

ORDER OF THE ST. JOHNS COUNTY
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

RE: 800 - Acre Investment Partnership
1300 Gulf Life Drive, Suite 600
Jacksonville, Florida 32216

FILE NUMBER: Planning TUP 94-005

ORDER GRANTING TEMPORARY
USE PERMIT

The above-referenced applicant requested a temporary use permit pursuant to the St. Johns County Zoning Ordinance to allow the placement of an air curtain incinerator for five years after issuance date of the permit within the Sanchez Grant Planned Unit Development, west of Palm Valley Road, South of Mickler Cut-Off, Sections 22 and 41, Township 4 south, Range 29 East, St. Johns County. The property currently has an approved air curtain incinerator operating at the site under DEP regulations of Temporary Permit, which will expire December 11, 1994. The operator of the incinerator, Dawson Land Development Company desires to continue the operation for their use and other haulers in the area of land clearing debris.

FINDINGS OF FACT

Having considered the application and supporting documents, and the applicant's statements at the March 22, 1994

Board of County Commissioners meeting, the Board of County Commissioners makes the following findings of fact:

1. The application for Temporary Use Permit has been fully considered after a public hearing pursuant to legal notice as required by law and the Zoning Code;

2. The request is consistent with the requirements of Section 10-12 of the Zoning Code;

3. The request is consistent with the Comprehensive Plan;

4. The request is compatible with the surrounding development and land uses in the area;

5. The Planning and Zoning Agency considered the request on June 2, 1994 and recommended approval by unanimous vote; and

NOW THEREFORE, the Board of County Commissioners hereby grants the temporary use permit, TUP 94-005 as follows:

The application for a Temporary Use Permit to allow the placement of an air curtain incinerator for five years after issuance date of the permit on land located west of Palm Valley Road, South of Mickler cut-off within lands zoned PUD, Planned Unit Development, known as Sanchez Grant PUD and further shown by location on map (Exhibit A) attached hereto is hereby granted.

It is further granted on condition that no burning shall be done on Sundays.

Any appeal of this decision may be made by filing a petition for writ of certiorari with the Clerk of the Circuit Court of St. Johns County within 30 days of the filing of this order with the Clerk.

