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ORDINANCE NUMBER: 96-33

AN ORDINANCE OF THE COUNTY OF
ST. JOHNS, STATE OF FLORIDA,
APPROVING A MAJOR MODIFICATION
TO THE SAWMILL LAKES PUD (96-7)
(PREVIOUSLY PARCEL B OF SANCHEZ GRANT PUD 93-10)
PROVIDING FOR FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE;
AND PROVIDING AN EFFECTIVE DATE

PUD

WHEREAS, the owner and its successors or assigns have executed a Development Agreement with St. Johns County and the Plaintiffs;

WHEREAS, the Settlement Agreement provides for certain changes to the Sawmill Lakes PUD,

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 modification to the PUD for Sawmill Lakes, dated April 16, 1996 (hereinafter, the PUD Modification application), the PUD for Sawmill Lakes is hereby modified as follows:

- a. Eliminate all the commercial space located within the Sawmill Lakes PUD by changing the land use designation from commercial to residential; and
- b. Increase the number of single family residential lots allowable within the Sawmill Lakes PUD by an amount not to exceed ten (10) units, or a total amount not to exceed 375 units.

Supporting documents are as follows:

Exhibit	A	Legal Description
	B	Revised Master Plan Map

SECTION 2. That development of the lands within the Sawmill Lakes 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.

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SECTION 3. The Sawmill Lakes PUD shall consist of ±256 acres. Development shall include up to 375 single family lots and no Commercial. Allowable uses, phasing and setback requirements are specified in the Narrative Plan Description, as approved in 96-8, which also includes the Owner's Commitment to the PUD Ordinance and Conditions.

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 Development Agreement; and
5. The proposed development is consistent with the Settlement Agreement; and
6. 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.
7. The request received favorable review and a recommendation for approval by the Planning and Zoning Agency at its meeting on May 16, 1996.

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 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 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 revised master plan for said Planned Unit Development in accordance with St. Johns County Zoning Code, attached hereto as Exhibit B, Master Plan Map.

SECTION 7. 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 Final Development Plan and construction plans after approval pursuant to the zoning code and all other applicable County Ordinances.

SECTION 8. 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 28th day of May, 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Donald Jordan
CHAIRMAN Donald Jordan

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Patricia D. Dillard
DEPUTY CLERK

(SEAL)

EFFECTIVE DATE: June 5, 1996



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**ATTACHMENT "A" TO THE ORDINANCE
LEGAL DESCRIPTION**

ATTACHMENT "A" (Continued)

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PARCEL J

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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 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: COMMENCE at the corner common to Sections 9, 16, and 42, Township 4 South, Range 29 East, of said county; thence North 87°25'45" East, along the Northerly line of said Section 16, a distance of 546.10 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 918.34 feet to the point of curvature of a curve to the left; COURSE NO. 2: thence along and around the arc of said 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, 2628.75 feet to the Southerly line of the Joseph S. Sanchez Grant, Section 43; thence North 85°53'26" West, along last said line, 536.08 feet to the corner common to Sections 43, 41, and 15, all being in Township 4 South, Range 29 East; thence South 14°33'14" East, along the Easterly line of said Section 41, a distance of 1703.31 feet to the corner common to said Sections 15, 22, and 41, and the POINT OF BEGINNING; thence North 88°29'06" East, along the Northerly line of aforesaid Government Lot 2, and Section 22, a distance of 1091.10 feet to the Westerly right-of-way line of aforesaid Old Palm Valley Road; thence Southerly, Southwesterly, and Westerly along the Westerly, Northwesterly, and Northerly right-of-way line of said Old Palm Valley Road run the following ten (10) courses and distances: COURSE NO. 1: South 03°08'41" East, a distance of 1847.40 feet to the point of curvature of a curve to the right; COURSE NO. 2: thence along and around the arc of said curve concave Northwesterly, having a radius of 2228.16 feet, an arc distance of 1388.36 feet, said arc being subtended by a chord bearing and distance of South 14°42'20" West, 1366.01 feet to the point of tangency of said curve; COURSE NO. 3: thence South 32°33'22" West, 424.84 feet to the point of curvature of a curve to the left; COURSE NO. 4: thence along and around the arc of said curve concave Southeasterly, having a radius of 2301.45 feet, an arc distance of 354.38 feet, said arc being subtended by a chord bearing and distance of South 28°08'41" West, 354.03 feet to the point of tangency of said curve; COURSE NO. 5: thence South 23°44'01" West, 505.83 feet to the point of curvature of a curve to the left; COURSE NO. 6: thence along and around the arc of said curve concave Southeasterly, having a radius of 2806.70 feet, an arc distance of 504.60 feet, said arc being subtended by a chord bearing and distance of South 18°35'00" West, 503.92 feet to the point of tangency of said curve; COURSE NO. 7: thence South 13°25'58" West, 814.21 feet to the point of curvature of a curve to the right; COURSE NO. 8: thence along and around the arc of said curve concave Northwesterly, having a radius of 467.0 feet, an arc distance of 466.70 feet, said arc being subtended by a chord bearing and distance of South 42°03'45" West, 447.52 feet to the point of tangency of said curve; COURSE NO. 9: South 70°41'32" West, 479.95 feet to the point of curvature of a curve to the right; COURSE NO. 10: thence along and around the arc of said curve concave Northerly, having a radius of 33.0 feet, an arc

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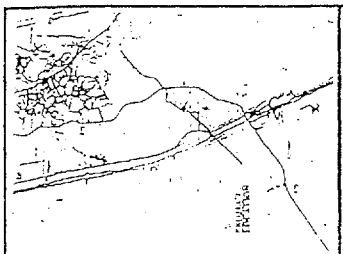
distance of 40.16 feet, said arc being subtended by a chord bearing and distance of North 74°26'37" West, 37.73 feet to the point of tangency of said curve and the Northeasterly right-of-way line of Roscoe Boulevard (a 65 foot right-of-way as now established); thence Norhtwesterly along said Northeasterly right-of-way line of Roscoe Boulevard run the following three (3) courses and distances: COURSE NO. 1: North 39°34'45" West, 307.56 feet to the point of curvature of a curve to the right; COURSE NO. 2: thence along and around the arc of said curve concave Northeasterly, having a radius of 2831.79 feet, an arc distance of 653.77 feet, said arc being subtended by a chord bearing and distance of North 32°57'55" West, 652.32 feet to the point of tangency of said curve; COURSE NO. 3: North 26°21'05" West, 1074.34 feet to the West line of aforesaid Section 54; thence North 06°42'49" West, along last said line, a distance of 1433.34 feet to the corner common to Sections 49, 51, and 54, of said Township 4 South, Range 29 East; thence North 84°26'33" East, along the North line of said Section 54, a distance of 1365.84 feet to the corner common to aforesaid Sections 22, 49, and 54; thence North 05°28'05" West, along the West line of aforesaid Government Lot 3, of said Section 22, a distance of 1335.70 feet to the corner common to aforesaid Sections 22, 41, and 49; thence North 37°10'52" East, a distance of 1499.51 feet to the aforesaid Easterly line of said Section 41; thence North 14°33'14" West, along last said line, a distance of 200.0 feet to the POINT OF BEGINNING.

