

ORDINANCE NUMBER 82-73

INTRODUCED BY: COMMISSIONER WALDRON

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF  
FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM  
PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO PLANNED  
UNIT DEVELOPMENT

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

SECTION 1: As requested by August Development, Ltd., in its  
application for zoning change filed October 23, 1981, (hereinafter,  
the "Anastasia Shores PUD Application"), the zoning classification  
of the lands described in said application is hereby changed from  
Open Rural to Planned Unit Development, (hereinafter, the "Anastasia  
Shores PUD").

SECTION 2: All materials, stipulations, exhibits and maps included  
in and attached to the Anastasia Shores PUD Application No. R-PUD  
82-59, including the application itself, the certificate of  
property owners, certificate and zoning search of surrounding  
property owners, letter of authorization, statement of intended  
plan of development, statement of schedule of development, statement  
regarding ownership of common facilities, statement regarding  
maintenance of the Planned Unit Development, proposed deed restrictions,  
addendum, revised schedule of development submitted by letter  
from John D. Bailey, Jr., dated November 18, 1982, site plans of  
the development, phase maps, survey and topographic map, water  
and sewer plans, renderings of units and typical floor plans are  
hereby incorporated in and made a part of this Ordinance.

SECTION 3: In connection with the Anastasia Shores PUD Application, August Development, Ltd. has submitted a preliminary sketch plan as required by Section 8-2-2 of the St. Johns County Zoning Ordinance which shows a preliminary vehicular and pedestrian circulation system. It is understood this sketch plan is for informational purposes only and the developer shall not be bound by the details shown on the sketch plan. It is further understood, however, that the sketch plan is illustrative of the approach which August Development, Ltd., shall be required to take to solve the problem of vehicular and pedestrian circulation and any final development plan submitted pursuant to the Anastasia Shores PUD will be approved only if it comports with the spirit and intent of the PUD Ordinance as manifested in the preliminary sketch plan.

If significant physical development of Phase I of the Anastasia Shores PUD has not commenced within three years after the latter of (1) the effective date of the Ordinance creating the Anastasia Shores PUD or (2) the date upon which the right of appeal from the order giving development approval for the Anastasia DRI expires, or (3) the date of any final decision upon an appeal from that order, the developer shall be required to apply to the St. Johns County Board of County Commissioners for a determination of whether this PUD should lapse. The running of the three year period shall be tolled between the dates on which applications for approval of final development plans necessary to meet the requirements of this section are filed and the dates on which such final development plans are approved or rejected.

SECTION 4: The bike and jogging paths referred to in the Addendum to the Anastasia Shores PUD shall be physically separated from motorized vehicles and shall be designated on the final development

plan submitted for each phase of the development.

SECTION 5: The developer shall construct a bridge over the outfall canal located on the northeast portion of the project immediately west of Cooksey's Campground so that tidal flow into the canal will not be interrupted.

SECTION 6: In the event the developer requires sprinkler systems to be utilized in the single-family area as specified in the proposed deed restrictions, water for these sprinkler systems shall be provided by a method other than through the use of wells.

SECTION 7: In addition to the fire protection specified in the statement regarding maintenance of the planned unit development and in the Addendum to the Anastasia Shores PUD, the developer shall install sprinkler systems in the rooms in each unit and in all common areas of all three and five story structures according to standards established in the National Fire Protection Association (NFPA) Code No. 13, "The pamphlet sprinkler code."

SECTION 8: During the first year of Phase V of the Anastasia Shores PUD the developer shall open Ocean Avenue to provide additional emergency ingress and egress for the development. If Mizell Road is extended from 16th Street to Ocean Avenue, the developer shall utilize the Mizell Road extension for additional ingress and egress and hereby agrees to the closing and vacating of that portion of Ocean Avenue which lies east of its intersection with Mizell Road. Developer will not then allow Ocean Avenue to be used as a road without prior County approval.

SECTION 9: In case of conflict between the express provisions of this Ordinance and the Anastasia Shores DRI development order, the more stringent provisions shall control.

SECTION 10: The zoning inspector is hereby authorized to issue construction permits allowed by zoning classification as rezoned hereby upon approval of the final development plan.

SECTION 11: The overall density of the Anastasia Shores Development shall be reduced from the stated density of 1886 units to not more than 1,754 units. The reduction in units shall occur in the areas immediately adjacent to the marsh and shall be implemented by the removal of not less than 11, 3 story apartment and/or townhouse buildings in Phases IV and V.

SECTION 12: The dates for development of the phases described in the revised ADA shall be as follows: Phase I (1982-1987), Phase II (1984-1990), Phase III (1989-1993), Phase IV (1992-1995), Phase V (1994-1997). Developer may, upon prior approval by County resolution(s), develop one or more phase during different dates. No construction shall occur under any phase except during the times herein specified or during such other times as may be approved by future Board resolutions.

SECTION 13: 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.

BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHN'S COUNTY, FLORIDA:

BY: *Robert E. Carter*  
Chairman

ATTEST: CARL "BUP" MARKEL, CLERK

BY: *Marie Hudson*  
Deputy Clerk

(SEAL)

Adopted regular meeting 12/28/82

Effective 1-3-83

82-73

COPY OF ADVERTISEMENT

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 say  
Advertising Manager of the St. Augustine  
daily newspaper published at St. Augustine in St. Johns Coun  
that the attached copy of advertisement, being a  
Notice of Board of County Commissioners M  
Rezoning OR to PUD  
in the  
was published in said newspaper in the issues of  
November 26, 1982.

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

Sworn to and subscribed before me  
this 30th day of November  
A.D. 1982

(SEAL)

Notary Public

Notary Public  
State of Florida at Large  
My Commission Expires 12-31-84

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 28 DAY OF DECEMBER 1982, AT 1:30 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 HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO PUD BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SECTION 1. Pursuant to the application of August Development, Ltd. OWNERS of the following described land, zoning classification of OR on the following described lands:

EXHIBIT A  
A Certain pie, parcel or tract of land, situated, lying and being in the County of St. Johns and State of Florida known as:  
Parcel One: Government Lots 1 and 2, section 4, Township 8 South, Range 30 East, St. Johns County Florida. Also, that certain parcel of land described as follows: Beginning at a point on the South line of Section 2, Township 8 South, Range 30 East, where West side of County Road intersects with said South line of said section 2; thence in a Northwesterly direction along the West side of said County Road 50 feet to a point; thence West parallel to South line of said section 3 and South line of Section 4, Township 8 South, Range 30 East, a distance of 56 chains and 21 links, more or less, to the marsh of the Matanzas River; thence Southerly along the edge of said marsh 50 feet, more or less, to the Southwest corner of GL 7 of section 4, township 8 South, range 30 East; thence East along the South line of said Section 4 and the South line of said Section 3, a distance of 56 chains and 21 links, more or less, to the point of beginning. Said land being the South 50 feet of GL 7 and GL 8, section 4, and the South 50 feet of that part of GL 7 of Section 3, as lies West of the County Road, all in Township 8 South, Range 30 East, in St. Johns County, Florida.

Parcel Two: All of Government Lots 7 and 8 of Section 4, and that part of Government Lot 7 of Section 3, lying West of the Crescent Beach or County Road, EXCEPTING 50 feet, being the South 50 feet of Government lots 7 and 8, Section 4, and the South 50 feet of that part of Government Lot 7, of Section 3 as lies West of the County Road at the present time. All in T8P-8 South, Range 30 East, in St. Johns County, Florida.

Parcel Three: Government lot 6, Section 4, Township 8 South, Range 30 East, St. Johns County, Florida.

Parcel Four: Government lots 2, 3, and 4 in Section 4, Township 8 South, Range 30 East, EXCEPTING THEREFROM the North 50 feet thereof conveyed to St. Johns County, Florida, for public road purposes as described in Deed Book 218, page 37, of the public records of St. Johns County, Florida.

Parcel Five: All that part of the Government lot 3, Section 3, township 8 South, Range 30 East, lying West of State Road Alternate A1A, in St. Johns County, Florida.  
Parcel Six: Government lot 5, Section 4, Township 8 South, Range 30 East in St. Johns County, Florida.

Together with all accretion thereto, but less and except that certain parcel of land described as follows:

A portion of land in Section 4 and accretion westerly thereto, Township 8 South, Range 30 East, being more particularly described as follows:

Commence for a Point of Reference at the Northwest corner of said Section 4, thence run South along the westerly line of said Section 4, 1170 feet more or less to the Northeastly meander corner of Government Lot 1, Section 5; thence North 87° 45' West, 50 feet more or less to the Northwesterly meander corner of said Government Lot 1, thence South 54° 45' West, 82 feet more or less to the Northwesterly meander corner of said Government Lot 1, Section 5 and the Point of Beginning; thence North 54° 45' East, 92 feet more or less to the Northwesterly meander corner of said Government Lot 1; thence South 87° 45' East, 90 feet more or less, to the Northeastly meander corner of said Government Lot 1, thence South 22° 45' East, 86 feet, more or less, to the Easterly meander corner of said Government Lot 1, Section 4; thence South 23° 15' West, 84 feet, more or less, to the Southerly meander corner of said Government Lot 2; thence South 17° East, 570 feet, more or less, to the Northeastly meander corner of said Government Lot 10, Section 4; thence South 2° 00' East, 302 feet, more or less to the Easterly corner of said Government Lot 10; thence South 19° 00' West, 132 feet more or less, to the Southerly meander corner of said Government Lot 10; thence South 84° West, 423 feet, more or less, to the mean high water line of the Matanzas River; thence meander Northwesterly along said mean high water line, 1770 feet more or less to a point lying South 64° West, 430 feet, more or less, from the Point of Beginning; thence North 64° East, 430 feet, more or less, to the Point of Beginning. Containing a total of 11.8 acres, more or less (3.1 acres in the aforementioned islands and 8.7 acres in the accretion to said islands).

is hereby changed to PUD, Planned Unit Development as per exhibits on file in application # R-82-68, as per attached to Ordinance on file.  
SECTION 2. 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 3. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby.  
SECTION 4. 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, that same has been filed.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
By: Carl "Bud" Markle  
CLERK

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
L270 Nov. 28, 1982