

ORDINANCE NUMBER: 89-60

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

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

SECTION 1. That as requested by Mark and Suzan Pionessa in their application with supporting documents for zoning change, dated 9-5-89, and as amended on 10-19-1989, (hereinafter, the Planned Special Development application), the zoning classification of the lands described on the attached Exhibit "A" is hereby changed from Open Rural to Planned Special Development.

SECTION 2. That development of the lands within this Planned Special Development application shall proceed in accordance with the Application and supporting documents which are part of Zoning file R-PSD-89-049 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 between the Application or supporting documents and the below described provisions of this Ordinance, the below described provisions shall prevail.

SECTION 3. (Miscellaneous Provisions)

Please see attached amendments dated October 16, 1989 and October 19, 1989. **Exhibits B and C**

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, upon County's Request.

SECTION 6 . All building code, zoning ordinance 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 specific provisions of the approved development plan or PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 7 . The Zoning Official is authorized to issue zoning clearances allowed by zoning classification as rezoned hereby.

SECTION 8 . 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 of St. Johns County, Florida, that the same has been filed.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLA.

BY: Craig H. Maguire  
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl B. Markel  
DEPUTY CLERK

(Seal)

Adopted at the 12th Day of December, 1989 Regular Board of County  
Commissioners Meeting.

Effective: December 21, 1989

EXHIBIT "A"

A part of Section 16, Township 5 South, Range 28 East, St. Johns  
County, Florida, and being more particularly described as follows:

Commence at the intersection of the North line of said Section 16, with  
the Southeasterly right-of-way line of State Road No. 210 (a 100 foot  
right-of-way); thence South 51° 03' 40" West, along said Southeasterly  
right-of-way line of State Road No. 210, a distance of 1590.00 feet to  
the Point of Beginning; thence continue South 51° 03' 40" West, along  
said Southeasterly right-of-way line, 361.73 feet to the point of a  
curve to the left, said curve being concave Southeasterly and having a  
radius of 1095.92 feet; thence continue Southwesterly along said  
Southeasterly right-of-way line along and around said curve, through a  
central angle of 14° 34' 40", an arc distance of 278.83 feet to the  
point of tangency of said curve, said arc being subtended by a chord  
bearing and distance of South 43° 46' 20" West, 278.08 feet; thence  
South 36° 29' 00" West, continuing along said Southeasterly right-of-  
way line, a distance of 233.73 feet; thence South 47° 18' 20" East,  
670.25 feet; thence South 33° 34' 45" East, 760.66 feet; thence North  
89° 03' 33" East, 690.00 feet; thence North 54° 59' 49" West, 765.81  
feet; thence North 38° 54' 04" West, 858.36 feet; thence North 25° 05'  
56" East, 561.19 feet; thence North 38° 54' 04" West, 100.00 feet to  
the Point of Beginning.

Containing 15.19 acres, more or less.

**EXHIBIT B**

Applicant R-PSD-89-049 Mark/Suzan Pionessa

10/16/89

The following is a response to the Staff comments regarding our rezoning request for Hearing by the Planning and Zoning Agency on October 19, 1989.

The following paragraphs reflect modifications and corrections as indicated by Staff to be incorporated into this PSD Ordinance.

2. PERMITTED USES

The temporary use of not more than four trailers shall be permitted during construction for use as offices or storage facilities, for a period of time not to exceed one year.

3. SCHEDULE OF DEVELOPMENT

After final approval by the Board of County Commissioners and issuance of required permits, development will commence in two phases. Phase I will commence no later than December 1991 with completion by December 1992. Phase I will include all development as shown on site plan except for warehouse at rear of property. Phase II will commence by December 1995 and be completed by December 1996, this will consist of a warehouse 100' x 200'. Commencement being issuance of Building Permit.

4. YARD REQUIREMENTS

All natural buffer areas shall be staked prior to construction in order to limit the area of site disturbance. Trees will be flagged to preserve as many as possible. The perimeter fence shall be a chain link material not more than eight feet high,  
or less than six feet.

5. SITE ENTRANCE

Access to the property will be in direct alignment with the entrance to Fiore Industrial Park, currently known as Pappy Road. Access shall be limited to one access point from CR 210, aligned with Pappy Road and constructed to County Standards and making all necessary improvements to CR 210 as may be required by the County Engineering Department (i.e. accel/decel etc.).

7. BUILDING HEIGHT

No building shall exceed thirty-five (35) feet in height from the established grade to the highest point on the roof.

