

22  
ORDINANCE NUMBER: 2003 - 59

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OR (OPEN RURAL) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

PUD OFF REC  
BOOK R PAGE 977

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated March 12, 2003, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2003-08 B&W Enterprises of Jacksonville, Inc., and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Findings of Fact: that the need and justification for approval of the B&W Enterprises of Jacksonville, Inc. PUD has been considered in accordance with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code and, whereby, it is found that:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan, specifically including but not limited to, Goal A.1 and Objective A.1.9.
3. The proposed project is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
4. The proposed project meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
5. The proposed project meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F) of the Land Development Code.
6. The proposed project would not adversely affect the orderly development of St. Johns County.

Ordinance Book 32 Page 62

*Marked Down*

SECTION 2. Pursuant to this application File Number PUD 2003-08 B&W Enterprises of Jacksonville, Inc. the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

SECTION 3. To the extent they do not conflict with the specific provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited except where allowed by the Land Development Code; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, Comprehensive Plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas maintained in the Zoning Division of the St. Johns County Growth Management Services Department by the Director of Growth Management Services, or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 8 DAY OF July 2003.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant  
James E. Bryant  
Chairman

RENDITION DATE July 9, 2003

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cherise King  
Deputy Clerk

EFFECTIVE DATE: July 10, 2003

EXHIBIT "A"

#850

(2)

Prepared By: E. Prosser  
Swaback Title Agency  
3999 Roma Circle Road, Jacksonville, FL 32234  
Phone: (904)932-0911  
File Number: FL-0516-A  
Contractor's SBR#: 074470-0000  
Parcel ID #:

Public Records of  
St. Johns County, FL  
Clerk# 02-048706  
O.R. 1801 PG 1702  
03:21PM 05/21/2002  
REC \$29.00 SUR \$4.00  
Doc Stamps \$945.00

**WARRANTY DEED**  
(Individual)

**P. U. D. OFF REC**  
**R PAGE 979**  
BOOK

This Warranty Deed, dated this 22nd day of April, 2002

By **Linda Joyce Underwood and Darla J. Milboznwald and Pamey K. Ward and Frank C. Schmidt and Susan Jells and  
Gail A. Rackitt**

whose post office address is: 4800 Ash Highway, Charlotte, MI 48813, hereinafter called the GRANTOR,

**Act To** **Louie Eugene Williams III, unmarried**

whose post office address is: 173 S. Roscoe Blvd, Palm Vista Beach, FL 32082, hereinafter called the GRANTEE,  
(However and notwithstanding the name "GRANTOR" and "GRANTEE" set forth in the public file instrument, and the books, legal requirements, and copies of instruments, and the necessary and proper copies of instruments.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, heretains, sells, alien, remises, releases, conveys, and confirms unto the Grantee, all that certain land situate in St. Johns County, Florida, viz:

A Parcel of Land lying in and being part of Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, Being more particularly described as follows:

205698

Beginning at the intersection of the Northeastly Right-of-Way line of U.S. Highway No. 1 and/or State Road No. 50 150 feet Right-of-Way as now established, with the Northwestly line of St. Augustine Circle, as recorded in Map Book 10, Pages 20 and 21, of the Public Records of Said County; thence on said Northwestly line North 51°54'34" East, 801.29 feet to the Southwestly line of St. Augustine Park - Unit One, as recorded in Map Book 10, Pages 58 and 59, of said Public Records, thence, on said Southwestly line, North 38°05'00" West, 149.89 feet; thence, parallel with the Northwestly line of said St. Augustine Circle, South 51°54'34" West, 801.29 feet to the Northeastly Right-of-Way Line of said U.S. Highway No. 1 and/or State Road No. 5; thence, on said Right-of-Way line, South 38°05'00" East, 149.89 feet to the Point of Beginning.

Grantor hereby warrants that the above captioned property is not his/her homestead as defined in the Constitution of the State of Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements, and agreements of record, if any; taxes and assessments for the year 2002 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the instruments, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said Grantee that except as above noted, the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents this date set forth above.

