

ORDINANCE NUMBER: 91-17

P.U.D. OFF. REC.
BOOK D PAGE 238

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 Towers of Love in its application with supporting documents for zoning change, dated March 6, 1990 and as amended on March 6, 1991, (hereinafter, the rezoning 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 Application and supporting documents which are a part of zoning file R-PUD-90-036 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 applicant will commence within (5) years of adoption of the PUD Ordinance in accordance with the Intended Plan of Development (Section II). Construction of the proposed development will occur in two phases over a ten year period as described on the Statement of Intended Schedule of Development (Section III). A Development of Regional Impact Building Letter of Interpretation or a clearance letter from the Florida Department of Community Affairs shall be a prerequisite to any future change to the development that will increase the density or intensity of the project.

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 code, zoning ordinance 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 PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

"This project 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 the Planned Unit Development Ordinance approval 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)".

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SECTION 7. Towers of Love 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 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: *Ronald H. Arnold*
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Patricia DeGrande*
DEPUTY CLERK

(Seal)

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS
COUNTY, FLORIDA this 23rd day of April, 1991.

Effective date May 6, 1991

A parcel of land in subsections (or subdivisions) 1 and 2 of Section 38, Township 6 South, Range 28 East, St. Johns County, Florida containing 200.00 acres more or less and being more fully described as follows:

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Commencing at the intersection of the North line of said subsection 1, (being also the South line of Section 14), Township 6 South, Range 28 East, with the survey center line of Interstate Highway I-95 at survey station 8538 plus 48.12; thence South 27 degrees 30 minutes 20 seconds East, on said survey center line, 358.12 feet to center line station 8534 plus 90; thence South 62 degrees 29 minutes 40 seconds West 150 feet to the southwest right-of-way line of said Interstate Highway; thence continuing South 62 degrees 29 minutes 40 seconds West 80 feet to the point-of-beginning of the herein described parcel of land on the west right-of-way line of a frontage road, right-of-way for said frontage road being described in Part "C" of parcel no. 20 of right-of-way described in Circuit Court Minute Book 13, Page 604, Public Records of said County; thence South 27 degrees 30 minutes 20 seconds East, on said frontage road right-of-way, 1,401.73 feet; thence South 44 degrees 31 minutes 58 seconds, West 3,878.82 feet; thence North 72 degrees 57 minutes 22 seconds West, parallel with and 60.00 feet northeasterly from the southwest line of said Subsection 1, a distance of 2,153.54 feet; thence North 44 degrees 31 minutes 58 seconds East, on the southeast line of Nine Mile Road, said line being 33 feet southeasterly from and parallel with the center line of said road, 4,208.33 feet; thence South 45 degrees 22 minutes 00 seconds East, across the southwesterly end of said frontage road right-of-way 27.00 feet; thence North 44 degrees 38 minutes 00 seconds East, on said frontage road right-of-way 204.46 feet to the point-of-a-curve to the right with radius of 1,085.92 feet; thence northeasterly, on said curve and on said frontage road right-of-way, through a central angle of 13 degrees 37 minutes 38 seconds, an arc distance of 258.27 feet; thence South 73 degrees 00 minutes 44 seconds East, on said frontage road right-of-way, 133.86 feet; thence North 64 degrees 16 minutes 32 seconds East, on said frontage road right-of-way, 567.89 feet; thence south 71 degrees 37 minutes 27.5 seconds East, on said frontage road right-of-way; 118.34 feet; thence South 27 degrees 30 minutes 20 seconds East, on said frontage road right-of-way, 100.60 feet; thence North 62 degrees 29 minutes 40 seconds East, on said frontage road right-of-way, 20.00 feet to the point-of-beginning.

LESS AND EXCEPT:

Part of Antonio Huertas Grant, located in Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the intersection of the centerline of Interstate 95, a 300 foot right of way as now established, with the centerline of Nine Mile Road (as now established with a varying right of way), as shown in the Right of Way Map Sheet 2, Section 78080-2405 of the Florida Department of Transportation, formerly State Road Department; run thence South 27°30'20" East, along said centerline of Interstate 95, a distance of 3250.00 feet; run thence South 62°29'40" West, a distance of 230.00 feet to a point on the Westerly right of way line of Francis Road, an 80 foot right of way as now established, for the point of beginning.

From the point of beginning thus described run North 30°07'23" west, a distance of 1751.83 feet; run thence North 43°37'08" West, a distance of 468.40 feet; run thence North 58°28'10" West, a distance of 758.02 feet; run thence South 76°25'22" West, a distance of 364.69 feet; run thence South 44°38'00" West, a distance of 1250.00 feet; run thence North 45°22'00" West, a distance of 210.00 feet to a point on the Southerly Right of Way line of Nine Mile Road; thence continue North 44°38'00" East, along said Southerly Right of Way line, a distance of 1250.00 feet to a point of curvature of a curve to the right; run thence 258.27 feet along an arc of a curve concave to the Southeast, having a radius of 1085.92 feet, being subtended by a chord with a bearing and distance of North 51°26'48" East, 257.66 feet to a point on said curve, being this point of the intersection of the Southerly Right of Way line of Nine Mile Road with the Southerly Right of Way line of Francis Road; run thence South 72°57'15" East, along said Southerly Right of Way line of Francis Road, a distance of 174.01 feet; run thence North 64°15'25" East, along said Southerly Right of Way line, a distance of 567.89 feet; run thence South 71°37'27" East, along said line, a distance of 118.34 feet to a point on the Westerly Right of Way line of Francis Road; run thence South 27°30'20" East, along said Westerly Right of Way line, a distance of 100.60 feet; run thence North 62°29'40" East, along said Westerly Right of Way line, a distance of 20.00 feet; run thence South 27°30'20" East, along said Westerly Right of Way line, a distance of 2890.00 feet to the point of beginning. Containing 20.5 acres, more or less.

