

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY PUD ORDINANCE NUMBER 89-45 BY REZONING FOR PURPOSES OF ENTRANCE ROAD RELOCATION; CHANGING CERTAIN LAND FROM THE PRESENT ZONING CLASSIFICATION OF PUD TO OR AND CHANGING CERTAIN LAND FROM OR TO PUD

WHEREAS, on September 12, 1989, the St. Johns County Board of County Commissioners adopted PUD Ordinance Number 89-45, which included a certain legal description for the entrance road to the PUD.

WHEREAS, the applicant has relocated the entrance road to accomodate environmental concerns.

NOW THEREFORE, be it ordained by the Board of County Commissioners of St. Johns County, Florida:

SECTION 1. PUD Ordinance Number 89-45 is hereby amended, as requested by Frank Dimare, in his application for zoning change with supporting documents of _____(hereinafter "Application") to change the zoning classification of the lands described as Parcel One on the attached Exhibit A from Planned Unit Development("PUD") to Open Rural (OR) and Single Family Residential (RS-2); and, further, to change the zoning classification of the lands described as Parcel Two on the attached Exhibit A from OR and RS-2 to PUD(Planned Unit Development).

SECTION 2. That development of the lands within this PUD shall proceed in accordance with the Application and supporting documents, and that the rezoning is for the purpose of Entrance Road Relocation as shown in supporting documents and as amended at public hearing, subject to conditions shown on attached Exhibit B, and all commitments contained within rezoning Ordinance Number 89-45, an ordinance of St. Johns County, Florida, rezoning lands to PUD, shall be incorporated herein, and shall be amended by aforementioned rezoning of lands. In the case of conflict between the Application and Ordinance 89-45, the provisions of this Ordinance shall prevail.

SECTION 3. 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. John's County after the date of 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. John's 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).

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgment of the Department of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

PASSED THIS 25 DAY OF June 1991.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Donald H. Wood
ITS CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Patricia DeGrande
Deputy Clerk

Adopted June 25, 1991

Meeting Regular

Effective July 9, 1991

PARCEL ONE (1)

PART OF ORIGINAL ACCESS ROAD NO LONGER USED

A parcel of land in Government Lots 2 and 7, Section 11, Township 8 South, Range 29 East, St. Johns County, Florida described as follows:

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Commence at the southeast corner of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida; thence South 88 degrees 10 minutes 40 seconds West along the north line and the westerly extension of said north line of Prairie Creek II as recorded in Map Book 12 Pages 65 through 68 of the Public Records of said county a distance of 1573.02 feet to the Point of Beginning; thence South 37 degrees 26 minutes 57 seconds West 470.92 feet to the point of curvature of a curve concave to the left having radius of 287.53 feet; thence southerly along said curve through a central angle of 78 degrees 37 minutes 20 seconds an arc distance of 394.56 feet to the point of reverse curvature of a curve concave to the right having a radius of 966.57 feet; thence southeasterly along said curve through a central angle of 11 degrees 20 minutes 37 seconds an arc distance of 191.37 feet; thence South 60 degrees 10 minutes 15 seconds West 60.00 feet to the point of curvature of a non-tangential curve concave to the left having a radius of 906.57 feet; thence northwesterly along said curve through a central angle of 11 degrees 20 minutes 37 seconds an arc distance of 178.49 feet to the point of reverse curvature of a curve concave to the right having a radius of 347.53 feet; thence northerly along said curve through a central angle of 78 degrees 37 minutes 20 seconds an arc distance of 476.89 feet; thence North 37 degrees 26 minutes 57 seconds East 421.85 feet to a point on the westerly extension of the above described north line of Prairie Creek II; thence North 88 degrees 10 minutes 40 seconds East along said westerly extension 77.50 feet to the Point of Beginning.

The above described parcel of land contains 1.47 acres, more or less.