Signed, sealed and delivered in the presence of:

5-15-03



ST. JOHNS COUNTY  
Application For Rezoning

P.U.D. OFF. REC.  
BOOK R PAGE 980

FROM OR TO PUD

DATE Jan 27, 2003

PROJECT NAME: B+W Enterprises of Jacksonville, Inc.

OWNER/APPLICANT: Louie Eugene Williams III

ADDRESS: 193 S. Roscoe Blvd  
Ponte Vedra Bch, FL 32082

PHONE: 810-5599 FAX: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: Pamela J. Drury of Taylor and White, Inc.

ADDRESS: 5300 Emerson Street  
Jacksonville FL 32207

PHONE: 346 0671 FAX: 346 3051

E-MAIL ADDRESS: pam.drury@taylorandwhite.com

PROPERTY APPRAISERS PARCEL NO. D74470-0000

SECTION: 50 TOWNSHIP: 6 RANGE: 29

CENSUS TRACT: \_\_\_\_\_ PROPERTY APPRAISERS MAP SHEET: 4D/50B

LOCATION: 6210 US 1 North

911 ADDRESS (IF KNOWN) 6210 US 1 North

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

TAZ \_\_\_\_\_ MAJOR ACCESS US 1 North

OVERLAY DISTRICT? NO IF YES, WHICH ONE \_\_\_\_\_

ZONE CLASS OR COMP. PLAN DSGN Mixed Use

PRESENT USE OF PROPERTY: mobile + carport

RECEIVED

MAR 12 2003

ST. JOHNS COUNTY  
PLANNING DEPARTMENT

WATER/SEWER: City of St Augustine

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) private

WHO WILL MAINTAIN DRAINAGE: private

TYPE OF DEVELOPMENT: Commercial

ACRES: 2.75 (SIZE OF PROPERTY) NUMBER OF LOTS/ UNITS: N/A (IF SUBDIVISION) SQ. FOOTAGE: \_\_\_\_\_ (OF EACH BUILDING)

ACRES TO BE CLEARED: 0 1/4 MILE INCREMENTS OF ROADWAY: \_\_\_\_\_

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES \_\_\_\_\_ NO X

IS THE PROJECT SEAWARD OF CCCL? YES \_\_\_\_\_ NO X

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

See attached PUD Narrative AND MDP MAP

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list below any applications currently under review or recently approved which may assist in the review of this application: \_\_\_\_\_

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:  
Signature of owner or person authorized to represent this application:

Signature: Pamela S. Drury

Printed or typed name(s): PAMELA S. DRURY

# 8570

Prepared By: K. Prosser  
Sunbelt Title Agency  
3995 Hunt Club Road, Jacksonville, FL 32224  
Phone: (904)992-0911  
File Number: 91-0516-A  
Grantee(s) SS#:   
Parcel ID #: 074470-0000

Public Records of  
St. Johns County, FL  
Clerk# 02-048706  
O.R. 1801 PG 1702  
03:21PM 08/21/2002  
REC \$29.00 SUR \$4.00  
Doc Stamps \$945.00

7

**WARRANTY DEED**  
(Individual)

**P. U. D. OFF. REC.**  
**R** **982**  
BOOK PAGE

This Warranty Deed, dated this 22nd day of April, 2002

By Linda Joyce Underwood and Darla J. Miloszewski and Penny K. Ward and Frank C. Schmidt and Susan Jolls and Gail A. Rackliff

whose post office address is: 4800 Ash Highway, Charlotte, MI 48813, hereinafter called the GRANTOR,

Ret → To Louie Eugene Williams III, unmarried

whose post office address is: 193 S. Rosco Blvd, Ponte Vedra Beach, FL 32082, hereinafter called the GRANTEE,  
(Wherever used herein the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH, that the Grantor, for an in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situate in St. Johns County, Florida, viz:

205698 A Parcel of Land lying in and being part of Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, Being more particularly described as follows:

Beginning at the intersection of the Northeasterly Right-of-Way line of U.S. Highway No. 1 and/or State Road No. 5a 150 foot Right-of-Way as now established, with the Northwesterly line of St. Augustine Circle, as recorded in Map Book 10, Pages 20 and 21, of the Public Records of Said County; thence on said Northwesterly line, North 51°54'34" East, 801.29 feet to the Southwesterly line of St. Augustine Park - Unit One, as recorded in Map Book 10, Pages 58 and 59, of said Public Records, thence, on said Southwesterly line, North 38°05'00" West, 149.89 feet; thence, parallel with the Northwesterly line of said St. Augustine Circle, South 51°54'34" West, 801.29 feet to the Northeasterly Right-of-Way Line of said U.S. Highway No. 1 and/or State Road No. 5; thence, on said Right-of-Way line, South 38°05'00" East, 149.89 feet to the Point of Beginning.

