



UNION County
LAKE BUTLER • WORTHINGTON SPRINGS • RAIFORD • PALESTINE • PROVIDENCE

Union County Board of County Commissioners

15 Northeast 1st Street, Lake Butler, FL 32054 • Phone: 386-496-4241 • Fax: 386-496-4810

AGENDA
BOARD OF COUNTY COMMISSIONERS
SERVING AS THE PLANNING AND ZONING BOARD
MARCH 17, 2025
5:45 P.M.
PUBLIC HEARING

NOTE: If any person decides to appeal any decision made with respect to any matter considered at this meeting or hearing, he or she will need a record for the proceedings and may need to ensure that a verbatim record is made

1. Meeting Called to Order
2. Invocation and Pledge
3. Consideration of an **Application, Z25-01**, by JR Davis Acquisitions, LLC, to amend the Official Zoning Atlas of the Land Development Regulations (LDR) by changing the zoning district from RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH-1) to RURAL RESIDENTIAL (RR) and **Resolution PZ/LPA Z25-01**
4. Presentation by Applicant
5. Public Comments in Favor Of:
6. Public Comments Opposed To:
7. Board Discussion and Action
8. Adjournment

BOARD MEMBERS:

DONNA JACKSON, District 1 • CHANNING DOBBS, District 2 • MELISSA McNEAL, District 3 • MAC JOHNS District 4 • WILLIE CROFT, District 5

KELLIE HENDRICKS RHOADES
Clerk of Court/Comptroller

RUSSELL WADE
County Attorney

RESOLUTION NO. PZ/LPA Z 25-01

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF UNION COUNTY, FLORIDA AND THE LOCAL PLANNING AGENCY OF UNION COUNTY, FLORIDA, RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 25-01, BY THE PROPERTY OWNER OF SAID ACREAGE; RECOMMENDING TO THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, FLORIDA, APPROVAL OF AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE UNION COUNTY LAND DEVELOPMENT REGULATIONS; REZONING FROM RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH -1) TO RURAL RESIDENTIAL (RR) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF UNION COUNTY, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Union County Land Development Regulations, hereinafter referred to as the Land Development Regulations, as amended, empowers the Board of County Commissioners of Union County, Florida, serving as the Planning and Zoning Board of Union County, Florida, hereinafter referred to as the Board of County Commissioners, serving as the Planning and Zoning Board, to recommend to the Board of County Commissioners of Union County, Florida, hereinafter referred to as the Board of County Commissioners, approval or denial of amendments to the Land Development Regulations, in accordance with said regulations;

WHEREAS, Sections 163.3161 to 163.3215, Florida Statutes, as amended, empowers the Board of County Commissioners, serving as the Local Planning Agency of Union County, Florida, hereinafter referred to as the Local Planning Agency, to recommend to the Board of County Commissioners, approval or denial of amendments to the Land Development Regulations, in accordance with said statute;

WHEREAS, an application for an amendment, as described below, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency;

WHEREAS, pursuant to the Land Development Regulations and Section 163.3174, Florida Statutes, as amended, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare; and

WHEREAS, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, has studied and considered the items enumerated in Section 16.2.2 of the Land Development Regulations and based upon said study and consideration has determined and found that:

- a. The proposed change will not be contrary to the Land Use Plan and would not have an adverse effect on the Comprehensive Plan;
- b. The proposed change is compatible with the existing land use pattern in the area;
- c. The proposed change will not create an isolated district unrelated to adjacent and nearby districts;

- d. The proposed change will not result in a population density pattern and increase or overtaxing of the load on public facilities such as schools, utilities and streets;
- e. The proposed district boundaries are not illogically drawn in relation to existing conditions on the property proposed for change;
- f. The proposed change will not adversely influence living conditions in the neighborhood;
- g. The proposed change will not create or excessively increase traffic congestion or otherwise affect public safety;
- h. The proposed change will not create a drainage problem;
- i. The proposed change will not seriously reduce light and air to adjacent areas;
- j. The proposed change will not adversely affect property values in the adjacent area;
- k. The proposed change will not be a deterrent to the improvement or development of adjacent property in accord with existing regulations;
- l. The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare; and
- m. The proposed change is not out of scale with the needs of the neighborhood or the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF UNION COUNTY, FLORIDA AND THE LOCAL PLANNING AGENCY OF UNION COUNTY, FLORIDA, THAT:

Section 1. Pursuant to an application, Z 25-01, by JR Davis Acquisitions, LLC, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, recommends to the Board of County Commissioners that the zoning district be changed from RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH -1) to RURAL RESIDENTIAL (RR) on property described, as follows:

A parcel of land, lying in Section 28, Township 6 South, Range 19 East, Union County, Florida, more particularly described as follows: Commence at the Northwest corner of said Section 28; thence South 89°14'30" East 223.27 feet, along the North line of said Section 28 to the Easterly right-of-way line of the abandoned right-of-way of CSX Transportation, Inc., (a 100 -foot right-of-way); thence continue South 89°14'30" East 1,403.87 feet, along the North line of said Section 28; thence South 01°04'30" West 420.00 feet; thence South 89°14'30" East 495.00 feet; thence South 01°04'30" West 177.77 feet to the Westerly right-of-way line of Little Springs Road, lying on the arc of a curve concave Northwesterly; thence Southwesterly, along the Westerly right-of-way line of said Little Springs Road 284.57 feet as measured along the arc of a curve concave Northwesterly and having a radius of 2,872.75 feet, said arc being subtended by a chord having a bearing of South 49°57'38" West and a distance of 284.45 feet, to the Point of Tangency; thence South 52°47'47" West, continuing along the Westerly right-of-way line of said Little Springs Road 96.64 feet to the Point of Curvature of a curve to the left; thence Southeasterly, continuing along the Westerly right-of-way line of said Little Springs Road, 218.09 feet as measured along the arc of a curve concave Southeasterly and having a radius of 801.87 feet, said arc being subtended by a chord having a bearing of South 45°00'17" West and a distance of 217.42 feet, to the Point of Tangency; thence South 37°12'47" West 890.90 feet, continuing along the Westerly right-of-way line of said Little Springs Road to the Point of Beginning; thence continue South 37°12'47" West 306.58 feet, continuing along the Westerly right-of-way line of said Little Springs Road; thence North 89°32'31" West 926.62 feet to the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way); thence North

09°34'39" West 249.91 feet, along the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way) to the Point of Curvature of a curve to the right; thence Northerly, continuing along said Easterly right of way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way), a distance of 149.16 feet as measured along the arc of a curve concave Easterly and having a radius of 2,817.11 feet, said arc being subtended by a chord having a bearing of North 08°03'38 " West and a distance of 149.14 feet; thence South 89°32'31" East 940.00 feet; thence South 00°27'29" West 150.33 feet; thence South 89°32'31" East 233.93 feet to the Point of Beginning.

Containing 9.00 acres, more or less.

Section 2. All resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 3. This resolution shall become effective upon adoption.

PASSED AND DULY ADOPTED in special session with a quorum present and voting, by the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, this 17th day of March 2025.

BOARD OF COUNTY COMMISSIONERS
OF UNION COUNTY, FLORIDA
SERVING AS THE
PLANNING AND ZONING BOARD
OF UNION COUNTY, FLORIDA,
AND THE LOCAL PLANNING AGENCY
OF UNION COUNTY, FLORIDA

Attest:

Kellie Hendricks Rhoades, County Clerk

Channing Dobbs, Chair



Serving Alachua
Bradford • Columbia
Dixie • Gilchrist • Hamilton
Lafayette • Levy • Madison
Suwannee • Taylor • Union Counties

2009 NW 67th Place, Gainesville, FL 32653-1603 • 352.955.2200

March 7, 2025

Ms. Dianne Hannon
Secretary to the
Board of County Commissioners
Union County
15 Northeast First Street
Lake Butler, FL 32054-1701

TRANSMITTED VIA ELECTRONIC MAIL

RE: Application No. Z 25-01 (JR Davis Acquisitions, LLC)

Resolution
Concerning an Amendment to the
Official Zoning Atlas of the Land Development Regulations

Dear Dianne:

Please find enclosed the above referenced resolution.

The County Attorney should review the resolution as to legal form and sufficiency.

Subsequent to the adoption of the resolution, please send a copy of the signed resolution to me.

If you have any questions concerning this matter, please do not hesitate to contact Sandra Joseph, Senior Planner, at 352.955.2200, ext. 111.

Sincerely,

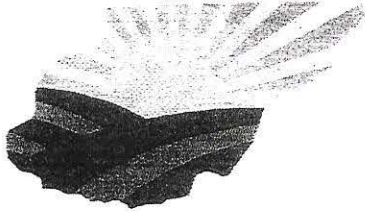
Scott R. Koons, AICP
Executive Director

Enclosure

SRK/cf

xc: Denise Clemons, Building Department Secretary
Kellie Hendricks Rhoades, County Clerk
Leslie C. Snyder, Deputy Clerk
Russell A. Wade III, County Attorney
James Williams, County Coordinator

