

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN FOR
LOT O-4, MOULTRIE LAKES COMMERCIAL PARK
PLANNED UNIT DEVELOPMENT
PURSUANT TO ORDINANCE 86-83**

WHEREAS, the Final Development Plan for Lot O-4, Moultrie Lakes Commercial Park has been fully considered after public hearing pursuant to Section 8-3-2 of the St. Johns County Zoning Ordinance; and

WHEREAS, the request is consistent with the requirements of Section 8-3-2 of the Zoning Ordinance and with the requirements of PUD Ordinance 86-83; and

WHEREAS, it is found that:

- A. The request received favorable review and recommendation by the Planning and Zoning Agency at its meeting on April 21, 1994; and
- B. The request is both consistent with the comprehensive Plan and compatible with development patterns in the surrounding area;

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

SECTION 1: Pursuant to a request for approval of the Final Development Plan of Lot O-4, Moultrie Lakes Commercial Park made by DiMare Construction Co, Inc., in accordance with Section 8-3 of St. Johns County Ordinance, and subsequent review and approval by the St. Johns County Planning and Zoning Agency, the Final Development Plan attached hereto as Exhibit A relating to the portion of the PUD, the legal description of which is known as Lot O-4 Moultrie Lakes Commercial Park, is hereby approved in reliance upon, and in accordance with the representation and

statements made therein and in the Final Development Plan Narrative attached hereto as Exhibit B.

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SECTION 2: 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 PUD Ordinance 86-83. Modification to approved development plans by variance or special exception shall be prohibited. All such modifications shall follow the PUD amendment procedures provided for in the St. Johns County Zoning Ordinance.

SECTION 3: The developer may not commence land clearing, site preparation or construction of any improvements shown on the Final Development Plan attached as Exhibit A until:

- a. Submission to the Engineering Department of satisfactory evidence that all required state and federal permits have been obtained, including, but not limited to United States Army Corps of Engineers Dredge and Fill Permit, St. Johns River Water Management District Wetlands Resource Permit, St. Johns River Water Management District Management and Storage of Surface Waters Permit (exhibit C) and Florida Department of Environmental Regulation Water and Sewer Connection Permits (exhibit D);
- b. Issuance of a land clearing permit pursuant to St. Johns County Ordinance No. 90-11;
- c. Review and approval of signed and sealed construction plans by the St. Johns County Engineering Department in compliance with Ordinance 86-4; and
- d. Compliance with all other applicable land use and development regulations of St. Johns County.

SECTION 4: All attachments included herein are incorporated herein and made part of hereof. (Exhibits A, B, C, and D)

SECTION 5: **(Savings Clause)** Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited.

Unless the Board of County Commissioners demonstrate that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to : (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may provided in any use and development regulations; or (b) supersede any concurrency certificate or concurrency exemption determination made by the Concurrency Review Committee, or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance, or other land development regulations as applied to this development under the Florida or United States Constitutions.

ADOPTED THIS 14 DAY OF June, 1994

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

BY: Delan Roberts

Chair

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Ima Acetti

Deputy Clerk

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revised May 9, 1994

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EXHIBIT B
FINAL DEVELOPMENT PLAN FOR
LOT O-4 MOULTRIE LAKES COMMERCIAL PARK

DiMare Construction Co.
3545 U.S. 1 South
St. Augustine, FL 32086

March 22, 1994

Revised May 9, 1994

EXHIBIT B

FINAL DEVELOPMENT PLAN

MOULTRIE LAKES COMMERCIAL PARK LOT O-4

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Submitted herewith for approval by the St. Johns County Planning and Zoning Agency and the St. Johns County Commissioners, is the development map depicting the Final Development Plan for Lot O-4 Moultrie Lakes Commercial Park. The property is located wholly within the Moultrie Lakes Commercial Park Planned Unit Development, as approved by Ordinance. The project Site is located within the light manufacturing/warehousing sections as depicted in map on Exhibit A.

Section 8-4: Standards and Criteria

8-4-1 Density of Development

This Building is a commercial Structure and is not applicable to this Section.

8-4-2 Open Space

This Section not applicable.

8-4-3 Waiver of yard, Dwelling Unit, Frontage Criteria, and Use Restriction.

This development of Lot O-4 will comply with the spirit and intent of the Zoning Ordinance.

- A. Yard requirements are as per Exhibit A, Site Plan for Lot O-4, Moultrie Lakes Commercial Park.
- B. Building Height not to exceed 35'
- C. Lot coverage not to exceed 35% of the total 1.04 Acres for Lot O-4. Impervious area shall not exceed 75% of the total site.
- D. Use shall be limited to light manufacturing, warehousing and offices

as described by Ordinance 86-83.

