

ORDINANCE NUMBER: 96-37
AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, MODIFYING THE
PHASING SCHEDULE, MASTER DEVELOPMENT PLAN
AND TEXT CHANGES, INCORPORATED INTO ORDINANCE NO: 92-10
AND RESOLUTION FOR FINAL DEVELOPMENT PLAN 94-193
AN ORDINANCE REZONING CERTAIN LANDS
DESCRIBED THEREIN TO PLANNED UNIT DEVELOPMENT;
MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That as requested by Rolling Hills Community, Inc. the record title owners, in its application with supporting documents for zoning hearing dated March 15, 1996 and amended on May 6, 1996, concerning lands described on attached Exhibit "1", the legal description, attached hereto, (hereinafter the "PUD Modification"), the incorporated into Ordinance Number : 92-10 is hereby modified as set forth in the attached exhibits hereto as :

- Exhibit 1- legal description
- Exhibit 2 -modification description
- Exhibit 3 - authorization to agent
- Exhibit 4- revised Final Development Plan Map

SECTION 2. That development of lands within the PUD shall proceed in accordance with Ordinance Number : 92-10, including the Application for Zoning Hearing, (The PUD Modification) dated March 15, 1996 and as amended on May 6, 1996, attached hereto and made a part hereof.

SECTION 3. That the need and justification for modification of the PUD has been considered in accordance with Section 11-10-4 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 the 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 or development of adjacent properties or the general neighborhood;
- 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 April 18, 1996, the Planning and Zoning Agency recommended approval by unanimous vote.

SECTION 6. That all other provisions of Ordinance Number 92-10, as amended, and Resolution 94-193 not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. 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, the Concurrency Management Ordinance 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 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.

SECTION 8. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 9. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the Official Records of St. Johns County, Florida, and indexed under the name of the property owner listed in Section 1 hereof.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY THIS 11 DAY OF June 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

by: Donald Jordan
Its Chair

Attest: Carl "Bud" Markel, Clerk

By: Irma Bacette
Deputy Clerk

Adopted: June 11, 1996

Effective: June 18, 1996

ROLLING HILLS PLACE
PLANNED UNIT DEVELOPMENT
APPLICATION FOR MAJOR MODIFICATION

ATTACHMENTS

P. U. D. OFF. REC.
BOOK J PAGE 224

- Exhibit 1 Legal Description
- Exhibit 2 Modifications to Sections 2 and 5
- Exhibit 3 Authorization to Agent
- Exhibit 4 Final Development Plan

ORDINANCE: St. Johns County Board of County Commissioners

SUBMITTAL DATE

March 15, 1996

APPLICANT

Mr. Vernon Cribbs
Rolling Hills Community Inc.
Post Office Box 5326
St. Augustine, Florida 32084
(904)471-8600

AGENT:

CVH Engineering
276 Brevard Ave.
Cocoa, Fl., 32922
(407)631-3802

Legal Description
Rolling Hills Community

P. U. D. OFF. REC.
BOOK J PAGE 225

A parcel of land in Section 48, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a point of commencement use the Southwest corner of Section 25, Township 7 South, Range 29 East said corner monumented by a 4"x4" concrete, said point being on the East line of said Section 48, 578.23 feet to the Southerly line of the 160 foot Florida Power and Light Easement as recorded in Official Records Volume 259, page 136 and 137, public records of St. Johns County, Florida; thence South 80 17' 39" West, 474.19 feet to the Point of Beginning of the land to be described; thence South 00 58" 08" East, along the West line of Unit No. 2 of St. Augustine Heights Industrial Park as recorded in Map Book 19, pages 37 and 38, public records of St. Johns County, Florida, 2113.95 feet to the Northerly right of way line of Industrial Park Road an 80 foot right of way as per Official Records Book Volume 82, pages 125 and 126, public records of St. Johns County, Florida, said point lying on a curve to the right having a radius of 1233.17 feet, a chord of 795.10 feet, and chord bearing of North 65 05' 49" West; thence around the arc of said curve 809.56 feet to the Point of Tangency of said curve; thence North 46 16' 31" West, 1137.62 feet to the Point of Curvature of a curve to the right having a radius of 1233.57 feet, a chord of 763.80 feet, and chord bearing of North 28 14' 40" West, thence around the arc of said curve 776.57 feet to the Southerly line of a 160 foot easement for Florida Power and Light Company as per Official Records Volume 259, pages 136 and 137, public records of St. Johns County, Florida, thence North 80 17' 39" East along said Southerly line, 1896.14 feet to the Point of Beginning.

EXHIBIT 1

Ordinance Book 18 Page 41

Exhibit 2

P. U. D. OFF. REC.
BOOK J PAGE 226

A. Section II Statement of Intended Plan of Development,

Section II.A.2 is hereby modified in accordance with the second minor modification to read as follows:

2. Minimum setbacks for single family lots and zero lot line patio homes as measured from wall to wall, will be as follows:

Zero Lot Line Patio

Front Yard	20 feet
Side Yards	0-5 feet, 10 foot minimum separation between units
Rear Yard	10 feet

Accessory uses permitted in the Rear Yard setback include pools, decks, patio's screened enclosures, decks, hot tubs, etc. Accessory uses shall be set back a minimum of three feet from the property line.