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UNION

County

LAKE BUTLER • WORTHINGTON SPRINGS • RAIFORD • PALESTINE • PROVIDENCE

Union County Building Department

15 Northeast 1st Street, Lake Butler, FL 32054 • Phone: 386-496-2676 • Fax: 386-496-4240

APPLICATION FOR AMENDMENT OF THE UNION COUNTY COMPREHENSIVE PLAN

Name of Applicant: J.R. DAVIS
 Address: P.O. Box 58 Lake Butler Fla 32054
 Telephone Number: 352 316 3811
 Name of Agent (if applicable): _____
 Address: _____
 Telephone Number: _____

Please complete the following for proposed amendment to the Future Land Use Plan Map. For amendment to the text of the Comprehensive Plan, which do not require a Future Land Use Plan amendment, please omit responses to part 1 and only complete Part 2 of this application.)

Part 1

Please attach Legal Description:

Total Acreage of the land to be considered under amendment: 9 ACRES

Future Land Use
Plan Map Category: _____

Present: RSF
Requested: RR

Application for Amendment of the Comprehensive Plan

Part 2

For amendment of the text of the Comprehensive Plan, please provide on a separate page to be attached and made part herewith the text of the proposed amendment.

I hereby certify that all of the above statements and statements contains in any papers or plans submitted herewith are true and accurate to the best of my knowledge and belief.

Union County BOCC
55 W Main Street, Room 101
Lake Butler, FL 32054
(386) 496-4170

CASH RECEIPT

Date 2/26/25

001265

Received From

Mr Davis Acquisitions

Address

Ammendent of Comp plan Dollars \$ 1050.00

For

| ACCOUNT | | HOW PAID | |
|----------------|--|-------------|--|
| AMT OF ACCOUNT | | CASH | |
| AMT PAID | | CHECK | |
| BALANCE DUE | | MONEY ORDER | |
| | | CREDIT CARD | |

7100

Devin Amos

If title holder(s) are represented by agent, a letter of consent from the title holder(s) addressed to the Land Development Regulation Administrator must be attached

J.R. DAVIS
Applicant Name (Print)

J.R. Davis
Applicant Signature

FEB 20 2025
Date

Application for Amendment if the Comprehensive Plan

OFFICE USE ONLY

Map Category: _____
Surrounding Existing Zoning Land Use

- (a) North
- (b) East
- (c) South
- (d) West

The property consider by this proposed amendment is _____ is NOT _____ directly related to a development of regional impact.

The property consider by this proposed amendment is _____ is NOT _____ in a area of critical state concern.

The proposed amendment is _____ is NOT _____ a small scale development amendment pursuant to Chapter 163.3187(1)©1, Florida Statutes.

If the proposed amendment is a small scale amendment pursuant to Chapter 163.3187(1)©, Florida Statutes it was _____ was NOT _____ Processed with only one public hearing before the Board of County commissioners.

Date Proposed amendment submitted to the Florida Department of Community Affairs for objections, Recommendations and Comments: _____.

Date adopted amendment submitted to the Florida Department of Community Affairs for compliance finding: _____

Date Notice of Intent issued by the Florida Department of Community Affairs _____ did find _____
Id not find the amendment to the Comprehensive Plan in compliance: _____

Date Filed: 2/12/25

Applicant No.: _____

Fee Amount: \$ 1650.00

Receipt No. 001265

Date of Planning and Zoning Board/Local Planning Agency Public Hearing: 3/17/2025

Date of notice published: 3/5/25 SIGN POSTED

Newspaper: WALTON COUNTY TIMES

Date(s) Board of County Commissioners Public Hearing(s): (1) 3/6/2025 (2) _____

Newspaper: _____

Date of notice published: (1) _____ (2) _____

Newspaper: _____

Board of County Commissioner Decision: _____

(Granted, Denied, Etc.)

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR UNION COUNTY, FLORIDA

Case #63-2015-CA-0037

TD BANK, N.A.
Plaintiff

vs

GLEN ANDERSON, and
CONNIE ANDERSON, husband
and wife, the UNKNOWN HEIRS OF
ANDY BOZAELL, MARY
PULVERMACHER, an individual,
HSBC BANK NEVADA, N.A. as successor
In interest to Direct Merchants Credit
Card Bank, NA., MIDLAND FUNDING LLC,
As successor in interest to Washington
Mutual Bank, CHASE BANK USA, N.A., and
TD Bank, NA
Defendant(s)

FILED
JAN 29 2016
CLERK OF THE CIRCUIT COURT
UNION COUNTY, FLORIDA

CERTIFICATE OF TITLE

The undersigned Clerk of the Court certifies that she executed and filed a
Certificate of Sale in this action on ~~November 5, 2015~~ ^{January 19, 2016} for the property described herein
and that no objections to the sale have been filed within the time allowed for filing
objections.