Grantor hereby warrants that the above captioned property is not his/her homestead as defined in the Constitution of the State of Florida.

SUBJECT TO covenants, conditions, restrictions; reservations, limitations, easements, and agreements of record, if any; taxes and assessments for the year 2002 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said Grantee that except as above noted, the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the date set forth above.

Signed, sealed and delivered in the presence of:

M. Shannon Fohlbrook  
Witness as to Linda J. Underwood

Linda J. Underwood  
Linda J. Underwood

M. SHANNON FOHLBROOK  
Print Witness Name

Pat Ross  
Witness as to Linda J. Underwood

PAT ROSS  
Print Witness Name

**P. U. D. OFF. REC.**  
**BOOK R PAGE 983**

State of MICHIGAN  
County of EATON

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of January, 2002, by  
**LINDA J. UNDERWOOD**  
who is personally known to me or who has provided driver's license as identification and who did not take an oath.



M. Shannon Fohlbrook  
Notary:  
Commission Expires:

**M. SHANNON FOHLBROOK**  
Notary Public, Eaton County, MI  
My Commission Expires 08/19/2003

K. Prosser  
Witness as to Frank C. Schmidt

Frank C. Schmidt  
Frank C. Schmidt

KIMBERLY K. PROSSER  
Print Witness Name

[Signature]  
Witness as to Frank C. Schmidt

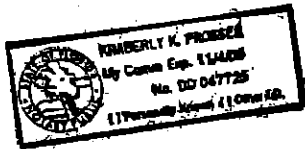
Louise-Ann Sawcyp  
Print Witness Name

**P. U. D. OFF. REC.**  
**BOOK R PAGE 984**

State of: Florida  
County of: Duval

The foregoing instrument was acknowledged before me this 3rd day of January, 2002, by **FRANK C. SCHEMIDT** who is personally known to me or who has provided driver's license as identification and who did not take an oath.

(Seal)



Kimberly K. Prosser  
Notary:  
Commission Expires:



Kim Cooley  
Witness as to Penny K. Ward

Penny K. Ward P.K.W  
Penny K. Ward

Kim Cooley  
Print Witness Name

Carolyn L. Brewer  
Witness as to Penny K. Ward

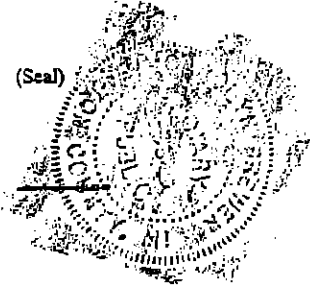
Carolyn L. Brewer  
Print Witness Name

P.U.D. OFF. REC.  
BOOK R PAGE 985

State of MICHIGAN  
County of Eaton

The foregoing instrument was acknowledged before me this 3rd day of January, 2002, by  
PENNY K. WARD  
who is personally known to me or who has provided driver's license as identification and who did not take an oath.

(Seal)



Carolyn L. Brewer

Notary:  
Commission Expires: CAROLYN L. BREWER  
Notary Public, Eaton County, MI  
My Commission Expires 5/14/2005

Colleen Austin  
Witness as to Daria J. Miloszowski SUSAN JOLLS

Susan Jolls  
Daria J. Miloszowski  
Susan Jolls

Colleen Austin  
Print Witness Name

[Signature]  
Witness as to Daria J. Miloszowski SUSAN JOLLS

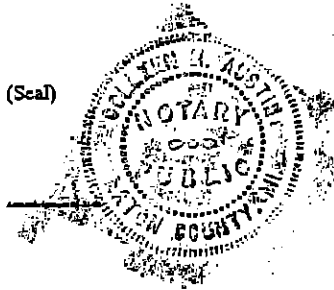
Kari VENT  
Print Witness Name

P. U. D. OFF. REC.  
BOOK R PAGE 986

State of FLORIDA  
County of Eaton/michigan

The foregoing instrument was acknowledged before me this 3rd day of January, 2002, by  
Daria J. Miloszowski SUSAN JOLLS  
who is personally known to me or who has provided driver's license as identification and who did not take an oath.

