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**AGENDA ITEM
Planning & Zoning**

Meeting

2/15/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: February 7, 2024

FROM: Evan Walsnovich, Planner

PHONE: 904 209-0596

SUBJECT OR TITLE: Request for Reconsideration or Waiver of One -Year Time Limit to Reapply for Port St. John Fence MINMOD 2023-17.

AGENDA TYPE: Business Item

PRESENTER: Debi Sharpe

BACKGROUND INFORMATION:

MINMOD 2023-17 Port St. John Fence, was heard by the Planning and Zoning Agency on December 7th, 2023 and was approved 7-0. The approved Minor Modification allows an eight (8) foot fence along the northern boundary of the Riverpoint PUD adjacent to the Amity Marina, in lieu of the maximum six (6) foot height. This request to waive the time limits, as provided in Section 10.04.02.A.3 is from one of the homeowners included in the MINMOD 2023-17 application. Section 10.04.02.A.3 states: Whenever the PZA has granted or denied a Variance, it shall not then consider any petition for Variance on any part or all of the same property for a period of one (1) year from the effective date of the Development Order granting the Variance. LDC Section 10.04.02.A.4 allows for a waiver of the above time limits and states: The time limits in Section 10.04.02.A.3. above may be waived by the affirmative vote of a majority of the PZA when such action is deemed necessary to prevent injustice or to facilitate the proper Development of the County. The applicant is requesting this waiver to apply for a separate Minor Modification application to allow for a ten (10) foot fence on solely the applicant's property.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

Motion to approve the waiver of time limits pursuant to Land Development Code Section 10.04.02.A.4.

Motion to deny waivers of time limits.

Re: Request for Waiver of 1 Year Filing Requirement

Dear Planning and Zoning Agency Representatives,

My neighbors and I presented to the commission on December 7, 2023 for a fence PUD modification. The board approved our request and allowed us to retain their 8 ft. fence due to the hardships we face from our rear neighbors, Amity Bar & Trailer Park. At that time a couple of the commissioners acknowledged that they would even approve higher if needed. I should have taken the opportunity at that time to ask. However, I was just so relieved that we did not have to take down our fence that I was not thinking clearly.

I would like to ask the commission to waive the one year filing requirement so my husband and I can come back and present to the board. I would like to present to the board the additional hardship that my family continues to face and ask for the ability to put in a higher fence.

We have had 2 illegal RVs and a shed (that is being lived in) behind my fence for over 7 months. St. Johns code and planning are working through the issue with the environmental department and advise that this takes time. In the interim, we continue to experience hardship on a weekly basis; violent altercations, smell of trailer sewage, burning of household waste and garbage being thrown over the fence.

Thank you for your consideration,

George & Debi Sharpe
140 Holly Berry Lane
St. Johns