- E. Temporary uses shall be limited to the use of a portable construction office not larger than 12' x 30'.
- F. Signage shall be limited as follows: Building sign area shall not exceed 1.5 sf per front foot of building, front being south, and pole mounted street sign area shall not exceed 1.5 sf per property front foot. No signage shall exceed 35' in height.

8-4-4 Project Size

Moultrie Lakes Commercial Park is approx. a 40 acre complex of which Lot O-4 total area is 1.04 acres.

8-4-5 Support Legal Documents for Open Space

This Section not applicable.

8-4-6 Access

Lot O-4 / Moultrie Lakes Commercial Park has access via the State Road 312 Extension. Roads have been constructed to County Standards for paved roadways with curb and gutter storm drainage system.

8-4-7 Privacy

This Section not applicable for Lot O-4.

8-4-8 Community Facilities

None of the common facilities are proposed for dedication to St. Johns County.

Section 9: Off Street Parking & Loading

9-1-1 Drainage

A preliminary drainage plan for the Property so as to prevent damage to abutting

parcels and public streets and alleys is graphically depicted on the map. Detailed drainage plans demonstrating compliance with requirements of ordinance 86-4 and the St. Johns County Comprehensive Plan shall be included within the signed and sealed construction plans. The construction plans must be reviewed and approved by the St. Johns County Engineering Department prior to commencement of land clearing, site preparation or construction. All necessary easements for drainage shall comply with the requirements of Ordinance 86-4 except as otherwise specified in this Final Development Plan and shall be depicted on the construction plans. This parcel drains into an existing stormwater system for the entire P.U.D. that was approved by St. Johns County Engineering Department and permitted by St. Johns River Water Management District under Permit No. 4-109-0063.

9-1-2 Separation of Walkway and Street

Off-street parking and loading facilities is separated by existing curb and guttering.

9-1-3 Entrances and Exits

The location and design of the entrance and exit will be in accordance with County specifications. Landscaping shall meet County Requirements.

9-1-4 Interior Drives

Parking lot shall utilize 90 degree angle parking with a minimum 24' wide drive to accommodate two-way traffic.

9-1-5 Marking of Parking Spaces

All parking spaces shall be marked by painted lines.

9-1-6 Lighting

Building/Security lighting shall be installed so as to minimize glare off-site.

9-1-7 Screening

Parking lot screening shall be provided by appropriate landscaping in accordance with St. Johns County Ordinance.

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9-2-1 Location

The required off-street parking and loading facilities are designed and located on Lot O-4.

9-3-1 Off-Street Parking: Numbers Required

- Q. Business Establishment - One space for each five hundred square feet of gross floor area. None is shown - allow for 5000 S.F. (5,000 S.F. / 500 S.F. gross floor area = 10 spaces).
- U. Industrial Uses - One space for each two employees plus one space for each 5,000 S.F. of gross floor area. (26 employees / 2 = 13 spaces) + (15,000 S.F. / 5,000 S.F. gross floor area = 3 space).

Total Parking Required 26 spaces plus one handicap parking space.

31 Spaces Provided.

9-4-1 Off-Street Loading, Requirements

Retail or service Establishment, Wholesale establishment: one space if the gross floor area is more than 2,000 S.F. but not greater than 20,000 S.F. (Total Structure size for Lot O-4 15,000 S.F.). One off-street loading required and provided.

Savings Clause: Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited.

Unless the Board of County Commissioners demonstrate that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to : (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may provided in any use and development regulations; or (b) supersede any concurrency certificate or concurrency exemption determination made by the Concurrency Review Committee, or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance, or other land development regulations as applied to this development under the Florida or United States Constitutions.

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Prepared by:
DiMare Construction Co.
March 22, 1994
Revised May 9, 1994

STATE OF FLORIDA
COUNTY OF ST. JOHNS

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I, CARL "BUD" MARKEL, CLERK OF THE CIRCUIT COURT, Ex-officio, Clerk of the Board of County Commissioners of St. Johns County, Florida, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following:

RESOLUTION NO. 94-102

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA APPROVING A FINAL DEVELOPMENT PLAN FOR LOT 0-4, MOULTRIE LAKES COMMERCIAL PARK PLANNED UNIT DEVELOPMENT PURSUANT TO ORDINANCE 86-83.

as the same appears of record in the office of the Clerk of the Circuit Court of St. Johns County, Florida, of the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 31st day of August, 1994.

CARL "BUD" MARKEL,
CLERK OF THE CIRCUIT COURT
Ex-officio Clerk of the Board of County
Commissioners of St. Johns County, Florida

FILED AND RECORDED IN
THE PUBLIC RECORDS
OF ST. JOHNS COUNTY

By: Irma Pacetti
Irma Pacetti, Deputy Clerk

94 SEP -6 PM 4:58

Carl "Bud" Markel
CLERK OF CIRCUIT COURT