

ST. JOHNS COUNTY, FLORIDA
ORDER
REZONING/EXCEPTION/VARIANCE

NAME OF APPLICANT

APPLICATION NUMBER

Rayland Company, Inc., and
Fahringer Distributors, Inc./A. J. McGuinness

R-88-041

DECISION OF
COUNTY COMMISSION

GRANTED

GRANTED WITH
CONDITIONS

DENIED

CONDITIONAL

Ordinance Number 88-69

Conditions: See Attached

*See Attached

DATE OF COMMISSION ACTION: October 25, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Lawrence O. Hartley*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Cammie C. McDaniel*
DEPUTY CLERK

(Pursuant to St. Johns County Zoning Code, Section 11-9-5b: failure to exercise an exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board, shall render the exception or variance invalid and all rights granted thereunder shall terminate)

is hereby changed to IW

subject to the following conditions:

1. Permitted Uses

All permitted uses in the IW classification excluding:

- a. Heavy industrial uses including aircraft manufacturing, rehabilitation, painting of same, manufacturing of sub-assemblies; chemical and fertilizer manufacture; paper and pulp manufacturing; petroleum refining; and similar uses.
- b. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.

2. Uses by Exception

All uses permitted by exception when approved in conformance with the Zoning Code except:

- a. Junk yards or automotive vehicle wrecking yards.
- b. Bulk storage yards for flammable liquids and acids.

3. Restrictions on permitted Uses or Uses by Exception

- a. No use will be permitted requiring use or storage of toxic, hazardous or flammable chemicals without such permits as may be required from time to time by all State and Federal Agencies. St. Johns County shall be furnished copies of all permits issued. In addition, St. Johns County Fire Service shall be furnished with copies of all Material Safety Data Sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of flammable and combustible liquids shall comply with the latest National Fire Protection Association Publication 30, as adopted by St. Johns County.
- b. Processes producing noise shall be controlled by proper sound barriers so that the sound levels at the boundary of each parcel do not exceed the following levels:

Maximum Sound Pressure DB(A) 7:00 a.m. - 9:00 p.m. = 60
Maximum Sound Pressure DB(A) 9:00 p.m. - 7:00 a.m. = 55

The maximum sound level for a single incident shall not exceed the above value by more than 20 DB(A).

4. Buffers

A 30' undisturbed buffer will be provided along the entire property boundary, including Watson Road. However, this buffer would not include the property lines contiguous to the Sloan Asphalt Plant and the F.E.C. Railroad and would not exclude the ability to put one entrance road and signage on Watson Road, conforming to SJC requirements.

5. Waste Disposal

- a. All trash and solid wastes shall be removed on a timely basis and properly disposed of off-site.
- b. Solid waste pick-up containers shall be placed on easily accessible concrete pads and be properly screened from public view.

6. Site Plan Review

a. Development in Phase One, as shown on the site plan attached hereto as Exhibit A, and filed with application, will occur in general conformance with said site plan, with adjustments as required by Federal, State and local permitting agencies.

b. Prior to any land clearing or construction on the remainder of the site, site plan approval by the Planning and Zoning Agency shall be required. This site plan approval shall be conditioned upon compliance with all applicable zoning and land development regulations and standards in effect at the time of site plan submission. This includes stormwater, parking, landscaping and fire protection regulations and standards.

7. Signage

The proposed sign at Watson Road will not exceed 12 ft. in height, with a maximum size of 5 ft. x 7 ft. The sign will not extend into the Watson Road right-of-way.

8. Rail Deliveries

All delivery of materials by railroad will occur only during normal daytime working hours.