The following property in Union County, Florida:

**A parcel of land, lying, being and situate in Section 28, Township 6 South,
Range 19 East, Union County, Florida, more particularly described as
follows:**

**Commence at the Northwest corner of said Section 28, and run South 89
degrees 14 minutes 30 seconds East, along the North line of said Section 28,
a distance of 223.27 feet to the intersection with the Easterly right-of-way
line of the abandoned right-of-way of CSX Transportation, Inc., (a 100 foot
right-of-way-former right-of-way of Atlantic Coast Line Railroad - former
right-of-way of Seaboard Coast Line Railroad); thence continue running
South 89 degrees 14 minutes 30 seconds East, continuing along said North
line of Section 28, a distance of 1403.87 feet; thence run South 01 degree
04 minutes 30 seconds West a distance of 420.00 feet; thence run South 89
degrees 14 minutes 30 seconds East a distance of 495.00 feet; thence run
South 01 degree 04 minutes 30 seconds West a distance of 177.77 feet to**

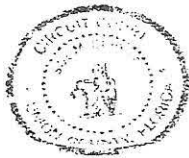
the intersection with the Westerly right-of-way line of a county maintained paved road (also known as "Little Springs Road"), said point lying on the arc of a curve concave Northwesterly; thence run Southwesterly, along said Westerly right-of-way line of a county maintained paved road, a distance of 284.57 feet as measured along the arc of a curve concave Northwesterly and having a radius of 2872.75 feet, said arc being subtended by a chord having a bearing of South 49 degrees 57 minutes 38 seconds West and a distance of 284.45 feet, to the Point of Tangency; thence run South 52 degrees 47 minutes 47 seconds West, continuing along said Westerly right-of-way line a distance of 96.64 feet to the Point of Curvature of a curve to the left; thence run Southeasterly, continuing along said Westerly right-of-way line, a distance of 218.09 feet as measured along the arc of a curve concave Southeasterly and having a radius of 801.87 feet, said arc being subtended by a chord having a bearing of South 45 degrees 00 minutes 17 seconds West and a distance of 217.42 feet, to the Point of Tangency; thence run South 37 degrees 12 minutes 47 seconds West, continuing along said Westerly right-of-way line, a distance of 703.27 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence continue running South 37 degrees 12 minutes 47 seconds West, continuing along said Westerly right-of-way line, a distance of 494.21 feet; thence run North 89 degrees 32 minutes 31 seconds West a distance of 926.62 feet to the intersection with the aforesaid Easterly right-of-way line of CSX Transportation, Inc.; thence run North 09 degrees 34 minutes 39 seconds West, along said Easterly right of way line, a distance of 249.91 feet to the Point of Curvature of a curve to the right; thence run Northerly, continuing along said Easterly right of way line, a distance of 149.16 feet as measured along the arc of a curve concave Easterly and having a radius of 2817.11 feet, said arc being subtended by a chord having a bearing of North 08 degrees 03 minutes 38 seconds West and a distance of 149.14 feet; thence run South 89 degrees 32 minutes 31 seconds East a distance of 1286.21 feet to the POINT OF BEGINNING.

Subject to an 80 foot Florida Gas Transmission Company Easement.

was sold to ~~TD Bank, N.A., whose address is 1660 SW St. Lucie West Boulevard, Port St. Lucie, Florida 34986..~~

J.R. DAVIS Acquisitions, LLC
PO Box 58, Lake Butler, FL 32054

Kellie
KELLY HENDRICKS CONNELL, CPA
Clerk of the Courts
Union County, Florida



By: Crystal Norman
Deputy Clerk

Copies Provided To:

Leslie R. Dean, Esq.
50 N. Laura Street
Suite 1100
Jacksonville, FL 32205

**UNION COUNTY
NOTICE
LAND USE ACTION**

A PUBLIC HEARING IS SCHEDULED TO CONSIDER A REQUEST FOR:

Z 25-01, an application by JR Davis Acquisitions, LLC to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district from RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH -1) to RURAL RESIDENTIAL (RR) on property described as follows:

A parcel of land, lying in Section 28, Township 6 South, Range 19 East, Union County, Florida, more particularly described as follows: Commence at the Northwest corner of said Section 28; thence South 89°14'30" East 223.27 feet, along the North line of said Section 28 to the Easterly right-of-way line of the abandoned right-of-way of CSX Transportation, Inc., (a 100 -foot right-of-way); thence continue South 89°14'30" East 1,403.87 feet, along the North line of said Section 28; thence South 01°04'30" West 420.00 feet; thence South 89°14'30" East 495.00 feet; thence South 01°04'30" West 177.77 feet to the Westerly right-of-way line of Little Springs Road, lying on the arc of a curve concave Northwesterly; thence Southwesterly, along the Westerly right-of-way line of said Little Springs Road 284.57 feet as measured along the arc of a curve concave Northwesterly and having a radius of 2,872.75 feet, said arc being subtended by a chord having a bearing of South 49°57'38" West and a distance of 284.45 feet, to the Point of Tangency; thence South 52°47'47" West, continuing along the Westerly right-of-way line of said Little Springs Road 96.64 feet to the Point of Curvature of a curve to the left; thence Southeasterly, continuing along the Westerly right-of-way line of said Little Springs Road, 218.09 feet as measured along the arc of a curve concave Southeasterly and having a radius of 801.87 feet, said arc being subtended by a chord having a bearing of South 45°00'17" West and a distance of 217.42 feet, to the Point of Tangency; thence South 37°12'47" West 890.90 feet, continuing along the Westerly right-of-way line of said Little Springs Road to the Point of Beginning; thence continue South 37°12'47" West 306.58 feet, continuing along the Westerly right-of-way line of said Little Springs Road; thence North 89°32'31" West 926.62 feet to the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way); thence North 09°34'39" West 249.91 feet, along the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way) to the Point of Curvature of a curve to the right; thence Northerly, continuing along said Easterly right of way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way), a distance of 149.16 feet as measured along the arc of a curve concave Easterly and having a radius of 2,817.11 feet, said arc being subtended by a chord having a bearing of North 08°03'38 " West and a distance of 149.14 feet; thence South 89°32'31" East 940.00 feet; thence South 00°27'29" West 150.33 feet; thence South 89°32'31" East 233.93 feet to the Point of Beginning.

Containing 9.00 acres, more or less.

| | |
|---|---|
| <p>WHEN: March 17, 2025 TIME: 5:45 p.m.</p> | <p>WHERE: Board of County Commissioners Meeting Room County Courthouse 55 West Main Street Lake Butler, Florida</p> |
|---|---|

A copy of the amendment is available for public inspection at the Office of the Board of County Commissioners located at 15 Northeast First Street, Lake Butler, Florida, during regular business hours.

At the aforementioned public hearing, all interested parties may appear to be heard with respect to the amendment.

**FOR MORE INFORMATION CONTACT
WILSON WHIDDON COUNTY BUILDING INSPECTOR
AT 386.496.2676**

NOTICE OF PUBLIC HEARING
CONCERNING AN AMENDMENT TO THE
UNION COUNTY LAND DEVELOPMENT REGULATIONS

BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF UNION COUNTY, FLORIDA, AND THE LOCAL PLANNING AGENCY OF UNION COUNTY, FLORIDA, NOTICE IS HEREBY GIVEN that, pursuant to Sections 163.3161 through 163.3248, Florida Statutes, as amended, and the Union County Land Development Regulations, as amended, objections, recommendations and comments concerning an amendment, as described below, will be heard by the Board of County Commissioners of Union County, Florida, serving as the Planning and Zoning Board of Union County, Florida, and the Local Planning Agency of Union County, Florida, at a public hearing on March 17, 2025 at 5:45 p.m., or as soon thereafter as the matter can be heard, in the Board of County Commissioners Meeting Room, County Courthouse, located at 55 West Main Street, Lake Butler, Florida.

Z 25-01, an application by JR Davis Acquisitions, LLC to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district from RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH -1) to RURAL RESIDENTIAL (RR) on property described as follows:

A parcel of land, lying in Section 28, Township 6 South, Range 19 East, Union County, Florida, more particularly described as follows: Commence at the Northwest corner of said Section 28; thence South 89°14'30" East 223.27 feet, along the North line of said Section 28 to the Easterly right-of-way line of the abandoned right-of-way of CSX Transportation, Inc., (a 100 -foot right-of-way); thence continue South 89°14'30" East 1,403.87 feet, along the North line of said Section 28; thence South 01°04'30" West 420.00 feet; thence South 89°14'30" East 495.00 feet; thence South 01°04'30" West 177.77 feet to the Westerly right-of-way line of Little Springs Road, lying on the arc of a curve concave Northwesterly; thence Southwesterly, along the Westerly right-of-way line of said Little Springs Road 284.57 feet as measured along the arc of a curve concave Northwesterly and having a radius of 2,872.75 feet, said arc being subtended by a chord having a bearing of South 49°57'38" West and a distance of 284.45 feet, to the Point of Tangency; thence South 52°47'47" West, continuing along the Westerly right-of-way line of said Little Springs Road 96.64 feet to the Point of Curvature of a curve to the left; thence Southeasterly, continuing along the Westerly right-of-way line of said Little Springs Road, 218.09 feet as measured along the arc of a curve concave Southeasterly and having a radius of 801.87 feet, said arc being subtended by a chord having a bearing of South 45°00'17" West and a distance of 217.42 feet, to the Point of Tangency; thence South 37°12'47" West 890.90 feet, continuing along the Westerly right-of-way line of said Little Springs Road to the Point of Beginning; thence continue South 37°12'47" West 306.58 feet, continuing along the Westerly right-of-way line of said Little Springs Road; thence North 89°32'31" West 926.62 feet to the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way); thence North 09°34'39" West 249.91 feet, along the Easterly right-of-way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way) to the Point of Curvature of a curve to the right; thence Northerly, continuing along said Easterly right of way line of said abandoned right-of-way of CSX Transportation, Inc. (a 100 -foot right-of-way), a distance of 149.16 feet as measured along the arc of a curve concave Easterly and having a radius of 2,817.11 feet, said arc being subtended by a chord having a bearing of North 08°03'38 " West and a distance of 149.14 feet; thence South 89°32'31" East 940.00 feet; thence South 00°27'29" West 150.33 feet; thence South 89°32'31" East 233.93 feet to the Point of Beginning.

Containing 9.00 acres, more or less.

Crematorium Emissions Report



The CANA Perspective on Particulate Emissions and Mercury: An In-Depth Look at a Global Controversy

For years, The Cremation Association of North America (CANA) has witnessed the concern surrounding cremating human remains and the corresponding release of primarily two emissions: particulate matter (PM) and mercury (Hg). PM can be defined as solid particles suspended in a gas as a byproduct of all combustion processes, including cremations. Mercury on the other hand, is derived from the use of silver amalgam in dental fillings that is released into the environment during the cremation process. A task force was developed by CANA to further investigate the issues; the results of the investigation are included in this report.

Particulate emissions (PM) are released into the environment in many ways, including through residential and commercial fuel-based heating — through cars, trucks, restaurant grills and fireplaces. None of these common community sources of PM have any emission controls to reduce, monitor or limit PM emissions. Crematories, however, have emission controls as part of their design to limit the amount of PM entering the atmosphere.

According to the U. S. Environmental Protection Agency (USEPA), there are many ways mercury emissions are released into the air. Some of these common sources include municipal incinerators, the breaking of used fluorescent tube lamps, dental facilities, production and disposal of batteries, household trash disposal and residential heating. **USEPA lists the operation of crematories as one of the lowest sources of Hg emissions. Mercury emissions from cremation are very low and they are not regulated by any environmental agency.** Under the Clean Air Act, the USEPA reviewed and updated national air-quality standards for all types of possible pollutant sources, including crematories. This review considered all possible pollutants including PM and mercury. As a result, crematories were not considered for any further federal regulation. CANA surveyed various crematories throughout the United States — Virginia, Georgia, Illinois, Washington, Florida, Indiana, Kentucky, California, Wisconsin and New York were just a few states to respond. CANA asked if there has ever been an air-quality or environmental agency in these areas that raised a concern regarding the release of mercury emissions from their crematories: The unanimous answer was no.

The American Dental Association (ADA), which oversees and regulates dentists in the United States, reports that since 1990 the use of silver amalgam has dropped from a 68-percent usage rate to 30 percent. The ADA attributes this decrease to the patients' preferences for natural-looking non metallic dental fillings. Moreover, continuous changes in dental practices, as the durability of other cavity-filling materials are proven, continues to lessen the already minimal amounts of Hg being released.

Furthermore, the Indianapolis Office of Environmental Services has responded to this growing concern by performing crematory emissions studies to determine if a source would be required to obtain an air permit. The group concluded that, although Hg from silver amalgam is certainly released, in reality, emissions are quite small, below the minimum levels of all criteria pollutants and Hazardous Air Pollutants.

The USEPA also states that crematories statistically represent 0 percent of the total inventory for national mercury emission rates, according to their Best Point Estimates. Based on actual data

collected in 1999, when presumably more people still had silver amalgam fillings, all the U.S. crematories combined produced a total of only 238 pounds or 108 kilograms of Hg.

