

RESOLUTION NO. 95-201

RESOLUTION OF ST. JOHNS COUNTY, FLORIDA
WAIVING THE PRE- AND POST-DEVELOPMENT
DISCHARGE REQUIREMENTS OF ST. JOHNS COUNTY
ORDINANCE NO. 86-4, SECTION 10.2 FOR
RIVER OAKS PLANTATION PHASE I AND PHASE II

BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida:

Section 1. The Board has considered the request of the developer of River Oaks Plantation Phase I and II for waiver of the pre- and post-development discharge requirements contained in Section 10.2 of St. Johns County Ordinance No. 86-4 and the recommendations of the St. Johns County Public Works Departments and finds as follows:

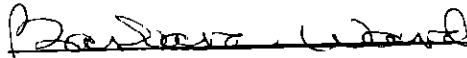
- A. Section 10.2 of Ordinance No. 86-4, the St. Johns County Paving and Drainage Ordinance, requires post-development peak stormwater discharges to offsite areas to be equal to or less than pre-development peak stormwater discharges.
- B. The requirements of Section 10.2 of Ordinance No. 86-4 relating to pre- and post-development stormwater discharges are intended to protect downstream property owners and are not a necessary benefit when a system discharges directly to the St. Johns River.
- C. Section 16 of Ordinance 86-4 within PUDs upon a finding that such waiver or reduction of requirements is in the public interest.
- D. The St. Johns Water Management District exempts projects that discharge directly to the St. Johns River from peak rate discharge requirements.
- E. River Oaks Plantation Phase I and II, as approved and described in the Final Development Plan approved under St. Johns County Resolution No. 93-175 recorded in PUD Records Book E, at page 661, is within a PUD and discharges through a PUD and so meets the condition of section 16 of Ordinance 86-4.
- F. The St. Johns River Water Management District has exempted River Oaks Plantation Phase I and II from the peak rate of discharge requirements because its discharge is into the St. Johns River.
- G. River Oaks Plantation Phase I and II will still be required to meet the water quality requirements of St. Johns County and the St. Johns River Water Management District.

H. Enforcement of Section 10.2 of Ordinance 86-4 with regard to River Oak Plantation Phase I and II is unnecessary because the system discharges directly to the St. Johns River and such enforcement would impose unnecessary financial and physical burdens on River Oaks Plantation Phase I and II affecting the ability of the developer to provide needed housing units within St. Johns County.


As a result, the Board finds that it is in the public interest to waive the pre- and post-development discharge requirements of Section 10.2 of Ordinance 86-4 with regard to River Oaks Plantation Phase I and II.

PASSED AND ADOPTED this 14th day of Nov., 1995.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA


Chair


ATTEST: CARL "BUD" MARKEL, CLERK

BY: 
Deputy Clerk