9. All Buildings over 35 feet high shall be equipped with Fire Sprinklers.

**TRACT B FROM R-1-C TO R-3 WITH SOLE USE TO BE BY COUNTY FOR LIBRARY FACILITIES;
TRACT D FROM R-1-C TO R-3;
TRACT C FROM R-1-C TO R-3 WITH SOLE USE TO BE BY COUNTY FOR FIRE AND EMERGENCY RESCUE FACILITIES;
TRACT E FROM R-2 SOLE USE FEDERAL POST OFFICE TO R-2 SOLE USE FEDERAL POST OFFICE WITH CONDITIONS;
SAID LANDS BEING WITHIN THE PONTE VEDRA ZONING DISTRICT; AND PROVIDING AN EFFECTIVE DATE**

(10/25/88 11 6.0866)

Hearing and appeal to Exception for airport uses, on R-88-036/St. Augustine Airport Authority, represented by Attorney Charles E. Pellicer; rezoning from RS-3 to OR with a simultaneously filed exception for airport uses on same land and also currently zoned OR land contiguous; located North and Easterly of Estrella Avenue. Report of the Planning and Zoning Agency recommending denial, and further denied the concurrent exception request for airport Uses, based on the same inadequate information was received. Proof of publication of notice of intent to consider the adoption of an ordinance rezoning lands and a proof to consider an appeal to the Zoning Board decision on Zoning Exception were received having been published in The St. Augustine Record on September 13, 1988; upon a motion by Waldron, seconded by Brubaker, carried 5/0, was ordered filed. (6.0882) Charles E. Pellicer, attorney for the St. Augustine Airport Authority, was present; Pellicer passed out a sheet headed Traffic Count In 24 Hour Period, a map of the area and conditions to an ordinance to members of the Board. Pellicer commented they are requesting two thing here: one is for rezoning some of the property that is zoned RS-3 to OR, which is the authorized zoning for airports and the other is to get an exception for airport use. On the legal descriptions of this property there is Parcel A and Parcel B; Parcel A includes all of the property which is currently OR; Parcel B includes all the property which is currently RS-3. On the map handed out by Pellicer the area shaded with the hash marks is the entire parcel being discussed, lots 28, 29 and 30 are not part of this request. Pellicer read the proposed conditions being offered to the Ordinance, he also made a request for a temporary use entrance over a portion of lots 2 and/or 3, it probably would be on one lot only of block O. This property would be used for aircraft hangers similar to the hangers that are on the other portion of the property. Pellicer addressed the issue of traffic on Estrella Av. ((6.1095) Waldron inquired if these conditions had been presented to the Zoning Board? (6.1113) Jerry Napier indicated no written conditions had been offer at the Zoning hearing; the Board is considering a straight rezoning ordinance request today not a conditional ordinance request. Considerable discussion ensued regarding the Master Plan of the Airport and traffic problems. Citizens commenting in opposition were. (6.1352) Melvin Harvey, 417 Indian Bend Road; (6.1450) Wendy Wolfe, 2736 Casa Cola Way, submitted for the record a petition signed by approximately 120 residents opposing this rezoning; and (6.1595) Carolyn McElroy, 353 Indian Bend Rd.; other concerns expressed were the Master Plan, entrances, parking, and the encroachment of the airport into a residential area. (6.1686) Pellicer responded to some of the citizens concerns. Considerable discussion followed regarding this request. (6.1965) Napier felt the data presented at the Zoning hearing was inadequate to make a decision on. (6.1980) Motion by Waldron, seconded by Lydon, carried 5/0, to deny request with waiver of the one year time limit to reapply.

(10/25/99 11 6.2055)

Hearing on R-88-041/Rayland Company, Inc., Fahringer Distribution, Inc.; rezoning from OR to IW with conditions; located on Watson Road east of FEC Railway. The Planning and Zoning Agency finds the request to be in compliance with the plan and recommends approval with inclusion of offered conditions was received. Proof of publication of notice of intent to consider the adoption of an ordinance rezoning lands was received having been published in The St. Augustine Record on September 22, 1988; upon a motion by Lydon, seconded by Brubaker, carried 5/0, was ordered filed. A. J. McGuinness was present representing Rayland Company, Inc. requesting approval and explained the proposed development. Conditions were read and accepted by the applicant. There were no citizens commenting. (6.2376) Motion by Lydon, seconded by Brubaker, carried 5/0, adopting Condition Ordinance No. 88-69.

(10/25/88 11 6.2389)

Hearing on E-88-072/Debbie Scott et al; appeal to denial of zoning exception to improve electrical on existing mobile home, but desires to have the unit as a rental; located at 263 North Roscoe Blvd. Proof of publication of notice of public hearing for the purpose of appeal to the Board of County Commissioners for action taken by