

ORDINANCE NUMBER: 96-34

AN ORDINANCE OF THE COUNTY OF  
ST. JOHNS, STATE OF FLORIDA,  
APPROVING A MAJOR MODIFICATION  
TO THE ODOM'S MILL PUD (96-8)  
(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 owner and its successors or assigns have executed a Settlement Agreement with St. Johns County and the Plaintiffs;

WHEREAS, the Settlement Agreement provides for certain changes to the Odom's Mill 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, dated April 16, 1996, (hereinafter, the PUD Modification application), the PUD for Odom's Mill is hereby modified as follows:

- a. Reduce the commercial space located within the Odom's Mill PUD to an amount not exceeding 25,000 SF;
- b. Place the commercial development located within Odom's Mill PUD as far north as reasonably practicable and possible, taking into account normal business considerations;
- c. Require all free-standing signage (i.e., not attached to any structure) within the commercial space located within the Odom's Mill PUD to adhere to the following height and size limitations: two-sided signs not to exceed twelve (12) feet above existing site grade, and limited in size to sixty (60) square feet per side. Temporary signs and signs with temporary lettering are prohibited;
- d. Limit to one (1) the number of full service gasoline stations that can be constructed within the commercial space located within the Odom's Mill PUD; and
- e. Increase the number of single family residential lots allowable within the Odom's Mill PUD by an amount not to exceed two (2) units, or a total amount not to exceed 232 units.

All other conditions in the PUD remain unchanged unless so modified by the above. Supporting documents are as follows:

Exhibit	A	Legal Description
	B	Revised Master Plan Map

**P. U. D. OFF. REC.**  
**BOOK J PAGE 205**

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 232 single family lots and 25,000 square feet (SF) of 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 Settlement Agreement.
5. The proposed development is consistent with the Sanchez Development 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.

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

BOOK J PAGE 206

6. 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 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 PUD and 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.

**P. U. D.** OFF. REC.  
BOOK J PAGE 207

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

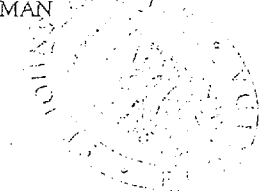
BY: Donald Warden  
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Patricia DeGrande  
DEPUTY CLERK

(SEAL)

EFFECTIVE DATE: June 5, 1996



P.U.D. OFF. REC.  
BOOK J PAGE 208

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

## ATTACHMENT "A"

LEGAL DESCRIPTION

PARCEL I

P.U.D. OFF. REC.

P.U.D. OFF. REC.

