

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

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

Section 1. That, as requested by Ellis Neder, Neder Properties in its application with supporting documents for zoning change, dated October 20, 1986, known as the Flagler Landing PUD Application; the zoning classification of the land described on the attached Exhibit A is hereby changed from Open Rural (OR) to Planned Unit Development (PUD).

Section 2. That development of the lands contained within this application shall proceed in accordance with the R-PUD-86-075 Application and supporting documents which are a part of zoning file 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. Miscellaneous Provisions:

- * The property shall be restricted to single-family residential, which shall not permit mobile homes.
- * A central sewer and water treatment plant shall be permitted, unless service becomes available from the City of St. Augustine. Water shall be restricted to one central well.
- * Horses will be permitted on ten (10) interior lots where barns or stables will be at least 50 feet from adjacent property lines. These lots will be limited to a maximum of two mature horses per lot. No areas where horses are permitted will have direct or surface runoff into estuaries.

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, at the County's Request.

Section 6: "All building code, zoning ordinance, and other land use and 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 or PSD Ordinance. 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 Office is hereby authorized to issue building permits, certificates of 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 official acknowledgement 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: Phyllis L. Lydon
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent
Deputy Clerk

(SEAL)

Adopted regular meeting 01/13/87

Effective: 01/20/87

EXHIBIT A

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING PART OF SECTION 49, SECTION 50, SECTION 83, SECTION 88, SECTION 89 AND SECTION 90, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF VENETIAN ISLES, AS RECORDED IN MAP BOOK 10, PAGES 64, 65 AND 66 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE, N.89°16'35"W., BY AND ALONG THE NORTH BOUNDARY OF SAID VENETIAN ISLES, A DISTANCE OF 354.31 FEET TO THE MEANDER LINE OF THE MARSHES OF THE NORTH RIVER; THENCE, N.38°39'20"E., BY AND ALONG SAID MEANDER LINE, AND THE NORTHWESTERLY BOUNDARY OF SAID SECTION 90, A DISTANCE OF 772.80 FEET; THENCE, N.21°20'40"W., BY AND ALONG SAID MEANDER LINE AND THE WESTERLY BOUNDARY OF SAID SECTION 49, A DISTANCE OF 113.46 FEET; THENCE, N.68°39'20"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHERLY BOUNDARY OF SAID SECTION 49, A DISTANCE OF 196.52 FEET; THENCE, N.38°39'20"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHWESTERLY BOUNDARY OF SAID SECTION 88, A DISTANCE OF 322.30 FEET; THENCE, S.39°31'29"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHEASTERLY BOUNDARY OF SAID SECTION 88, A DISTANCE OF 562.49 FEET; THENCE, S.71°41'56"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHERLY BOUNDARY OF SAID SECTION 49, A DISTANCE OF 139.16 FEET; THENCE, S.14°41'25"E., BY AND ALONG SAID MEANDER LINE AND THE EASTERLY BOUNDARY OF SAID SECTION 49, A DISTANCE OF 174.79 FEET; THENCE, S.39°34'19"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHEASTERLY BOUNDARY OF SAID SECTION 88, A DISTANCE OF 1810.33 FEET; THENCE, S.38°22'07"W., BY AND ALONG SAID MEANDER LINE AND THE SOUTHEASTERLY BOUNDARY OF SAID SECTION 88, A DISTANCE OF 223.11 FEET; THENCE, S.24°02'56"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHEASTERLY BOUNDARY OF SAID SECTION 50, A DISTANCE OF 876.68 FEET; THENCE, S.09°20'59"W., BY AND ALONG SAID MEANDER LINE AND THE EASTERLY BOUNDARY OF SAID SECTION 50, A DISTANCE OF 593.88 FEET; THENCE, S.36°23'31"W., BY AND ALONG SAID MEANDER LINE AND THE SOUTHEASTERLY BOUNDARY OF SAID SECTION 50, A DISTANCE OF 235.18 FEET; THENCE, N.83°31'48"E., BY AND ALONG SAID MEANDER LINE AND THE NORTHERLY BOUNDARY OF SAID SECTION 50, A DISTANCE OF 138.14 FEET; THENCE, S.11°37'55"E., BY AND ALONG SAID MEANDER LINE AND THE EAST BOUNDARY OF SAID SECTION 50, A DISTANCE OF 1858.07 FEET TO THE INTERSECTION OF SAID MEANDER LINE WITH THE NORTH BOUNDARY OF THE LANDS OF YOUNEVICH, SAID LANDS AS BEING RECORDED IN DEED BOOK 178, PAGE 9 OF SAID PUBLIC RECORDS; THENCE, S.51°56'16"W., BY AND ALONG SAID NORTH BOUNDARY, A DISTANCE OF 884.88 FEET TO THE EASTERLY BOUNDARY OF THE CAPO GRANT, SECTION 83; THENCE, S.01°41'19"E., BY AND ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 658.90 FEET TO THE SOUTHERLY BOUNDARY OF SAID CAPO GRANT; THENCE, S.88°20'08"W., BY AND ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 352.47 FEET TO THE NORTHEASTERLY BOUNDARY OF ST. AUGUSTINE PARK UNIT TWO, AS RECORDED IN MAP BOOK 10, PAGES 61, 62 AND 63 OF SAID PUBLIC RECORDS; THENCE, N.38°05'00"W., BY AND ALONG SAID NORTHEASTERLY BOUNDARY, A DISTANCE OF 2736.45 FEET TO AN ANGLE POINT IN SAID BOUNDARY; THENCE, N.04°46'48"E., BY AND ALONG SAID BOUNDARY, A DISTANCE OF 133.24 FEET TO AN ANGLE POINT IN SAID BOUNDARY; THENCE, N.38°04'33"W., BY AND ALONG SAID BOUNDARY AND THE NORTHEASTERLY BOUNDARY OF SAID VENETIAN ISLES, A DISTANCE OF 599.39 FEET TO THE RIGHT OF WAY OF LAKESHORE DRIVE, AN 80-FOOT RIGHT OF WAY AS NOW ESTABLISHED AND A POINT ON A CURVE; THENCE, NORTHEASTERLY, BY AND ALONG SAID RIGHT OF WAY, AROUND AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 603.58 FEET AND A DELTA OF 41°55'19", A DISTANCE OF 441.62 FEET (N.26°01'17"E., 431.84 FEET, CHORD BEARING AND DISTANCE) TO A POINT OF TANGENCY; THENCE, N.05°03'38"E., BY AND ALONG SAID RIGHT OF WAY AND THE EASTERLY BOUNDARY OF SAID VENETIAN ISLES, A DISTANCE OF 2638.51 FEET TO THE NORTHEAST CORNER OF SAID VENETIAN ISLES AND THE POINT OF BEGINNING.

