

ORDINANCE NUMBER: 96-16

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, MODIFYING THE TERMS AND PROVISIONS OF ORDINANCE NO. 87-37, AN ORDINANCE REZONING CERTAIN LANDS DESCRIBED THEREIN TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That, as requested by K.S. Toney, in his application with supporting documents for zoning hearing revised as of December 5, 1995 concerning lands described on Schedule "A" attached hereto, (hereinafter the "PUD Modification"), the terms and provisions of Ordinance No. 87-37 are hereby modified as set forth in the PUD Modification attached hereto as Exhibit "B", "B-1", "B-2", "B-3" and "B-4".

SECTION 2. That development of the lands within the PUD shall proceed in accordance with Ordinance No. 87-37, and the PUD Modification which is part of zoning file number R-PUD-87-021, including the Application for Zoning Hearing revised as of December 5, 1995 and exhibits attached thereto.

SECTION 3. That the need and justification for modification of the terms and provisions of the PUD had been considered in accordance with Section 11-10-04 of the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan, whereby:

(a) The PUD, as modified, does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and in any Comprehensive Plan or portion thereof adopted by the St. Johns County Board of County Commissioners;

(b) The PUD, as modified, will not adversely affect the health, safety of residents or workers in the area and will not be detrimental to the natural environment or to the use of development of adjacent properties or the general neighborhood;

Ordinance Book 17 Page 373

*Int. Ref: [unclear]
[unclear] P. U. D.
Please see [unclear] in PUD Book*

(c) The PUD, as modified, will accomplish the objectives and will meet the standards and criteria of Section 8-4 of the Zoning Ordinance;

(d) The PUD, as modified, is consistent with the development trends of the surrounding area and with the goals, policies and objectives of the Comprehensive Plan; and

(e) At the public hearing on December 7, 1995, the St. Johns County Planning and Zoning Agency recommended approval by unanimous vote.

SECTION 4. Prior to commencement of any new development within the PUD, a Final Certificate of Concurrency shall be obtained.

SECTION 5. That all other provisions of Ordinance No. 87-37, as amended, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Except to the extent that they conflict with specific provisions of the approved development plan or PSD Ordinance, all building code, zoning ordinance and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency 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.

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 Florida law 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 Constitution.

P. U. D. OFF. REC.
BOOK I PAGE 659

SECTION 7. This ordinance shall take effect immediately upon receipt by the Secretary of State of the State of Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 27 day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Donald Jordan
Its Chair, Donald Jordan

Attest: Carl "Bud" Markel, Clerk

By: Rosemarie Lewis
Deputy Clerk

Adopted February 27, 1996
Meeting Regular
Effective March 6, 1996

EXHIBIT "A"

P. U. D. OFF. REC.
BOOK I PAGE 660

Legal Descriptions

Parcel 1:

All of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 3, contains \pm 20 acres.

Parcel 2:

All of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 3 lying Southerly of State Road No. 207, excepting the 8.4 acres described in O.R. 110, page 113 and O.R. 112, page 144, and contains \pm 29 acres after the exception.

Parcel 3:

All of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 3, contains \pm 80 acres.

Parcel 4:

A parcel of land lying in the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 3, Township 8 South, Range 29 East, St. Johns County, Florida, and being more particularly described as follows:

For a Point of Beginning use the Southeast corner of said Section 3; thence South $88^{\circ} 48' 46''$ West, 1313.69 feet along the South line of said Section 3 to the Southwest corner of the East $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 3; thence North $00^{\circ} 34' 43''$ West along the West line of said East $\frac{1}{4}$, 2641.71 feet to the Southerly right-of-way line of Brinkhoff Road (as now established for a 66 foot right-of-way); thence North $88^{\circ} 31' 10''$ East, 1289.66 feet along said Southerly right-of-way line to the East line of said Section 3; thence South $01^{\circ} 06' 20''$ East, 2648.25 feet to the Point of Beginning. Said parcel contains 79.03 \pm acres. Excepting the following described parcel of land;

Original Billings Farm (Tax ID #136160-0000)

A portion of the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 3, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Commencement use the intersection of the common line between Sections 2 and 3 and the Southerly right-of-way line of Brinkhoff Road as now established for a 66 foot right-of-way; thence South $88^{\circ} 31' 10''$ West, 372.27 feet along said Southerly right-of-way line to the Point of Beginning; thence continue South $88^{\circ} 31' 10''$ West, 494.95 feet along said right-of-way line; thence South $07^{\circ} 11' 20''$ West, 463.10 feet along the fence line of said property; thence North $82^{\circ} 48' 08''$ East, 492 feet; thence North $07^{\circ} 11' 20''$ West, parallel with the occupation line on the Westerly side of property, 413.90 feet to the Point of Beginning. Said parcel contains \pm 4.95 acres. Being the lands as described in O.R. 82, Page 266, Public Records of said County.

This description was based on the occupation line of said "Billings Farm" based by fence line on the West and the South, bounded by Brinkhoff Road on the North (a portion of the original farm lies within the right-of-way of said Brinkhoff Road as now established). Also part of the basis was an early tax map furnished by K.S. Toney.