Actual tests performed for USEPA at the Woodlawn Crematorium by representatives of the Midwest Research Institute in New York, and published by the USEPA, have determined the amounts of Hg released to the environment. The tests show that in a total of nine cremations, two were suspected of not containing any silver amalgam whatsoever. They contend that the stack testing at the Woodlawn facility was considered to be representative of all crematoria operations and, therefore, a reliable source for developing an uncontrolled emission factor for use in estimating potential emissions from all crematoria. The conclusion is that the average mercury release of nine cremations yielded 0.456 grams or 0.0010 pounds of Hg per body. In addition, the average Hg release for the seven cremations believed to contain silver amalgam fillings yielded only 0.584 grams or 0.0013 pounds per body.

Further testing by Pelican Scientific in the United Kingdom measured Hg in crematoria emissions and submitted the results to The Department of Environment, Food and Rural Affairs and the Scottish Environmental Protection Agency. Both agencies accepted the tests as having been conducted in compliance with testing standards. The first test, conducted during October 2006 at the Craighton Crematorium in Glasgow, Scotland, involved 23 cremations under normal operating conditions:

- 10 remains were suspected of not having silver amalgam fillings whatsoever.
- The average Hg release per cremation of more than 23 cremations yielded 0.128 grams or 0.0003 pounds per body.
- The average Hg release per cremation for the 13 cremations believed to contain silver amalgam fillings yielded 0.227 grams or 0.0005 pounds per body.

The second test, conducted September 2007 at the Linn Crematorium in Glasgow involved 31 cremations under normal operating conditions:

- 21 remains were suspected of not having silver amalgam fillings whatsoever.
- The average Hg release per cremation of more than 31 cremations yielded 0.323 grams or 0.0007 pounds per body.
- The average Hg release per cremation for the 10 cremations believed to contain silver amalgam fillings yielded 1.001 grams or 0.0022 pounds per body.

This information confirms that the Hg emissions information located in the USEPA National Emissions database is accurate for determining the Hg impact of cremations; and based on significant and unbiased testing, Hg emissions from crematories are not deemed sufficient to be regulated.

All the data available has already prompted notable environmentalists to draw realistic conclusions in regard to the emissions of Hg. Environmental Scientist Alexis Cain, of the Chicago office of the Environmental Protection Agency said, "I don't think it's a risk to people who live in the vicinity of crematoriums."

Two specific practices target the reduction of Hg emissions into the atmosphere via cremations. CANA recommended that neither of these directives be mandated:

- The first measure would be the installation of filtration systems or "bag houses" to the cremation equipment. There is no guarantee that these filtration systems will prevent the release of Hg into the environment, not to mention that they are extremely cost-prohibitive.
- The second measure suggests that teeth containing silver amalgam should be pulled prior to the cremation process. CANA considers this an act of mutilation and such an act would violate the respectful manner in which cremationists perform their duties. The notion that teeth-pulling would even be suggested implies that some individuals are not approaching this matter with objective insight. The misguided fear of mercury emissions clouds the realistic

assessment of their environmental impact. Our decisions should be based on the soundness of the data collected and intellectually interpreted.

The most extensive cremation equipment emissions research ever undertaken confirms that the design and operation of typical North American crematories provides significantly better emissions than regulations required, and even exceeds expectations with the older operating systems.

Summing up the matter, Samantha Wetzler, M.D., a medical examiner in the Tidewater Virginia region, said, "There are so many variables, and so many sources of mercury both to people and the environment, of which none have been eliminated ... not fish, amalgams, coal plants, industrial emissions and the breaking of light bulbs. It seems that regardless of what studies one does, no one will be able to predict these things, and pointing a finger at a crematory as one source that must be stopped seems ridiculous and frivolous. A neighbor putting a fluorescent bulb into the trash rather than recycling it properly will create more concrete hazards for the community than any amounts crematories will ... but policing of peoples' trash is not in the plans."

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CANA is the recognized authority for all information, education, products, services and support for cremation. Founded in 1913, CANA is an International organization of over 1,300 members, composed of cemeterians, cremationists, funeral directors, industry suppliers and consultants. CANA's purpose is to actively lead and support the providers of cremation services and to promote memorialization. This is accomplished through the highest standards of ethics, education and consumer information. CANA's members support and adhere to the following principles: integrity and ethics; excellence; professional development and education; and leadership and innovation. For more information about CANA, visit www.cremationassociation.org.

Carbon Emissions from Cremation

Cremation significantly contributes to carbon dioxide emissions. A single cremation produces over 400 kilograms of CO₂. This adds to greenhouse gas levels and climate change. The use of fossil fuels as an energy source further worsens this impact. It emphasizes the need for alternative solutions to reduce environmental harm. Innovations in cremation technology are beginning to address these concerns. For example, some facilities now use filters to capture some of the emissions. However, these solutions are not yet widespread.

