

RESOLUTION NUMBER : 88-126

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF ST. JOHNS, STATE OF FLORIDA
APPROVING A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR PHASE IA
MOULTRIE LAKES COMMERCIAL PARK
AS APPROVED BY RESOLUTION NO. 87-67
AND IN COMPLIANCE WITH ORDINANCE NO. 86-83 AS AMENDED.

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

SECTION 1. Pursuant to the request for approval made by G. David Dennison in accordance with Section 8-3 of the St. Johns county Zoning Ordinance, and subsequent review and approval by the Board of County Commissioners of St. Johns County, the Major Modification to the Final Development attached hereto as Exhibit A is hereby approved in reliance upon, and in accordance with the representation and statements made in the written submission statement attached hereto as Exhibit B--Narrative Request, Lands described on attached Exhibit C.

SECTION 2. Approving a Major Modification and Final Development Plan for Temporary Sanitary Treatment Facility as shown on Exhibit "A" for a period of 12 months, or until such time as St. Johns County can provide Sanitary Sewer Service, subject to all conditions set forth in Exhibit D, attached hereto.

SECTION 3. All attachments included herein are incorporated herein and made a part of the adopting Resolution.

SECTION 4. 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 that they conflict with specific provisions of the approved development plan or Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 5. St. Johns County Building Official is hereby authorized to issue construction permits on the herein lands in accordance with approved plans, provided all other requirements are met.

PASSED AND ADOPTED THIS 26th DAY OF April 1988.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA.

BY: Lawrence O. Bentley
Chairman

ATTEST:

Lyne M. McDonald
Deputy Clerk

Receipt# 35752
Exhibit B



Tim Gabriel & Associates, Inc.
Engineers • Planners • Surveyors
• Graphic Designers •

16 March 1988

St. Johns County Board
of County Commissioners
P.O. Box 300
St. Augustine, Florida 32085

Attn: Rosemary Yeoman

RE: Major Modification to
Moultrie Lake PUD Ordinance #86-83
Resolution #87-67
Final Development Plans for Paving
and Temporary Sanitary Treatment
Facility

Dear Board Members:

On behalf of David Dennison owner of Moultrie Lakes PUD, we respectfully request a Major Modification to the above referenced Ordinance and Final Development Plan resolution as follows:

1. Location of a temporary sanitary waste treatment facility as shown on attached Final Development Plans Exhibit "A".

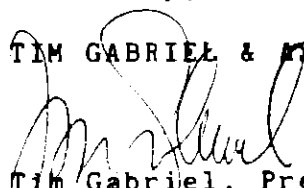
We understand that this is a Major Modification and that it will require notice to adjacent property owners and proceed along the lines of a standard rezoning

We have attached a full rezoning application (18 each), a list of adjacent property owners and two sets of stamped envelopes addressed to the property owners as well as a check for ONE HUNDRED SEVENTY-FIVE DOLLARS (\$175.00).

Please advise us of any additional information you might require.

Sincerely,

TIM GABRIEL & ASSOCIATES, INC.


Tim Gabriel, President
Attachments
TG/jb

ST. JOHNS COUNTY PLANNING AND ZONING DEPARTMENT DATE: _____

APPLICATION FOR ZONING CHANGE, VARIANCE, EXCEPTION, OR OTHER

CASE NUMBER: _____ receipt number: _____

LEGAL DESCRIPTION OF PROPERTY: ATTACHED

PROPERTY ADDRESS: Give street address or detailed directions to property: 40 acres located west of Moultrie Lakes Apartments and north of the proposed SR-312 Extension

Pursuant to Resolution of the Board of County Commissioners, an approval from the Engineering Department must be secured PRIOR to completion of the rest of this form: The clearance is to provide information regarding wetlands.

DETERMINATION OF JURISDICTION LETTER: Required Not required If Required: Received _____ date _____

ENGINEERING Department: _____ Date _____

NAME, ADDRESS AND TELEPHONE NUMBER OF OWNER(S) OF ABOVE DESCRIBED PROPERTY: C. David Dennison, One Corporate Square, St. Augustine, Florida 32084

CURRENT ZONING CLASSIFICATION: PLANNED UNIT DEVELOPMENT

CHANGE, VARIANCE OR EXCEPTION REQUESTED: MAJOR MODIFICATION TO PUD SITING OF SEWAGE TREATMENT PLANT AND FINAL DEVELOPMENT PLAN (ATTACHED EXHIBIT "A")

ATTACH LIST OF ADJACENT PROPERTY OWNERS WITHIN 300 FEET, LIST MUST SHOW NAME, ADDRESS AND BRIEF LEGAL DESCRIPTION THAT APPEARS IN THE CURRENT TAX ROLLS OF ST. JOHNS COUNTY.

