

INTRODUCED BY: COMMISSIONER \_\_\_\_\_

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

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

Section 1. That, as requested by Anastasia Lakes, Inc. in its application with supporting documents for zoning change, dated June 22, 1987 and as amended on ~~September 15, 1987~~, *October 15, 1987* (hereinafter, the PUD Application:), the zoning classification of the lands described on Attachment A is hereby changed from OR to Planned Unit Development.

Section 2. That development of the lands within the Anastasia Lakes PUD shall proceed in accordance with the PUD Application and supporting documents which are a part of zoning file R-PUD-87-032 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)

A. No permits will be sought for any type of development (including docks or bulkheads) within those areas determined to be under the jurisdiction of any of the following regulatory agencies: U.S. Army Corps of Engineers, Department of Environmental Regulation, Department of Natural Resources.

B. Final Development Plans, Engineering Construction plans and plats shall incorporate a ten-foot (10') wide drainage easement on the easterly boundary of the PUD south of Fish Island Road.

C. Fish Island Road will be paved from S.R. 3A to Mizell Road at the Owner's expense at the time of development of said area.

D. Mizell Road will be paved from S.R. 312 to Fish Island Road at the Owner's expense at the time of development of said area.

E. Covenants and restrictions establishing an architectural review board will be established that are more restrictive than the covenants and restrictions for the El Granada subdivision.

F. Final Development Plans, Engineering Construction Plan shall include a 6 ft. high opaque fence on the easterly boundary of the PUD.

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.

~~G) THE APPLICANT SHALL RELIEVE A CREDIT AGAINST TRANSPORTATION IMPACT FEES DUE AS RESULT OF THE DEVELOPMENT OF THE LANDS DESCRIBED ON ATTACHMENT A, IN AN AMOUNT EQUAL TO THE COST OF IMPROVEMENTS TO MIZELL AND FISH ISLAND ROAD.~~

Section 6: The Applicant and/or Assigns 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 and Zoning 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.

PASSED this 12th day of January, 1988

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

BY: Lawrence O. Hartley  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Lynn M. McDonald  
Deputy Clerk

(SEAL)

Adopted regular meeting January 12, 1988

Effective January 25, 1988

ATTACHMENT "A"

LEGAL DESCRIPTION

PARCEL A

The portion of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 28, Township 7 South, Range 30 East, St. Johns County, Florida lying Southerly of Fish Island Road and being more particularly described as follows:

For a Point of Beginning use the Southeast corner of the Northeast  $\frac{1}{4}$  of the Southeast corner of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 28; thence North  $89^{\circ}07'58''$  West along the South line of said Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , 1306.43 feet to the East right-of-way line of Mizell Road as now established for a 66 foot right-of-way; thence North  $00^{\circ}30'49''$  East, 962.03 feet along said East right-of-way line to the Southerly right-of-way line of Fish Island Road; thence North  $83^{\circ}47'48''$  East along said Southerly right-of-way line, 1315.59 feet to the Northwest corner of Surfwood Subdivision as recorded in Mapbook 10, page 43, Public Records of St. Johns County, Florida; thence South  $00^{\circ}31'55''$  West along the West boundary of said Surfwood, 798.02 feet; thence South  $00^{\circ}29'46''$  West, 325.95 feet to the Point of Beginning. Said parcel has  $\pm$  31.28 acres.

PARCEL 2

A part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and also a part of the East  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , both lying in Section 28, Township 7 South, Range 30 East, St. Johns County, Florida, and said Lands lying North of Fish Island Road as now established and West of Sea Park Subdivision as recorded in Mapbook 10, page 43, Public Records of said county and being more particularly described as follows:

For a Point of Beginning use the Southwest corner of said Sea Park Subdivision, said corner lying on the North right-of-way line of said Fish Island Road; thence South  $87^{\circ}14'06''$  West, 3.22 feet along said North right-of-way line; thence South  $89^{\circ}47'48''$  West along said North line 1331.92 feet; thence North  $00^{\circ}48'37''$  East, 310.12 feet along the West line of said Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence North  $84^{\circ}39'16''$  East, 1340.62 feet to a point on the west line of said Sea Park Subdivision, said point being North  $00^{\circ}31'34''$  East and 410 feet from the Point of Beginning; thence South  $00^{\circ}31'34''$  West, 410 feet to the Point of Beginning. Said parcel contains  $\pm$  10.7 acres.

Said parcels 1 and 2 contain  $\pm$  41.98 acres.

**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 \_\_\_\_\_  
Kristi Robertson who on oath says that he 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 \_\_\_\_\_  
Public Notice  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
zoning variance (R-PUD-87-032)  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
October 30, 1987

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 Kristi Robertson  
 this 30th day of October  
 A.D. 19 87

Z. Ann Johns  
 (SEAL) Notary Public  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded Thru Troy Fain - Insurance, Inc.

Please Note: R-PUD-87-032 was continued to  
 January 12, 1988 @ 3:00 p.m.

See Attached Minutes

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23RD DAY OF DECEMBER, 1987 AT 2:00 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 Anastasia Lakes, Inc. owners of the described land zoning classification of OR, Open Rural on the following described lands:

ATTACHMENT "A"  
 LEGAL DESCRIPTION

PARCEL 1  
 The portion of the Northeast 1/4 of the Southwest 1/4 of Section 28, Township 7 South, Range 30 East, St. Johns County, Florida lying Southerly of Fish Island Road and being more particularly described as follows:  
 For a Point of Beginning use the Southeast corner of the Northeast 1/4 of the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 28; thence North 89°07'58" West along the South line of said Northeast 1/4 of the Southwest 1/4, 1366.43 feet to the East right-of-way line of Mizell Road as now established for a 66 foot right-of-way; thence North 00°39'49" East, 982.03 feet along said East right-of-way line to the Southerly right-of-way line of Fish Island Road; thence North 83°47'48" East along said Southerly right-of-way line, 1318.59 feet to the Northwest corner of Surfwood Subdivision as recorded in Mapbook 10, page 43, Public Records of St. Johns County, Florida; thence South 00°31'55" West along the West boundary of said Surfwood, 799.02 feet; thence South 00°29'40" West, 325.95 feet to the Point of Beginning. Said parcel has plus minus 81.28 acres.

PARCEL 2  
 A part of the Northeast 1/4 of the Southwest 1/4 and also a part of the East 1/2 of the Northwest 1/4, both lying in Section 28, Township 7 South, Range 30 East, St. Johns County, Florida, and said Lands lying North of Fish Island Road as now established and West of Sea Park Subdivision as recorded in Mapbook 510, page 43, Public Records of said county and being more particularly described as follows:  
 For a Point of Beginning use the Southwest corner of said Sea Park Subdivision, said corner lying on the North Right-of-way line of said Fish Island Road; thence South 87°14'06" West, 3.22 feet along said North right-of-way line; thence South 89°47'48" West along said North line 1331.92 feet; thence North 00°48'37" East, 310.12 feet along the West line of said Northeast 1/4 of the Southwest 1/4; thence North 84°39'16" East, 1340.62 feet to a point on the west line of said Sea Park Subdivision, said point being North 00°31'34" East and 410 feet from the Point of Beginning; thence South 00°31'34" West, 410 feet to the Point of Beginning. Said parcel contains plus minus 10.7 acres.

Said parcels 1 and 2 contain plus minus 41.98 acres.

IT IS HEREBY CHANGED TO: PUD, Planned Unit Development in accordance with amended documents filed in R-PUD-87-032

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 record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

L502 Oct. 30, 1987