Other Pollutants

Cremation emits mercury, particulate matter, and other pollutants. These pose air quality and health risks. The presence of mercury from dental amalgam fillings prompts a reevaluation of cremation practices. It highlights the need for improved technologies and regulations. These should address environmental and health concerns. The release of other toxic metals during cremation, such as lead and cadmium, also poses significant environmental risks. Efforts to minimize these emissions are crucial for public health and environmental protection.

Comparing Cremation with Burial

Traditional burial has its environmental drawbacks. These include the use of embalming fluids, concrete burial vaults, and long-term land use for cemeteries. These raise concerns about soil and groundwater

Greenhouse Gas Emissions from a Typical Passenger Vehicle

The U.S. Environmental Protection Agency (EPA) developed this fact sheet to answer common questions about greenhouse gas emissions from passenger vehicles. This fact sheet provides emission rates and calculations consistent with EPA's regulatory work.

How much tailpipe carbon dioxide (CO₂) is created from burning one gallon of fuel?

The amount of CO₂ created from burning one gallon of fuel depends on the amount of carbon in the fuel. Typically, more than 99% of the carbon in a fuel is emitted as CO₂ when the fuel is burned. Very small amounts are emitted as hydrocarbons and carbon monoxide, which are converted to CO₂ relatively quickly in the atmosphere. Carbon content varies by fuel, and some variation within each type of fuel is normal. The EPA and other agencies use the following average carbon content values to estimate CO₂ emissions:

| | | |
|--|--------|--|
| CO ₂ Emissions from a gallon of gasoline: | 8,887 | grams CO ₂ /gallon ¹ |
| CO ₂ Emissions from a gallon of diesel: | 10,180 | grams CO ₂ /gallon ² |

Diesel creates about 15% more CO₂ per gallon. However, many vehicles that use diesel fuel achieve higher fuel economy than similar vehicles that use gasoline, which generally offsets the higher carbon content of diesel fuel.

¹ This gasoline factor is from a recent regulation establishing GHG standards for model year 2012-2016 vehicles (75 FR 25324, May 7, 2010).

² This diesel factor is from the calculations that vehicle manufacturers use to measure fuel economy (40 C.F.R. 600.113).

TABLE 4. EFFECTIVENESS OF VARIOUS CONTROL MEASURES ON REDUCING POLLUTANT RELEASE FROM CREMATORIA

| | PCDD/ Fs | Hg | PM _{2.5} | Radioactivity |
|--|--|----|-------------------|---------------|
| Source control | | | | |
| Removal of plastics, etc. | ✓ | | ✓ | |
| Non-toxic and eco-friendly coatings or materials in caskets | ✓ | | | |
| Removal of Hg fillings | | ✓ | | |
| Removal of medical devices containing radioactive substances | | | | ✓ |
| Operational controls | | | | |
| Minimum 850°C (2 nd chamber) | ✓ | | ✓ | |
| Minimum residence time of 2 s (2 nd chamber) | ✓ | | ✓ | |
| Adequate O ₂ in combustion chamber | ✓ | | ✓ | |
| Monitoring CO releases | ✓ | | ✓ | |
| Air tightness of combustion chambers and casings | ✓ | ✓ | ✓ | ✓ |
| Maintenance and inspection | ✓ | ✓ | ✓ | ✓ |
| Operator training | ✓ | ✓ | ✓ | ✓ |
| Emissions controls | | | | |
| Dust control (filters and scrubbers) | ✓ | | ✓ | |
| Activated carbon treatment | ✓ | ✓ | | |
| Hg removal technology (binding, precipitation etc.) | | ✓ | | |
| Adequate chimney height | General dispersion and dilution of pollutants higher into atmosphere | | | |

✓ indicates the measure can help reduce emissions

SUMMARY

Combustion processes can generate potentially harmful pollutants such as organic compounds (PCDD/Fs), Hg, and fine particulates (PM_{2.5}). While these substances have been associated with a range of adverse health effects, no studies have been found that show causal links between crematoria emissions and adverse health effects. The absence of emissions data for crematoria and ambient air quality monitoring in the vicinity of installations limits the ability to fully assess exposures and health impacts. A precautionary approach could be adopted that includes following best practice recommendations for design, operation, monitoring and maintenance of crematoria.

There is no standard practice across Canada for emissions controls, monitoring or crematoria setback distances, but there are specific requirements set at regional and local levels. Appropriate setback requirements and other controls should consider equipment type, size, number of proposed cremations, local climate conditions, local land use and zoning and proximity to sensitive receptors on a case-by-case basis. Communication with the public about potential impacts and risk reduction strategies early in the development process can help to address concerns and inform appropriate siting, operational controls and monitoring.