

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO PLANNED SPECIAL DEVELOPMENT (PSD)

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:**

SECTION 1. That as requested by JOE ANDERSON, by and through his attorney, RICHARD F. JOYCE, III, ESQUIRE, in his application with supporting documents for zoning change dated April 10, 1987, (hereinafter the "Anderson Application"), the zoning classification of the land described on the attached Exhibit "A" is hereby changed from OR to Planned Special Development (PSD).

SECTION 2. That development of the lands within this PSD shall proceed in accordance with the Anderson Application and any amendments and/or additions to said application and supporting documents which are a part of zoning file number R-PSD-87-020, which are incorporated by reference into and made a part of this ordinance, and are supplemented by the provisions of this ordinance. In the case of conflict between the application and supporting documents and the below described provisions of this ordinance, the below described provisions shall prevail.

SECTION 3. That said development encompasses approximately 15 acres and that pursuant to Section 8-A-4-3 of the St. Johns County Zoning Code, the 10 acre limitation is hereby specifically waived.

SECTION 4. No other use except for use as an asphalt plant and temporary office facilities shall be allowed on the property.

SECTION 5. Restriction on Permitted Uses or Uses by Exception.

(a) No use will be permitted requiring use or storage of toxic, hazardous or inflammable chemicals without such permits as may be required from time to time by all State and Federal Agencies. St. Johns County shall be furnished copies of all permits issued. In addition, St. Johns County Fire Service shall be furnished with copies of all Material Safety Data Sheets, for

its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of Flammable and Combustible Liquids shall comply with the latest National Fire Protection Association Publication 30, as adopted by St. Johns County.

(b) No aerial dispersion shall be allowed without such permits as may be required from time to time by State and Federal permits. St. Johns County shall be furnished copies of all permits issued.

(c) Processes producing noise shall be controlled so that the sound levels at the boundary of the parcel does not exceed the following level:

<u>Land Use/Zoning of Adjacent Property at Time of Rezoning</u>	<u>Maximum Sound Pressure DB-(A)</u>	
	<u>7 AM-10 PM</u>	<u>10 PM to 7 AM</u>
Hospital	55	55
Residential	60	55
Commercial	65	60
Manufacturing/Industrial/Agricul.	75	70

FOR ALL CATEGORIES LISTED ABOVE, THE MAXIMUM SOUND LEVEL FOR A SINGLE INCIDENT SHALL NOT EXCEED THE ABOVE VALUE BY MORE THAN 20 DB(A).

SECTION 6. Waste Disposal.

(a) All trash and solid wastes shall be removed on a timely basis and properly disposed of off site.

(b) Any chemical/petroleum wastes shall be treated and/or disposed of in a manner as may be required from time to time by all applicable State and Federal Standards.

(c) Solid waste pick up containers shall be placed on easily accessible pads and be properly screened from public view.

SECTION 7. That this PSD shall conform to the St. Johns County Paving and Drainage Ordinance No. 86-4, as amended.

SECTION 8. That all easements required for drainage purposes shall be granted to the County at no cost, upon County's request.

SECTION 9. There shall be placed, at the entrance to the PSD on State Road 16, safety signage (e.g. "caution, trucks entering highway - plant entrance") or suitable alternative signs acceptable to the Department of Transportation and St. Johns

County.

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SECTION 10. That construction of the PSD shall be contingent upon obtaining all necessary state driveway and drainage permits or letters of exemption and construction of an access road to State Road 16, in conformance with all State and/or County requirements now existing.

SECTION 11. Construction of this PSD is contingent upon obtaining and complying with any and all other required State or Federal permits.

SECTION 12. Construction of the PSD is contingent upon compliance with all County requirements relative to fire protection.

SECTION 13. That no permit for construction shall be issued except in exact compliance with the submitted application.

SECTION 14. All Building Codes, Zoning Ordinances, and other land use and development regulations of St. Johns County, as may be amended from time to time, shall be applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with the specific provisions of the approved development plan or PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 15. The Zoning Official is authorized to issue zoning clearances as allowed by classifications as rezoned and conditioned hereby.

SECTION 16. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 17. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County,

Florida, in the official public records of St. Johns County, Florida, and indexed under the names of the property owners described on page one hereof.

PASSED this 14th day of July, 1987.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

BY: Phyllis Lydon  
Phyllis Lydon, Chairman

**ATTEST:**

CARL "BUD" MARKEL, CLERK  
OF THE CIRCUIT COURT

By: Cheryl Kent  
Deputy Clerk

(OFFICIAL SEAL)

Adopted regular meeting July 14, 1987

Effective July 22, 1987

Exhibit A

O.R. 752 P6 0253

DESCRIPTION FOR PROPOSED P.S.D.

A PARCEL OF LAND IN THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 17 EAST, ST. JOHN'S COUNTY, FLORIDA, CONTAINING 15.7161 ACRES, MORE OR LESS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, ON THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 782.94 FEET; THENCE SOUTH 50 DEGREES 01 MINUTE 20 SECONDS EAST, ON THE SOUTHWEST RIGHT OF WAY LINE OF STATE ROAD NO. 10, SAID RIGHT OF WAY LINE BEING 70 FEET SOUTHWESTERLY FROM THE CENTERLINE OF THE NOW EXISTING TWO-LANE HIGHWAY, 100.00 FEET; THENCE SOUTH 1 DEGREE 08 MINUTES 35 SECONDS EAST 740.00 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS WEST 864.73 FEET; THENCE NORTH 1 DEGREE 08 MINUTES 35 SECONDS WEST, ON THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 797.42 FEET TO THE POINT OF BEGINNING.

CA

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHN'S COUNTY, FLA.

1987 JUL 24 AM 9:47

Carl "Bail" Markel  
CLERK OF CIRCUIT COURT

VERIFIED BY  
*[Signature]*

**The St. Augustine Record**  
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Kristi Robertson who on oath says that he is  
Accounting Clerk of the St. Augustine Record, a  
 daily newspaper published at St. Augustine in St. Johns County, Florida;  
 that the attached copy of advertisement, being a \_\_\_\_\_  
Notice of County Commission Meeting  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
Proposed Rezoning, OR to PSD  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
June 10, 1987

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kristi Robertson  
 this 11th day of June  
A.D. 19 87  
[Signature]  
 (SEAL) Notary Public

Notary Public, State of Florida at Large  
 My Commission Expires Dec. 21, 1990

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 14 DAY OF JULY 1987 AT 2:00 O'CLOCK P.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO PSD. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of Joe Anderson owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

Using the NW corner of Section 6, Township 7 South, Range 29 East as a Point of Beginning, run N 88 degrees 56' 10" E, 782.94 feet to the South Right-of-Way line of State Road 16. Thence run South 1 degree 06' 35" E 740 feet. Thence run N 88 degrees 56' 10" W to West line of Section 6, thence run along the West line of Section 6 to the Point of Beginning. Property being Government Lot 4, Sect 6, Township 7 South, Range 29 East, St. Johns County, Florida, IS HEREBY CHANGED TO: PSD, Planned Special Development in accordance with documents filed with application R-PSD-87-020.

SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in zoning district wherein said lands are located.

SECTION 3. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgment of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
 By s/Carl "Bud" Markel  
 Its Clerk

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
 L877 June 10, 1987