(Seal)



Colleen M. Austin

Notary:  
Commission Expires: COLLEEN M. AUSTIN  
NOTARY PUBLIC, Eaton County, MI  
My Commission Expires Mar. 13, 2005

Maria M Andrews  
Witness as to Gail A. Rackliff

Gail A. Rackliff  
Gail A. Rackliff

MARIA M ANDREWS  
Print Witness Name

Tonya S. Dibble  
Witness as to Gail A. Rackliff

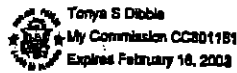
**P. U. D. OFF. REC.**  
BOOK R PAGE 987

TONYA S. DIBBLE  
Print Witness Name

State of: FLORIDA  
County of: St Johns

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 2002, by  
Gail A. Rackliff  
who is personally known to me or who has provided driver's license as identification and who did not take an oath.

(Seal)



Tonya S. Dibble  
Notary:  
Commission Expires: Feb 16, 03

[Signature]  
Witness as to Darla J. Miloszewski

Laure-Ann Sawyer  
Print Witness Name

[Signature]  
Witness as to Darla J. Miloszewski  
KIMBERLY K. PROSSER

Print Witness Name

[Signature]  
Darla J. Miloszewski

P. U. D. OFF. REC.  
BOOK R PAGE 988

State of: FLORIDA  
County of: MARTIN

The foregoing instrument was acknowledged before me this 4 day of January, 2002, by  
Darla J. Miloszewski  
who is personally known to me or who has provided driver's license as identification and who did not take an oath.



Elizabeth Hickox  
MY COMMISSION # CC715870 EXPIRES  
February 28, 2002  
BONDED THRU TROY FARM INSURANCE, INC.

[Signature]  
Notary: 0  
Commission Expires: 2/28/02

Administrative Code 61-28.07

Owner's Authorization For Agent

Taylor and White is hereby authorized TO ACT ON BEHALF OF Louie Williams III, the owner(s) of those lands described within the the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- |                                     |                         |                          |                         |
|-------------------------------------|-------------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit      |
| <input type="checkbox"/>            | Zoning Variance         | <input type="checkbox"/> | Non-Zoning Variance     |
| <input type="checkbox"/>            | Appeal                  | <input type="checkbox"/> | Overlay District Review |
| <input type="checkbox"/>            | Concurrency             | <input type="checkbox"/> | Other                   |

BY: Louie E. Williams III  
Signature of Owner  
LOUIE E. WILLIAMS III  
Print Name

\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Telephone Number  
State of Florida  
County of St. Johns

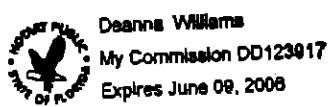
Signed and sworn before me on this 30th day of 2000. 2003

By Louie E. Williams III

Identification verified: known

Oath sworn: \_\_\_\_\_ Yes \_\_\_\_\_ / \_\_\_\_\_ No

Deanna Williams  
Notary Signature



My Commission expires: 6-9-06

PUD TEXT EXHIBIT "D"

