

ORDINANCE NUMBER: 87-56

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM PRESENT
ZONING CLASSIFICATION OF _____ OR _____
TO PLANNED _____ UNIT _____ DEVELOPMENT

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

Section 1. That, as requested by Landers-Atkins Planners, Inc. on
Philip Cratem II
behalf of John Fiore/Tom & Philip Cratem in its application with supporting
documents for zoning change, dated 22 June, 1987, (hereinafter, and revised site
plan dated October 9, 1987,
Application:), the zoning classification of the lands described on the attached
Exhibit A is hereby changed from OR to Planned UNIT Development.

Section 2. That development of the lands within the lands described
in Exhibit A - Light Industrial/Commercial development, shall proceed in accor-
dance with the commitments contained in the Application and supporting documents
as modified by the recommendations of the County staff and the Planning &
Zoning Commission all of which are a part of zoning file R-PUD-87-031 and which
are incorporated by reference into and made a part of this ordinance, and as
supplemented by the provisions of this ordinance. In the case of conflict bet-
ween the Application or supporting documents and the below described provisions
of this Ordinance, the below described provisions shall prevail.

Section 3. Miscellaneous Provisions. Development of only Parcel 2 in
phase I may proceed with the use of wells and septic tanks. Development beyond
this will require package treatment facilities in accordance with DER and the
County.

Additional right-of-way up to a maximum of 50 feet will be made
available to the county along the north side of CR 210 for future road
expansion. The County shall make a determination of the specific need prior to
issuance of a building permit. This requirement may be reduced if the county
cannot show the need for the 50 feet. The setback requirements will be reduced
to 25 feet from the future right-of-way requirements.

Section 4: That all roads and parking areas within the project either
public or private shall be constructed to approved County Standards.

Section 5: That all easements required for drainage purposes shall be
granted to the County at no cost at the County's Request.

Section 6: The applicant; John Fiore/Tom & Philip Cratem II or his assignee shall submit a final development plan for said Planned Unit Development, in accordance with the St. Johns County Zoning Code.

Section 7: The St. Johns County Building and Zoning Office is hereby authorized to issue building permits, certificates of other documents authorizing construction of said Planned Unit Development in accordance with the development plan after its approval pursuant to the zoning code.

Section 8: This Ordinance shall take effect immediately upon receipt of official acknowledgement of the Office of the Department of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that the same has been filed.

Section 9: On or before January 1, 1988, the owners of the subject parcel shall record an easement in the public records of St. Johns County, Florida, conveying a 30 foot wide access/egress easement to the owners and users of the lands located immediately North of the subject property that are now being served by an existing road commonly known as Pappy Road. Said easement shall provide that it runs with the land benefitted by the easement and it shall comply with the representations described in the letter from Landers-Atkins Planners Inc. dated October 12, 1987, attached hereto as Exhibit B.

Passed and adopted this 13th day of October, 1987.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Phyllis L. Lydon
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent
Deputy Clerk

Adopted regular meeting 10/13/87

Effective: October 20, 1987

Exhibit A

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, 57. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 16 AND RUN NORTH $29^{\circ}-12'-13"$ EAST ALONG THE NORTHERLY LINE OF SAID NORTHEAST $\frac{1}{4}$, A DISTANCE OF 1994.96 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 210 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE SOUTH $51^{\circ}-02'$ WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1824.52 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1196.28 FEET, A CHORD DISTANCE OF 302.97 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH $43^{\circ}-45'-30"$ WEST; RUN THENCE SOUTH $36^{\circ}-29'$ WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 560.01 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SECTION 16; RUN THENCE NORTH $01^{\circ}-04'-42"$ WEST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 1789.05 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 36.93 ACRES, MORE OR LESS.

LANDERS-ATKINS PLANNERS INC.



October 12, 1987

Ms. Phyllis Lydon
Chairman, Board of County Commissioners
St. Johns County, Florida
P.O. Drawer 349
St. Augustine, Florida

RE: R-PUD 87031 Fiore/Cratem
LA87014

Dear Madam Chairman,

At the September 22nd meeting of the County Commission public hearing on the above referenced rezoning matter an adjacent property owner (Mrs. Rosetta Danese) representing Ethel J. & Duke Casey appeared before the Board to object to the rezoning based on the fact that her sister, Mrs. Casey was unable to secure a building permit because she had no recorded easement for access to her property. Access to her property has been over Pappy Road which was recently rejected by the County for maintenance. Our client was directed to meet with the property owner and to arrange for a recordable easement for her access. We have done so and agreed to an easement. However, due to the fact that the deed for the adjacent property was lost in a fire and the surveyor has been unable to survey the easement we have not been able to produce for you at this time that instrument. We respectfully request however, that the matter of the rezoning be considered and a decision be made based on the fact that the easement will be in place within a short time.

In addition, the site plan has been revised to indicate a shortened paved, private road serving our property with a perpetual access easement over the road to the adjacent property. In addition, the county engineering staff has recommended that a separate entrance be provided to the east of the proposed building in order to help separate potential truck traffic from residential traffic since the road now serves both uses. This entrance will be a minimum of 300-feet east of the intersection of Pappy (Fiore) Road.

We respectfully request your further consideration of this zoning matter.

Sincerely,

Thomas W. Atkins, AICP, ASLA
Senior Vice President

TWA:dg

cc: John Fiore
Jeanette Cratem

EXHIBIT B

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 MEETING _____
_____ in the matter of _____
ZONING CLASSIFICATION _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
AUGUST 21, 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 21st day of AUGUST
A.D. 19 87

[Signature]
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded thru Troy Fain - Insurance, Inc.

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22 DAY OF SEPTEMBER 1987 AT 2:00 O'CLOCK PM, IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. 91 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 PUD, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of John Fiore, Tom and Phillip Cratem owners of the following described land, zoning classification of OR, Open rural or, the following described lands:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTH-EAST 1/4 OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/2 OF SAID SECTION 16 AND RUN NORTH 89°-12'-13" EAST ALONG THE NORTHERLY LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1924.99 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 210 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE SOUTH 51°-02' WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1624.52 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1106.28 FEET, A CHORD DISTANCE OF 202.97 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 43°-45'-30" WEST; RUN THENCE SOUTH 25°-29' WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 560.0 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST 1/4 OF SECTION 16; RUN THENCE NORTH 01°-04'-02" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 1789.05 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 26.93 ACRES, MORE OR LESS.

IS HEREBY CHANGED TO: PUD, a Planned Unit Development in accordance with file number R-PUD-87-31.

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.
L094 Aug. 21, 1987