

ORDINANCE NUMBER: 91-43

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. That as requested by B. S. Enterprises of St. Augustine, Inc. in its application with supporting documents for zoning change dated March 19, 1991, and as amended on April 18, 1991 (hereinafter, the Planned Unit Development Application), the zoning classification of the lands described on the attached Exhibit "A" is hereby changed from Open Rural to Planned Unit Development.

SECTION 2. That development of the lands within this Planned Unit Development shall proceed in accordance with the Planned Unit Development Application and supporting documents which are a part of zoning file R-PUD-91-007 and which are incorporated by reference into and made a part of this Ordinance, and as supplemented by the Special Provisions of this Ordinance. In the case of conflict between the Planned Unit Development Application or supporting documents and the below described Special Provisions of this Ordinance, the below described Special Provisions shall prevail.

SECTION 3. Special Provisions:

No exceptions will be allowed for mobile homes.

Lot 19 as depicted upon the plan submitted with the Planned Unit Development Application will be dedicated to the Homeowners Association as recreation space.

The Non-Construction Buffer adjacent to the right-of-way of Interstate 95 will be increased to 25'.

The Construction Trailer will be allowed onsite for a maximum of two (2) years during construction of Phase I.

Fire Hydrants are to be "Dry Fire Hydrants".

The Planned Unit Development shall comply with the standards, policies and requirements in effect at the time of final approval and permitting of this project for development, including any successor or new policies, financing mechanism, plans and ordinances adopted by St. Johns County after the date of this Ordinance including, without limitation, any concurrency management programs adopted pursuant to Florida Statutes 163.3202(2)(g), as amended, and Objective J.01.05 of the St. Johns County Comprehensive Plan dated September 14, 1990, including any amendments or successor policies of land development regulations adopted to implement Florida Statutes 163.3202(2)(g).

SECTION 4. That all roads and parking areas within the project either public or private shall be constructed to approved County Standards.

SECTION 5. That all easements required for drainage purposes shall be granted to the County at no cost, upon County's Request.

SECTION 6. All building codes, zoning ordinances 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 Planned Unit Development. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 7. The Developer shall submit a final development plan for said Planned Unit Development in accordance with the St. Johns County Zoning Code.

SECTION 8. The St. Johns County Building Department Office 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 9. This Ordinance shall take effect immediately upon receipt of the official acknowledgment of the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that the same has been filed.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Passed and adopted by the Board
of County Commissioners of St.
Johns County, Florida this 22nd
day of October, 1991

BY: *Donald H. Wood*

CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Carl "Bud" Markel*

DEPUTY CLERK

(Seal)

Effective date NOVEMBER 05, 1991

DESCRIPTION: (BY SURVEYOR)