Parcels Section 2, Township 8 South, Range 29 East, St. Johns County, Florida

P.U.D. OFF. REC.
BOOK 1 PAGE 661

Legal Descriptions

Parcel 1:

A parcel of land lying in the Southwest $\frac{1}{4}$ of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the Southwest corner of said Section 2; thence North $88^{\circ} 26' 58''$ East, 2012.86 feet along the South line of said Section 2 to the Westerly right-of-way line of Wildwood Drive; thence North $53^{\circ} 15' 43''$ West, 731.25 feet to the P.C. of a curve to the left having a radius, chord and chord bearing of 988.37 feet, 869.41 feet and North $27^{\circ} 10' 10''$ West; thence around the arc of said curve 900.21 feet to the P.T. of said curve; thence North $01^{\circ} 04' 37''$ West along said Westerly right-of-way line, 1410.15 feet to the Southerly right-of-way line of Brinkhoff Road; thence South $88^{\circ} 31' 10''$ West along said Southerly right-of-way line, 1053.70 to the Westerly line of said Section 2; thence South $01^{\circ} 06' 02''$ East along said Westerly Section line, 2648.25 feet to the Point of Beginning. Said parcel contains \pm 73.08 acres. Excepting the following described parcel of land:

Legal Description Day School

A 5 acre parcel of land in the Southwest $\frac{1}{4}$ of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida, said 5 acre parcel being more fully described as follows:

Commence at the Southwest corner of said Section 2; thence North $88^{\circ} 20' 30''$ East along the South line of said Section 2, a distance of 1965.33 feet to the centerline of Wildwood Road; thence North $53^{\circ} 13'$ West, along said centerline, a distance of 773.43 feet to the Point of a curve to the right with a radius of 955.37 feet and a central angle of $52^{\circ} 10' 34''$; thence South $36^{\circ} 47'$ West, a distance of 33 feet to the Point of a curve of the West right-of-way line of Wildwood Drive and the Point of Beginning; thence South $88^{\circ} 20' 30''$ West, parallel to the South line of Section 2, a distance of 860.49 feet; thence North $1^{\circ} 39' 30''$ West, a distance of 304.48 feet; thence North $88^{\circ} 20' 30''$ East, a distance of 605.31 feet to the West right-of-way line of Wildwood Drive; thence Southeasterly along the arc of the West right-of-way line of Wildwood Drive, through a central angle of $23^{\circ} 11' 16''$, a distance of 400.0 feet to the Point of Beginning. Containing 5.00 acres, more or less. Being the same land as described in O.R. 670, page 592, Public Records of said County.

Parcel 2:

A portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2 lying Northerly of Brinkhoff Road (as now established for a 60 foot right of way) and Westerly of Wildwood Road (formerly Napier and now established for a 66 foot right-of-way) and being more particularly described as follows:

Begin at the intersection of the North right-of-way line of said Brinkhoff Road and the Westerly right-of-way line of said Wildwood Road; thence North $1^{\circ} 01'$ West along said Westerly right of way line 22.6 feet to the P.C. of a curve to the left having a radius chord and chord of 921.93 feet, 294.01 feet and North $10^{\circ} 11' 30''$ West; thence Northwesterly around the arc of said curve 295.26 feet to the P.T. of said curve; thence North $16^{\circ} 57'$ West along said Westerly right-of-way line 201.63 feet to the South line of lands as described in DB 161, page 493, Public Records of said County; thence South $88^{\circ} 00' 07''$ West along the South line of said lands and its projection Westerly, 682.33 feet to the East line of lands described in OR 636, page 562, Public Records of said county; thence North $00^{\circ} 02' 17''$ East along said East line, 272.89 feet; thence South $88^{\circ} 31' 10''$ West 250 feet along the North line of said parcel to the West line of said Section 2; thence South $00^{\circ} 02' 17''$ West along said Section line 872 feet to the North right-of-way line of said Brinkhoff Road; thence North $88^{\circ} 31' 10''$ East along said North line, 1051.80 feet to the Point of Beginning. Said parcel contains \pm 13.75 acres.

Parcel 3:

A portion of the West $\frac{1}{4}$ of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

Commencing at the South corner on the West end of Cherry Tree Road as shown on Plat of St. Augustine Heights, Unit 3 as recorded on Napbook 10 page 41 of the Public Records of St. Johns County, Florida; thence North $0^{\circ} 37'$ East 649.73 feet along the Westerly end of said Cherry Tree Road, and the Westerly line of said St. Augustine Heights, Unit 3, to the Point of Beginning; thence South $89^{\circ} 32' 42''$ West, 511.99 feet to the Easterly right-of-way of Wildwood Drive; thence North $0^{\circ} 27' 18''$ West, 132.85 feet along said Easterly right-of-way to the P.C. of a curve to the left having a radius, chord and central angle of 987.93 feet, 315.05 feet and $18^{\circ} 21'$; thence around the arc of said curve 316.40 feet to the P.T.; thence North $18^{\circ} 48' 18''$ West, 179.12 feet along said Easterly right-of-way line; thence North $89^{\circ} 32' 42''$ East, 616.83 feet to the Westerly boundary of said St. Augustine Heights Unit 3, thence South $0^{\circ} 37'$ East, 618.64 feet along said Westerly boundary to the Point of Beginning. Said parcel contains \pm 7.66 acres.

Parcel 4:

A portion of the county owned Wildwood Drive (as now established for a 66 foot right-of-way) in Section 2, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described along the centerline of said right-of-way as follows:

For a Point of Beginning use the centerline intersection of Brinkhoff Road and Wildwood Drive; thence South $01^{\circ} 04' 37''$ West, 890 feet along said centerline to a Point of Terminus; thence begin again at the Point of Beginning, thence North $01^{\circ} 01'$ West, along said centerline, 52.6 feet to the P.C. of a curve to the left, having a radius, chord and chord bearing of 954.93 feet, 304.53 feet and North $10^{\circ} 11' 30''$ West; thence Northwesterly around the arc of said curve 305.83 to the Point of Terminus on the North. Said boundary lies parallel with and 33 feet at right angles to each side of the above described centerline. Said roadway parcel contains ± 1.85 acres.

P.U.D. OFF. REC.

BOOK I PAGE 663

Parcel 5:

Also includes the total right-of-way of County owned Brinkhoff Road from Wildwood Drive West to the End, ± 2370 feet as established for a 60 foot right-of-way width. This lies in Sections 2 and 3, Township 8 South, Range 29 East, St. Johns County, Florida. Said portion contains ± 3.20 acres.