PARCEL TWO (2)

PART OF NEW ENTRANCE ROAD
DIFFERENT FROM OLD ACCESS ROAD

A parcel of land in Government Lots 2 and 7, Section 11, Township 8 South, Range 29 East, St. Johns County, Florida described as follows:

Commence at the southeast corner of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida; thence South 88 degrees 10 minutes 40 seconds West along the north line of Prairie Creek II, as recorded in Map Book 12, Pages 65 through 68 of the Public Records of said County and the westerly extension of said north line a distance of 1270.46 feet to the Point of Beginning; thence South 01 degrees 49 minutes 20 seconds East 172.05 feet to a point of curvature; thence southwesterly along a curve concave to the right having a radius of 171.48 feet through a central angle of 61 degrees 59 minutes 34 seconds an arc distance of 185.54 feet; thence South 60 degrees 10 minutes 15 seconds West, tangent to the last mentioned curve, 521.28 feet to a point of curvature; thence southerly along a curve concave to the left having a radius of 100.00 feet through a central angle of 90 degrees 00 minutes 00 seconds an arc distance of 157.08 feet; thence South 29 degrees 49 minutes 45 seconds East, tangent to the last mentioned curve, 208.85 feet; thence South 60 degrees 10 minutes 15 seconds West 60.00 feet; thence North 29 degrees 49 minutes 45 seconds West 208.85 feet to a point of curvature; thence northeasterly along a curve concave to the right having a radius of 160.00 feet through a central angle of 90 degrees 00 minutes 00 seconds an arc distance of 251.33 feet; thence North 60 degrees 10 minutes 15 seconds East, tangent to the last mentioned curve, 521.28 feet to a point of curvature; thence northeasterly along a curve concave to the left having a radius of 111.48 feet through a central angle of 61 degrees 59 minutes 34 seconds an arc distance of 120.62 feet; thence North 01 degrees 49 minutes 20 seconds West, tangent to the last mentioned curve, 172.05 feet; thence North 88 degrees 10 minutes 40 seconds East 60.00 feet to the Point of Beginning.

Containing 1.73 acres, more or less.