A PARCEL OF LAND IN GOVERNMENT LOTS 3, 4, 5, AND 6 OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 28, ALL IN TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, LYING EAST OF INTERSTATE HIGHWAY 95 (I-95) AND SOUTH OF COUNTY ROAD 214 (FORMERLY STATE ROAD 214) AND BEING DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 02 DEGREES 21 MINUTES 21 SECONDS EAST, ON THE WEST LINE OF SECTION 33, A DISTANCE OF 1071.35 FEET; THENCE NORTH 88 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 225.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 95 (I-95, A 300 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED) AS SHOWN ON STATE OF FLORIDA STATE ROAD DEPARTMENT PLANS ON FILE IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND THE POINT-OF-BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 88 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 1084.09 FEET TO THE WEST LINE OF GOVERNMENT LOT 3 OF SAID SECTION 33; THENCE NORTH 02 DEGREES 21 MINUTES 39 SECONDS WEST ON SAID WEST LINE A DISTANCE OF 1071.35 FEET TO THE NORTH LINE OF SECTION 33 AND THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 01 DEGREES 27 MINUTES 37 SECONDS WEST, ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, A DISTANCE OF 168.47 FEET; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 226.06 FEET; THENCE NORTH 01 DEGREES 27 MINUTES 37 SECONDS WEST A DISTANCE OF 437.65 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 214 (FORMERLY STATE ROAD 214) AS SHOWN ON THE STATE OF FLORIDA, STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION 7857-250, ROAD 8-214; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST, ON SAID RIGHT-OF-WAY LINE, A DISTANCE OF 60.28 FEET; THENCE SOUTH 01 DEGREES 27 MINUTES 37 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 437.65 FEET; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 261.49 FEET; THENCE SOUTH 24 DEGREES 03 MINUTES 09 SECONDS EAST A DISTANCE OF 187.07 FEET; THENCE SOUTH 62 DEGREES 52 MINUTES 42 SECONDS EAST A DISTANCE OF 74.21 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 44 SECONDS EAST A DISTANCE OF 9.59 FEET TO THE NORTH LINE OF SECTION 33; THENCE CONTINUING SOUTH 04 DEGREES 38 MINUTES 44 SECONDS EAST A DISTANCE OF 677.73 FEET; THENCE SOUTH 15 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 355.81 FEET; THENCE SOUTH 12 DEGREES 33 MINUTES 14 SECONDS EAST A DISTANCE OF 362.82 FEET; THENCE SOUTH 48 DEGREES 33 MINUTES 14 SECONDS EAST A DISTANCE OF 334.56 FEET; THENCE SOUTH 28 DEGREES 42 MINUTES 37 SECONDS EAST A DISTANCE OF 92.19 FEET; THENCE SOUTH 09 DEGREES 32 MINUTES 35 SECONDS EAST A DISTANCE OF 184.59 FEET TO THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 816, PAGE 1248 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 87 DEGREES 42 MINUTES 13 SECONDS WEST, ON SAID LINE, A DISTANCE OF 518.02 FEET; THENCE SOUTH 02 DEGREES 23 MINUTES 02 SECONDS EAST A DISTANCE OF 361.05 FEET; THENCE SOUTH 87 DEGREES 42 MINUTES 13 SECONDS WEST A DISTANCE OF 603.98 FEET; THENCE SOUTH 02 DEGREES 20 MINUTES 12 SECONDS EAST A DISTANCE OF 922.21 FEET TO A POINT OF CURVATURE; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET AND A CENTRAL ANGLE OF 60 DEGREES 02 MINUTES 48 SECONDS, AN ARC DISTANCE OF 89.08 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 6, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF SOUTH 27 DEGREES 41 MINUTES 12 SECONDS WEST AND A CHORD DISTANCE OF 85.06 FEET; THENCE SOUTH 02 DEGREES 00 MINUTES 25 SECONDS EAST, ON THE WEST LINE OF GOVERNMENT LOT 6 AND THE EAST LINE OF GOVERNMENT LOT 5, A DISTANCE OF 311.00 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 5 (SAID LINE BEING NON-TANGENT TO THE PREVIOUS CURVE); THENCE SOUTH 88 DEGREES 01 MINUTES 51 SECONDS WEST, ON THE SOUTH LINE OF GOVERNMENT LOT 5, A DISTANCE OF 436.06 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 95, THENCE, ON SAID EASTERLY RIGHT-OF-WAY, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11344.76 FEET AND A CENTRAL ANGLE OF 06 DEGREES 54 MINUTES 47 SECONDS, AN ARC DISTANCE OF 1368.82 FEET TO A POINT OF TANGENCY, SAID CURVE BEING NON-TANGENT TO THE PREVIOUS LINE AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 18 DEGREES 29 MINUTES 40 SECONDS WEST AND A CHORD DISTANCE OF 1367.98 FEET; THENCE, CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 15 DEGREES 02 MINUTES 17 SECONDS WEST A DISTANCE OF 1203.36 FEET TO THE POINT-OF-BEGINNING. SAID PARCEL CONTAINS 90.26 ACRES, MORE OR LESS.

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

91 NOV -6 AM 10:33

Paul Paul Munk
CLERK OF CIRCUIT COURT

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 _____

SHERRY L. RAUCH _____ 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 MEETING _____

_____ in the matter of _____

MEETING ON OCTOBER 22, 1991 _____

_____ in the _____ Court,

was published in said newspaper in the issues of _____

September 16, 1991 _____

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 Sherry L. Rauch
Zoe Ann Johns

this 16th day of September

A.D. 19 91

Zoe Ann Johns
(SEAL) 8/22/93 Notary Public

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22 DAY OF OCTOBER 1991 AT 1:30 o'clock PM, IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL CONSIDER THE 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 B.S. Enterprises of St. Augustine, Inc., owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

DESCRIPTION:
(BY SURVEYOR)

A PARCEL OF LAND IN GOVERNMENT LOTS 3, 4, 5, AND 6 OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 28, ALL IN TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, LYING EAST OF INTERSTATE HIGHWAY 95 (I-95) AND SOUTH OF COUNTY ROAD 214 (FORMERLY STATE ROAD 214) AND BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 02 DEGREES 21 MINUTES 21 SECONDS EAST, ON THE WEST LINE OF SECTION 33, A DISTANCE OF 1071.35 FEET; THENCE NORTH 88 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 225.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 95 (I-95, A 300 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED) AS SHOWN ON STATE OF FLORIDA STATE ROAD DEPARTMENT PLANS ON FILE IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 88 DEGREES 14 MINUTES 02 SECONDS EAST A DISTANCE OF 1084.09 FEET TO THE WEST LINE OF GOVERNMENT LOT 3 OF SAID SECTION 33; THENCE NORTH 02 DEGREES 21 MINUTES 39 SECONDS WEST ON SAID WEST LINE A DISTANCE OF 1071.35 FEET TO THE NORTH LINE OF SECTION 33 AND THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 01 DEGREES 27 MINUTES 37 SECONDS WEST, ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, A DISTANCE OF 168.47 FEET; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 226.06 FEET; THENCE NORTH 01 DEGREES 27 MINUTES 37 SECONDS WEST A DISTANCE OF 437.65 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 214 (FORMERLY STATE ROAD 214) AS SHOWN ON THE STATE OF FLORIDA, STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION 7857-250, ROAD S-214; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST, ON SAID RIGHT-OF-WAY LINE, A DISTANCE OF 60.28 FEET; THENCE SOUTH 01 DEGREES 27 MINUTES 37 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 437.65 FEET; THENCE NORTH 82 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 261.49 FEET; THENCE SOUTH 24 DEGREES 03 MINUTES 09 SECONDS EAST A DISTANCE OF 187.07 FEET; THENCE SOUTH 62 DEGREES 52 MINUTES 42 SECONDS EAST A DISTANCE OF 74.21 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 44 SECONDS EAST A DISTANCE OF 9.59 FEET TO THE NORTH LINE OF SECTION 33; THENCE CONTINUING SOUTH 04 DEGREES 38 MINUTES 44 SECONDS EAST A DISTANCE OF 677.73 FEET; THENCE SOUTH 15 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 355.81 FEET; THENCE SOUTH 12 DEGREES 33 MINUTES 14 SECONDS EAST A DISTANCE OF 362.82 FEET; THENCE SOUTH 48 DEGREES 14 SECONDS EAST A DISTANCE