Parcel 6:

A parcel of land lying in Sections 2 and 3, Township 8 South, Range 29 East, St. Johns County Florida and being more particularly described as follows: For a point of commencement use the South right-of-way line of Brinkhoff Road as now established for a 66 foot right-of-way and the common line between said Sections 2 and 3; thence South $01^{\circ} 06' 02''$ East, 199.92 feet along said common line to the Point of Beginning; thence South $88^{\circ} 31' 10''$ West, 179.63 feet; thence South $00^{\circ} 02' 17''$ West, 622.29 feet; thence North $88^{\circ} 31' 10''$ East 350.0 feet; thence North $00^{\circ} 02' 17''$ East 622.29 feet; thence South $88^{\circ} 31' 10''$ West 170.37 feet to the Point of Beginning. Said Parcel contains ± 5.0 acres. Also the centerline description for a roadway easement to this property is as follows: For a Point of Commencement use the South right-of-way line of Brinkhoff Road as now established for a 66 foot right-of-way and the common line between said Sections 2 and 3; thence South $88^{\circ} 31' 10''$ West along said South right-of-way line 164.66 feet to the Point of Beginning of a centerline description of a 22 foot easement lying 11 feet distant and at right angles to the following described centerline; thence South $00^{\circ} 02' 17''$ West, 200 feet to the North boundary of the aforementioned parcel and the Point of Terminus of this easement.

EXHIBIT "B"

The applicant requests approval of the following modifications to the Treaty Ground PUD (the "PUD"):

P.U.D. OFF. REC.
BOOK I PAGE 664

1. Utility Site. The PUD contains a utility site consisting of fifteen (15) acres, intended to serve as the location for private utility facilities serving the PUD. However, Moultrie Service District, Inc., the private utility which formerly operated a sewer plant with percolation ponds on the utility site, has transferred its sewer system and leased its plant and ponds to St. Johns County. The Lease Agreement entered into with the County provides that upon termination of the lease (1999), the applicant will convey to the County a 60' x 60' site within the utility site for use as a pumping station. This will allow the County to convert the sewer plant and percolation ponds into a central system operated and maintained by St. Johns County. Because of the acquisition by the County of the private sewer system and the intended conversion of the system to a County operated central system, only a small portion of the utility site will be needed for utility purposes. The applicant requests the part of the utility site not utilized by the County as a pumping station (i.e., 15 acres less 60' x 60' pump station site) be designated for multi-family development at a density not to exceed ninety (90) units. The multi-family units shall be developed in accordance with the following criteria:

Ordinance Book 17 Page 380

- a) Minimum lot width - 60 feet
- b) Minimum lot area - 6,000 square feet, plus
4,350 square feet for each
dwelling unit in excess of
two
- c) Maximum lot coverage - 25%
- d) Minimum yard requirements:
 - front yards - 25 feet
 - side yards - 8 feet
 - rear yards - 10 feet

P.U.D. OFF. REC.
BOOK I PAGE 665

(minimum yard requirements shall be measured from the exterior walls of buildings)

- e) Maximum height - 35 feet

2. Expansion of Treaty Park. In November of 1994, the applicant conveyed to the County for park expansion, a five (5) acre parcel of land within the PUD lying contiguous to the western boundary of Treaty Park and more particularly described on Exhibit "B-1" attached hereto. In addition, as stated in paragraph 3, the applicant may convey to the County for potential park expansion, a two (2) acre parcel lying contiguous to the five (5) acre parcel and more particularly described on Exhibit "B-2" attached hereto, in exchange for the fire station site. Both the five (5) and two (2) acre parcels are located within that portion of the PUD designated for single-family development. To permit the County to utilize the combined five (5) acre parcel for the expansion of Treaty Park, the applicant requests the parcel described on Exhibit "B-1" be redesignated for park use and developed with recreational uses approved pursuant to the terms of a final development plan filed by the County Recreation Department. The applicant further requests the two (2) acre parcel described on Exhibit "B-2" be

designated for park use if it is conveyed to the County in exchange for the fire station site or other consideration acceptable to the applicant. Provided, if the two (2) acre parcel described on Exhibit "B-2" is not conveyed to the County for park use, it shall remain designated for single-family development.

3. Fire Station Site. The PUD contains a two (2) acre fire station site located on Wildwood Drive. The revised PUD master plan relocates the two (2) acre fire station site so that it is contiguous to the park. The conveyance of the fire station site or, in the alternative, the two (2) acre parcel described on Exhibit "B-2" reserved for park expansion, shall occur within thirty (30) days after receipt by the applicant of written notice from the County Administrator. If the fire station site is exchanged for the two (2) acre parcel described on Exhibit "B-2", the two (2) acres designated as the fire station site will be redesignated and incorporated into the adjoining commercial area.

4. School Site. The PUD contains a school site consisting of five (5) acres. This site was reserved for school use because at the time the PUD was adopted the private school which adjoins the PUD had an option to purchase five (5) acres for expansion purposes. The school did not purchase the five (5) acre parcel and the option to purchase has now expired. The applicant therefore requests the five (5) acre school site be redesignated for single-family development at a density not to exceed 2.8 units per acre (14 units). The residential lots to be located on the former school site shall be developed in accordance with the following

criteria:

- a) Minimum lot width - 90 feet
- b) Minimum lot area - 10,000 square feet
- c) Maximum lot coverage - 30%
- d) Minimum yard requirements:
 - front - 25 feet
 - side - 8 feet
 - rear - 10 feet

(Minimum yard requirements shall be measured from the exterior wall of residences)
- e) Height limitation - 35 feet

5. Schedule of Development. Development of Phase I has commenced due to the development of Treaty Park. Development of Phase I has not been completed due to a lack of activity in the real estate market during the late 1980s and early 1990s. For this reason, the applicant requests the completion date of Phase I be extended from 1995 to July 1, 2002. In addition, because of the extension of the completion date of Phase I, the applicant requests the commencement and completion dates of Phase II be extended by seven (7) years so that Phase II shall be commenced by December 31, 2003 and completed by December 31, 2013. For purposes of this paragraph, development of each phase shall commence upon the issuance of any permits required by any state agency and approval by St. Johns County of a final development plan for the particular phase. Completion of each phase shall occur upon the installation of all infrastructure and off-site improvements necessary to serve the uses authorized within each phase by the PUD and any modifications thereto. The two (2) phases may be developed

concurrently subject to compliance with applicable concurrency requirements.

P.U.D. OFF. REC.
BOOK I PAGE 668

6. Phases of Development. Because of the changes in land use sought in this modification, the uses and number of units to be developed in each phase will also change. Phase I will now consist of the Treaty Park, as expanded, and three hundred ninety-eight (398) single-family residential units to be developed within the areas designated as single-family on the revised PUD master plan attached as Exhibit "B-3", except for the single-family area containing twenty-six (26) acres adjoining State Road 207 which shall be developed in Phase II.

Phase II will consist of seventy-three (73) single-family units to be developed on the twenty-six (26) acre single-family area adjoining State Road 207, two hundred ten (210) multi-family units to be developed on the areas designated as multi-family on the revised PUD master plan and 110,000 square feet of commercial space to be developed on the 11.0 acre commercial area shown on the revised PUD master plan.

All single-family areas in Phases I and II shall be developed in conformity with the criteria set forth in paragraph 4 hereof and all multi-family areas in Phase II in conformity with the criteria set forth in paragraph 1 hereof. The 110,000 square foot of commercial space shall be developed, in conformity with the provisions of the CG zoning classification in effect at the time of approval of a final development plan for the commercial area.

7. Density and Commercial Space. The requested modification

will reduce the number of acres designated for commercial development from eighteen (18) to 11.0. This results in a reduction of approximately 70,000 square feet of commercial space. Conversely, the reduction in commercial space and elimination of the school site increases the number of residential units from four hundred eighty (480) to six hundred eighty-one (681). Despite the increase in the number of residential units, the density of the residential areas (6.0 for multi-family areas and 2.8 for single-family areas) is consistent with both the property's Comprehensive Plan designation ("C") and with surrounding multi and single-family development. Further, the commercial use of 11.0 acres of PUD is also consistent with the Comprehensive Plan because it is located within a PUD and is of a size suitable to serve the needs of future residents of the PUD. Finally, as shown on the density chart attached as Exhibit "B-4", the PUD is presumed not to be a DRI because the total of the percentages of the thresholds for a residential development and a retail and service development (119%) is less than 145%.

8. Pedestrian Access. Pedestrian access shall be provided throughout the PUD. The actual locations of pedestrian access shall be depicted on final development plans.

9. Brinkhoff Road Extension. The PUD provides for the extension of Brinkhoff Road, a dedicated county road, to State Road 207 (the "Brinkhoff Road Extension"). The Brinkhoff Road Extension will be a dedicated minor collector road, having a right-of-way of one hundred feet (100'), except for that portion lying between

Parcels 136170-0000 and 136160-0000, as shown on St. Johns County Assessment Map Sheet No. 4F/3, which may have a right-of-way of eighty feet (80'). The applicant or developer of the PUD will construct the road at its expense to County standards and then convey it to the County. Provided, if the County elects, it may condemn additional right-of-way so that all of the Brinkhoff Road Extension has a right-of-way of one hundred feet (100'), and in that event the applicant or developer of the PUD shall reimburse the County in full for all costs and expenses incurred by the County in connection with such condemnation.

The applicant previously agreed in that certain Agreement dated July 26, 1994 and recorded in Official Records Book 1069, Page 1087, public records of St. Johns County, Florida, to grant the County an easement for installation of water and sewer lines of a width of twenty feet (20'), lying adjacent to the Brinkhoff Road Extension. If construction of the Brinkhoff Road Extension interferes with such utility easement, the applicant or developer of the PUD shall repair or relocate, as necessary, the utility easement and lines.

The applicant will survey the Brinkhoff Road Extension and adjoining utility easement described above during the calendar year 1996 and, if requested by the County, will convey the right-of-way for the Brinkhoff Road Extension and utility easement to the County on or before June 1, 1997. The Brinkhoff Road Extension shall be constructed prior to the completion date of Phase I, July 1, 2002.

10. Remaining Provisions to Remain in Effect. All other terms and provisions of the PUD not in conflict with the provisions of this modification or the resolution approving this modification, shall remain in full force and effect.

P.U.D. OFF. REC.
BOOK 1 PAGE 671

11. Savings Clause.

(a) Except to the extent that they conflict with specific provisions of the approved development plan or PUD (PSD) Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency 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 modification 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 modification, except as is specifically provided for and described in the modification or the incorporated PUD narrative.

(b) 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 Florida law or that may be provided in any such future building code, zoning ordinance or

P. U. D. OFF. REC.
BOOK I PAGE 672

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.

UPCHURCH, BAILEY and UPCHURCH,
P.A.

By: John D. Bailey, Jr.
John D. Bailey, Jr.
Attorney for Applicant
Post Office Drawer 3007
St. Augustine, FL 32085-3007

Tel. No. (904) 829-9066
c:\john\zoning\tony-b.3

EXHIBIT

B-1

P.U.D. OFF. REC.
BOOK I PAGE 673

A parcel of land in Section 3, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described, as follows:

Commence at the intersection of the South Right-of-Way of Brinkhoff Road (as now established for a 66 foot Right-of-Way) with the West Right-of-Way of Wildwood Drive (formerly Napier Road and now established for a 66 foot Right-of-Way); thence South 01 degree 04 minutes 37 seconds East along said West Right-of-Way line 822.00 feet; thence South 88 degrees 31 minutes 10 seconds West, along the Northerly line of Treaty Park, as recorded in Official Records Book 953, page 463, in the public records of St. Johns County, Florida, a distance of 1832.47 feet to the Northwest corner of Treaty Park; thence South 07 degrees 11 minutes 20 seconds East, along the Westerly line of Treaty Park, a distance of 102.07 feet to the Point of Beginning; thence continue along said Westerly line of Treaty Park, a bearing of South 07 degrees 11 minutes 20 seconds East, a distance of 514.29 feet; thence South 82 degrees 48 minutes 40 seconds West, a distance of 423.50 feet; thence North 07 degrees 11 minutes 20 seconds West, a distance of 514.29 feet; thence North 82 degrees 48 minutes 40 seconds East, a distance of 423.50 feet to the Point of Beginning.

(5 ACRE PARCEL PREVIOUSLY CONVEYED TO COUNTY BY APPLICANT)

Ordinance Book 17 Page 389

EXHIBIT "B-2"

P. U. D. OFF. REC.
BOOK I PAGE 674

A PARCEL OF LAND IN SECTION 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF BRINKHOFF ROAD (AS NOW ESTABLISHED FOR A 66 FOOT RIGHT-OF-WAY) WITH THE WEST RIGHT-OF-WAY OF WILDWOOD DRIVE (FORMERLY NAPIER ROAD AND NOW ESTABLISHED FOR A 66 FOOT RIGHT-OF-WAY); THENCE SOUTH 01 DEGREES 04 MINUTES 37 SECONDS EAST ALONG SAID WEST OF RIGHT-OF-WAY LINE 822.00 FEET; THENCE SOUTH 88 DEGREES 31 MINUTES 10 SECONDS WEST, ALONG THE NORTHERLY LINE OF TREATY PARK, AS RECORDED IN OFFICIAL RECORDS BOOK 953, PAGE 463, IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 1832.47 FEET TO THE NORTHWEST CORNER OF TREATY PARK; THENCE SOUTH 07 DEGREES 11 MINUTES 20 SECONDS EAST, ALONG THE WESTERLY LINE OF TREATY PARK, A DISTANCE OF 102.07 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 48 MINUTES 40 SECONDS WEST, A DISTANCE OF 423.50 FEET; THENCE NORTH 07 DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 205.71 FEET; THENCE NORTH 82 DEGREES 48 MINUTES 40 SECONDS EAST, A DISTANCE OF 423.50 FEET; THENCE SOUTH 07 DEGREES 11 MINUTES 20 SECONDS EAST, A DISTANCE OF 205.71 FEET TO THE POINT OF BEGINNING, CONTAINING 2 ACRES, MORE OR LESS.

(2 ACRE PARCEL PROPOSED TO BE CONVEYED TO COUNTY)

Ordinance Book 17 Page 390

Treaty Ground

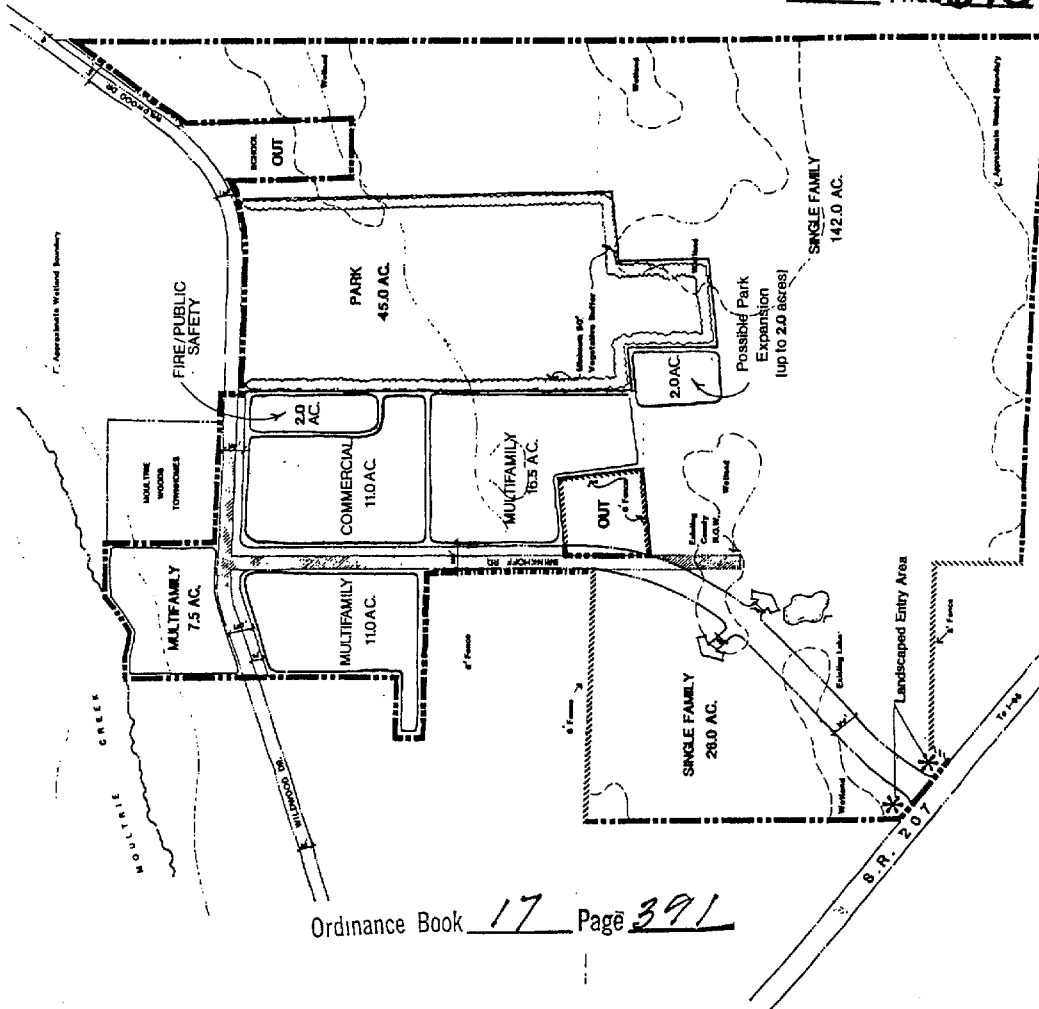
REVISED
P.U.D. MASTER PLAN
EXHIBIT B-3

LAND USE SUMMARY

RESIDENTIAL	170.0 acres	474 units
Single Family	35.0 acres	210 units
Multifamily	205.0 acres	681 units
Total	110 acres	110,000 sq. ft.
COMMERCIAL	45.0 acres	
COUNTY PARK	12.8 acres	
FLOW - 100'	2.0 acres	
FIRE PUBLIC SAFETY	275.8 acres	
TOTAL AREA		

----- PROPERTY BOUNDARY
 - - - - - FENCED PROPERTY BOUNDARY

P.U.D. OFF. REC.
 BOOK I PAGE 675



Ordinance Book 17 Page 391

PLANNED UNIT DEVELOPMENT
 THIS PLAN IS SUBJECT TO THE APPROVAL OF THE BOARD OF ZONING ADJUSTMENTS AND THE BOARD OF PLANNING AND ZONING. THE BOARD OF ZONING ADJUSTMENTS SHALL HAVE THE FINAL SAY IN THE MATTER.
 JANUARY 6, 1997
 11/20/2007



PROSSER, HALLOK & KRSTOFF, INC.
 PLANNERS AND ENGINEERS
 1000 W. MARKET STREET, SUITE 100
 CHARLOTTE, NORTH CAROLINA 28202
 TEL: 704.375.1111
 FAX: 704.375.1112
 WWW.PHKINC.COM

EXHIBIT "B-4"
TREATY GROUND PUD DENSITY CHART

P. U. D. OFF. REC.
BOOK I PAGE 676

<u>Use of</u>	<u>Acreage</u>	<u>Units or Square Footage</u>	<u>Percentage</u>		
			<u>D</u>	<u>R</u>	<u>I</u>
<u>Threshold</u>					
SF residential	170.0	471 (2.8 per acre)	63%		
MF residential	35.0	210 (6.0 per acre)	28%		
Commercial	11.0	110,000 square feet	28%		
Park	45.0	n/a			
Right of Way	12.8	n/a			
Fire/Public Safety	2.0	n/a			
TOTALS:	275.80	681 units/110,000 square feet	119%		

Ordinance Book 17 Page 392

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

PLANNING & ZONING DEPARTMENT

FEB 20 1996

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

ST. JOHNS COUNTY
FLORIDA

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 Continued Public Hearing

in the matter of Feb. 27, 1996 @1:30 continued from Feb. 13, 1996

in the _____ Court, was published in said newspaper in the

issues of Feb. 16, 1996

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 16th day of Feb., 1996,

by Julia Meeks who is personally

known to me or who has produced personally known as

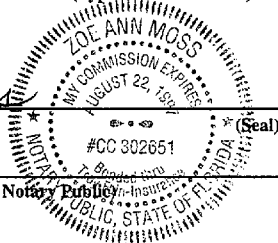
(Type of Identification)

identification.

Zoe Ann Moss
(Signature of Notary Public)

Zoe Ann Moss

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



NOTICE OF A CONTINUED PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA
NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 27TH DAY OF FEBRUARY, 1996 AT 1:30 P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY, ST. AUGUSTINE, FLORIDA, WILL CONSIDER THE FOLLOWING REQUEST, WHICH WAS CONTINUED FROM THE MEETING OF FEBRUARY 13, 1996.
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO PUD, KNOWN AS TREATY PARK PLANNED UNIT DEVELOPMENT.
General Location of Property: Wildwood Drive.
The aforementioned application and supporting documents are maintained in the office of Zoning, County Administration Building, St. Augustine, Florida, and may be examined by parties in interest prior to said public hearing and all parties in interest shall be granted an opportunity to be heard at said public hearing.
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting 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 persons needing special accommodations and to all hearing impaired persons: In accordance with the American with Disabilities Act persons needing a special accommodation or an interpreter, to participate in this proceeding should contact David Holstead, ADA coordinator at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095, not later than 5 days prior to the date of this meeting.
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
s/ CARL "BUD" MARKEL,
ITS CLERK
L531 Feb. 16, 1996

Continued to Feb. 13, 1996

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

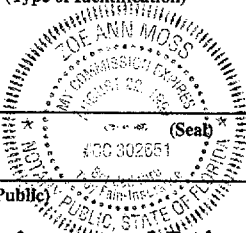
Before the undersigned authority personally appeared _____
_____ Julia Meeks _____ who on oath says that she is
_____ Accounting Clerk _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a _____
_____ Notice of Public Hearing _____
in the matter of _____ Major modification on Ordinance 87-37 _____
_____ in the _____ Court, was published in said newspaper in the
issues of _____ Dec. 22, 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 22nd day of Dec., 1995,
by Julia Meeks who is personally
known to me or who has produced _____ personally known _____ as
(Type of Identification)
identification.

Zoe Ann Moss
(Signature of Notary Public)

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



Ordinance Book 17 Page 394

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT A MAJOR MODIFICATION TO: Planned Unit Development Ordinance 87-37, a PUD known as Treaty Ground PUD WILL BE HEARD BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON THE 23RD DAY OF JANUARY, 1996 AT 1:30 P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY, ST. AUGUSTINE, FLORIDA.

THE FOLLOWING MAJOR MODIFICATION WILL BE CONSIDERED: The request is to modify the PUD Ordinance to include the following: (1) revision to the Utilities Section to provide for the provision of central water and sewer through St. Johns County Utilities; (2) expand the existing Treaty Park Recreation site; (3) removal of the 2 acre fire station site and redesignate as multi-family; (4) remove the 3 acre school site and redesignate as single family; (5) convert the 11 acre commercial tract to multi-family; (6) revise the

Schedule of Development and phasing to extend each phase by 7 years; and (8) increase the total number of residential units from 480 to 720 with a reduction in the total number of acres of commercial from 18 acres to 6.5 acres resulting in a decrease of approximately 115,000 square feet of commercial space, and allow for the development of 65,000 square feet of commercial uses.

ON LANDS DESCRIBED AS FOLLOWS:
EXHIBIT "A"

Parcel 1: All of the West 1/2 of the Southeast 1/4 of the North-east 1/4 of said Section 3, contains plus minus 20 acres.

Parcel 2: All of the Southwest 1/4 of the North-east 1/4 of said Section 3 lying Southerly of State Road No. 207, excepting the 8.4 acres described in O.R. 110, page 13 and O.R. 112, page 144, and contains plus minus 29 acres after the exception.

Parcel 3: All of the West 1/2 of the Southeast 1/4 of said Section 3, contains plus minus 88 acres.

Parcel 4: A parcel of land lying in the East 1/2 of the Southeast 1/4 of Section 3, Township 8 South, Range 29 East, St. Johns County, Florida, and being more particularly described as follows:

For a Point of Beginning was the Southeast corner of said Section 3; thence South 88° 48' 48" West, 1313.69 feet along the South line of said Section 3 to the Southwest corner of the East 1/2 of the Southwest 1/4 of said Section 3; thence North 00° 34' 43" West along the West line of said East 1/2, 2641.71 feet to the Southerly right-of-way line of Brinkhoff Road (as now established for a 66 foot right-of-way); thence North 88° 31' 10" East, 1289.66 feet along said Southerly right-of-way line to the East line of said Section 3; thence South 01° 06' 20" East, 2648.25 feet to the Point of Beginning. Said parcel contains 79.03 plus minus acres. Excepting the following described parcel of land:

Original Billing Form (Tax ID #136160-0000)
A portion of the East 1/2 of the Southeast 1/4 of Section 3, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Commencement are the intersection of the common line between Sections 2 and 3 and the Southerly right-of-way line of Brinkhoff Road as now established for a 66 foot right-of-way; thence South 88°31'10" West, 372.27 feet along said Southerly right-of-way line to the Point of Beginning; thence continue South 88°31'10" West, 494.95 feet along said right-of-way line; thence South 07°11'20" West, 463.10 feet along the fence line of said property; thence North 82°48'08" East, 492 feet; thence North 07°11'20" West, parallel with the occupation line on the Westerly side of property, 413.90 feet to the Point of Beginning. Said parcel contains plus 4.95 acres, being the lands as described in O.R. 82, page 266, Public Record of said County.

This description was based on the occupation line of said "Billings Farm" based by fence line on the West and the South, bounded by Brinkhoff Road on the North (a portion of the original farm lies within the right-of-way of said

Brinkhoff Road as now established). Also part of the basis was an early tax map furnished by K.S. Toney.

Parcels 1, Section 2, Township 8 South, Range 29, East, St. Johns County, Florida.

Parcel 1:
A parcel of land lying in the Southwest 1/4 of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a Point of Beginning use the Southwest corner of said Section 2; thence North 88°31'10" East, 2012.86 feet along the South line of said Section 2 to the Westerly right-of-way line of Wildwood Drive; thence North 33°15'43" West, 731.25 feet to the P.C. of a curve to the left having a radius, chord and chord bearing of 988.37 feet, 869.41 feet and North 27°10'10" West; thence around the arc of said curve 900.21 feet to the P.T. of said curve; thence North 01°04'37" West along said Westerly right-of-way line, 1410.15 feet to the Southerly right-of-way line of Brinkhoff Road; thence South 88°31'10" West along said Southerly right-of-way line, 1053.70 feet to the Westerly line of said Section 2; thence South 01°06'02" East along said Westerly Section line, 2648.25 feet to the Point of Beginning. Said parcel contains plus minus 73.08 acres. Excepting the following described parcel of land:

Legal	Description	Day School
-------	-------------	------------

A 5 acre parcel of land in the Southwest 1/4 of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida, said 5 acre parcel being more fully described as follows:

Commence at the Southeast corner of said Section 2; thence North 88°20'30" East along the South line of said Section 2, a distance of 1965.32 feet to the centerline of Wildwood Road; thence North 33°13' West, along said centerline, a distance of 73.43 feet to the Point of a curve of a curve to the right with a radius of 935.37 feet, and a central angle of 52°10'34"; thence South 36°47' West, a distance of 33 feet to the Point of a curve of the West right-of-way line of Wildwood Drive and the Point of Beginning; thence South 88°20'30" West, parallel to the South line of Section 2, a distance of 860.49 feet; thence North 1°39'30" West, a distance of 304.48 feet; thence North 88°20'

30" East, a distance of 665.31 feet to the West right-of-way line of Wildwood Drive; thence Southeasterly along the arc of the West right-of-way line of Wildwood Drive, through a central angle of 23°11'16", a distance of 400.0 feet to the Point of Beginning, containing 5.00 acres, more or less. Being the same land as described in O.R. 670, page 392, Public Records of said County.

Parcel 2:
A portion of the Southwest 1/4 of the Northwest 1/4 of said Section 2 lying Northerly of Brinkhoff Road (as now established for a 60 foot right-of-way) and Westerly of Wildwood Road formerly Napier and now established for a 60 foot right-of-way) and being more particularly described as follows:

Begin at the intersection of the North right-of-way line of said Brinkhoff Road and the Westerly right-of-way line of said

Wildwood Road; thence North 1°01' West along Westerly right-of-way line 22.6 feet to the P.C. of a curve to the left having a radius chord and chord of 221.93 feet, 294.01 feet and North 10°11'30" West; thence Northwesterly around the arc of said curve 295.26 feet to the P.T. of said curve; thence North 16°57' West along said Westerly right-of-way line 201.63 feet to the South line of lands as described in DB 161, page 493, Public Records of said County; thence South 88°00'07" West along the South line of said lands and its projection Westerly, 682.33 feet to the East line of lands described in O.R. 636, page 562, Public Records of said county; thence North 00°02'17" East along said East line 372.89 feet; thence South 88°31'10" West 250 feet along the North line of said parcel to the West line of said Section 2; thence South 00°02'17" West along said Section line 872 feet to the North right-of-way line of said Brinkhoff Road; thence North 88°31'10" East along said North line, 1051.80 feet to the Point of Beginning. Said parcel contains plus minus 13.75 acres.