P.U.D. OFF. REC.  
BOOK R PAGE 990

- a. The proposed Planned Unit Development ("PUD") is located on U.S 1 North in St. Johns County. The plan of development for the Project is construct and area where auction can be held on weekends for the benefit of raising money for the Special Olympics. All proceed from the auction will go to charity for the Special Olympic group. The auction will be held on the weekends only and will be between the hours of 9:00 am and 5:00 pm. The vehicles to be auctioned will be stored and kept on site. The vehicles will be delivered to the site and stored until they are sold. All vehicles will be in running condition.
- b. The total number of acres included within the Project is two and 75/100 (2.75) acres.
- c. There is approximately .48 acre of wetlands located within the project.
- d. The Project is located within a Mixed Use district, which would allow a maximum of 75% impervious surface coverage and the Floor Area Ration to 50% per policy A.1.11.3 of the comprehensive plan. Currently, all of the site has been cleared, and the Project falls well within and more than meets the County's guidelines, goals and Land Development Code requirements and provisions relating to development area. All the wetlands on site will remain in their natural state and will be preserved. The total acreage of the project is 2.75 acres with approximately .48 acres of wetlands to remain.
- e. There are no residential dwelling units proposed within this PUD, and no elementary, high-school or other school-age children will reside within the Project. However, there will be one employee onsite during the normal work hours.
- f. The total square footage of the non-residential Development on the property as it currently exists is 5870 square foot of concrete slab and carport that will remain and will be used with this project. An additional 1,500 square foot modular building is proposed for use as an office.
- g. The minimum building setbacks will be measured from the vertical surfaces of the buildings, and will be as follows:

Front Yard: 20 feet  
Side Yard: 5 feet  
Rear Yard: 10 feet

The proposed parking for the Project will consists of seven (7) paved parking spaces, which meets the requirements for parking of one space per every 500 square feet of gross floor area, as set forth in Section 6.05.02 E. Table 6.17, plus approximate 50 additional stabilized spaces at one space per every 1000 square

feet of lot or ground area outside buildings used for any type of sales or display as required by the St. Johns County Land Development Code. The parking lot will be designed and constructed to meet the requirements of the LDC for the number of required parking spaces with the county approval of engineering/construction plans for the proposed office/auction area.

One main sign may be erected within the PUD to serve the Project and identify the development located on the property. All signs will conform to Article VII, Section 7.00.02.B.01 of the St. Johns County Land Development Code, which allows for a sign not to exceed 32 square feet in size per side and not to exceed 10 feet in height. The general location of the sign has been shown on the master development plan. The sign may be landscaped and lighted. The maximum height of the sign will be 10 feet. The maximum height of the buildings will not exceed 35 feet.

- h. The proposed Project is currently cleared vacant land. The development of improvements/construction on the property will be required to meet the requirements of the St. Johns County Land Development Code and St. Johns River Water Management District with respect to stormwater management systems and other applicable requirements. Any stormwater management system constructed on the property will be owned, operated and maintained by B& W Enterprises, or its successors and/or assigns.

The proposed improvements/construction on the site will be required to meet the requirements of the Landscaping and Tree Protection sections of the St. Johns County Land Development Code.

The PUD is currently served by one ingress and egress driveway for vehicular and pedestrian traffic, located on U.S 1 North. The driveway connection is currently a gravel driveway off of the 100' right-of-way of U.S 1 North which will be brought up to County Standard per the Land Development Code.

Water and sewer service will be provided to the Project by City of St. Augustine, the existing septic tank will be abandoned and the existing well will be used for irrigation purposes, fire protection is provided by St. Johns County, and solid waste collection service is provided by BFI.

All fire protection will be installed in accordance with the Land Development Code Article 6.03.02.D.

Due to the size and nature of the Project, information relating to internal access, interconnectivity access points to adjacent properties, park, open space and recreation facilities and types of active recreation within the Project are not applicable to this application.

- i. The amount of water use will be less than 3,000 gallons per month for the project. Comprehensive Plan Objective A.1.9.7 states that all new development in a mixed-use land designation shall be required to connect to central water and sewer service for the proposed development that is projected to generate more than 500 gallons per day demand of potable water or sanitary sewer service. The projected water will be less than 350 gallons per day and the sewer demand will be less than 350 per day. The existing site has a septic tank that will be abandoned and an existing well that will be used for irrigation purposes.
- j. The site is currently cleared and under daily operation. However, the soils that are known to be on the overall site are Myakka fine sand and Immokalee fine sand. These soils are described as being level, poorly drained soil that occurs in the Flatwoods.
- k. The type and extent of upland forest and wetlands on the site using the FLUCCS are Commercial and Services Code 140 for the developed areas and mixed wetland hardwoods (FLUCFCS 617) and vegetated non-forested wetlands (FLUCFCS 640). A map relating thereto is provided with this application submittal.
- l. There are no Significant Natural Community Habitats known on this site, as defined by the St. Johns County Land Development Code.  
  