BOOK _____ PAGE _____

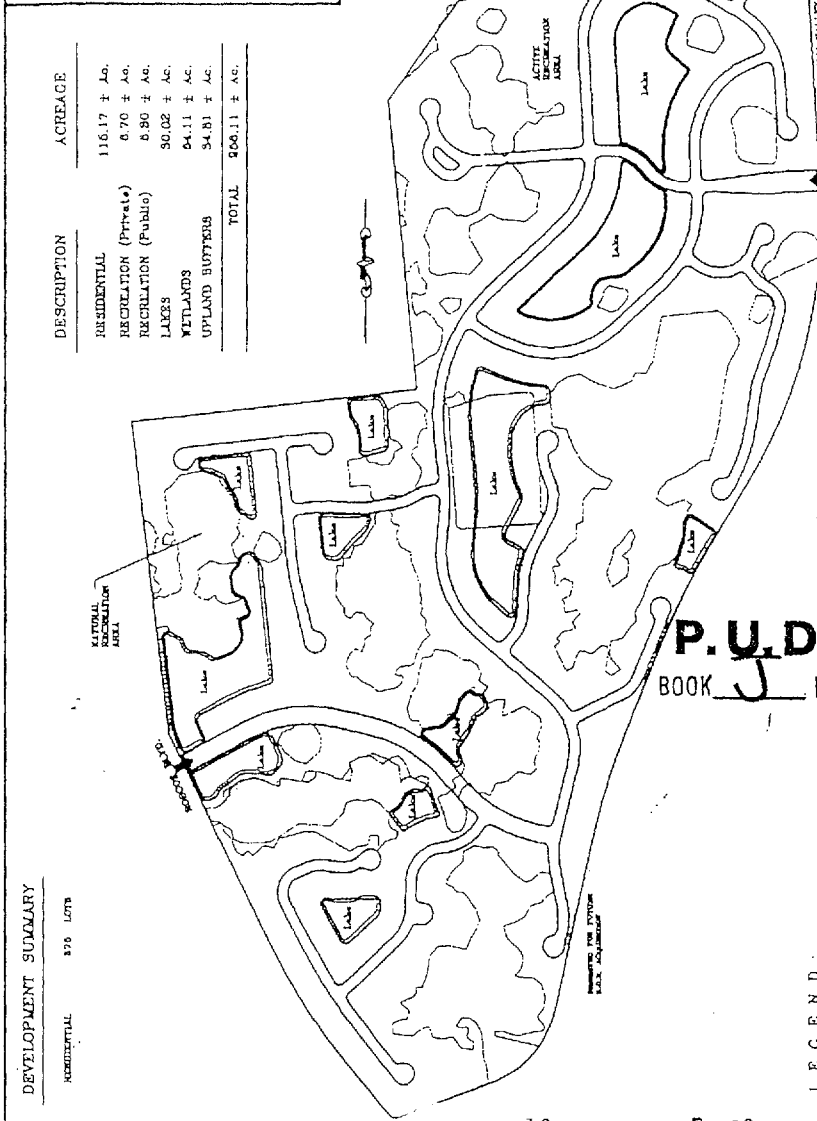
Containing 256.11 acres, more or less.

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**ATTACHMENT "B" TO THE ORDINANCE
MASTER PLAN MAP**



DESCRIPTION	ACREAGE
RESIDENTIAL	116.17 ± AC.
RECREATION (Private)	0.70 ± AC.
RECREATION (Public)	8.80 ± AC.
LAKES	30.02 ± AC.
WETLANDS	84.11 ± AC.
UPLAND BUFFERS	34.81 ± AC.
TOTAL	200.11 ± AC.



APPROVED BY ORDINANCE No. 98

- 1. THE LOCATION OF THE LOTS AND LAKES SHALL BE DETERMINED BY THE DEVELOPER.
- 2. THE LOTS AND LAKES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE DEVELOPER'S PLAN.
- 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF THE WETLANDS AND UPLAND BUFFERS.
- 4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF THE NATURAL RECREATION AREA.

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LEGEND:
 RESIDENTIAL
 RECREATION
 WETLANDS
 UPLAND BUFFERS

DEVELOPMENT SUMMARY
 RESIDENTIAL 176 LOTS

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 Proposed major modification on Ordinance 96-7

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

issues of April 24, 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 24th day of April, 1996,

by Julia Meeks who is personally

known to me or who has produced personally known as

(Type of Identification)

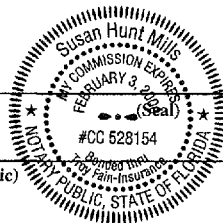
identification.