Parcel 3:
A portion of the West 1/2 of Section 2, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

Commencing at the South corner on the West end of Cherry Tree Road as shown on Plot of St. Augustine Heights, Unit 3, as recorded on Map book 10 page 41 of the Public Records of St. Johns County, Florida; thence North 0°37' East 649.73 feet along the Westerly end of said Cherry Tree Road, and the Westerly line of said St. Augustine Heights, Unit 3, to the Point of Beginning; thence South 89°32'42" West, 511.99 feet to the Easterly right-of-way of Wildwood Drive; thence North 0°27'18" West, 132.85 feet along said Easterly right-of-way to the P.C. of a curve to the left having a radius, chord and central angle of 987.93 feet, 315.05 feet and 18°21'; thence around the arc of said curve 316.40 feet to the P.T.; thence North 18°48'18" West, 179.12 feet along said Easterly right-of-way line; thence North 89°32'42"

East, 616.83 feet to the Westerly boundary of said St. Augustine Heights Unit 3, thence South 0°37' East, 618.64 feet along said Westerly boundary to the Point of Beginning. Said parcel contains plus minus 1.00 acres.

Parcel 4:

A portion of the county owned Wildwood Drive (as now established for a 66 foot right-of-way) in Section 2, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described along the centerline of said right-of-way as follows:

For a Point of Beginning was the centerline intersection of Brinkhoff Road and Wildwood Drive; thence South 01°04'37" West, 890 feet along said centerline to a Point of Terminus; thence begin again at the Point of Beginning; thence North 01°01' West, along said centerline, 52.6 feet to the P.C. of a curve to the left, having a radius, chord and chord bearing of 954.93 feet, 304.53 feet and said curve 305.83 to the Point of Terminus on the North. Said boundary then parcel with and 33 feet of right angles to each side of the shore described centerline. Said roadway parcel contains plus minus 1.85 acres.

Parcel 5:
Also included is the total right-of-way of County owned Brinkhoff Road from Wildwood Drive West to the East plus minus 2370 feet as established for a 60 foot right-of-way width. This lies in Sections 2 and 3, Township 8 South, Range 29 East, St. Johns County, Florida. Said portion contains plus minus 3.20 acres.

Parcel 6:
A parcel of land lying in Sections 2 and 3, Township 8 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows: For a point of commencement use the south right-of-way line of Brinkhoff Road as now established for a 66 foot right-of-way and the common line between said Sections 2 and 3; thence South 01°06'02" East, 179.92 feet along said common line to the Point of Beginning; thence South 88°31'10" West, 179.63 feet; thence South 00°02'17" West, 622.29 feet; thence North 88°31'10" East 350.0 feet; thence North 00°02'17" East 622.29 feet; thence South 88°31'10" West, 170.37 feet to the Point of Beginning. Said Parcel contains plus minus 5.0 acres. Also the centerline description for a roadway easement to this property is as follows: For a point of commencement use the South right-of-way and the common line between said Sections 2 and 3; thence South 88°31'10" West along said South right-of-way line 164.66 feet to the Point of Beginning of a centerline description of a 22 foot easement lying 11 feet distant and at right angles to the following described centerline; thence South 00°02'17" West, 200 feet to the North boundary of the aforementioned parcel and the Point of Terminus of this easement.

WHICH ARE LOCATED: Wildwood Drive, off SR 207.

The application for modification, FILE NUMBER:

BER: R-PUD-87-021, is maintained in the office of Planning and Zoning, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by parties in interest and all parties in interest shall be granted an opportunity to be heard at said public hearing.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meetings or hearing, they will need a record of the proceedings and for

such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners on this topic to properly noticed public hearings or to written communication care of St. Johns County Planning and Zoning Department, Post Office Drawer 349, St. Augustine, Florida 32095.

Notice to persons needing special accommodations and to all hearing impaired persons: In accordance with the Americans with Disabilities Act persons needing a special accommodation or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator at (904) 623-2500 or of the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095, not later than 5 days prior to the date of this meeting.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
/s/ CARL "BUD" MARKEL, CLERK
L143 - Dec. 22, 1995

Ordinance Book 17 Page 395

PLANNING & ZONING DEPARTMENT

JAN 30 1996

ST. JOHNS COUNTY FLORIDA

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

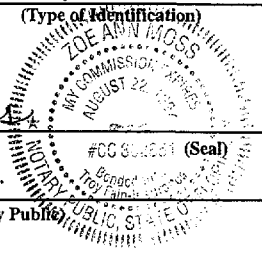
Before the undersigned authority personally appeared Julia Meeks Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being a Notice of Continued Public Hearing in the matter of Feb. 13, 1996 @1:30 continued from Jan. 23, 1996

in the Court, was published in said newspaper in the issues of Jan. 27, 1996

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 29th day of Jan., 1996, by Julia Meeks who is personally known to me or who has produced personally known as identification.

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



Ordinance Book 17 Page 396

Continued to February 27, 1996

NOTICE OF A CONTINUED PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA. NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 17TH DAY OF FEBRUARY, 1996 AT 1:30 P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY, ST. AUGUSTINE, FLORIDA WILL CONSIDER THE FOLLOWING REQUEST, WHICH WAS CONTINUED FROM THE MEETING OF JANUARY 23, 1996: AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO PUD, KNOWN AS TREATY PARK PLANNED UNIT DEVELOPMENT. General Location of Property: Wildwood Drive. The aforementioned application and supporting documents are maintained in the office of Zoning, County Administration Building, St. Augustine, Florida, and may be examined by parties in interest prior to said public hearing and all parties in interest shall be granted an opportunity to be heard at said public hearing. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting, 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 persons needing special accommodations and to all hearing impaired persons: In accordance with the American with Disabilities Act persons needing a special accommodation or an interpreter, to participate in this proceeding should contact David Holslead, ADA Coordinator at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095, not later than 5 days prior to the date of this meeting. BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA CARL "BUD" MARTEL, ITS CLERK L361 Jan. 27, 1996