PRESENT USE OF PROPERTY: LIGHT INDUSTRIAL PARK

SPECIFIC REASON FOR ABOVE STATED REQUEST: TEMPORARY USE OF FACILITY UNTIL COUNTY CAN PROVIDE SERVICE

SIZE OF PROPERTY: (dimensions or acreage) 40+ acres

APPLICANTS NAME, ADDRESS AND PHONE NUMBER: G. David Dennison, One Corporate Square, St. Augustine, Florida 32084

PROOF OF OWNERSHIP, DEED OR CERTIFICATE BY LAWYER OR ABSTRACT CO. OR TITLE INSURANCE COMPANY THAT STATES THE RECORD OWNER AS INDICATED ABOVE: If the owner and the applicant are different parties, a LETTER OF AUTHORIZATION MUST BE ATTACHED TO THIS APPLICATION Giving the applicant permission to place this request before the Board.

SIGNATURE OF APPLICANT: [Signature]

ADDRESS AND PHONE NUMBER OF CONTACT PERSON REGARDING THIS REQUEST Tim Gabriel & Associates, Inc. P.O. Box 3347, St. Augustine, FL 32085 (824-9123)

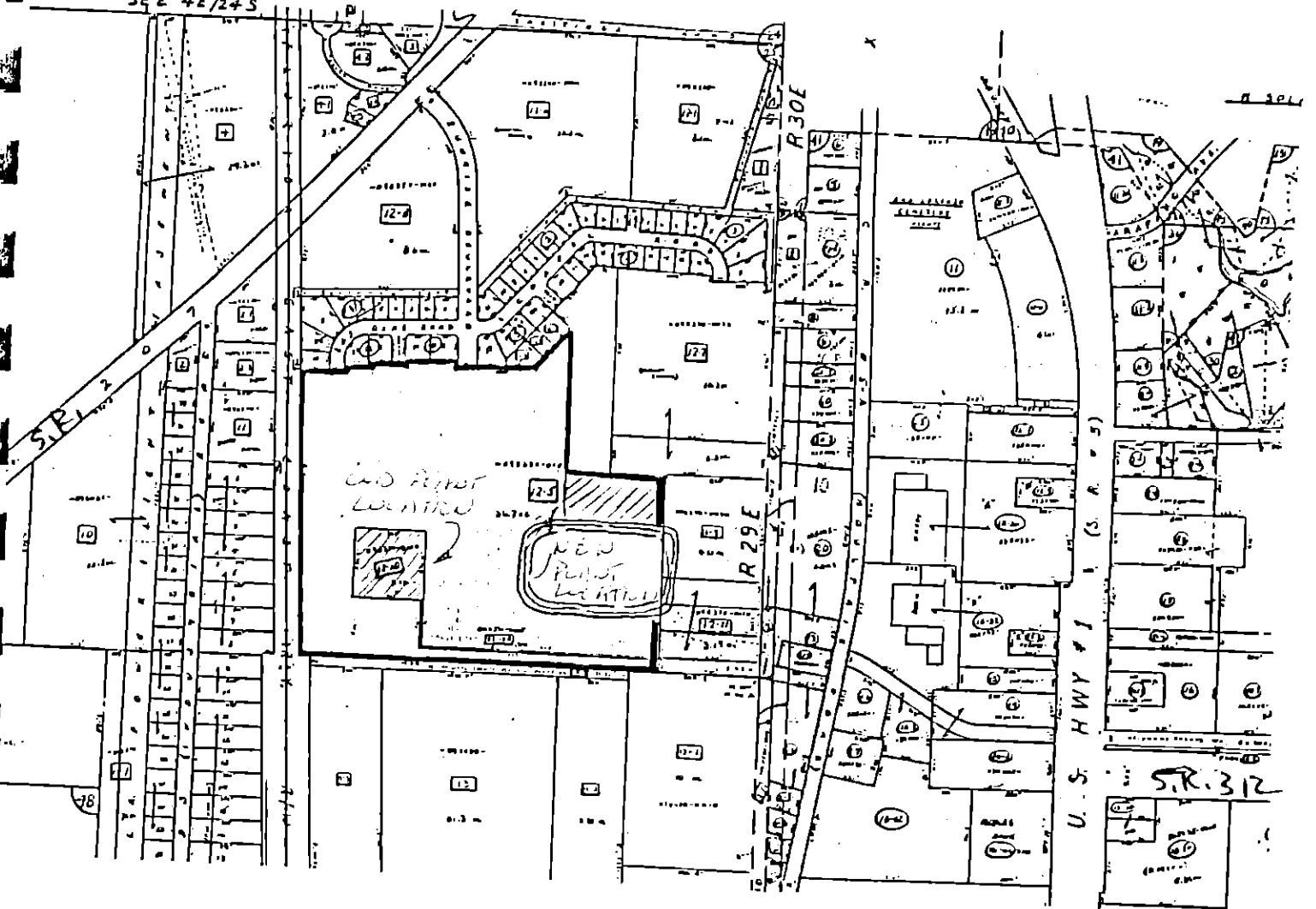
(Signature of applicant certifies that all information is correct and that the attached list of adjacent property owners is from the Current tax rolls of St. Johns County, Fla.)

If a person decides to appeal any decision made by the Board(s) with respect to any matter considered at the public hearings, he will need a record of the proceedings, and for such purposes he will need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence presented at the hearing.

LOCATION MAP

MULTIPLI LAKES COMMERCIAL PARK

SEE 7E/24S



DESCRIPTION : (MOULTRIE LAKES COMMERCIAL PARK - PHASE 1A)

A PARCEL OF LYING IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 25; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 25 FOR A DISTANCE OF 420.27 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST ALONG SAID SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 25 FOR A DISTANCE OF 998.50 FEET TO THE POINT OF CUSP OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 55 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 165.62 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 59.72 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 200.00 FEET; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 314.16 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 55 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 114.64 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 59.72 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE NORTH 03 DEGREES 30 MINUTES 17 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 224.33 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 319.05 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 200.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70 DEGREES 23 MINUTES 48 SECONDS FOR A DISTANCE OF 245.73 FEET TO THE POINT-OF-TANGENCY. THENCE NORTH 89 DEGREES 04 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 273.00 FEET; THENCE SOUTH 00 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 60.00 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 59.72 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 115.00 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 240.00 FEET; THENCE SOUTH 30 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 115.00 FEET; THENCE SOUTH 41 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 105.00 FEET; THENCE SOUTH 00 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 209.25 FEET; THENCE SOUTH 11 DEGREES 25 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 30.02 FEET; THENCE SOUTH 53 DEGREES 25 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 47.00 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 250.00 FEET; THENCE SOUTH 00 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF

180.00 FEET; THENCE NORTH 89 DEGREES 04 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 848.38 FEET; THENCE SOUTH 01 DEGREES 02 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 25; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 25 FOR A DISTANCE OF 1418.77 FEET TO THE POINT OF CUSP OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 50.00 FEET; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 78.54 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 55 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 165.62 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 55 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 59.72 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 140.00 FEET; THENCE WESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 219.91 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 55 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 271.64 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 140.00 FEET; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 219.91 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89 DEGREES 04 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 79.72 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 39.37 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 55 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 501.64 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 04 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 8.28 ACRES OF LAND, MORE OR LESS.

Conditions Applicable to Resolution No. 88-126 Exhibit D

1. The Temporary Sewage Treatment Facility shall be allowed to service existing connections for a maximum of one year or until such time as connection can be made to a public sewer service line, whichever is less. No additional hook-ups shall be permitted to the temporary plant.
2. The Developer shall be responsible for all costs involved in achieving tie-in to the County system from its point of availability to the project site including all lines, pump stations and sewer unit connection fees and any other fees and costs as may be applicable.
3. At the end of one year or following tie-in to a public sewer system whichever occurs first, the temporary facility shall cease operation and within 60 days thereof, the Developer at his expense, shall cause the temporary facility as defined on the Final Development Plan to be dismantled and removed from the property in compliance with all State and County requirements. The Final Development Plan will expire at that time with future use of the site being subject to PUD and final development plan requirements.
4. A) During the time of temporary use the plant shall be operated at a capacity capable of treating all sewage generated by its current users in conformance with all applicable County and State requirements.

B) The Developer or Owner shall provide or cause to be provided to the Florida Department of Environmental Regulations the final Certificate of Completion for the Sewage Treatment Facility on or before May 26, 1988. A copy shall also be provided to the County Administrator.
5. That approval of the request based on these conditions be subject to the Developer bringing the temporary facility into full conformance with DER requirements within 30 days and that the County's Consulting Engineer is to certify that the plant complies with DER requirements within said 30 days. That the Developer pay the cost for the County's Consulting Engineer. Thereafter, for the duration of the temporary use, the Developer shall provide copies of all DER monthly operational reports to the County Health Department and County Director of Utilities. That the Developer at his cost and with his permission allow the County Utility Director's staff without notice to inspect and sample the plant for DER compliance at least twice a month (twice by Health Department and twice by County Utility staff per month) for an estimated cost to Developer of \$20.00 per hour per inspection and \$80.00 per sample. That this is in addition to the Developer providing a certified plant operator to maintain, operate and sample the plant. Substantial deviation in the operational quality of the plant and/or failure to comply with these conditions shall be valid basis for the Board of County Commissioners review and possible revocation of the temporary use provided in the PUD Modification and Final Development Plan.
6. The Sewage Treatment Facility shall not produce noise past a 175 foot radius from the plant in excess of a maximum sound pressure-DB(A) of 55.
7. The St. Johns County Code Enforcement Board is authorized to enforce compliance with this Resolution and these conditions.

Sr. Augustine Village, Ltd.
4319 Salisbury Road
Jacksonville, FL 32216

098370-0080

Foster L. & Linda Allard
287 Sunrise Blvd.
St. Augustine, FL 32084

098780-0000

Gerald Beard
286 Chapel Road
St. Augustine, FL 32084

098980-0000

Flowers Industries, Inc.
P.O. Box 12579
Jacksonville, FL 32209

098330-0000

George W. & Imogene R. Bush
296 Chapel Road
St. Augustine, FL 32084

098870-0000

Dominic & Betty S. Nickle
288 Chapel Road
St. Augustine, FL 32084

098990-0000

Dobbs Bros. Library Binding
Co., Inc.
P.O. Drawer D
St. Augustine, FL 32084

098330-0020

Virgil L. & Jean Manfra
298 Chapel Road
St. Augustine, FL 32084

098880-0000

Tree of Life, Inc.
P.O. Box 410
St. Augustine, FL 32084

100220-0000

John J. & Janet L. Hay
302 Chapel Road
St. Augustine, FL 32084

098890-0000

Irwin Carasso
P.O. Box 3825
St. Augustine, FL 32085-3825

100230-0070

Frank & Barbara Pellicer
306 Chapel Road
St. Augustine, FL 32084

098900-0000

Florida Rock Industries
Denny Industries
P.O. Box 4667
Jacksonville, FL 32201

100240-0000

Jane Ruth McDaniel
308 Chapel Road
St. Augustine, FL 32084

098910-0000

Bertha M. Rodenbaugh
291 Sunrise Blvd.
St. Augustine, FL 32084

098970-0000

South Glen, Inc. c/o 92 Charlotte Street St. Augustine, FL 32084 098490-0000	A.H. Runk 61 Dolphin Drive St. Augustine, FL 32084 098640-0000	George S. & Nancy E. Noles 291 Chapel Road St. Augustine, FL 32084 098760-0000
W.W. O' Connell 107 Catalina Circle St. Augustine, FL 32084 098490-0010	Thomas A. & Phyllis McMahon 298 Los Olas Road St. Augustine, FL 30284 098650-0000	George Bowman 289 Chapel Road St. Augustine, FL 32084 098770-0000
Flagler College, Inc. P.O. Box 1027 St. Augustine, FL 32084 098370-0070	Gary & Elizabeth U. Blount 300 Los Olas Road St. Augustine, FL 32084 098660-0000	Gabrielle Petty 290 Chapel Road St. Augustine, FL 32084 099000-0000
John Williams Eison P.O. Box 1762 St. Augustine, FL 32084 098600-0000	Craft Construction Company 4 Rhode Avenue St. Augustine, FL 32084 098670-0000	Stephen B. & Eunice P. Ruddy 290 Sunrise Blvd. St. Augustine, FL 32084 099010-0000
Allie E. Brusaw 286 Los Olas Road St. Augustine, FL 32084 098610-0000	Joseph Annear 297 Chapel Road St. Augustine, FL 32084 098730-0000	Diana B. & William T. Caster 289 Los Olas Road St. Augustine, FL 32084 099020-0000
Henry F. & Cecilia Nelson 290 Los Olas Road St. Augustine, FL 32084 098620-0000	Paul H. & Mary A. Bateman 295 Chapel Road St. Augustine, FL 32084 098740-0000	Barbara Fleming 303 Los Olas Road St. Augustine, FL 32084 099030-0000
Thelma C. & Louis J. Mancini 292 Los Olas Road St. Augustine, FL 32084 098630-0000	Olga E. Hedstrom 293 Chapel Road St. Augustine, FL 32084 098750-0000	Lucian & Bernice Gouse 305 Los Olas St. Augustine, FL 32084 099040-0000