Road, Switzerland; containing 2-1/4 acres of land currently zoned OR; request for rezoning to RS-2, with applicant offering condition of limit to four lots. Proof of publication of notice to consider passage of an ordinance rezoning lands from the present zoning classification of OR to RS-2 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 approval subject to the acceptance of the condition of four lots only was received. David Murray, 2330 SR-#13, Switzerland was present requesting rezoning. Motion by Bailey, seconded by Waldron, carried 5/0, adopting Conditional Ordinance No. 88-22.