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

91 MAY -8 AM 8:42

Carl "Buck" Minter
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

in the matter of Section 28, Township 6 South, Range 28 East

in the Court,

was published in said newspaper in the issues of March 22, 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.

Sherry L. Rauch
Zoe Ann Johns

Sworn to and subscribed before me _____

this 22nd day of March

A.D. 19 91

Zoe Ann Johns
Notary Public
8/22/93

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23 DAY OF APRIL 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 OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER TO THE PRESENT ZONING CLASSIFICATION OF OR TO PUB.

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

SECTION 1. Pursuant to the application of Towers of Love, Inc. owners of the following described land, zoning classification of OR on the following described lands:

EXHIBIT "A"
A parcel of land in subsections (or subdivisions) 1 and 2 of Section 28, Township 6 South, Range 28 East, St. Johns County, Florida containing 200.00 acres more or less and being more fully described as follows:

Commencing at the intersection of the North line of said subsection 1, (being also the South line of Section 14), Township 6 South, Range 28 East, with survey center line of Interstate Highway I-95 at survey station 8538 plus 46.12; thence South 27 degrees 30 minutes 20 seconds East, on said survey center line, 358.12 feet to center line station 8534 plus 90; thence South 62 degrees 29 minutes 40 seconds West 150 feet to the southwest right-of-way line of said Interstate Highway; thence continuing South 62 degrees 29 minutes 40 seconds West 80 feet to the point-of-beginning of the herein described parcel of land on the west right-of-way line of a frontage road, right-of-way for said frontage road being described in Part "C" of parcel no. 20 of right-of-way described in Circuit Court Minute Book 13, Page 604; Public Records of said County; thence South 27 degrees 30 minutes 20 seconds East, on said frontage road right-of-way, 1,401.73 feet; thence South 44 degrees 31 minutes 58 seconds West, 3,876.82 feet; thence North 72 degrees 57 minutes 22 seconds West, parallel with and 60.00 feet northeasterly from the southwest line of said Subsection 1, a North 44 degrees 31 minutes 38 seconds East, on the southeast line of Nine Mile Road, said line being 33 feet southeasterly from and parallel with the center line of said road, 4,208.33 feet; thence South 45 degrees 22 minutes 00 seconds East, across the southwestern end of said frontage road right-of-way 27.00 feet; thence North 44 degrees 38 minutes 00 seconds East, on said frontage road right-of-way 204.46 feet to the point-of-a-curve to the right with radius of 1,085.92 feet; thence northeasterly, on said curve and on said frontage road right-of-way, through a central angle of 13 degrees 37 minutes 28 seconds, an arc distance of 258.27 feet; thence South 73 degrees 00 minutes 44 seconds East, on said frontage road right-of-way, 133.86 feet; thence North 64 degrees 16 minutes 32 seconds East, on said frontage road right-of-way, 567.89 feet; thence south 71 degrees 37 minutes 27.5 seconds East, on said frontage road right-of-way, 118.34 feet; thence South 27 degrees 30 minutes 20 seconds East, on said frontage road right-of-way, 100.66 feet; thence North 62 degrees 29 minutes 40 seconds East, on said frontage road right-of-way, 20.00 feet to the point-of-beginning.

LESS AND EXCEPT:
Part of Antonio Huertas Grant, located in Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

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From the point of beginning thus described, run North 30°07'23" west, a distance of 1751.83 feet; run thence North 43°37'08" West, a distance of 468.40 feet; run thence North 58°28'10" West, a distance of 758.02 feet; run thence South 74°25'22" West, a distance of 364.69 feet; run thence South 44°28'00" West, a distance of 1250.00 feet; run thence North 48°22'00" West, a distance of 210.00 feet to a point on the Southerly Right of Way line of Nine Mile Road; thence continue North 44°28'00" East, along said Southerly Right of Way line, a distance of 1250.00 feet to a point of curvature of a curve to the right; run thence 426.27 feet along an arc of a curve concave to the Southeast, having a radius of 1085.92 feet, being subtended by a chord with a bearing and distance of North 51°26'48" East, 257.66 feet to a point on said curve, being this point of the intersection of the Southerly Right of Way line of Nine Mile Road with the Southerly Right of Way line of Francis Road; run thence South 72°57'15" East, along said Southerly Right of Way line of Francis Road, a distance of 134.01 feet; run thence North 64°15'25" East, along said Southerly Right of Way line, a distance of 507.88 feet; run thence South 71°37'27" East, along said line, a distance of 118.34 feet to a point on the Westerly Right of Way line of Francis Road; run thence South 27°30'20" East, along said Westerly Right of Way line, a distance of 100.60 feet; run thence North 62°29'40" East, along said Westerly Right of Way line, a distance of 20.00 feet; run thence South 27°30'20" East, along said Westerly Right of Way line, a distance of 2890.00 feet to the Point of beginning.

Containing 20.5 acres, more or less, IS HEREBY

TO: P.U.D. Planned Unit Development in accordance with documents filed with application R-PUD-90-056.

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.

L722 March 22, 1991