

ST. JOHNS COUNTY, FLORIDA
ORDER
Rezoning/Exception/Variance

NAME OF APPLICANT P. Paul Fagundo, James H. Donaldson
and Mary Jan Dardi **APPLICATION NUMBER** R-88-012

DECISION OF COUNTY COMMISSION GRANTED GRANTED WITH STIPULATIONS DENIED

Conditional Ordinance No. 88-30

*See Attached

DATE OF COMMISSION ACTION: June 14, 1988

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: Lawrence O. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: James H. Donaldson
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.)

(06/14/88 - 10 - 3.----)

Hearing on Application #R-88-009, Raymond A. Hall for Prospectors Marketing, Inc. located U.S. #1 South, west side approximately 700 feet north of Datil Pepper Road. Requesting change from CG to CI to allow construction of automotive repair/paint/body center. Proof of publication of notice of intent to consider the adoption of an ordinance rezoning lands was received having been published in The St. Augustine Record on May 10, 1988; upon motion by Brubaker, seconded by Waldron, carried 5/0, was ordered filed. Report of the St. Johns County Planning & Zoning Agency recommending approval with conditions was received. Raymond A. Hall was present requesting approval. The proposed conditions were read by the Deputy Clerk and accepted by the applicant. Motion by Brubaker, seconded by Waldron, carried 5/0, adopting Conditional Ordinance No. 88-28.

(06/14/88 - 10 - 3.----)

Hearing on Application #R-88-010, J. W. Jones located west side of Datil Pepper Road, south of Greenwood II Subdivision. Requesting change from OR to RS-2 to plat a single family subdivision. Proof of publication of notice of intent to consider the adoption of an ordinance rezoning lands was received having been published in The St. Augustine Record on May 10, 1988; upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Report of the St. Johns County Planning & Zoning Agency recommending approval with conditions was received. Larry Paine, Paine & Associates representing Mr. Jones was present requesting approval. Sisco requested the wording "free of charge" be added to Condition #3. The proposed conditions were read by the Deputy Clerk and accepted by the applicant. Motion by Brubaker, seconded by Waldron, carried 5/0, adopting Conditional Ordinance No. 88-29.

(06/14/88 - 10 - 4.0102)

Hearing on Application #R-88-012, Donna Schevitz for P. Paul Fagundo, James H. Donalson and Mary Jan Dardi located U.S. #1 South, north of Center for the Living. Requesting change from OR to CN for location of Electronic Store. Proof of publication of notice of intent to consider the adoption of an ordinance rezoning lands was received having been published in The St. Augustine Record on May 10, 1988; upon motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. Report of the St. Johns County Planning & Zoning Agency recommending approval with conditions was received. Waldron filed a Form 8B, Memorandum of Voting Conflict For County, Municipal and Other Local Public Officers. Peggy Medick, Old Carriage Realty was present requesting approval. The proposed conditions were read by the Deputy Clerk and accepted by the applicant. Motion by Brubaker, seconded by Lydon, carried 4/0 with Waldron abstaining, adopting Conditional Ordinance No. 88-30.

(06/14/88 - 10 - 4.0350)

Hearing on Appeal to Denial of Minor Modification to Vicar's Landing Final Development Plan (Life Care Pastoral Services, Inc.). Request was to allow up to 30 covered parking structures to be constructed within the designated parking areas (the original Final Development Plan allows garages). Proof of publication of notice of Public Hearing for the purpose of appeal to the Board of County Commissioners for action taken by St. Johns County Planning and Zoning Agency was received having been published in The St. Augustine Record on May 11, 1988; upon motion by Brubaker, seconded by Waldron, carried 5/0, was ordered filed. Court Reporter Janet Beason was present recording. Attorney Hamilton Upchurch, First Union Bank Building was present to appeal the decision of the Planning & Zoning Agency to deny applicant's request for a Minor Modification to allow up to 30 covered parking structures to be constructed within the designated parking areas of the Vicar's Landing Life Care Facility. With the use of an aerial map he clarified the area of conflict and circumstances leading to the denial. He described the structure of the carports in question and showed drawing of same. Illustrating the proposed 8' screening buffer with the use of an overlay photo he explained the vegetation would grow over the years thereby screening the area from the road. Attorney Upchurch submitted the following exhibits into the record: Exhibit #1 - Aerial Map, Exhibit #2 - Drawing of Proposed Carport, Exhibit #3 - Peripheral Landscape Plan and Exhibit #4 - Overlay Photo Of Proposed 8' Screening Buffer. There was considerable opposition by residents in the area. Those commenting were: (4.1269) Dick Mann, 10 Cypress Tree Drive, (4.1370) August ?, Players Club Association, (4.1473) Robert McGalley, Sawgrass Players Club who read and submitted a letter of opposition from Alice & Charles Clark into the record, (4.1635) Curtis Hoffman, 121 Nadina Circle submitted letter dated April 6, 1988 and photos into the record and (4.1719) Virginia Hoffman. The item at this time was brought back to the Board for discussion. Upchurch indicated the applicant will provide doors on the carports. Considerable discussion followed with many still opposed to the detached carports. Motion by Bailey, seconded by Lydon, carried 5/0, denying the request.

(06/14/88 - 10 - 4.----)

Resolution regarding transfer of Florida Clearview, Inc. to Continental Cablevision. Proof of publication of notice of Public Hearing to consider a resolution was