No wading birds were observed in the on-site wetlands. No evidence of any endangered or threatened species was observed, and the likelihood of any species listed by the U.S. Fish and Wildlife Services (FWS) or Florida Fish and Wildlife Conservation Commission (FFWCC) occurring as permanent residents or nesting on this property is very low.
- m. There are no known Historic Resources as defined by the St. Johns County Land Development Code or the State Division of Historical Resources, or the St. Johns County Historic Resources Inventory.
- n. The Project land clearing and landscaping sheet complies with Article VI, Part 06.06 St. Johns County Land Development Code. The Project will comply with the buffering requirements of St. Johns County Land Development Code. A 20' perimeter buffer will be provided per Section 5.03.03.A.4 of the St. Johns County Land Development Code. Also a Type "B" screening as described in Section 6.06.04 of the Land Development Code will be required along the adjacent property that is zoned RS-3. This site is an existing site that has been cleared with very little trees. An average 25' natural non-disturbed buffer and 25' building setback has been added to the master development plan as required by the Land Development Code.
- o. This project is not located within any Special Districts as defined by Article III, St. Johns County Land Development Code.



p. There are no temporary uses proposed within the PUD.

q. The use and location of Accessory Uses for non-residential structures as shown on Exhibit "C" hereto, meet the Permitted Accessory Uses in Article II, Section 2.02.04 (C), St. Johns County Land Development Code. There is currently a chain link fence around the project that will remain as shown on the master development plan. Solid Waste Storage areas will comply with Section 06.06.04.B.08 and any additional mechanical equipment will comply with Section 06.06.04.B.09 of the LDC.

r. The projected phasing schedule for the PUD is shown below. Commencement is defined as construction plan approval. Completion is defined as Final Certification of Occupancy on the proposed 1,500 square foot building.

<u>Phase</u>	<u>Years</u>	<u>Use</u>
1	2003-2004	Approximately 1,500 square foot office building/outside sales storage/auction

s. The B & W Enterprises PUD will be consistent with the applicable Comprehensive Plan designation for the property. The use of the property will provide continued services and benefits to the residents in this area. The proposed development is consistent with other similar development within St. Johns County. The center will further provide charity opportunities for residents in the area, and promote the County's economic development goals.

In addition, the B & W Enterprises PUD will further accomplish the following:

- Permit a creative approach to the development of the land and an ongoing beneficial use of the property; and
- Accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the St. Johns County Land Development Code; and
- Provide for an efficient use of land, resulting in smaller networks of utilities and streets and thereby lower development costs; and
- Provide an opportunity for new approaches to ownership; and
- Provide an environment of stable character compatible with surrounding commercial areas; and

- t. The project is projected to meet the requirements of the St. Johns County Land Development Code. With the exception that the applicant is seeking a waiver to Section 6.05.02 of the Land Development Code for the requirement of a paved parking area. The applicant is requesting the waiver for the 27 parking spaces that is required for the outdoor storage space. Since this is not an everyday use and will most likely occur only twice month at the most it is not beneficial nor cost efficient for all the parking to be paved based on the fact this site is being donated as a charity/fund raising site for the special Olympics.

Secondly, a reduction to the required 20' buffer requirement of Section 5.03.03.B2 on the south property line where there is an existing building. We would like to be able to use the existing concrete slab and would like to be able to reduce the buffer from 20' to 10'. We will still provide adequate screening and landscaping material within the buffer.

- u. B & W Enterprises, Inc., and its successors or assigns, agree to comply and to proceed with the proposed development in accordance with the approved PUD Ordinance and plans, as per St. Johns County's Ordinances and regulations and any conditions and safeguards as may be set forth by the Board of County Commissioners with respect to its approval. All detailed plans submitted for development shall be in accordance with the approved Master Plan Map for the B & W Enterprises site. Private facilities, areas and systems not operated and maintained by St. Johns County shall be the responsibility of the developer and its successors in interest, or other service providers or appropriate parties. The owners of the property agree to bind any successors in title to all commitments made herein.
- v. The property is not designated as more than one Future Land Use designation on the Comprehensive Plan Future Land Use Map. The entire project is located wholly within the Mixed Use District Future Land Use Designation.