Susan Hunt Mills

(Signature of Notary Public)

Susan Hunt Mills

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



COPY OF ADVERTISEMENT

OFFICE OF PUBLIC HEARING
ON PROPOSED
MODIFICATION
OF A
PLANNED UNIT
DEVELOPMENT
The notice is hereby given
a public hearing for
Major Modification to Saw-
mill Lakes PUD Ordinance
Number 96-7. An ordinance
modifying lands within
Planned Unit Development
will be heard by the Board
of County Commissioners of
St. Johns County, Florida,
to consider the following:

1. Eliminate all com-
mercial space located with-
in Sawmill Lakes Planned
Unit Development by
changing land use designa-
tion from commercial to
residential, and
2. Increase the number
of single family lots allowa-
ble within the Sawmill
Lakes PUD by an amount
not to exceed ten (10) units,
or a total amount not to ex-
ceed 375 units on the follow-
ing described lands located
in St. Johns County, Flori-
da:

ATTACHMENT A
R-PUD-04-04
SAWMILL LAKES
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
Hestre Grant, Section
54, 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, be-
ing more particularly de-
scribed as follows: COM-
MENCE at the corner com-
mon to Sections 9, 16, and
42, Township 4 South,
Range 29 East, of said county;
thence North 87°29'43"
East along the northerly
line of said Section 16, a dis-
tance of 345.10 feet to the
westerly right-of-way line of
Old Palm Valley Road
(State 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
03°49'15" East, a distance of
918.34 feet to the point of
curvature of a curve to the
left; COURSE NO. 2:
thence along and around the
arc of said curve concave
Northeasterly, having a ra-
dius of 1330.97 feet, an arc
distance of 622.30 feet; said
arc being subtended by a
chord bearing and distance
of South 20°00'07" East,
607.0 feet to the point of tan-
gency of said curve;
COURSE NO. 3: thence
South 37°19'58" East, 2828.75
feet to the Southerly line of
the Joseph S. Sanchez
Grant, Section 43; thence
North 85°33'28" West, along
said line, 536.98 feet to
the corner common to Sec-
tions 43, 41, and 15, all being
in Township 4 South, Range
29 East; thence South
14°33'14" East, along the
Easterly line of said Section
41, a distance of 1703.31 feet
to the corner common to
said Sections 15, 22, and 41,
and the POINT OF BEGIN-
NING; thence North
88°29'06" East, along the
northerly line of aforesaid
Government lot 2, and Sec-
tion 22, a distance of 1091.10
feet to the westerly right-of-
way line of aforesaid Old
Palm Valley Road; thence
Southerly, Southwesterly,
and Westerly along the
Westerly, Northwesterly,
and Northerly right-of-way
line of said Old Palm Valley
Road run the following ten

(10) courses and distances
 COURSE NO 1 South
 03°08'41" East a distance of
 1847.40 feet to the point of
 curvature of a curve to the
 right; COURSE NO 2
 thence along and around the
 arc of said curve concave
 Northwesterly having a ra-
 dius of 2223.16 feet an arc
 distance of 1388.36 feet said
 arc being subtended by a
 chord bearing and distance
 of South 14°42'20" West
 1366.01 feet to the point of
 tangency of said curve;
 COURSE NO 3 thence
 South 32°33'22" West 424.84
 feet to the point of curva-
 ture of a curve to the left;
 COURSE NO 4 thence
 along and around the arc of
 said curve concave South
 easterly having a radius of
 2301.45 feet an arc distance
 of 334.38 feet said arc being
 subtended by a chord bear-
 ing and distance of South
 28°08'41" West 354.63 feet to
 the point of tangency of said
 curve; COURSE NO 5
 thence South 23°44'01" West
 305.83 feet to the point of
 curvature of a curve to the
 left; COURSE NO 6
 thence along and around the
 arc of said curve concave
 Southeasterly having a ra-
 dius of 2806.70 feet an arc
 distance of 304.60 feet said
 arc being subtended by a
 chord bearing and distance
 of South 18°33'00" West
 303.92 feet to the point of
 tangency of said curve;
 COURSE NO 7 thence
 South 12°25'58" West 814.21
 feet to the point of curva-
 ture of a curve to the right;
 COURSE NO 8 thence
 along and around the arc of
 said curve concave North-
 westerly having a radius of
 467.0 feet an arc distance of
 466.70 feet said arc being
 subtended by a chord bear-
 ing and distance of South
 42°03'45" West 447.82 feet to
 the point of tangency of said
 curve; COURSE NO 9
 South 70°41'32" West 479.95
 feet to the point of curva-
 ture of a curve to the right;
 COURSE NO 10; thence
 along and around the arc of
 said curve concave North-
 easterly having a radius of 230
 feet an arc distance of 40.14
 feet said arc being subtend-
 ed by a chord bearing and
 distance of North 74°26'37"
 West 37.73 feet to the point
 of tangency of said curve
 and the Northeastly right
 of way line of Rascos Boule-
 vard (a 66 foot right of way
 as now established); thence
 Northwesterly along said
 Northeastly right of way
 line of Rascos Boulevard
 until the following three (3)
 courses and distances
 COURSE NO 1 North
 39°34'45" West 307.36 feet to
 the point of curvature of a
 curve to the right; COURSE
 NO 2 thence along and
 around the arc of said curve
 concave Northeastly
 having a radius of 2831.79
 feet an arc distance of
 453.77 feet said arc being
 subtended by a chord bear-
 ing and distance of North
 32°57'35" West 452.32 feet to
 the point of tangency of said
 curve; COURSE NO 3
 North 26°21'05" West
 1074.34 feet to the West line
 of aforesaid Section 54;
 thence North 05°42'42"
 West along last said line a
 distance of 1433.34 feet to
 the corner common to Sec-
 tions 49, 51 and 54 of said
 Township 4 South Range 29
 East; thence North
 84°02'33" East along the
 North line of said Section
 54 a distance of 1365.84 feet
 to the corner common to