P. U. D. OFF. REC.
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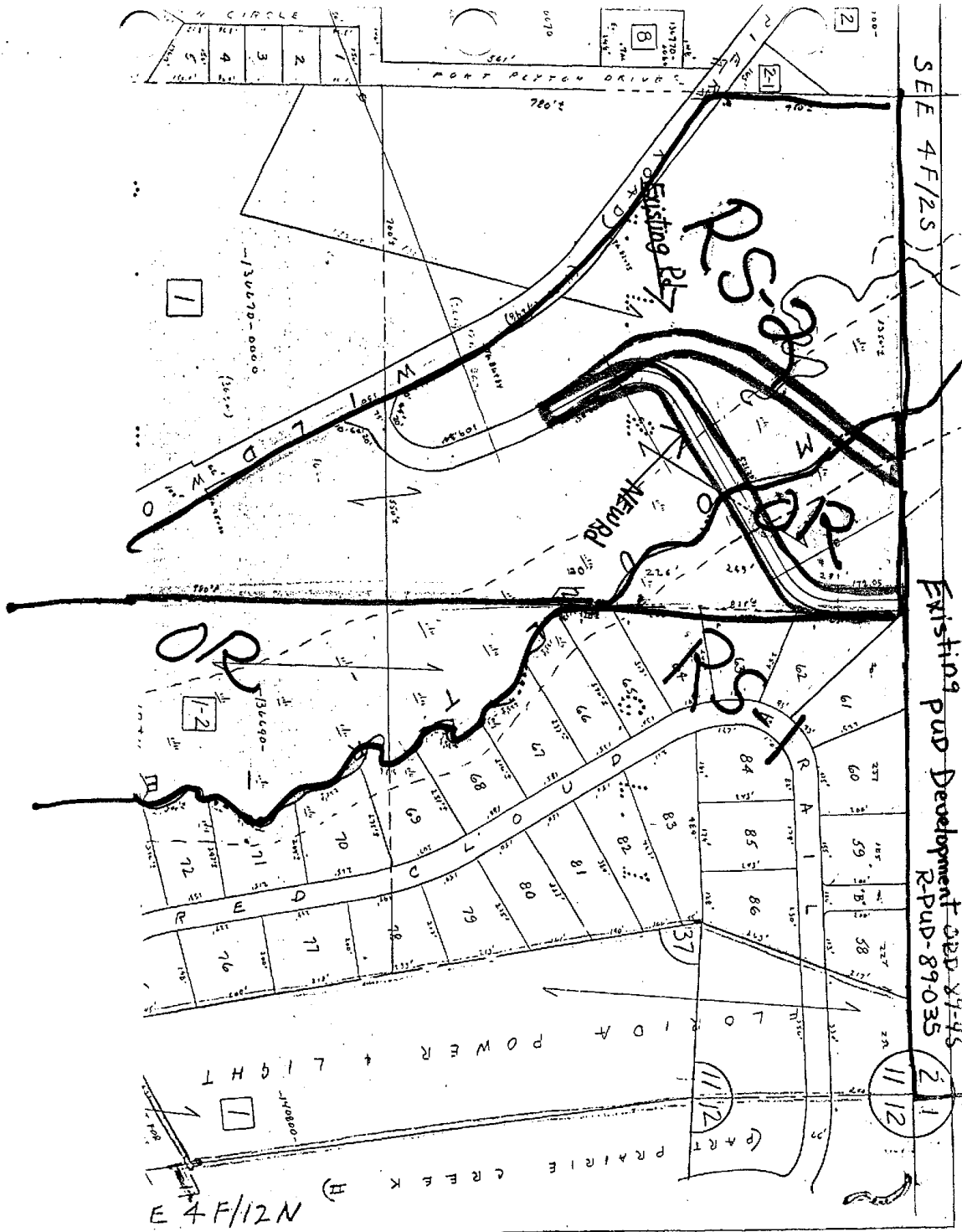
1. Governor's Plantation, Inc., shall install a security fence of a height of six feet (6') on the northern property line of Lot 61, and the western property line of Lots 62 and 63, all in Prairie Creek, subject to the approval of the owners of such lots.

2. Governor's Plantation, Inc., shall place trees of a diameter of six inches (6") on the outer edge of the entrance road's right-of-way at the curb located adjacent to Prairie Creek.

3. Governor's Plantation, Inc., shall place speed bumps within the entrance road on either side of the curb located adjacent to Prairie Creek.

GOVERNOR'S PLANTATION, INC.

By: W. Frank DiMare
W. Frank DiMare
It's President



SEE 4F/2S
 Existing PUD Development Ord. 87-45
 R-PUD-89-035

E 4F/12N

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FILED AND RECORDED IN
 PUBLIC RECORDS OF
 ST. JOHNS COUNTY, FLA.
 91 JUL 25 AM 11:11
Paul "Bud" Muehl
 CLERK OF CIRCUIT COURT

Ordinance Book 11 Page 133

COPY OF ADVERTISEMENT

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 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 Frank DiMare, Pres. Governor's Plantation in the Court, was published in said newspaper in the issues of May 24, 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.

Sworn to and subscribed before me this 28th day of May A.D. 19 91

Zoe Ann Johns Notary Public 8/22/93

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA BY: Carl 'Bud' Markel Its clerk 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. L091 May 24, 1991

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23 DAY OF JUNE 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 FROM THE PRESENT ZONING CLASSIFICATION OF OR/RS-2 TO PUD and from PUD to OR and RS-2, TO BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA: SECTION 1. Pursuant to the application of Frank DiMare, pres. Governor's Plantation owners of the following described land, zoning classification of OR/RS-2 (parcel Two) and PUD (parcel One) on the following described lands: EXHIBIT "A" PARCEL ONE (1) PART OF ORIGINAL ACCESS ROAD NO LONGER USED A parcel of land in Government Lots 2 and 7, Section 11, Township 8 South, Range 29 East, St. Johns County, Florida described as follows: Commence at the southeast corner of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida; thence South 88 degrees 10 minutes 40 seconds West along the north line and westerly extension of said north line of Prairie Creek II as recorded in Map Book 12, Pages 65 through 68 of the Public Records of said county a distance of 1573.02 feet to the Point of Beginning; thence South 37 degrees 26 minutes 57 seconds West 470.92 feet to the point of curvature of a curve concave to the left having a radius of 287.53 feet; thence southerly along said curve through a central angle of 78 degrees 37 minutes 20 seconds an arc distance of 394.56 feet to the point of reverse curvature of a curve concave to the right having a radius of 966.57 feet; thence southeasterly along said curve through a central angle of 11 degrees 29 minutes 37 seconds an arc distance of 191.37 feet; thence South 40 degrees 10 minutes 15 seconds West 60.00 feet to the point of curvature of a non-tangential curve concave to the left having a radius of 906.57 feet; thence northwesterly along said curve through a central angle of 11 degrees 29 minutes 37 seconds an arc distance of 179.49 feet to the point of reverse curvature of a curve concave to the right having a radius of 347.53 feet; thence northerly along said curve through a central angle of 78 degrees 37 minutes 20 seconds an arc distance of 476.89 feet; thence North 37 degrees 26 minutes 57 seconds East 421.86 feet to a point on the westerly extension of the above described north line of Prairie Creek II; thence North 88 degrees 10 minutes 40 seconds East along said westerly extension 77.50 feet to the Point of Beginning. The above described parcel of land contains 1.47 acres, more or less. PARCEL TWO (2) PART OF NEW ENTRANCE ROAD DIFFERENT FROM OLD ACCESS ROAD A parcel of land in Government Lots 2 and 7, Section 11, Township 8 South, Range 29 East, St. Johns County, Florida described as follows: Commence at the southeast corner of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida; thence South 88 degrees 10 minutes 40 seconds West along the north line of Prairie Creek II as recorded in Map Book 12, Pages 65 through 68 of the Public Records of said County and the westerly extension of said north line a distance of 1270.46 feet to the Point of Beginning; thence South 01 degrees 49 minutes 20 seconds East 172.05 feet to a point of curvature; thence southeasterly along a curve concave to the right having a radius of 171.48 feet through a central angle of 61 degrees 59 minutes 34 seconds an arc distance of 185.54 feet; thence South 80 degrees 10 minutes 15 seconds West, tangent to the last mentioned curve, 521.28 feet to a point of curvature; thence southerly along a curve concave to the left having a radius of 100.00 feet through a central angle of 90 degrees 00 minutes 00 seconds an arc distance of 157.08 feet; thence South 29 degrees 49 minutes 45 seconds East, tangent to the last mentioned curve, 208.85 feet; thence South 60 degrees 10 minutes 15 seconds West 40.00 feet; thence North 29 degrees 49 minutes 45 seconds West 208.85 feet to a point of curvature; thence northeasterly along a curve concave to the right having a radius of 160.00 feet through a central angle of 90 degrees 00 minutes 00 seconds an arc distance of 251.33 feet; thence North 40 degrees 10 minutes 15 seconds East, tangent to the last mentioned curve, 521.28 feet to a point of curvature; thence northeasterly along a curve concave to the left having a radius of 111.48 feet through a central angle of 81 degrees 39 minutes 34 seconds an arc distance of 120.62 feet; thence North 01 degrees 49 minutes 20 seconds West, tangent to the last mentioned curve, 172.05 feet; thence North 88 degrees 10 minutes 40 seconds East 60.00 feet to the Point of Beginning. Containing 1.73 acres, more or less. THIS IS HEREBY CHANGED TO PUD, Parcel Two, and OR/RS-2, Parcel One in accordance with documents filed in application R-PUD-89-035 amended. SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or other land use restrictions on all other land in zoning district wherein said lands are located. SECTION 3. The Building Department is authorized to follow 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.