8. UTILITIES

The development will utilize septic tanks and wells until a licensed franchisee is available in the area. The development commits to tying into the central water/sewage system in a timely manner.


Fire protection will be provided by well and pump system located on site for the facility. Fire hydrants will be provided within 500 feet of all structures. The interim fire system shall be approved by the County Fire Marshall and once central water facilities are available a hydrant system shall be installed to meet existing fire requirements for such a system in accordance with NFPA 24.

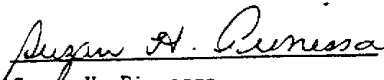
11. PARKING AND LANDSCAPING

Parking and landscaping requirements shall comply with the County Landscape Ordinance. Minor changes may be made to the site plan to accomodate compliance with landscaping, parking, Engineering Dept., etc.

13. GENERAL COMPLIANCE

All building codes, zoning ordinances and other land development regulations of St. Johns County as may be amended from time to time are applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with the specific provisions of this PSD Ordinance.

  
Mark A. Pionessa

  
Suzan H. Pionessa

**Exhibit C**

**Addendum R-PSD-89-049 Mark & Suzan Pionessa, Dated 10/19/89**

The following are items which were verbally agreed on at the PZA hearing on 10/19/89 and are to be incorporated into the PSD ordinance as follows:

1) Permitted Uses and Structures

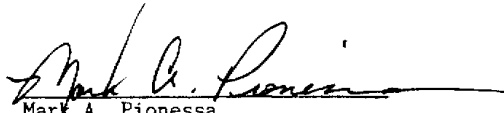
The temporary use of not more than four trailers shall be permitted during construction for use as offices or storage facilities, for a period of time not to exceed one year beyond date of issuance of building permit.

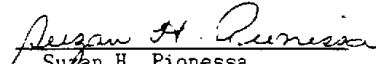
2) Schedule of Development

Verticle (i.e. buildings) construction shall constitute commencement.

3) Utilities

The development will utilize septic tanks and wells until a licensed franchisee is available in the area.  
The development commits to tying into the central water/sewage system once central facilities are within  $\frac{1}{4}$  mile of any boundary of the subject PSD the developer/owner will at his own expense connect to these facilities within six months.

  
Mark A. Pionessa

  
Suzan H. Pionessa

# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

ANN JACKSON \_\_\_\_\_ who on oath says that she 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 \_\_\_\_\_  
RE: R-PSD-89-049 PIONESSA \_\_\_\_\_

\_\_\_\_\_ in the \_\_\_\_\_ Court,

was published in said newspaper in the issues of \_\_\_\_\_

NOVEMBER 10, 1989 \_\_\_\_\_

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 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Ann Jackson

this 13th day of NOVEMBER

A.D. 19 89

Zoe Ann Johns  
(SEAL) 8/22/93 Notary Public

\$46.73

## COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 12 DAY OF DECEMBER, 1989 AT 1:45 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16A) 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 Mark and Susan Pionessa owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

A part of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows:

Commence at the intersection of the North line of said Section 16, with the Southeastery right-of-way line of State Road No. 210 (a 100 foot right-of-way); thence South 51° 03' 40" West, along said Southeastery right-of-way line of State Road No. 210, a distance of 1590.00 feet to the Point of Beginning; thence continue South 51° 03' 40" West, along said Southeastery right-of-way line, 261.73 feet to the point of a curve to the left, said curve being concave Southeastery and having a radius of 1095.92 feet; thence continue Southwestery along said Southeastery right-of-way line along and around said curve, through a central angle of 14° 34' 40", an arc distance of 278.83 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 43° 46' 20" West, 278.08 feet; thence South 36° 29' 00" West, continuing along said Southeastery right-of-way line, a distance of 233.73 feet; thence South 47° 18' 20" East, 670.25 feet; thence South 33° 34' 45" East, 760.66 feet; thence North 89° 03' 33" East, 690.00 feet; thence North 54° 59' 49" West, 765.81 feet; thence North 38° 54' 04" West, 828.36 feet; thence North 25° 05' 56" East, 561.19 feet; thence North 38° 54' 04" West, 100.00 feet to the Point of Beginning.

Containing 15.19 acres, more or less.

IS HEREBY CHANGED TO : PSD, Planned Special Development, in accordance with documents filed in application R-PSD-89-049.

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.

L0817 Nov. 10, 1989