Submitted by: 

Dated: 4-24-03



10 March 2003

Mr. Larry Miller  
B & W Enterprises of Jacksonville, Inc.  
10930 U.S. 1 North  
Sr. Augustine, Florida 32095

P. U. D. OFF. REC.  
BOOK R PAGE 996

RE: 2.75- acres/ U.S. 1 North  
St. Johns County, Florida

Dear Mr. Miller:

This letter follows our field visit to the referenced site on 5 March 2003. The purpose of our visit was to determine if the property exhibits qualities of any of the Significant Natural Communities regulated by St. Johns County.

One upland type occurs on the property, characterized as a commercial building and adjacent grounds. The land adjacent to the commercial building was lacking any vegetation. It appears that the site was being prepared for grass seeding. Review of recent aerial photography of the site, as well as ground truthing of adjacent, nearby properties, indicates that the historic vegetative upland community was mixed pine and hardwoods.

One wetland community type occurs within the property, characterized as a mixed wetland hardwood community, vegetated with a canopy of swamp tupelo (*Nyssa sylvatica* var. *biflora*), swamp bay (*Persea palustris*), sweet bay (*Magnolia virginiana*), red maple (*Acer rubrum*) and cypress (*Taxodium distichum*).

Based on our field review of the on-site vegetative communities, we believe that no Significant Natural Communities (as defined by St. Johns County) occur within the site.

I trust that this information is helpful. Please call me with any questions or if you need additional information.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.



Bill Brown  
Senior Project Manager

cc: Pam Drury (Taylor & White, Inc.)

RC/kw/EG05032.00.endlit  
R:031003F

ENVIRONMENTAL SERVICES, INC.

2825 LEWIS SPEEDWAY, SUITE 101  
ST. AUGUSTINE, FLORIDA 32084

(904) 824-5494

P. U. D. OFF. REC.  
BOOK R PAGE 997

10 March 2003

Mr. Larry Miller  
B & W Enterprises of Jacksonville, Inc.  
10930 U.S. 1 North  
St. Augustine, Florida 32095

Post-It® Fax Note	7671	Date	3-10-03	# of pages	2
To	Pam Drury	From	Bill Brown		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	346-3051	Fax #			

RE: 2.75- acres/ U.S. 1 North  
St. Johns County, Florida

Dear Mr. Miller:

During the site visit to delineate the wetland boundaries, at the reference site, Environmental Services, Inc., (ESI) biologists surveyed the project site for wildlife utilization. No wading birds were observed in the on-site wetlands. No evidence of any endangered or threatened species was observed, and the likelihood of any species listed by the U.S. Fish and Wildlife Service (FWS) or Florida Fish and Wildlife Conservation Commission (FFWCC) occurring as permanent residents or nesting on this property is very low.

I trust that this information is helpful. Please call me with any questions or if you need additional information.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.



Bill Brown  
Senior Project Manager

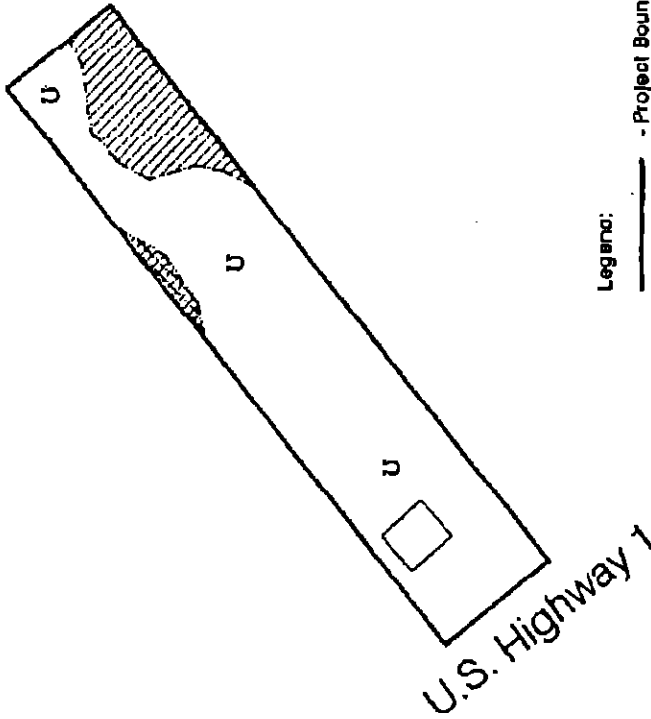
xc: Pam Drury (Taylor & White, Inc.)

