

ORDINANCE NUMBER: 86-78

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED ON EXHIBIT A, ATTACHED HERETO, FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL TO PLANNED UNIT DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That as requested by PONCE DE LEON VILLAS, INC in its application with supporting documents for zoning change, dated July 11, 1986, (hereinafter, the Planned Unit Development 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 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-86-058 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. There shall be a 10' natural buffer on the north and south boundaries of the Development. Provided, minimal clearing within said 10' Buffer shall be permitted for installation of the fence specified in the application.

Section 4. No Dredge and fill permits shall be issued for alterations or construction in the Marsh area, lying west of the Development.

Section 5. Development and construction activities shall be limited to Monday through Saturday between the hours of 7:00 A.M. and 6:00 P.M.

Section 6. Construction of the swimming pool situated in Phase II, shall be commenced and completed prior to the issuance of a certificate of occupancy for the 25th residential unit in phase one.

Section 7. All building code, zoning ordinance and land use development regulations of St. Johns County are 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. Modification to approved development plans by variance or special exception shall be prohibited.

Section 8. That all roads and parking areas within the project either public or private shall be constructed to approved County Standards.

Section 9. That all easements required for drainage purposes shall be granted to the County at no cost, at the County's request.

Section 10. PONCE DE LEON VILLAS, INC. shall submit a final development plan for those areas within said Planned Unit Development for which there is no existing approved final development plan, in accordance with the St. Johns County Zoning Code.

Section 11. The St. Johns County Building and Zoning 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 12. 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, Florida, that the same has been filed.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis M. Bullock  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent  
Deputy Clerk

(SEAL)

Adopted regular meeting 10/14/86

Effective: 10/21/86

EXHIBIT A

The South 400 feet of the North 1130 feet of Government Lots 1 and 2, Section 15, Township 3 South, Range 30 East, St. Johns County, Florida, lying West of U.S. Highway A-1-A, being shown on unrecorded plat by J. W. Sommerville, as Lots 19, 20, 21, and 22, Moore's Subdivision, being more particularly described as follows: For a point of reference commence at the Southeast corner of Williamson Manor, as recorded in Plat Book 8, Page 64, of the current public records of St. Johns County, Florida; from the point of reference thus described run South 13 degrees 06 minutes East along the Westerly right of way line of U.S. Highway A-1-A, a distance of 608.52 feet to the point of beginning; from the point of beginning thus described continue South 13 degrees 06 minutes 00 seconds E., along the said Westerly right of way line of U.S. Highway A-1-A, a distance of 412.56 feet; thence North 88 degrees 49 minutes 12 seconds West, parallel to the North line of said Lot 2, a distance of 1815 feet; more or less, to the edge of a marsh; thence Northwesterly along the marsh, a distance of 420 feet, more or less, to its intersection with a line bearing North 88 degrees 49 minutes 12 seconds West; from the point of beginning; thence South 88 degrees 49 minutes 12 seconds East, parallel to the North line of Lot 2, a distance of 1831 feet 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 \_\_\_\_\_  
Kathi Cook who on oath says that he is  
Legal Advertising 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 \_\_\_\_\_  
#R-PUD-86-058 Ponce de Leon Villas  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
September 12, 1986

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 Kathi Cook  
 this 12th day of September

A.D. 19 86  
Zoe Ann Jones  
 (SEAL) Notary Public

Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 (Sealed This Year, Valid to Successor, Ind)

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 14 DAY OF OCTOBER 1986 AT 1:30 O'CLOCK P. M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, 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 Ponce De Leon Villas, Inc., a Fla. Corp. on behalf of Howard Rose and Muriel Rose, owners of the following described land, zoning classification of OR, Open Rural on the following described lands:  
 The South 400 feet of the North 1130 feet of Government Lots 1 and 2, Section 15, Township 8 South, Range 30 East, St. Johns County, Florida, lying West of U.S. Highway A-1-A, being shown on unrecorded plat by J. W. Sommerville, as Lots 19, 20, 21 and 22, Moore's Subdivision.

being more particularly described as follows: For a point of reference commence at the Southeast corner of Williamson Manor, as recorded in Plat Book 8, Page 64, of the current public records of St. Johns County, Florida; from the point of reference thus described run South 13 degrees 06 minutes East along the Westerly right of way line of U.S. Highway A-1-A, a distance of 406.52 feet to the point of beginning; from the point of beginning thus described continue South 13 degrees 06 minutes 00 seconds E. along the said Westerly right of way line of U.S. Highway A-1-A, a distance of 412.56 feet; thence North 88 degrees 49 minutes 12 seconds West, parallel to the North line of said Lot 2, a distance of 1815 feet; more or less, to the edge of a marsh; thence Northwesterly along the marsh, a distance of 420 feet, more or less, to its intersection with a line bearing North 88 degrees 49 minutes 12 seconds West; from the point of beginning; thence South 88 degrees 49 minutes 12 seconds East, parallel to the North line of Lot 2, a distance of 1831 feet to the point of beginning.

IS HEREBY CHANGED TO: PUD, Planned Unit Development in accordance with documents filed and amended in application number R-PUD-86-058  
 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.  
 L127 Sept. 12, 1986