

RESOLUTION NO. 95-1

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
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
THE BOARDWALK APARTMENTS AT PONTE VEDRA BEACH**

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

SECTION 1. That the Board has considered the request of
the developer of The Boardwalk Apartments 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 Department
and finds as follows:

A. Section 10.2 of Ordinance No. 86-4, the St. Johns
County Paving and Drainage Ordinance, requires post-development
stormwater discharge rate to offsite areas to be equal to or less
than pre-development stormwater discharge rate.

B. The requirements of Section 10.2 of Ordinance No. 86-4
relating to pre- and post-development stormwater discharge rates
are intended to protect downstream property owners and are not a
necessary benefit when a system discharges directly to the
Intracoastal Waterway or the Atlantic Ocean.

C. Section 16 of Ordinance No. 86-4 allows for waiver or
reduction of the requirements 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 River Water Management District exempts projects that discharge directly to the Intracoastal Waterway from peak rate of discharge requirements.

E. The Boardwalk Apartments as approved and described in the Final Development Plan approved under St. Johns County Resolution No. 94-198, recorded in PUD Records Book G, at page 403, is within a PUD and discharges through a PUD and so meets the condition of Section 16 of Ordinance 86-4.

F. The Boardwalk Apartments drainage is part of the Ponte Vedra Lakes Master Stormwater System which discharges to the Intracoastal Waterway.

G. The St. Johns River Water Management District has exempted the Boardwalk Apartments from the peak rate of discharge requirements because its discharge is into the Intracoastal Waterway.

H. The Boardwalk Apartments will still be required to meet the water quality requirements of the St. Johns River Water Management District and the retention volume requirements of St. Johns County.

I. Enforcement of Section 10.2 of Ordinance 86-4 with regard to The Boardwalk Apartments is unnecessary because the system discharges directly to the Intracoastal Waterway and such enforcement would impose unnecessary financial and physical burdens on The Boardwalk Apartments 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 The Boardwalk Apartments.

SECTION 2. The pre- and post-development discharge requirements of Section 10.2 of Ordinance 86-4 are hereby waived for The Boardwalk Apartments at Ponte Vedra Beach to be built on a part of Government Lots 3, 4 and 6, Section 16, Township 3 South, Range 29 East.

PASSED AND ADOPTED this 10th day of January, 1995.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY

By: Barbara Ward
Its Chair, Barbara Ward

ATTEST: CARL "BUD" MARKEL, CLERK

By: Yvonne Carter
Deputy Clerk