aforesaid Sections 22, 49
 and 54; thence North
 05°08'03" West along the
 West line of said aforesaid
 Government Lot 3 of said
 Section 22 a distance of
 1388.70 feet to the corner
 common to aforesaid Sec-
 tions 22, 41 and 49; thence
 North 37°10'52" East a dis-
 tance of 1499.51 feet to the
 aforesaid Easterly line of
 said Section 41; thence
 North 14°33'14" West along
 last said line a distance of
 206.0 feet to the POINT OF
 BEGINNING
 Containing 255.11 acres
 more or less
 Said land being located
 Palm Valley Road at South
 Rascos Boulevard
 The Board of County
 Commissioners will hear
 the request on the 28th day
 of May 1996 at 1:30 p.m.
 Said hearing to be held in
 the County Auditorium
 County Administration
 Building Lewis Speedway
 (County Road 16A) and
 US1 North, St Augustine
 Florida
 The Modification FILE
 NUMBER Major Modifica-
 tion/R PUD 95-040 is main-
 tained in the Planning Of-
 fice County Administration
 Building 4020 Lewis Speed-
 way (County Road 16A),
 St Augustine Florida and
 may be examined by par-
 ties in interest prior to said
 public hearing and all par-
 ties in interest shall be
 heard on opportunity to be
 heard at said public
 hearing
 BOARD OF COUNTY
 COMMISSIONERS OF ST.
 JOHNS COUNTY
 FLORIDA
 s/ CARL BUD MARKEL
 CLERK OF COURTS
 If a person decides to ap-
 peal any decision made by
 the Board of County Com-
 missioners 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 en-
 sure that a verbatim record
 of the proceedings is made
 which record includes the
 testimony and evidence
 upon which appeal is to be
 based
 Notice to persons need-
 ing special accommoda-
 tions and to all hearing im-
 paired persons in accord-
 ance with the Americans
 with Disabilities Act per-
 sons needing a special ac-
 commodation or an in-
 terpreter to participate in
 this proceeding should con-
 tact David Halstead ADA
 Coordinator at (904)
 823-2300 or at the County
 Administration Building
 4020 Lewis Speedway St
 Augustine Florida 32085
 not later than 5 days prior
 to the date of this meeting
 This matter is subject
 to court imposed and local
 rules of procedure. In-
 terested parties should limit
 contact with the County
 Commissioners and Plan-
 ning & Zoning Agency
 members on this topic ex-
 cept with compliance with
 Resolution 95-126 to prop-
 erly noticed public hearings
 or to written communica-
 tion care of St. Johns Coun-
 ty Planning Department
 P O Drawer 349 St Augus-
 tine Florida 32095
 L 990 April 24 1996