UTES 37 57 SECONDS EAST A
DISTANCE OF 19 FEET;
THENCE SOUTH 12 DEGREES
22 MINUTES 12 SECONDS
EAST A DISTANCE OF 184.59
FEET TO THE NORTH LINE
OF LANDS AS DESCRIBED IN
OFFICIAL RECORDS BOOK
816, PAGE 1248 OF THE PUB-
LIC RECORDS OF ST. JOHNS
COUNTY, FLORIDA; THENCE
SOUTH 87 DEGREES 42 MIN-
UTES 13 SECONDS WEST, ON
SAID LINE, A DISTANCE OF
518.02 FEET; THENCE SOUTH
02 DEGREES 23 MINUTES 02
SECONDS EAST A DISTANCE
OF 361.05 FEET; THENCE
SOUTH 87 DEGREES 42 MIN-
UTES 13 SECONDS WEST A
DISTANCE OF 603.98 FEET;
THENCE SOUTH 02 DEGREES
20 MINUTES 12 SECONDS
EAST A DISTANCE OF 922.21
FEET TO A POINT OF CURVA-
TURE; THENCE ON A CURVE
TO THE RIGHT HAVING A RA-
DIUS OF 85.00 FEET AND A
CENTRAL ANGLE OF 60 DE-
GREES 0-2 MINUTES 48 SEC-
ONDS, AN ARC DISTANCE OF
89.08 FEET TO A POINT ON
THE WEST LINE OF GOVERN-
MENT LOT 6, SAID CURVE

BEING SUBTENDED BY A
CHORD BEARING OF SOUTH
27 DEGREES 41 MINUTES 12
SECONDS WEST AND A
CHORD DISTANCE OF 85.06
FEET; THENCE SOUTH 02 DE-
GREES 00 MINUTES 25 SEC-
ONDS EAST, ON THE WEST
LINE OF GOVERNMENT LOT
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THE SOUTHEAST CORNER OF
GOVERNMENT LOT 5 (SAID
LINE BEING NON-TANGENT
TO THE PREVIOUS CURVE);
THENCE SOUTH 88 DEGREES
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DISTANCE OF 1368.82 FEET
TO A POINT OF TANGENCY,
SAID CURVE BEING NON-
TANGENT TO THE PREVIOUS
LINE AND BEING
SUBTENDED BY A CHORD
BEARING OF NORTH 18 DE-
GREES 29 MINUTES 40 SEC-
ONDS WEST AND A CHORD
DISTANCE OF 1367.98 FEET;
THENCE, CONTINUING ON
SAID EASTERLY RIGHT-OF-
WAY LINE, NORTH 15 DE-
GREES 02 MINUTES 17 SEC-
ONDS WEST A DISTANCE OF
1203.36 FEET TO THE POINT-
OF-BEGINNING SAID PAR-
CEL CONTAINS 90.26 ACRES,
MORE OR LESS.

IS HEREBY CHANGED
TO: PUD, Planned Unit Devel-
opment in accordance with docu-
ments filed in application R-
PUD-91-007.

SECTION 2. Nothing herein
contained shall be deemed to im-
pose 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 is-
sue construction permits al-
lowed by zoning classification as
rezoned hereby.

SECTION 4. This Ordinance
shall take effect immediately
upon receipt of official acknowl-
edgment of the office of the Sec-
retary 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: s/ Carl "Bud" Markel
its clerk

If a person decides to appeal any
decision made by the Board of
County Commissioners with re-
spect to any matter considered
at the meeting or hearing, he
will need a record of the pro-
ceedings, and for such purpose
he may need to ensure that a
verbatim record of the proceed-
ings is made, which record in-
cludes the testimony and evi-
dence upon which the appeal is
to be based.
L699 Sep1, 16, 1991



FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF ELECTIONS
Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

November 1, 1991

Honorable Carl "Bud" Markel
Clerk of the Circuit Court
St. Johns County Courthouse
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia De Grande, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of October 29, 1991 and certified copy of St. Johns County Ordinance No. 91-43, which was filed in this office on November 1, 1991.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb