

ORDINANCE NUMBER: 96-8

AN ORDINANCE OF THE COUNTY OF  
ST. JOHNS, STATE OF FLORIDA,  
REZONING LANDS AS DESCRIBED HEREINAFTER FROM  
PRESENT ZONING CLASSIFICATION OF A  
PLANNED UNIT DEVELOPMENT (PUD) TO PUD  
TO BE KNOWN AS ODOM'S MILL PUD  
(PREVIOUSLY PARCEL A OF SANCHEZ GRANT PUD 93-10)  
PROVIDING FOR FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE;  
AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the subject ±228 acres, whose legal description is attached as Exhibit A-1, is currently zoned PUD allowing for residential and commercial development consistent with the development proposed in this PUD;

WHEREAS, the school site, whose legal description is included as Exhibit A-2, is included within the PUD boundary but will be developed by St. Johns County School Board independently of the Covenants and Restrictions of this PUD;

WHEREAS, the owner and its successors or assigns have executed a Development Agreement with St. Johns County, known as the Sanchez Development Agreement, which binds both parties to certain stipulations; and the proposed PUD is consistent with said agreement.

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

SECTION 1. That as requested by the 800-Acre Investment Partnership in its application with supporting documents for zoning change from PUD to PUD, dated November 8, 1995, (hereinafter, the PUD application), the zoning classification of the land described on the attached Exhibit "A-1" is hereby changed from PUD to PUD. Supporting documents are as follows:

- |         |     |                                   |
|---------|-----|-----------------------------------|
| Exhibit | A-1 | Overall Legal Description         |
|         | A-2 | Legal Description for School Site |
|         | B   | Narrative Plan Description        |
|         | C   | Master Plan Map                   |

SECTION 2. That development of the lands within the Odom's Mill PUD proceed in accordance with the PUD Application and supporting documents, 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. The Odom's Mill PUD shall consist of ±228 acres. Development shall include up to 230 single family lots and 32,250 square feet (SF) of Commercial. Allowable uses, phasing and setback requirements are specified in the Narrative Plan Description, attached hereto as Exhibit B, which also includes the Owner's Commitment to the PUD Ordinance and Conditions. The school site, consisting of ±19.2 acres and as described on Exhibit A-2, shall be developed by the St. Johns County School Board independently of any covenants or restrictions enacted for this PUD.

SECTION 4. The Board of County Commissioners finds as follows:

1. The need and justification for the requested change has been considered as required by Section 11-10-4 of the Zoning Code; and
2. The rezoning is consistent with the goals, policies and objectives of the Comprehensive Plan and the Comprehensive Plan Land Use Map; and
3. The proposed development is consistent with the St. Johns County Zoning Code and other development in the vicinity of subject property; and
4. The proposed development is consistent with the Sanchez Development Agreement; and
5. The proposed development meets the objectives of Article 8 of the Zoning Ordinance authorizing PUD's. The Intent in Article 8.1 is satisfied. The conditions in Article 8-2-3 are also satisfied as follows:
  - a. The proposed PUD does not affect adversely the orderly development St. Johns County as embodied in this Zoning Ordinance and in any comprehensive plan or portion thereof adopted by the St. Johns County Board of County Commissioners.
  - b. The proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood.
  - c. The proposed PUD will accomplish the Objectives and will meet the Standards and Criteria of Section 8-4.
6. The Final Development Plan for Unit One of Odom's Mill approved by Resolution 93-158 is consistent with the proposed PUD; and
7. The request received favorable review and a recommendation for approval by the Planning and Zoning Agency at its meeting on December 21, 1995.

SECTION 5. Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance and other land use and development regulations of St. Johns County, including, without limitation, any Concurrence Management Ordinances and the St. Johns County Comprehensive Plan, as may be

amended from time to time, shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited. Particularly, no private land use covenant or restriction that may be incorporated into this Ordinance which is more strict than a particular Federal, State or County Statute, Ordinance, Regulation, Rule or Resolution shall be enforced by the County under this ordinance except as is specifically provided for and described in the Ordinance or the incorporated PUD narrative.

Unless the Board of County Commissioners demonstrates that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to: (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in the Florida Statutes or that may be provided in any such future building code, zoning ordinance or other land use and development regulations; or (b) supersede any concurrency certificate or concurrency exemption determination made by the concurrency review committee or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance or other land development regulations as applied to this development under the Florida or United States Constitutions.

SECTION 6. The Applicant and/or Assigns has attached a master plan for said Planned Unit Development in accordance with St. Johns County Zoning Code, attached hereto as Exhibit C, Master Plan Map.

SECTION 7. The sections of the Covenants and Restrictions recorded with the Final Development Plans for Units One and Two of Odom's Mill remain valid. For future development that is to occur within the Odom's Mill PUD, the Covenants and Restrictions that provide for the maintenance of all common areas shall be recorded with the Final Development Plans. The school site is not included within the PUD requirements and/or Covenants and Restrictions. The school site will be maintained by the St. Johns County School Board.

SECTION 8. Each year on the anniversary of this PUD, the applicant shall provide the County with a status report that includes the following information by phase: infrastructure completed, infrastructure under construction, lots under construction, lots completed, lots sold, homes under construction, home with CO, commercial development completed and under construction, and recreational areas completed and under construction.

SECTION 9. That all roads and adjacent drainage within the road right-of-way shall be constructed to approved County Standards and in accordance with 86-4 Paving and Drainage Ordinance, as amended, and other applicable agency permits. The developer, parcel owners, or owners association shall be responsible for the maintenance of all roads and all drainage improvements (ponds, weirs, detention areas, and outfall pump stations) not within County road right-of-way.

SECTION 10. The St. Johns County Building Department is hereby authorized to issue building permits, certificates, and other documents authorizing construction of said Planned Unit Development in accordance with the PUD and Final Development Plan and construction plans after approval pursuant to the zoning code and all other applicable County Ordinances.

P.U.D. OFF. REC.  
BOOK I PAGE 554

SECTION 11. 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.  
Adopted the 23 day of January 1996.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Donald Jordan  
CHAIRMAN, DONALD JORDAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Patricia DeGrande  
DEPUTY CLERK

(SEAL)

EFFECTIVE DATE: February 5, 1996



**P. U. D. OFF. REC.**  
BOOK I PAGE 555

EXHIBIT "A-1" TO THE ORDINANCE  
OVERALL LEGAL DESCRIPTION

ATTACHMENT "A"

LEGAL DESCRIPTION

PARCEL I

**P. U. D. OFF. REC.**

**P. U. D. OFF. REC.**

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BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

A portion of the Andres Pappy Grant, Sections 16 and 42, TOGETHER WITH a portion of the Joseph S. Sanchez Grant, Section 43 TOGETHER WITH a portion of the Heirs of Thomas Fitch Grant, Section 48, TOGETHER WITH a portion of the Francis X. Sanchez Grant, Section 41, all being in Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: BEGIN at the Northeast corner of Lot 2 as shown on map of Palm Valley Gardens Unit Two as recorded in Map Book 5, Page 65 of the Public Records of said county, said corner lying on the Southerly line of a proposed 100 foot public road right-of-way; thence Easterly along last said line, run the following six (6) courses and distances: COURSE NO. 1: North 77°32'02" East, 787.04 feet to the point of curvature of a curve to the right; COURSE NO. 2: thence along and around the arc of a curve concave Southerly, having a radius of 830.0 feet, an arc distance of 224.54 feet, said arc being subtended by a chord bearing and distance of South 85°17'04" West, 223.85 feet to the point of reverse curvature of a curve to the left; COURSE NO. 3: thence along and around the arc of a curve concave Northwesterly, having a radius of 452.50 feet, an arc distance of 478.63 feet, said arc being subtended by a chord bearing and distance of North 62°43'54" East, 456.63 feet to the point of tangency of said curve; COURSE NO. 4: North 32°25'45" East, 302.12 feet to the point of curvature of a curve to the right; COURSE NO. 5: thence along and around the arc of a curve concave Southerly, having a radius of 485.00 feet, an arc distance of 465.57 feet, said arc being subtended by a chord bearing and distance of North 59°55'45" East, 447.90 feet to the point of tangency of said curve; COURSE NO. 6: thence North 87°25'45" East, 581.28 feet to the Westerly right-of-way line of Old Palm Valley Road (State Road No. 210 as relocated and described and recorded in Official Records Book 719, Page 1018 of the Public Records of said St. Johns County); thence Southerly and Southeasterly along said Westerly right-of-way line run the following three (3) courses and distances: COURSE NO. 1: South 06°49'15" East, a distance of 812.81 feet to the point of curvature of a curve to the left; COURSE NO. 2: thence along and around the arc of a curve concave Northeasterly, having a radius of 1330.97 feet, an arc distance of 612.38 feet, said arc being subtended by a chord bearing and distance of South 20°00'07" East, 607.0 feet to the point of tangency of said curve; COURSE NO. 3: thence South 33°10'58" East, 1628.11 feet; thence South 58°39'55" West, 567.50 feet; thence North 86°42'49" West, 622.52 feet; thence South 21°07'45" West, 393.49 feet; thence South 28°54'34" West, 743.46 feet; thence South 49°55'59" West, 1432.88 feet to the Easterly boundary of aforesaid Palm Valley Gardens Unit Two; thence Northwesterly and Northerly along said Easterly boundary of Palm Valley Gardens Unit Two, run the following two (2) courses and distances: COURSE NO. 1: North 24°36'56" West, 677.14 feet; COURSE NO. 2: North 12°09'23" West, 3499.51 feet to the POINT OF BEGINNING.

Containing 227.75 acres, more or less.

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**P.U.D.** OFF. REC.  
BOOK I PAGE 557

EXHIBIT "A-2" TO THE ORDINANCE  
LEGAL DESCRIPTION FOR SCHOOL SITE

SCHOOL SITE

P. U. D. OFF. REC.  
BOOK I PAGE 558

A portion of the Joseph S. Sanchez Grant, Section 43, Township 4 South, Range 29 East, being more particularly described as follows:

BEGIN at the intersection of the Westerly boundary of Odom's Mill Unit One, as recorded in Map Book 28, Pages 43 through 55, inclusive, of the Public Records of St. Johns County, with the Southeasterly right-of-way line of Landrum Road (a 100 foot right-of-way, as now established); thence Southeasterly, Southwesterly, and Northeasterly, along said Westerly boundary, Odom's Mill Unit One, run the following six (6) courses and distances: COURSE NO. 1: South 27'16'07" East, 79.40 feet; COURSE NO. 2: South 51'20'25" West, 50.16 feet; COURSE NO. 3: South 15'13'31" East, 78.28 feet; COURSE NO. 4: North 86'42'20" East, 167.91 feet; COURSE NO. 5: South 51'13'40" East, 68.54 feet; COURSE NO. 6: South 03'34'35" East, 72.23 feet; thence North 88'21'55" West, 29.91 feet; thence South 49'33'45" West, 62.53 feet; thence South 27'19'36" West, 39.24 feet; thence South 58'11'10" West, 39.08 feet; thence South 28'37'08" West, 70.96 feet; thence South 14'34'06" West, 54.97 feet; thence South 61'28'21" West, 53.79 feet; thence South 03'40'23" West, 69.45 feet; thence North 81'37'20" West, 135.42 feet; thence North 23'50'18" West, 172.97 feet; thence South 73'51'22" West, 265.37 feet; thence South 10'59'08" East, 66.32 feet; thence South 38'56'49" West, 65.20 feet; thence South 74'22'21" West, 46.71 feet; thence South 11'59'28" East, 330.00 feet; thence South 61'20'20" West, 68.65 feet; thence North 59'54'18" West, 30.00 feet; thence South 78'19'43" West, 52.70 feet; thence South 62'12'14" West, 42.26 feet; thence North 76'00'37" West, 47.51 feet; thence South 50'19'58" West, 68.64 feet; thence South 64'55'11" West, 123.16 feet; thence South 30'20'07" West, 55.00 feet; thence South 76'12'33" West, 59.10 feet; thence North 01'08'01" East, 135.00 feet; thence North 41'20'16" West, 51.43 feet; thence North 77'43'10" West, 81.23 feet; thence South 77'50'37" West, 39.73 feet, to the Westerly boundary line of Palm Valley Garden Unit Two, as recorded in Map Book 5, Page 65, of the Public Records of said County; thence North 12'09'23" West, along last said line, 724.35 feet, to the Southerly right-of-way of the aforesaid Landrum Road; thence Northeasterly, along last said line, run the following three (3) courses and distances: COURSE NO. 1: North 77'32'02" East, 787.04 feet, to the point of curvature of a curve to the Northeast; COURSE NO. 2: along and around the arc of said curve, concave Southerly, having a radius of 830.00 feet, an arc distance of 224.54 feet, said arc being subtended by a chord bearing and distance of North 85'17'04" East, 223.85 feet, to the point of reverse curvature of a curve to the Northeast; COURSE NO. 3: along and around the arc of said curve, concave Northerly, having a radius of 452.50 feet, an arc distance of 239.39 feet, said arc being subtended by a chord bearing and distance of North 77'52'43" East, 236.60 feet, to the POINT OF BEGINNING.

Containing 19.15 acres, more or less.



EXHIBIT "B" TO THE ORDINANCE

NARRATIVE PLAN DESCRIPTION  
ODOM'S MILL  
PLANNED UNIT DEVELOPMENT

INTRODUCTION

P. U. D. OFF. REC.  
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The school site, consisting of ±19.2 acres, and for which the legal description is included as Exhibit A-2, is included in the Odom's Mill PUD but will be developed independently by St. Johns County School Board. The fire station site, shown as Government Use on the Master Plan Map, remains as previously designated. The Odom's Mill PUD site consists of ±228 acres, located south of Landrum Lane and west of Palm Valley Road (C.R. 210). The legal description is included as Exhibit A-1 to the PUD Ordinance. Planned development includes up to 230 single family residential lots and 32,250 SF of commercial. Unit One of Odom's Mill, consisting of 103 single family lots, has been approved, platted and constructed. Unit Two of Odom's Mill was previously approved for 169 single family lots, and has been modified to 127 lots to accommodate the sale of the school site. The commercial uses are more limited than those allowed under CG Zoning.

ON-SITE CHARACTERISTICS

Unit One, consisting of 103 single family lots, has been constructed. Construction to-date includes: the entrance and turn lanes on Palm Valley Road, water and sewer extensions across Landrum Lane, the master stormwater system, and on-site roads and utilities within Unit One. The remainder of the site is vacant. A drainage canal, which provides drainage to this property as well as neighboring lands, crosses the property in an east-west direction, south of Landrum Lane. Permits and approvals for this site include: MSSW Conceptual, MSSW Individual Units 1 and 2, and FDEP Water and Sewer Permits Unit 1.

OFF-SITE CHARACTERISTICS

The site is bounded on the north by Landrum Lane, on the east by Palm Valley Road, on the south by property zoned Residential and currently vacant, and on the west by vacant and residential property. The northwest corner of the property includes the school site recently acquired by the St. Johns County School Board for a new elementary school. The Landrum Middle School is on the other side of Landrum Lane, across from the elementary school site. Development of this site will not impact the off-site wetlands areas.

ZONING AND COMPREHENSIVE PLAN

The current zoning of the parcel is PUD (Planned Unit Development). On the Future Land Use Map of the County's Adopted Comprehensive Plan, the site is designated as "B". The proposed development is consistent with the zoning and comprehensive plan.

CONFORMANCE WITH THE ZONING CODE

The Odom's Mill PUD conforms to the County's Zoning Code, and specifically meets the intent of Article 8 with respect to Planned Unit Development. The planning and design of the Odom's Mill PUD will further accomplish the following:

- Permit a creative approach to the development of the land;
- Accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the zoning ordinance;
- Provide for an efficient use of the land, resulting in smaller networks of utilities and streets and thereby lowering development costs;
- Provide an environment of stable character compatible with surrounding residential areas;
- Achieve 100 percent conformity with the County Comprehensive Plan, Zoning Code, and other applicable County ordinances; and
- Reduce the burden of maintenance costs through efficient infrastructure and the provision of low-maintenance common areas.

UTILITIES

Water and sewer will be provided by the Intercoastal Utilities. As part of the development of Unit One, the water and sewer service has been extended across Landrum Lane south to serve this property.

SITE ACCESS

Vehicular access to the residential development will be at the entrance on Palm Valley Road that has been constructed. A right turn deceleration lane and left turn lane were also built. Vehicular access to the commercial site will be via Landrum Lane and Palm Valley Road, as shown on the Master Plan.

The specific number and location of vehicular driveways to the commercial parcels shall be approved by the Public Works Department at the time of Final Development Plan approval, but the number of driveway connections shall not exceed that shown on the Master Plan Map.

Along with each Final Development Plan, the applicant shall provide an analysis which evaluates the need for turn lanes and acceleration/deceleration lanes for all development driveways using the latest edition of the "NCHRP Report 279, Intersection Channelization Design Guide", or other equivalent methods as approved by the Director of Public Works.

PEDESTRIAN CIRCULATION

The residential developer and its successors or assigns shall construct a sidewalk along one side of the main internal roads. The commercial developer and its successors or assigns shall construct a sidewalk along Landrum Lane. Based on an agreement with the School Board, the residential

developer and its successors or assigns shall construct a sidewalk to the school boundary that can be linked to sidewalks on the school site. The residential developer shall provide a sidewalk connection from the residential areas to the community recreation area. The location of the sidewalks shall be determined at the time of Final Development Plan review.

#### ROADS AND DRAINAGE IMPROVEMENTS

The roads and drainage systems will be constructed to County standards and conveyed to the Homeowners Association at no cost.

#### ACCESSORY USES

All accessory uses (swimming pools, spas, enclosures, etc.) must receive plan approval from the Architectural Review Board prior to construction. The school site is not covered by the Covenants and Restrictions and, therefore, not subject to Architectural Review Board (ARB) approval. The ARB shall determine minimum requirements for setbacks, fencing, and other controls deemed necessary for safety or preservation of the aesthetic character of the community. Architectural Review Board approval is required prior to the issuance of a building permit.

#### SIGNAGE

The entrance signs to the residential development were constructed as part of Unit One of Odom's Mill. A major sign may be constructed to identify the commercial parcel. Minor signs may be erected at parcel driveways on the commercial site to identify the businesses in this area. The maximum size of the major sign shall be 17' x 17'. The maximum size of the minor signs shall be 4' x 8'. All signs will conform to County Sign Ordinance and Zoning Code requirements. Sign locations and sizes will be described in Final Development Plans or construction plans.

#### SCHOOL SITE

The school site, consisting of ±19.2 acres is shown on the Master Plan Map. St. Johns County School Board plans to construct a new elementary school on this site. The School Board may develop and construct school related uses without a final development plan, when the school is permitted as required under Florida Statutes. The school site is not subject to any covenants and restrictions adopted as part of the Odom's Mill PUD and final development plans.

#### GOVERNMENT USE

The site labelled "Government Use" on the Master Plan Map is owned by St. Johns County.

#### RESIDENTIAL DEVELOPMENT

A total of up to 230 single family lots may be constructed. Unit One and Unit Two, as modified, complete the residential development in this PUD. Each lot will be a minimum of 6,000 square feet. The residential structures will be set back at least 20 feet from the road right-of-way. Corner lots shall maintain a 20-foot setback along the front adjacent to the road and ten feet along the side adjacent to the road, all lots shall have only one front setback. The rear yard setback will be a minimum of 10 feet. The side lot setbacks will be 2 feet and 8 feet from each side with a

minimum of 10 feet between residential structures. Setbacks are to be measured from the walls of buildings. Pools and enclosures are subject to the same setback requirements as buildings.

#### RECREATION

A recreation area of  $\pm 1.4$  acres will be constructed by the owner/developer and its successors or assigns and turned over to and maintained by the Homeowners Association. Amenities may include, at the developer's discretion, a swimming pool, cabana, tot lot, basketball courts, and picnic shelter.

#### COMMERCIAL

Commercial development shall consist of up to 32,250 SF. Commercial uses shall include Permitted Uses and Permissible Uses by Exception within Commercial Neighborhood (CN) as follows:

- A. Retail outlets for sale of food and drugs, wearing apparel, toys, sundries, and notions, books and stationery, leather goods and luggage, jewelry (including watch repair but not a pawnshop) art supplies, cameras or photographic supplies (including cameras or photographic supplies (including camera repair) sporting goods, hobby shops and pet shops (but not animal kennel or veterinarian), musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not including bakery), drugs and similar products.
- B. Service establishments such as barber or beauty shop, shoe repair shop, restaurant (but not drive-in restaurant), interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, self-service laundry or dry cleaners, tailor dressmaker, drycleaning and laundry package plants in completely enclosed buildings using nonflammable liquids such as perchlorethylene and with no odor, fumes or steam detectable to normal senses from off the premises, and similar activities.
- C. Medical and dental offices and clinics.
- D. Churches (except temporary revival establishment), provided that minimum parcel size shall not be less than two acres.
- E. Libraries.
- F. Antique shops.
- G. Plant nursery.
- H. Sale of alcoholic beverages with alcoholic content not more than 14 percent for consumption off premises. The intent of this section is to permit the sale of beer or wine in a food or other store to be taken home.