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

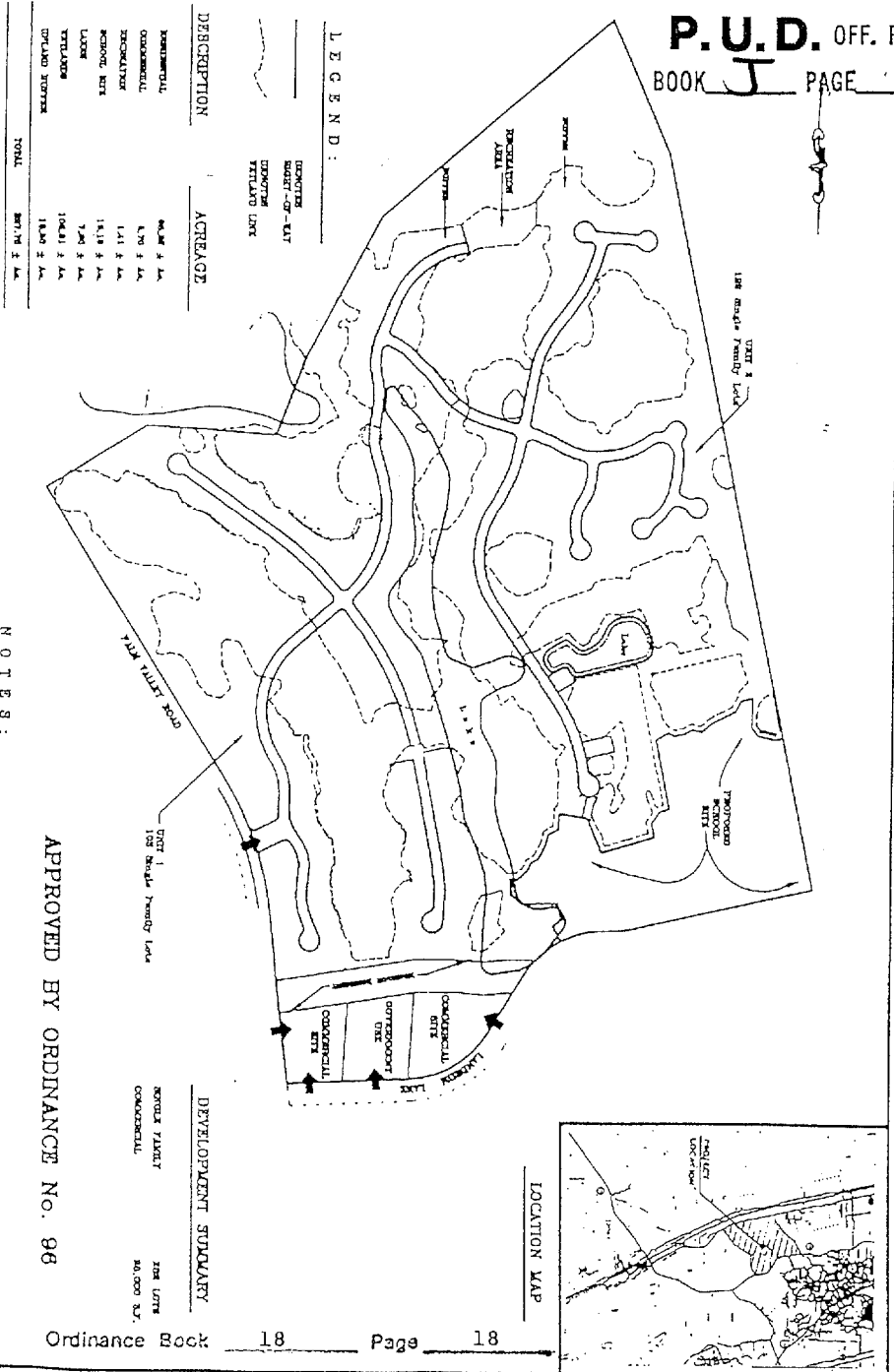
A portion of the Andres Pappy Grant, Sections 16 and 42, TOGETHER WITH a portion of the Joseph S. Sanchez Grant, Section 43 TOGETHER WITH a portion of the Heirs of Thomas Pitch Grant, Section 48, TOGETHER WITH a portion of the Francis X. Sanchez Grant, Section 41, all being in Township 4 South, Range 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 Palma 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 Palma 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 Palma Valley Gardens Unit Two; thence Northwesterly and Northerly along said Easterly boundary of Palma 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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BOOK 5 PAGE 210

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

Ordinance Book 18 Page 17



DESCRIPTION	ACREAGE
RESIDENTIAL	64.00 ± A.
COMMERCIAL	4.70 ± A.
INDUSTRIAL	141.1 ± A.
PARK	14.18 ± A.
LAKES	7.00 ± A.
WATER	10.84 ± A.
TOTAL	149.82 ± A.

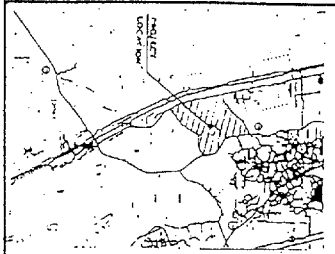
LEGEND:

- BOUNDARY
- STREET - OF - CITY
- IMPROVED
- WETLAND LINE

NOTES:  
1. THE ACTUAL LOCATION OF PARK, WALKS AND UTILITIES SHALL BE DETERMINED ON FINAL DEVELOPMENT PLAN.  
2. STREET AND SITE LAYOUTS ARE CONCEPTUAL. FINAL LOCATIONS SHALL BE DETERMINED ON FINAL DEVELOPMENT PLAN.

APPROVED BY ORDINANCE No. 96

DEVELOPMENT STODUARY  
TOTAL ACRES 149.82 ± A.



ODOM'S MILL P.U.D. (PREVIOUSLY SUNCOR GREAT P.U.D.) A LOCAL GOVERNMENT CORPORATION CHARTERED BY THE STATE OF TEXAS	Hill, Spring & Associates, Inc. 10000 Hill Country Road, Suite 100 Austin, Texas 78738	DESIGNED BY: [Name] DRAWN BY: [Name] CHECKED BY: [Name] DATE: OCT 1982 PROJ. NO. 1502-82	REVISIONS NO. DATE DESCRIPTION
		SP-1 10/1/82	[Empty table for revisions]



# 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 proposed Ordinance 96-8

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

issues of April 25, 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 25th day of April, 1996,

by Julia Meeks who is personally

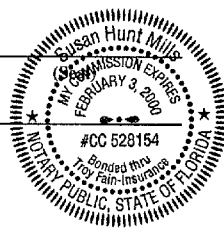
known to me or who has produced personally known as

(Type of Identification)

identification.