DATE OF COMMISSION ACTION: June 28, 1994

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Deleon Roberts
Its Chairman

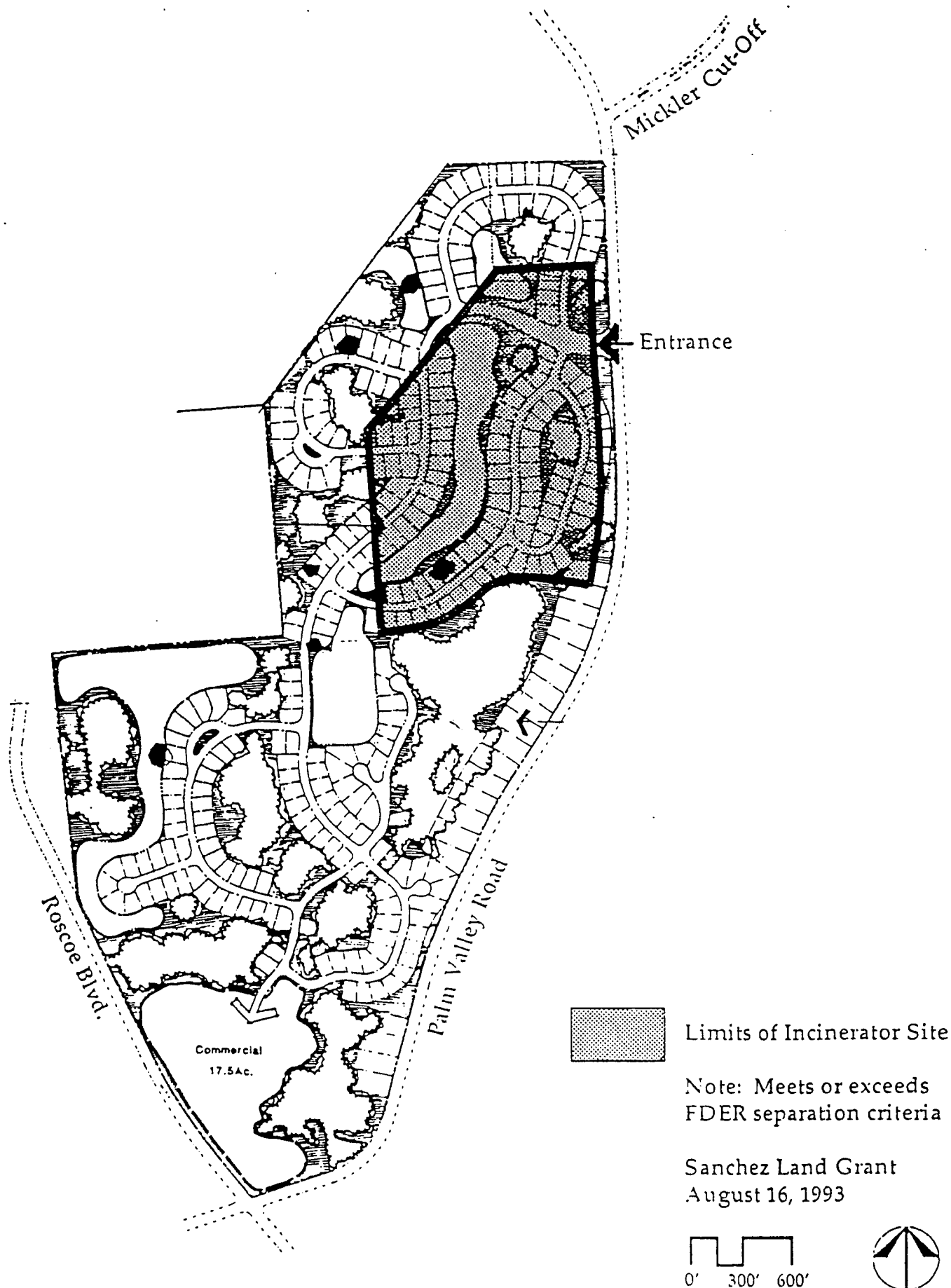
ATTEST: CARL "BUD" MARKEL, CLERK

By: Jeanne Carter
Deputy Clerk

cc: Planning and Zoning
800 Acre Partnership



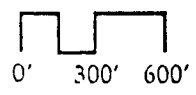
LIMITS OF AIR CURTAIN INCINERATOR SITE



Limits of Incinerator Site

Note: Meets or exceeds
FDER separation criteria

Sanchez Land Grant
August 16, 1993



(06/28/94 - 6 - 2.0755)
COUNTY ADMINISTRATOR'S REPORT:

Meiszer spoke on the handicap parking issue at the Judicial Complex. He spoke of a grass area on the North side of the building where four or five spaces could be added to this area for easier access. Discussion followed. Meiszer further added that an additional expense will occur and requested the Boards approval. (2.1044) Motion by Maguire, seconded by Brinkhoff, carried 6/0 (Floyd was not present), for the approval of five or six additional handicap parking spaces to be added at the Judicial Complex. Mantay read from a letter addressing the St. Johns County Administration for recognition in governmental budgeting for the second consecutive year. This award was given to the County following a review by a panel of budget specialists from various parts of the U.S. and Canada.

(06/28/94 - 6 - 2.1575)
COMMENTS FROM THE CLERK OF COURTS:

Markel expressed his concern over a franchise on the C & D operation on Nine Mile Road saying, we do receive some funding from the tonage, but he doesn't see any funding mechanism built into this permitting. He cautions the County on opening doors and feels there should be at least the same franchise consideration given to the County that we experience on Nine Mile.

The meeting thereupon recessed at 12:00 noon and reconvened at 1:30 p.m. with Roberts, Ward, Jordan, Floyd, Balsavage, Maguire, Brinkhoff, Meiszer and Deputy Clerk Yvonne Carter present. Also present were: Assistant County Administrator Andy Campbell, and Assistant County Attorney Daniel Bosanko.

(06/28/94 - 6 - 3.0001)
PUBLIC HEARING - ORDER - TEMPORARY USE PERMIT - TUP-94-005 - 800 ACRE INVESTMENT PARTNERSHIP. THIS IS A REQUEST FOR A TEMPORARY USE PERMIT TO ALLOW THE PLACEMENT OF AN AIR CURTAIN INCINERATOR FOR FIVE YEARS AFTER ISSUANCE DATE OF THE PERMIT ON LAND LOCATED WEST OF PALM VALLEY ROAD, SOUTH OF MICKLER CUT-OFF, WITHIN THE SANCHEZ GRANT PLANNED UNIT DEVELOPMENT. THE PROPERTY CURRENTLY HAS AN APPROVED AIR CURTAIN INCINERATOR OPERATING AT THE SITE UNDER DEP REGULATION OF TEMPORARY PERMIT, WHICH WILL EXPIRE DECEMBER 11, 1994. THE OPERATOR OF THE INCINERATOR, DAWSON LAND DEVELOPMENT COMPANY, DESIRES TO CONTINUE THE OPERATION FOR THEIR USE AND OTHER HAULERS IN THE AREA OF LAND CLEARING DEBRIS. ON JUNE 2, 1994 THE PLANNING AND ZONING AGENCY CONSIDERED THE REQUEST AND BY UNANIMOUS VOTE, RECOMMENDED APPROVAL, SUBJECT TO OPERATION HOURS DURING DAYLIGHT HOURS AND SIX DAYS A WEEK

Proof of publication of the notice of public hearing regarding TUP-94-005 was received having been published in The St. Augustine Record on May 12, 1994.

Jerry Napier, Director of Planning & Zoning, gave a general overview of the temporary use permit request. In response to Jordan, Chuck James, 800 Acre Investment Partnership, explained the allowable smoking criteria on the startup and shutdown of the incinerator operation. Discussion followed. Motion by Floyd, seconded by Balsavage, carried 7/0, to issue an order approving the Temporary Use Permit, accepting the Findings of Fact 1 - 5 presented by Staff, supporting the approval; with no burning on Sundays.

(06/28/94 - 6 - 3.0283)
PUBLIC HEARING TO CONSIDER THE PROPOSED SMALL SCALE AMENDMENT TO THE FUTURE LAND USE MAP - 1990-2005 ON PROPERTY LOCATED AT 7613 U. S. HIGHWAY 1 SOUTH. SET FOR 1:30 P.M. CONTINUED FROM JUNE 14, 1994