

RESOLUTION NO. 91- 123

A RESOLUTION SHOWING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA TO FILE A COMPREHENSIVE PLAN AMENDMENT TO EXEMPT THE PARCELS OF LAND IN THE A.I. AND R.S. AREAS OF ST. JOHNS COUNTY, FLORIDA FROM THE TWO YEAR "USE IT OR LOSE IT" REQUIREMENT WHICH EXPIRES ON SEPTEMBER 14, 1992.

WHEREAS, the two year "use it or lose it" rule (Section 1(e)(iii) of the Textual Appendix to the future Land Use Element (Exhibit A to Ord. No. 90-53)) contained in the current St. Johns County Comprehensive Plan (the "Comp Plan") is causing undue hardship and devaluation of rural property in the A.I. and R.S. areas of the County;

WHEREAS, as an example, there are one acre St. Johns River front lots and parcels which fall under the 100 acre requirement for obtaining a building permit which would be absolutely impossible to comply with or would make the lots worthless for their intended purpose;

WHEREAS, there have been 125 single family dwelling unit building permits issued in the A.I. and R.S. areas of the County since the Comp Plan's adoption. This represents approximately 16% of the dwelling unit permits issued throughout the County and appears disproportionately high compared to previous years;

WHEREAS, the Board of County Commissioners concludes that, based on the experience and perspective gained in the past year, the rule is creating hardships and premature development not foreseen at the time of Plan adoption;

WHEREAS, as the deadline of September 14, 1992 approaches, the 200 unit annual cap could be maxed out and citizens with a bonafide need for a place to live could be denied a building permit because of the premature development that has taken place by others to protect

their property rights by building unnecessary homes or placing unnecessary mobile homes prior to the September 14, 1992 "lose it" date;

WHEREAS, this type of forced scenario is encouraging hastily conceived and, as a consequence, sometimes less desirable development. Of the 125 dwelling unit permits issued thus far, only 12 have been conventional homes while 113 have been mobile homes.

WHEREAS, there are specific cases that certain owners who had plans to construct conventional homes for retirement in the future years are opting to place mobile homes for rental if necessary to vest their right to use their property for residential purposes;

WHEREAS, allowing continued residential development to occur, at an unexaggerated "normal pace", on previously existing smaller parcels in the AI/RS Districts would help satisfy residential needs while preserving larger tracts for more viable agricultural/silvacultural activities consistent with the Comp Plan's Goals and Objectives for the districts

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, that the COUNTY ADMINISTRATOR is hereby instructed to prepare a Comp Plan Amendment for consideration and public hearing pursuant to Florida Statutes to exempt the parcels of land in the A.I. and the R.S. areas of St. Johns County, Florida as identified in Section 1(e)(iii) of Exhibit A to Ordinance No. 90-53, from the two year "use it or lose it" requirement which expires September 14, 1992. Every effort possible should be made to stress to the DCA the importance of this issue and to work dilligently with the DCA to achieve the County's goal on this issue.

PASSED AND ADOPTED this 13 day of August, 1991.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Ronald B. Huald*
Its Chairman

ATTEST:

By: *Patricia De Grande*
Deputy Clerk