Susan Hunt Mills  
(Signature of Notary Public)

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



COPY O

## NOTICE OF PUBLIC HEARING ON PROPOSED MAJOR MODIFICATION TO PLANNED UNIT DEVELOPMENT

Notice is hereby given that a public hearing for Major Modification to Odom's Mill PUD: Ordinance 96-8, modifying lands within Planned Odom's Mill Planned Unit Development will be heard by the Board of County Commissioners of St. Johns County, Florida, to consider the following:

1. Reduce the commercial space located within the Odom's Mill PUD to an amount not exceeding 25,000 square feet.

2. Place commercial development located within Odom's Mill PUD as far north as reasonably practicable and possible, taking into account normal business considerations.

3. Require all free-standing signage (i.e. not attached to any structure) within the commercial space located within the Odom's Mill PUD to adhere to the following height and size limitations: twenty (20) feet in height with size to conform to St. Johns County Sign Ordinance requirements.

4. Limit to one (1) the number of full service gas-line stations that can be constructed within the commercial space located within the Odom's Mill PUD, and

5. Increase the number of single family residential lots allowable within the Odom's Mill PUD by an amount not to exceed two

(2) units, or a total amount not to exceed 22 units on the following described lands located in St. Johns County, Florida:

ATTACHMENT A - Odom's Mill R-PUD-95-041

PARCEL 1

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 Helms of Thomas

Fitch Grant, Section 48, 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:

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 45 of the Public Records of said county, said corner lying on the southerly line of the

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 478.53 feet, said arc being subtended by a chord bearing and distance of 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 curve concave North-westerly, having a radius of 492.50 feet, an arc distance of 478.53 feet, said arc being subtended by a chord bearing and distance of North 67°43'34" East, 436.63 feet to the point of tangency of said curve; COURSE NO. 4: North 32°23'45" East, 302.12 feet to the point of curve 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 463.57 feet, said arc being subtended by a chord bearing and distance of north

99°35'45" East, 447.90 feet to the point of tangency of said curve; COURSE NO. 6; thence North 87°23'45" East, 581.28 feet to the Westerly right-of-way line of Old Palm Valley Road (State Road No. 216 as relocated and described and recorded in Official Records Book 719, Page 1012 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°01'21" 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 612.35 feet, said arc being subtended by a chord bearing and distance of South 30°00'07" East, 607.8 feet to the point of a tangency of said curve; COURSE NO. 3; thence South 37°03'58" East, 1628.11 feet; thence South 89°29'58" West, 567.50 feet; South 33°10'58" East, 1628.11 feet; thence South 58°29'58" West, 567.50 feet; thence North 50°42'49" West, 622.32 feet; thence South 21°07'43" West, 523.49 feet; thence South 28°54'34" West, 743.45 feet; thence South 43°18'03" West, 814.22 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 2°08'35" West, 677.14 feet; COURSE NO. 2; North 12°00'23" West, 549.61 feet to the POINT OF BEGINNING. Containing 347.75 acres, more or less. Said land being located: Palm Valley Road of Landrum Lane. The Board of County Commissioners will hear the request on the 28th day of May, 1996, at 1:00 p.m. Said hearing to be held in the County Auditorium, County Administration Building, Lewis Speedway (County Road 16-A), and US1 North St., Augustine, Florida. The Modification FILE NUMBER: Major Modification/R-PUD-95-041, is maintained in the Planning Office, County Administration Building, 4020 Lewis Speedway (County Road 16-A), 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.

**PLANNING & ZONING AGENCY**  
 By John C. McDonald, Chairman

It is anticipated that one or more members of the Board of County Commissioners of St. Johns County, Florida, may attend and participate in this meeting. If a person decides to appeal any decision made by the Planning & Zoning Agency 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 appeal is to be based.

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 Holstead, ADA Coordinator, (904) 823-2500 of the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095, not later than 5 days prior to the date of this meeting. This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners and Planning & Zoning Agency members on this topic except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32095. L98 April 25, 1996