

(4)

Public Records of
St. Johns County, FL
Clerk # 2007084405,
O.R. 3022 PG 1490-1493
12/21/2007 at 09:17 AM,
REC. \$17.00 SUR. \$18.50

ORDINANCE NUMBER: 2007- 83

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO FAIRFIELD PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 1984-29 MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS Fairfield Ponte Vedra Association Inc., the owners of lands described herein, and incorporated by reference as Exhibit "A" (legal description), through agent Gary Davenport, filed an application, incorporated by reference as File Number MAJMOD 2007-16 for a Major Modification to the Fairfield PUD Ordinance 1984-29, dated June 27, 2007, as described hereinafter, and after required notice was published, a public hearing was held on the 30th day of October, at 9:00AM on said application.

SECTION 1. That development of lands within the Fairfield PUD shall proceed in accordance with Ordinance 1984-29, including the Application for Major Modification dated June 27, 2007 and attached hereto and made a part hereof.

SECTION 2. That the need and justification for modification of Fairfield PUD has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Fairfield PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. As modified, the Fairfield PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the Fairfield PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size; (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Map and Text for the Fairfield PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Fairfield PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

Handwritten signature: J. King M+R

SECTION 3. That all other provisions of Ordinance 1984-29, not in conflict with the provisions of this ordinance shall remain in full force and effect.

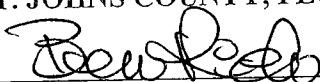
SECTION 4. Except to the extent that they conflict with specific provisions of the approved development plan or the PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 5. That the terms of this modification to the Fairfield PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

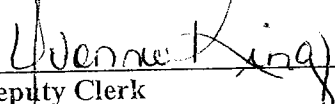
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 30th DAY OF October 2007.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
Ben Rich
Chairman

RENDITION DATE 11/02/07

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: 
Deputy Clerk

EFFECTIVE
DATE: 11/08/07

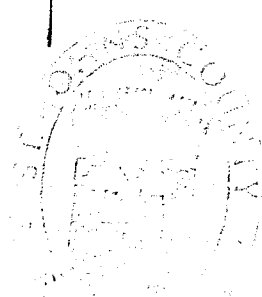


EXHIBIT A

LEGAL DESCRIPTION BY SURVEYOR:

A PORTION OF SECTIONS 4 AND 9, TOWNSHIP 4 SOUTH, RANGE 29 EAST ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWESTERLY CORNER OF LOT 21, AS SHOWN ON THE PLAN OF POOL VILLAS UNIT 3, AS RECORDED IN MAP BOOK 24, PAGES 20, 21, 22 AND 23, OF THE CURRENT PUBLIC RECORDS OF SUIO COUNTY, SAID CORNER ALSO BEING SITUATED ON THE NORTHERLY BOUNDARY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 628, PAGE 647, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, THENCE SOUTH 89° 14' 15" NORTHERLY BOUNDARY LINE OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS VOLUME 628, PAGE 647, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, THENCE SOUTH 89° 15' WEST, ALONG SAID WEST, ALONG SAID NORTHERLY BOUNDARY LINE, 475.29 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 00°12'46" EAST, ALONG THE WESTERLY BOUNDARY LINE OF SAID LANDS, 657.60 FEET TO A POINT SITUATE ON THE NORTHERLY RIGHT-OF-WAY LINE OF CANAL BOULEVARD EXTENSION, (A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE SOUTH 89° 15' WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 563.23 FEET TO ITS INTERSECTION WITH A CURVE LEADING NORTHWESTERLY AND LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF PALM VALLEY ROAD, (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG AND AROUND THE ARC OF THE CURVE AND SAID EASTERLY RIGHT-OF-WAY SAID CURVE BEING CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 456.97 FEET, AN ARC LENGTH OF 86.80 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 32° 27' WEST 86.77 FEET TO THE POINT OF SAID CURVE, BEING NON-TANGENT; THENCE NORTH 39° 29' 50" WEST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 477.19 FEET; THENCE NORTH 83° 35' 39" EAST, DEPARTING FROM SAID EASTERLY RIGHT-OF-WAY LINE, 489.91 FEET; THENCE NORTH 18° 06' 31" EAST, 349.94 FEET; THENCE NORTH 00° 12' 46" WEST, 395.85 FEET; THENCE NORTH 89° 14' 15" EAST, DEPARTING FROM SAID EASTERLY BOUNDARY LINE OF THE ABOVE SAID POOL VILLAS UNIT 3 THENCE SOUTH 91° 51' 28" EAST, ALONG THE WESTERLY BOUNDARY LINE OF SAID POOL VILLAS UNIT 3, 494.17 FEET; THENCE NORTH 01° 34' 05" WEST, CONTINUING ALONG SAID WESTERLY BOUNDARY LINE, 659.99 FEET TO THE POINT OF BEGINNING.

The St. Augustine Record

PUBLISHED EVERY MORNING 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 **CHARLES K. BARRETT**

who on oath says that she is an 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 HEARING**

in the matter **MAJ 07-16 FAIRFIELD**

was published in said newspaper in the issues of **OCTOBER 15, 2007.**

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 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, for a period of one year preceding the first publication of the 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 the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **15TH** day of **OCTOBER, 2007.**

by *Charles K. Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)



Patricia A. Bergquist
My Commission # 12745991
Expires December 16, 2007

(Seal)

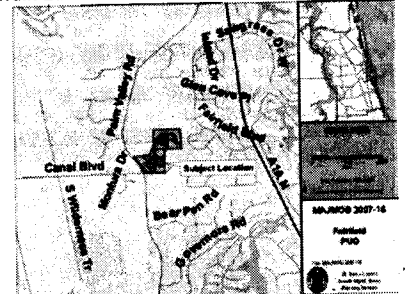
PATRICIA A. BERGQUIST

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, October 30, 2007 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to permit access to adjacent property through Tract B of Azalea Point Unit 3 Map Book 27, Page 76. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is located north side Egret's Walk Lane within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made 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 appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly notified public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BEN RICH, CHAIRMAN
FILE NUMBER: MAJMOD 2007-16 Fairfield
L2847-7 Oct 15, 2007**