

ORDINANCE NUMBER: 78-49

INTRODUCED BY: COMMISSIONER BYRD

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM PRESENT ZONING
CLASSIFICATIONS OF OPEN RURAL (OR), RESIDEN-
TIAL MOBILE HOME (RMH), and COMMERCIAL
GENERAL (CG), AND COMMERCIAL HIGHWAY AND
TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT
(PUD); DEFINING THE TERMS AND CONDITIONS
OF THE PUD AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Moultrie Trails Development Company has applied for the rezoning of certain lands in St. Johns County, Florida to Planned Unit Development (PUD), and

WHEREAS, the proposed PUD does not affect adversely the orderly development of St. Johns County as embodied in the St. Johns County Zoning Ordinance and in any comprehensive plan or portion thereof adopted by the St. Johns County Board of County Commissioners; and

WHEREAS, the proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood; and

WHEREAS, the proposed PUD will accomplish the Objectives and will meet the Standards and Criteria of Section 8-4 of the zoning code of St. Johns County, Florida; now, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of Moultrie Trails Development Company and subsequent public hearing, zoning classification of Open Rural (OR), Residential Mobile Home (RMH), and Commercial General (CG), and Commercial Highway and Tourist (CHT) of the lands described in accompanying Schedule "A" is hereby changed to Planned Unit Development (PUD).

SECTION 2. The Developer shall provide a 15 ft. emergency access from Wildwood Drive to the Eastern cul-de-sac of Camelia Trail.

SECTION 3. The Developer shall secure approval of curb cut to US #1 from The Department of Transportation and he shall install acceleration and deceleration lanes as required by the Florida Department of Transportation.

SECTION 4. The Developer shall provide fire protection throughout development, by means of wells placed every 500 feet (lineal) of the developed roadway, capable of producing not less than 500 GPM at the well.

SECTION 5. The following portions of the April 18, 1978 application by Moultrie Trails Development Company For Rezoning of the lands described in Exhibit A to PUD are approved, as modified herein, and are incorporated and made a part of this rezoning Ordinance by reference:

- I. Application for Re-Zoning
- II. Name and Address of Owners
- III. Owners Commitment
- IV. Developers Letter of Intent
- V. Chronological Development Plan
- VI. Declaration of Covenants and Restrictions
- VII. By-Laws - Moultrie Trails Homeowners Association
- VIII. Articles of Incorporation

- Exhibit 'A' Preliminary Plat
Exhibit 'B' Plat Showing Existing Zoning
Exhibit 'C' Street Profiles
Exhibit 'D' Contour Map
Exhibit 'E' Preliminary Storm Drainage Plan
Exhibit 'F' Typical Set Back Requirements

SECTION 6. The following phrase shall be added to the first paragraph of Section 2.9 of the Declaration of Covenants and Restrictions, Moultrie Trails Subdivision, St. Johns County, Florida:

"and provided further that such pets over 10
0 weeks old shall not exceed 4 in number."

SECTION 7. The first sentence of Section 2.5 of the Declaration of Covenants and Restrictions, Moultrie Trails Subdivision, St. Johns County, Florida shall be modified to read as follows:

"All front, side and rear setback and lot line construction restrictions in the subdivision shall be as prescribed for single family residences by the zoning ordinance of St. Johns County, Florida, and as approved and adopted in this PUD application, see typical attached to lot layout plan (Exhibit F), in the case of corner lot one frontage may be reduced 20%, no structure shall exceed three stories (35 feet)."

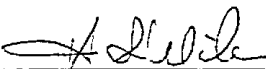
SECTION 8. All roads within the project either public or private shall be constructed to approved County Standards.

SECTION 9. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 10. This ordinance shall take effect immediately upon receipt of official acknowledgment of the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, that the same has been filed.

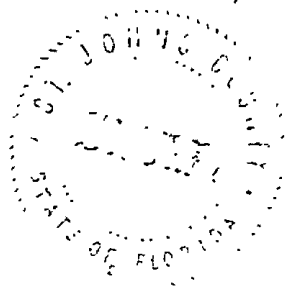
PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA this 25th day of July, 1978.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Its _____ Chairman

ATTEST:

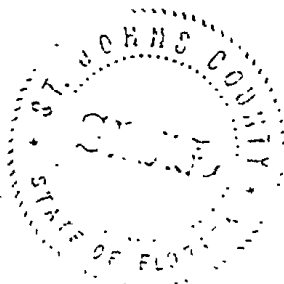

Deputy Clerk



A tract of land in the F. Falany Grant, Section 48, Township 8 South, Range 30 East, St. Johns County, Florida being more fully described as follows:

Commence at a point being the intersection of the West line of said Section 48 with the North right of way line of an existing County Road, said point being 3,154.26 feet North of the Southwest corner of said Section 48, said point also being the Point of Beginning; thence N 87° 57' E 1,218.65 feet a long the North right of way line of an existing County Road to a point on the West right of way line of State Road No.5 (U.S.Highway No.1); thence N 10° 10' W 382.35 feet along the West right of way line of State Road No.5 to the point of curvature of said West right of way line; thence along the arc of said circular curve to the right having a radius of 3,937.83 feet, a distance of 1,148.90 feet to the end of said circular curve; thence N 6° 33' E 462.91 feet along the West right of way line of State Road No.5 to the Southeast corner of property described in Official Records 130, page 235 of the public records of St. Johns County, Florida; thence S 80° 26' W 112.0 feet to the Southwest corner of property described in Official Records 130, page 235; thence N 13° 07' W 100.0 feet to the South line of a 40 foot wide road; thence South 54° 44' W 37.70 feet along the South right of way line of said 40 foot wide road; thence S 79° 46' W 19.56 feet along the South right of way line of said 40 foot wide road to the Northeast corner of property described in Official Records 11, page 140 of the public records of St. Johns County, Florida; thence S 10° 14' E 217.5 feet to a point on the Southeast corner of property described in Official Records 11, page 140; thence S 79° 46' W 900 feet, more or less, to the center line of an existing creek; thence in a Northwesterly direction along said center line to its intersection with the highwater line of Moultrie Creek; thence Westerly along the highwater line of Moultrie Creek to its intersection with the West line of Township 8 South, Range 30 East; thence S 2° 10' E 1,850 feet, more or less, along the West line of Township 8 South, Range 30 East to the Point of Beginning.

EXCEPTING THEREFROM a tract of land in the F. Falany Grant, Section 48, Township 8 South, Range 30 East, St. Johns County, Florida, being more fully described as follows:

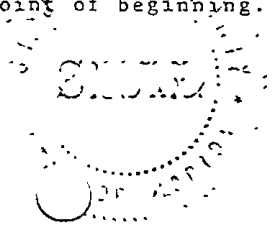


Commencing at the intersection of the center line of the Southbound traffic lane of U.S. Highway No. 1 with the South end of the Moultrie Creek Bridge; thence South 6 degrees 33 minutes West, on said center line of the Southbound traffic lane 224.77 feet; thence South 80 degrees 43 minutes West 103.94 feet to the West right of way line for said highway, said right of way line being 100 feet West of and parallel with said center line of said Southbound traffic lane; thence South 6 degrees 33 minutes West, on said West right of way line, 20.79 feet to the Point of Beginning; thence continuing S 6° 33' W 670 feet along the right of way line of State Road No. 5 to the point of curvature of said West right of way line; thence along the arc of said circular curve to the left, having a radius of 3,937.83 feet, a distance of 200.09 feet to a point; thence run S 87° 57' W 830 feet to the center line of a branch which extends Northerly into Moultrie Creek; thence Northerly along the center line of said branch a distance of 420 feet, more or less, to a point at the Southwest corner of property described in Official Records Book 55, page 673; thence run N 79° 46' E 900 feet, more or less, to a point at the Southeast corner of lands described in Official Records Book 11, page 140; thence run N 10° 14' W a distance of 217.5 feet to a point; thence run N 79° 46' E 19.56 feet; thence run N 54° 44' E 140.58 feet to a point; thence run N 80° 43' E 70.86 feet to the Point of Beginning.

EXCEPTING THEREFROM property as described in Official Records Book 130, page 235 of the public records of St. Johns County, Florida.

A parcel of Land in Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being part of that land described in deed recorded in Deed Book No. 3, page 132, public records of said county and being more fully described as follows:

COMMENCING at the intersection of the South line of said Section 38 with the Range Line between said Range 29 East and Range 30 East; thence North 00 Degrees 32 Minutes West, on said Range Line, 558.69 feet; thence, continuing on said Range Line, North 2 Degrees 10 Minutes West 2,529.57 feet to the South line of Wildwood Drive; thence continuing on said Range Line across said Wildwood Drive, 66.00 feet to the point of beginning at the Southeast Corner of the herein described parcel of land; thence South 87 degrees 49 minutes 03 seconds West, on the North line of said Wildwood Drive, a 66 foot width county road, 778.28 feet; thence North 5 degrees 18 minutes 05 seconds West, on the East Line of right of way for the Florida East Coast Railway Company Moultrie cut-off, said right of way being 150 feet in width, 1,423.76 feet to an angle point in said railway right of way line; thence North 71 degrees 01 minutes 25 seconds East, on said railway right of way line, 25.73 feet to a point 100 feet East from, as measured at right angles, the center line of said railway right of way; thence meandering Easterly along the South edge of the marsh of Moultrie Creek to said range line; thence South 2 degrees 10 minutes East, on said range line 1,936 feet more or less to the point of beginning.