Plus the following uses:

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- A. Professional and business offices
- B. Bank with drive-thru window and financial institutions, travel agencies, employment offices, and similar establishments
- C. Mini-mart with fuel pumps and sale of beer or wine for take-out only
- D. Child care centers
- E. Sale of alcoholic beverages in a restaurant with permanent kitchen facilities serving meals and with seating no less than 30 persons, which is allows pursuant to Section 7-16-13(e) County Zoning Code, and/or within restaurant serving full meals regularly and having accommodations for service of 150 or more patrons and occupying 2,500 square feet or more.

Building setbacks shall be established on the Final Development Plans.

**SITE DEVELOPMENT CONSTRAINTS**

- 1. The total ground area to be occupied by all buildings and structures shall not exceed 35 percent.
- 2. The impervious area shall not exceed 70 percent.
- 3. Buildings shall not exceed 35 feet in height.
- 4. Vegetative buffers of at least 25 feet shall be required and maintained between natural drainage courses and developed areas to protect the water quality of the drainage.

**PHASING**

The development schedule is a single phase as shown below.

| PHASE | YEARS     | DEVELOPMENT (CUMULATIVE) |                 |
|-------|-----------|--------------------------|-----------------|
|       |           | RESIDENTIAL (LOTS)       | COMMERCIAL (SF) |
| 1     | 1995-2004 | 230                      | 32,250          |

### PARKING

The parking requirements on the commercial site shall be in conformance with the St. Johns County Zoning Ordinance and shall be determined at the time of Final Development Plan approval.

### TEMPORARY USES

**P. U. D. OFF. REC.**  
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Development of the site and construction of the improvements may require temporary uses such as construction trailers, sales offices, temporary signage, or temporary access. The location and timing of these uses may be depicted on the Final Development Plan.

### COMMON AREA MAINTENANCE

Legal documents which assure adequate management and maintenance of the open space area shall be provided by the developer at the time of Final Development Plan submittal for all areas proposed for common ownership by the developer or parcel owners within the PUD. Legal instruments provided for dedications, covenants, owners associations, and development controls shall:

- Place title of common property in a form of common ownership by the developer or parcel owners within the PUD; e.g., a duly constituted and legally responsible owners association.
- Appropriately limit the use of common property.
- Place responsibility for management and maintenance of common property.
- Place responsibility for enforcement of covenants.
- Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

### DEVELOPER'S COMMITMENT

The developers of Odom's Mill PUD and their successors or assigns agree to proceed with the proposed development in accordance with the approved PUD ordinance and plans as per St. Johns County's Ordinances and regulations and any such conditions and safeguards as may be set by the Board of County Commissioners with respect to its approval. All detailed plans submitted for development shall be in accordance with the approved Master Site Plan for this PUD. Private facilities, areas and systems not operated and maintained by St. Johns County shall be the responsibility of the developers and their successors in interest. The owners of the property agree to bind any successors in title to all commitments made herein.

### REZONING JUSTIFICATION

The Odom's Mill PUD will be a comprehensively planned, mixed-use development. The project provides adequate protection for any valuable jurisdictional wetlands on the site. All on-site

improvements will be constructed at the developer/owner's expense. This project will add to the County's tax base. In summary, the plan as submitted assures a quality development designed to support the County's comprehensive plan objectives.

Respectfully submitted,

Amrit R. Amrit

Date: Dec. 21, 1995

**P. U. D. OFF. REC.**  
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P.U.D. OFF. REC.  
BOOK I PAGE 566

EXHIBIT "C" TO THE ORDINANCE

MASTER PLAN MAP





# 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 \_\_\_\_\_

Julia Meeks \_\_\_\_\_ 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 of Meeting \_\_\_\_\_

in the matter of Jan. 23, 1996 @1:30 \_\_\_\_\_

in the \_\_\_\_\_ Court, was published in said newspaper in the

issues of Dec. 30, 1995 \_\_\_\_\_

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 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 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 2nd day of Jan., 19 96,

by Julia Meeks who is personally

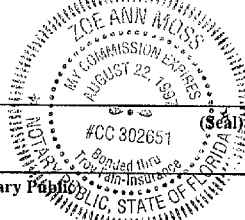
known to me or who has produced \_\_\_\_\_ personally known

(Type of Identification)

identification.

Zoe Ann Moss  
(Signature of Notary Public)

Zoe Ann Moss (Print, Type or Stamp Commissioned Name of Notary Public)



## COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23RD DAY OF JANUARY, 1996 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:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LAWS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PUD TO PUD.

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

SECTION 1. Pursuant to the application of Arvid JAB Acquisition, L.P. owners of the following described land, zoning classification of PUD, Planned Unit Development on the following described lands:

EXHIBIT A

PARCEL J

A portion of government Lots 2 and 4, TOGETHER WITH all of government Lot 3, all being a part of Section 22, TOGETHER WITH a portion of the Pedro Mestre Grant, Section 54, TOGETHER WITH a portion of Francis X. Sanchez Grant, Section 41, all being in Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

COMMENCE at the corner

described land, zoning classification of PUD Planned Unit Development at the following described land:

ATTACHMENT "A"

R-PUD-95-01

PARCEL I

A portion of the Andres Pappy Grant, Sections 14 and 42, TOGETHER WITH

A portion of the Joseph S. Sanchez Grant, Section 42

TOGETHER WITH a portion of the Heirs of Thomas Fitch Grant, Section 46, TO-

GETHER WITH a portion of the Francis X. Sanchez Grant, Section 41, all being

in Township 4 South, Range 29 East, St. Johns County,

Florida, being more particularly described as follows:

BEGIN at the Northeast

corner of Lot 2 as shown on

map of Palm Valley Gardens Unit Two as recorded

in Map Book 5, Page 65 of the Public Records of said

county, said corner lying on

the southerly line of a proposed 100 foot public road

right-of-way, thence Easterly along said line,

run the following six (6)

courses and distances:

COURSE NO. 1: North

77°32'03" East, 787.04 feet to

the point of curvature of a

curve to the right; COURSE

NO. 2: thence along and

around the arc of a curve

concave Southerly, having a

radius of 830.0 feet; an arc

distance of 224.84 feet, said

arc being subtended by a

chord bearing and distance

of South 85°17'04" West,

223.83 feet to the point of re-

verse curvature of a curve

to the left; course no. 3:

thence along and around the

arc of a curve concave

Northwesterly, having a ra-

dius of 452.50 feet, an arc

distance of 478.63 feet, said

arc being subtended by a

chord bearing and distance

of North 62°43'54" East,

436.63 feet to the point of

tangency of said curve;

COURSE NO. 4: North 32°54' East, 302.12 feet to the point of curvature of a curve to the right; COURSE NO. 5: thence along and around the arc of a curve concave Southerly, having a radius of 483.00 feet, an arc distance of 463.87 feet, said arc being subtended by a chord bearing S 33°43' East, of North 33°54' East, 447.70 feet to the point of tangency of said curve; COURSE NO. 6: thence North 87°25'42" East, 581.29 feet to the Westerly right-of-way line of Old Palm Valley Road (State Road No. 810 as relocated and described and recorded in Official Records Book 719, page 1918 of the Public Records of said St. Johns County); thence Southerly and Southeasterly along said Westerly right-of-way line run the following three (3) courses and distances: COURSE NO. 1: South 04°59'15" East, a distance of 812.81 feet to the point of curvature of a curve to the left; COURSE NO. 2: thence along and around the arc of a curve concave Northeasterly, having a radius of 1330.97 feet, an arc distance of 812.38 feet, said arc being subtended by a chord bearing S 20°06'07" East, 807.0 feet to the point of tangency of said curve; COURSE NO. 3: thence South 32°10'58" East, 128.11 feet; thence South 88°29'55" West, 547.80 feet; thence North 84°42'49" West, 622.52 feet; thence South 21°07'45" West, 393.49 feet; thence South 88°34'34" West, 743.48 feet; thence South 47°55'29" West, 1432.88 feet to the Easterly boundary of aforesaid Palm Valley Gardens Unit Two; thence Northwesterly and Northerly along said Easterly boundary of Palm Valley Gardens Unit Two, run the following two (2) courses and distances: COURSE NO. 8: North 82°36'56" West, 677.18 feet; COURSE NO. 9: North 32°09'22" West, 349.51 feet to the POINT OF BEGINNING.

Containing 227.75 acres, more or less. HEREBY IS CHANGED TO: PUD, Planned Unit Development, as per documents filed in application of file R-PUD-75-04.

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, 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.

NOTICE TO ALL HEARING IMPAIRED PERSONS: Anyone planning to attend this meeting and needs the services of an interpreter, please contact David Holliday, ADA Coordinator, at 904-824-2800, at least 3 days prior to the date of this meeting. L192