All houses having walls less than 5' from a lot line shall have gutters installed which shall direct runoff to the front or rear of the house.

B-Section V: Statement as to Phasing of the Development

Section V is hereby modified in accordance with the second minor modification, the third minor modification, and this modification to read:

The applicant intends to develop the proposed Planned Unit Development in three (3) phases.

Phase I development will consist of 47 single family and patio home residences, the entrance roadway and sign, and all associated roads, drainage and utilities required. Construction will commence no later than Sept. 1, 1996, with completion planned by Sept. 1, 1997.

Phase II will consist of the development of 48 single family and patio home residences, the recreation facility, and all associated roads, drainage facilities, and utilities required for the development. Construction will commence prior to July 1, 1998 with completion by July 1, 1999.

Phase III will consist of the development of the remaining 37 single family and patio home residences and completion of all associated roads, drainage facilities and utilities. Construction will commence prior to July 1, 1999 with completion by July 1, 2000.

All other portions of this statement are deleted.

OWNER'S AUTHORIZATION
FOR AGENT

P. U. D. OFF. REC.
BOOK J PAGE 227

CVH ENGINEERING is hereby authorized to act on behalf of
ROLLING HILLS COMMUNITY, owner(s) of the property described in the foregoing
application, and as described in attached deed or other proof of ownership, in applying to St. Johns
County, Florida, for a Zoning Hearing: Rezoning Variance
 Exception Other

and in making representations to St. Johns County related to the application. In authorizing the
agent named above to represent me, or my company, I attest that the application is made in good
faith and that any information contained herein is accurate and complete to the best of my knowl-
edge and belief.

By: _____
Signature of Owner(s)

Signature of Owner(s)

VERNON CRIBBS
Print Name(s) as Signed Above

P.O. Box 5326,
Address

ST. AUGUSTINE, FL. 32084

(407) 631-3802
Telephone Number

State of _____

County of _____

Signed and sworn to before me on the 15th day of March, 1996,
by Vernon Cribbs

Identification Presented: PERSONALLY KNOWN

Oath taken: Yes No

(Seal)

OFFICIAL NOTARY SEAL
HOLLY E SCOTT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CCE13706
MY COMMISSION EXP. DEC. 13, 1999

Holly E Scott
Notary Signature

My commission expires: 12-18-99

EXHIBIT 3 Ordinance Book 18 Page 43

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 ordinance 92-10

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

issues of May 17, 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 17th day of May, 1996,

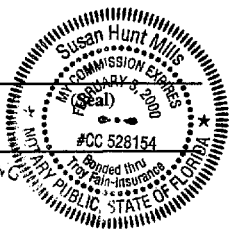
by Julia Meeks who is personally

known to me or who has produced personally known as

identification.

Susan Hunt Mills
(Signature of Notary Public)

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



PLANNING & ZONING DEPARTMENT
MAY 20 1996
ST. JOHNS COUNTY
Ordinance 92-10

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

Notice is hereby given that a public hearing for Major Modification to Ordinance 92-10 and Final Development Plan Resolution 94-199, 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: to allow a change in phasing schedule, reduce the number of lots in the development by three, change names of roads and the Planned Unit Development clarify side yard setbacks and adopt a modified final Development Plan Map for Phases I and II to accommodate the above changes on the following described lands located in St. Johns County, Florida:

Exhibit 1
Rolling Hills Community
A parcel of land in Section 48, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

For a point of commencement use the Southwest corner of Section 25, Township 7 South, Range 29 East, said corner monumented by a 4"x4" concrete, said point being on the East line of said Section 48, 578.23 feet to the Southerly line of the 160 foot Florida Power and Light Easement as recorded in Official Records Volume 259, page 136 and 137, public records of St. Johns County, Florida; thence South 80°17'39" West, 474.19 feet to the Point of Beginning of the land to be described; thence South 00°58'08" East along the West line of Unit No. 2 of St. Augustine Heights Industrial Park as recorded in Book 19, pages 37 and 38, public records of St. Johns County, Florida, 211.95 feet to the Northerly right of way line of Industrial Park Road on 80 foot right of way as per Official Records Book Volume 81, pages 125 and 126, public records of St. Johns County, Florida, said point lying on a curve to the right having a radius of 1233.17 feet, a chord of 795.10 feet, and chord bearing of North 65°05'48" West; thence around the arc of said curve 809.56 feet to the Point of Tangency of said curve; thence North 48°16'31" West, 1137.62 feet to the Point of Curvature of a curve to the right having a radius of 1233.17 feet, a chord of 763.80 feet, and chord bearing of North 26°14'40" West; thence around the arc of said curve 776.57 feet to the Southerly line of a 160 foot easement for Florida Power and Light Company as per Official Records Volume 259, pages 136 and 137, public records of St. Johns County, Florida; thence North 80°17'39" East along said Southerly line, 1896.14 feet to the Point of Beginning of said land being located: Rolling Hills Drive, running south off SR #207, West of Dobbs Road, and UST North, St. Augustine, Florida.

The Modification, FILE NUMBER: Major Modification, R-PUD-91-019, 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 hearings, and all parties in interest shall be granted an opportunity to be heard at said public hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
 W/ CARL "BUD" MARKEL, CLERK OF COURTS

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which 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 accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, tel. (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.

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 347, St. Augustine, Florida, 32095.

L 785 May 17, 1996