RCM/BG03032.00.emdhs  
R:031003f

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FL.

04 JAN 21 PM 2:44  
04 JAN 21 PM 2:44

CLERK OF COUNTY COMMISSIONERS



- Legend:
- Project Boundary
  - Wetland Line
- Uplands:
- U - Commercial Building and Adjacent Grounds (FLUCFCS 140) ±2.3 ac.
- Wetlands:
- Mixed Wetland Hardwoods (FLUCFCS 017) ±0.4 ac.
  - Vegetated, Non-Forested Wetland (FLUCFCS 040) ±0.1 ac.
- Total: ±2.8 ac.

Existing Site Conditions

Project No.	EG00032
Date:	March 2000
Scale:	1"=200'
Figure 3	

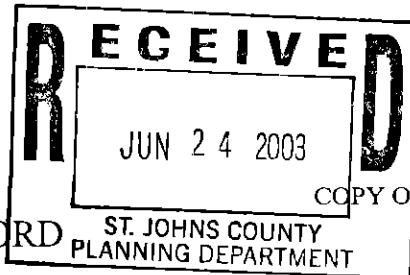
2.8-Acre Property/U.S. 1 North  
St. Johns County, Florida

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS RECORDED IN ST. JOHNS COUNTY, FLORIDA. IN WITNESS MY HAND AND OFFICIAL SEAL THIS 21st DAY OF January, 20 04  
BERYL STRICKLAND, CLERK  
Deputy Clerk of the Board of County Commissioners

BY: Robert S. Platt D.C.



ENVIRONMENTAL SERVICES, INC.  
C:\PROJECTS\St. Augustine\2000\EG00032\EG00032.fg1.dwg



THE ST. AUGUSTINE RECORD

ST. JOHNS COUNTY PLANNING DEPARTMENT

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING 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 LINDA Y MURRAY

who on oath says that she is an 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 PROPOSED REZONING

In the matter of FILE # PUD 2003-08

6210 U.S. 1 NORTH B & W ENTERPRISES

in the Court, was published in said newspaper in the issues of

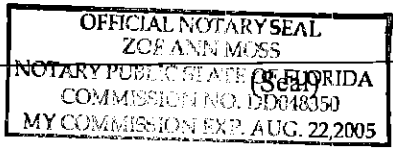
JUNE 23, 2003

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 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, for a period of one year preceding the first publication of the 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 this 23<sup>RD</sup> day of JUNE 2003

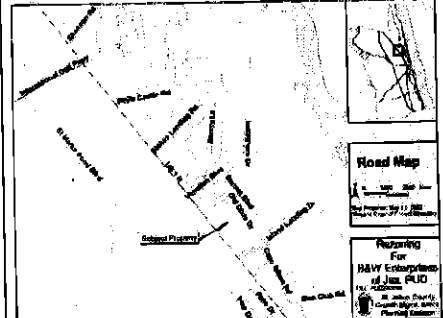
by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss (Signature of Notary Public)



Zoe Ann Moss

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 8, 2003 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider an ordinance to rezone lands from OR (Open Rural) to PUD (Planned Unit Development). The subject property is located at 6210 US 1 North within St. Johns County Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact David Haistead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made 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 appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES E. BRYANT, CHAIRMAN FILE NUMBER: PUD 2003-08 B & W Enterprises L1386-3 June 23, 2003



STATE OF FLORIDA  
DEPARTMENT OF STATE

JEB BUSH  
Governor

GLEND A. HOOD  
Secretary of State

July 15, 2003

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne King  
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 9, 2003 and certified copies of St. Johns County Ordinance Nos. 2003-59 and 2003-60, which were filed in this office on July 10, 2003.

Sincerely,

Sarah Jane Bradshaw  
Assistant Director

SJB/mp

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

03 JUL 21 PM 2:48

FILED

ORDINANCE BOOK 32 PAGE 85