THE LANDS SURVEYED AND DESCRIBED HEREON ARE ONE AND THE SAME WITH THOSE LANDS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS VOLUME 473, PAGE 790 OF SAID PUBLIC RECORDS.

BEARINGS ARE BASED ON THE NORTHEASTERLY BOUNDARY OF ST. AUGUSTINE PARK UNIT TWO, MAP BOOK 10, PAGES 61, 62, AND 63 OF SAID PUBLIC RECORDS.

ACREAGE TABULATION:	AREA WITHIN MEADER LINE AND PLAT BOUNDARY
	285.68 ACRES, MORE OR LESS.
	AREA EXCLUSIVE OF MARSH, PONDS, ETC.
	238.78 ACRES, MORE OR LESS

OF THE CAPO GRANT, SECTION 23; THENCE S. 01° 41' 19" E., BY AND ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 628.70 FEET TO THE SOUTHERLY BOUNDARY OF SAID CAPO GRANT; THENCE S. 87° 29' 00" W., BY AND ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 32.47 FEET TO THE NORTHEASTERLY BOUNDARY OF ST. AUGUSTINE PARK UNIT TWO, AS RECORDED IN MAP 10, PAGES 61, 62 AND 63 OF SAID PUBLIC RECORDS; THENCE N. 38° 05' 00" W., BY AND ALONG SAID NORTHEASTERLY BOUNDARY, A DISTANCE OF 2736.48 FEET TO AN ANGLE POINT IN SAID BOUNDARY; THENCE N. 04° 45' 46" E., BY AND ALONG SAID BOUNDARY, A DISTANCE OF 133.24 FEET TO AN ANGLE POINT IN SAID BOUNDARY; THENCE N. 38° 04' 33" W., BY AND ALONG SAID BOUNDARY AND THE NORTHEASTERLY BOUNDARY OF SAID VENETIAN ISLES, A DISTANCE OF 499.39 FEET TO THE RIGHT OF WAY OF LAKESHORE DRIVE, AN 80-FOOT RIGHT OF WAY AS NOW ESTABLISHED AND A POINT ON A CURVE; THENCE, NORTHEASTERLY, BY AND ALONG SAID RIGHT OF WAY, AROUND AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 403.58 FEET AND A DELTA OF 41° 55' 19"; A DISTANCE OF 441.62 FEET (N. 26° 01' 17" E., 431.84 FEET, CHORD BEARING AND DISTANCE) TO A POINT OF TANGENCY; THENCE, N. 05° 03' 38" E., BY AND ALONG SAID RIGHT OF WAY AND THE EASTERLY BOUNDARY OF SAID VENETIAN ISLES, A DISTANCE OF 2638.51 FEET TO THE NORTHEAST CORNER OF SAID VENETIAN ISLES AND THE POINT OF BEGINNING.

THE LAND SURVEYED AND DESCRIBED HEREON ARE ONE AND THE SAME WITH THOSE LANDS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS VOLUME 473, PAGE 790 OF SAID PUBLIC RECORDS.

BEARINGS ARE BASED ON THE NORTHEASTERLY BOUNDARY OF ST. AUGUSTINE PARK UNIT TWO, MAP BOOK 10, PAGES 61, 62, AND 63 OF SAID PUBLIC RECORDS.

ACREAGE TABULATION:
AREA WITHIN MEANDER LINE AND PLANT BOUNDARY 285.68 ACRES, MORE OR LESS.

AREA EXCLUSIVE OF MARSH, PONDS, ETC. 238.78 ACRES, MORE OR LESS IS HEREBY CHANGED TO: PUD, Planned Unit Development, 250 units on 285 acres, single family residential development, with amenities, in accordance with documents in file R-PUD-86-75

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: s/ 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 records of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
L678 Dec. 12, 1986