The St. Augustine Record
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA. }
 COUNTY OF ST. JOHNS. }

Before the undersigned authority personally appeared _____
Robert E. James _____ who on oath says that he is
Advertising Manager _____ of the St. Augustine Record, a
 daily newspaper published at St. Augustine in St. Johns County, Florida;
 that the attached copy of advertisement, being a Legal Notice
Board of County Commissioners Meeting
 _____ in the matter of _____
S. G. Properties application for Rezoning
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
June 24, 1978

Affiant further says that the St. Augustine Record is a newspaper
 published at St. Augustine, in said St. Johns County, Florida, and that the
 said newspaper has heretofore been continuously published in said St.
 Johns County, Florida, each day, except Sundays, and has been entered
 as second class mail matter at the post office in the City of St. Augustine,
 in said St. Johns County, Florida, for a period of one year next preceding
 the first publication of the attached copy of advertisement; and affiant
 further says that he has neither paid nor promised any person, firm or
 corporation any discount, rebate, commission or refund for the purpose
 of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
 this 29th day of June
 A.D. 19 78

 Notary Public

NOTARY PUBLIC
 STATE OF FLORIDA
 My Commission Expires _____
 by _____

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT HIS REGULAR MEETING ON THE 25 DAY OF July, 1978, AT 2 00 O'CLOCK P.M., IN THE COUNTY COMMISSIONERS MEETING ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA REZONING LANDS AS DESCRIBED HERINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR), RESIDENTIAL MOBILE HOME (RMH) AND COMMERCIAL GENERAL (CG) AND COMMERCIAL HIGHWAY AND TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT (PUD) BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1 Pursuant to application of S G Properties, Inc. (Pierre D Thompson, John Bailey, St. and Arthur H. Runk) and subsequent public hearing, zoning classification of Open Rural (OR), Residential Mobile Home (RMH), and Commercial General (CG), and Commercial Highway and Tourist (CHT) of the lands described

A tract of land in the F Falany Grant Section 48, Township 8 South, Range 30 East, St. Johns County, Florida being more fully described as follows Commence at a point being the intersection of the West line of said Section 48 with the North right of way line of an existing County Road, said point being 3 154 26 feet North of the Southwest corner of said Section 48, said point also being the Point of Beginning, thence N 87 deg 57 min E 1 218 65 feet along the North right of way line of an existing County Road to a point on the West right of way line of State Road No 5 (U S Highway No. 1), thence N 10 deg 10 min W 382 35 feet along the West right of way line of State Road No 5 to the point of curvature of said West right of way line, thence along the arc of said circular curve to the right having a radius of 3 937 83 feet, a distance of 1,148 90 feet to the end of said circular curve, thence N 6 deg 33 min E 462 91 feet along the West right of way line of State Road No 5 to the Southeast corner of property described in Official Records 130, page 235 of the public records of St. Johns County, Florida, thence S 80 deg 26 min W 112 0 feet to the Southwest corner of property described in Official Records 130, page 235 thence N. 13 deg 07 min W 100 0 feet to the South line of a 40 foot wide road, thence South 54 deg 44 min W, 37.70 feet along the South right of way line of said 40 foot wide road, thence S 79 deg 46 min W, 19 56 feet along the South right of way line of said 40 foot wide road to the Northeast corner of property described in Official Records 11, Page 140 of the public records of St. Johns County, Florida thence S 10 deg 14 min E, 217 5 feet to a point on the Southeast corner of property described in Official Records 11, page 140, thence S 79 deg 46 min W, 900 feet, more or less, to the center line of an existing creek thence in a Northwesterly direction along said center line to its intersection with the highway line of Moultrie Creek, thence easterly along the highwater line of Moultrie Creek to its intersection with the West line of Township 8 south, Range 30 East, thence S 2 deg 10 min E 1 650 feet, more or less, along the West line of Township 8 South, Range 30 East to the Point of Beginning EXCEPTING THEREFROM a tract of land in the F Falany Grant Section 48, Township 8 South, Range 30 East, St. Johns County, Florida, being more fully described as follows Commencing at the intersection of the center line of the Southbound traffic lane of U S Highway No 1 with the South end of the Moultrie Creek Bridge, thence South 6 degrees 33 minutes West, on said center line of the Southbound traffic lane 224 77 feet, thence South 80 degrees 43 minutes West 103 94 feet to the West right of way line for said highway, said right of way line being 100 feet West of and parallel with said Center line of said Southbound traffic lane, thence South 6 degrees 33 minutes West, on said West right of way line, 20 79 feet to the Point of Beginning thence continuing S 6 deg 33 min W 670 feet along the right of way line of State Road No 5 to the point of curvature of said West right of way line, thence along the arc of said circular curve to the left having a radius of 3,937 83 feet, a distance of 200 09 feet to a point, thence run S 87 deg 57 min W 830 feet to the center line of a branch which extends Northerly into Moultrie Creek, thence Northerly along the center line of said branch a distance of 420 feet, more or less, to a point at the Southwest corner of property described in Official Records Book 55, page 673, thence run N 79 deg 46 min E 900 feet, more or less to a point at the Southeast corner of lands described in Official Records Book 11, page 140, thence run N 10 deg 14 min W a distance of 217 5 feet to a point thence run N 79 deg 46 min E 19 56 feet thence run N 54 deg 44 min E 140 58 feet to a point, thence run N 80 deg 43 min E 70 86 feet to the Point of Beginning EXCEPTING THEREFROM property as described in Official Records Book 130 page 235 of the public records of St. Johns County, Florida A parcel of Land in Section 38, Township 8 South, Range 29 East, St. Johns County, Florida, being part of that land described in deed recorded in Deed Book No 3, page 132, public records of said county and being more fully described as follows COMMENCING at the intersection of the South line of said Section 38 with the Range Line between said Range 29 East and Range 30 East thence North 00 degrees, 32 Minutes West on said Range Line, 558 89 feet, thence continuing on said range line, North 2 Degrees 10 Minutes West 2 529 57 feet to the South Line of Wildwood Drive, thence continuing on said Range Line across said Wildwood Drive, 66 00 feet to the point of beginning at the Southeast Corner of the herein described parcel of land, thence South 87 degrees, 49 minutes 03 seconds West, on the North line of said Wildwood Drive, a 66 foot width county road, 778 28

Get thence North 5 degrees 18 minutes 05 seconds West, on the East Line of right of way for the Florida East Coast Railway Company Moultrie cut-off, said right of way being 150 feet in width, 1423.76 feet to an angle point in said railway right of way line, thence North 71 degrees, 01 minutes 25 seconds East on said railway right of way line, 25.73 feet to a point 100 feet East from, as measured at right angles, the center line of said railway right of way, thence meandering Easterly along the South Edge of the marsh of Moultrie Creek to said range line thence South 2 degrees 10 minutes East on said range line 1,936 feet more or less to the point of beginning.

is hereby changed to Planned Unit Development (PUD).

SECTION 2 The Developer shall provide a 15 foot emergency access from Wildwood Drive to the Eastern cul-de-sac of Camelia Trail.

SECTION 3 The Developer shall secure approval of curb cut to US No 1 from The Department of Transportation, further, shall install acceleration and deceleration lanes as required by the Florida Department of Transportation.

SECTION 4 Article II, Section 2.5 shall read (first sentence), all front, side and rear setback and lot line construction restrictions in the subdivision shall be as prescribed for single family residences by the zoning ordinance of St. Johns County, Florida, and as approved and adopted in this PUD application, see typical attached to lot layout plan (exhibit F), in the case of corner lot one frontage may be reduced 20%, no structure shall exceed three stories (35 feet).

SECTION 5 The Developer shall provide fire protection throughout development, by means of wells placed every 500 feet (lineal) of the developed roadway, capable of producing not less than 500 GPM at the well.

SECTION 6 That the PUD, Section I thru VIII, Exhibits A thru F, be incorporated and made part of rezoning Ordinance by reference, with amendment of Article II, concerning the keeping of household pets to read as follows provided such pets over 10 weeks old shall not exceed 4 in number.

SECTION 7 That all roads within the project either public or private shall be constructed to approved County Standards.

SECTION 8 Nothing herein contained shall be deemed to impose conditions, limitations, or requirements not applicable to all other land in zoning district wherein said lands are located.

SECTION 9 The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 10 This ordinance shall take effect immediately upon receipt of official acknowledgement of the Office of the Secretary of State to the clerk of the Board of County Commissioners of St. Johns County, that the same has been filed.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY FLORIDA
BY s/Oliver Lawton
Chairman

(SEAL) J24L688ADV.