

ORDINANCE NUMBER: 90-8

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

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

SECTION 1. That as requested by B.A.T. OF PALM VALLEY, INC., in its application with supporting documents for zoning change, dated October 30, 1989, and as amended on November 29, 1989, by letter from Upchurch, Bailey and Upchurch, P.A., (hereinafter the "PUD Application"), the zoning classification of the lands described on the attached Exhibit "A" is hereby changed from "OR" to "Planned Unit Development".

SECTION 2. That development of the lands within this PUD shall proceed in accordance with the Application as amended and supporting documents which are a part of zoning file R-PUD-89-052 and which are incorporated by reference into and made a part of this Ordinance, and as supplemented by the provisions of this Ordinance. In the case of conflict between the Application or supporting documents and the below described provisions of this Ordinance, the below described provisions shall prevail.

SECTION 3. That all roads and parking areas within the project either public or private shall be constructed to approved County standards.

SECTION 4. That all easements required for drainage purposes shall be granted to the County at no cost, upon County's request.

SECTION 5. All building code, zoning ordinance and other land use and development regulations of St. Johns County, as may be amended from time to time shall be applicable to this development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance. Modification to approved development plans by variance or special exception shall be

prohibited.

SECTION 6. B.A.T. OF PALM VALLEY, INC., shall submit a final development plan for said Planned Unit Development in accordance with the St. Johns County Zoning Code.

SECTION 7. The St. Johns County Building Department is hereby authorized to issue building permits, certificates and other documents authorizing construction of said Planned Unit Development in accordance with the development plan after its approval pursuant to the zoning code.

SECTION 8. This Ordinance shall take effect immediately upon receipt of official acknowledgment of the Department of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that the same has been filed.

SECTION 9. The owner shall dedicate 12 1/2 feet of additional right-of-way adjacent to CR-210 at the time of final plat approval, at no cost to the County.

PASSED this 13th day of February, 1990.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Craig A. Maguire
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Amy B. Mulligan
Deputy Clerk

Adopted : February 13, 1990

Meeting: Regular Board of County Commissioners Meeting

Effective : February 28, 1990

SCHEDULE "A"

A PART OF GOVERNMENT LOT 2, SECTION 9, TOGETHER WITH A PART OF GOVERNMENT LOT 5, SECTION 10, ALL LYING IN TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF GOVERNMENT LOT 6, IN SAID SECTION 10, WITH THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, AND/OR STATE ROAD 203 (ALSO KNOWN AS PONTE VEDRA BY PASS ROAD); THENCE SOUTH $88^{\circ}41'02''$ WEST, ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT 6, SECTION 10, A DISTANCE OF 1221.49 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 5 AND THE POINT OF BEGINNING; THENCE SOUTH $01^{\circ}24'56''$ EAST, ALONG THE EAST LINE OF SAID GOVERNMENT LOT 5, A DISTANCE OF 1326.32 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 5; THENCE SOUTH $88^{\circ}42'05''$ WEST, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 5, A DISTANCE OF 1314.11 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 5 AND THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, SECTION 9; THENCE SOUTH $88^{\circ}40'33''$ WEST, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 876.15 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF OLD PALM VALLEY ROAD, AND/OR COUNTY ROAD NO. 210 (AS ESTABLISHED BY THE PRESENT ALIGNMENT AND PREVIOUS SURVEYS OF ADJACENT LANDS DUE TO THE NON-EXISTENCE OF ANY RIGHT OF WAY MADE WITH THE RECORDS OF THE STATE ROAD DEPARTMENT OF ST. JOHNS COUNTY); THENCE NORTH $28^{\circ}27'21''$ WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 51.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1155.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 478.14 FEET TO THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 408 PAGE 320 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AS ESTABLISHED BY BOUNDARY AGREEMENT (BOUNDARY AGREEMENT UNRECORDED AS OF JUNE 22, 1989), MAKING A CENTRAL ANGLE OF $23^{\circ}43'09''$ AND HAVING A CHORD BEARING OF NORTH $16^{\circ}35'47''$ WEST, AND A CHORD DISTANCE OF 474.74 FEET; THENCE NORTH $89^{\circ}41'17''$ EAST, ALONG SAID SOUTH LINE AS ESTABLISHED BY A BOUNDARY AGREEMENT, A DISTANCE OF 539.14 FEET; THENCE NORTH $13^{\circ}32'27''$ EAST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 543.22 FEET; THENCE NORTH $89^{\circ}41'17''$ EAST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 610.50 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 408 PAGE 321; THENCE NORTH $00^{\circ}25'43''$ WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 316.76 FEET TO A POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 5; THENCE NORTH $88^{\circ}39'54''$ EAST, ALONG SAID NORTH LINE OF GOVERNMENT LOT 5, A DISTANCE OF 1043.06 FEET TO THE POINT OF BEGINNING. CONTAINING 54.107 ACRES, MORE OR LESS.

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____
ANN JACKSON _____ who on oath says that she is
ACCOUNTING CLERK _____ 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 _____
NOTICE OF PUBLIC HEARING _____
_____ in the matter of _____
RE: R-PUD-89-052 B A T PALM VALLEY _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
JANUARY 6, 1990 _____

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 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 she has neither paid nor promised
any person, firm or corporation any discount, rebate, commission or refund
for the purpose of securing the advertisement for publication in the said
newspaper.

Sworn to and subscribed before me _____
this _____ 9th _____ day of _____ JANUARY _____
A.D. 19 _____ 90 _____

Zoe Ann Johns
(SEAL) _____ Notary Public
8122193

\$72.31

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 13th DAY OF FEBRUARY 1990 AT 1:45 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY COUNTY ROAD 16A AND U.S. 91 NORTH, ST. AUGUSTINE, FLORIDA, WILL CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO PUD, 4 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of B.A.T. Palm Valley, Inc. owners of the following described land zoning classification of OR, Open Rural on the following described lands:

SCHEDULE "A"
A PART OF GOVERNMENT LOT 2 SECTION 9, TOGETHER WITH A PART OF GOVERNMENT LOT 5, SECTION 10, ALL LYING IN TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF GOVERNMENT LOT 6, IN SAID SECTION 10, WITH THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 81-A, AND/OR STATE ROAD 203 (ALSO KNOWN AS PONTE VEDRA BY PASS ROAD); THENCE SOUTH 89°10' WEST, ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT 6, SECTION 10, A DISTANCE OF 121.49 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 5 AND THE POINT OF BEGINNING; THENCE SOUTH 91°24'56" EAST, ALONG THE EAST LINE OF SAID GOVERNMENT LOT 5, A DISTANCE OF 428.32 FEET TO THE SOUTH-EAST CORNER OF SAID GOVERNMENT LOT 5; THENCE SOUTH 89°42'58" WEST, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 5, A DISTANCE OF 1314.11 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 5 AND THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, SECTION 9; THENCE SOUTH 89°43' WEST, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 876.15 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF OLD PALM VALLEY ROAD, AND/OR COUNTY ROAD NO. 210 (AS ESTABLISHED BY THE PRESENT ALIGNMENT AND PREVIOUS SURVEYS OF ADJACENT LANDS DUE TO THE NON-EXISTENCE OF ANY RIGHT OF WAY MAPS WITH THE RECORDS OF THE STATE ROAD DEPARTMENT OF ST. JOHNS COUNTY); THENCE NORTH 22°27'21" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 51.81 FEET TO THE POINT OF CURVATURE OR A CURVE CONCAVE TO THE NORTH-EAST AND HAVING A RADIUS OF 1155.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 42.14 FEET TO THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 408 PAGE 320 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AS ESTABLISHED BY BOUNDARY AGREEMENT (BOUNDARY AGREEMENT UNRECORDED AS OF JUNE 22, 1989), MAKING A CENTRAL ANGLE OF 22°43'00" AND HAVING A CHORD BEARING OF NORTH 14°25'47" WEST, AND A CHORD DISTANCE OF 84.74 FEET; THENCE NORTH 89°41'17" EAST, ALONG SAID SOUTH LINE AS ESTABLISHED BY A BOUNDARY AGREEMENT (BOUNDARY AGREEMENT UNRECORDED AS OF JUNE 22, 1989), A DISTANCE OF 59.14 FEET; THENCE NORTH 33°32'17" EAST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 343.22 FEET; THENCE NORTH 89°41'17" EAST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 410.50 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 408 PAGE 323; THENCE NORTH 00°27'43" WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 316.76 FEET TO THE POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 5; THENCE NORTH 89°29'54" EAST, ALONG SAID NORTH LINE OF GOVERNMENT LOT 5, A DISTANCE OF 1049.00 FEET TO THE POINT OF BEGINNING, CONTAINING 54.107 ACRES, MORE OR LESS.

IT IS HEREBY CHANGED TO: PUD, Planned Unit Development in accordance with documents filed in application R-PUD-89-022.

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 Building Department 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 acknowledgment 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" Markel its 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.

L162 Jan. 6, 1990