

P. U. D. OFF. REC.
BOOK J PAGE 449

ORDINANCE NUMBER: 96-44

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, MODIFYING THE MASTER
DEVELOPMENT PLAN AND SCHEDULE OF
DEVELOPMENT, INCORPORATED INTO ORDINANCE NO: 94-39
AN ORDINANCE REZONING CERTAIN LANDS
DESCRIBED THEREIN TO PLANNED SPECIAL 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 Walter J. O'Kon, Architect, on behalf of the record title owners, A.H. Craig and A.H. Craig III, in its application with supporting documents for zoning hearing dated April 16, 1996 and modified on June 11, 1996, concerning lands described on attached Exhibit "A", the legal description, attached hereto, (hereinafter the "PSD Modification"), the Master Development Plan and Schedule of Development incorporated into Ordinance Number :94-39 is hereby modified as set forth in the attached exhibits hereto as :

- Exhibit 1 - Letter from Walter James O'Kon dated 6-11-96
- Exhibit 2 - Revised Master Development Plan dated 6-11-96

SECTION 2. That development of lands within the PSD shall proceed in accordance with Ordinance Number :94-39, including the Application for Zoning Hearing, (The PSD Modification) dated April 16, 1996 and amended June 11, 1996, attached hereto and made a part hereof.

SECTION 3. That the need and justification for modification of the PSD 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 PSD, 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

Sealed - BCC Deputy
I. Pacetti
Dec - 11 - 96
Sur - 20

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Recorded in Public Records St. Johns County, FL
Check # 96030965 O.R. 1193 PG 848 01:03PM 09/03/96
Recording \$29.00 Surcharge \$4.00

thereof adopted by the St. Johns County Board of County Commissioners ;

- b. The PSD, 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 PSD, as modified, will accomplish the objectives and will meet the standards and criteria of Section 8A-4 of the Zoning Ordinance;
- d. The PSD, 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 June 6, 1996, the Planning and Zoning Agency recommended approval by unanimous vote.

SECTION 5. That all other provisions of Ordinance Number : 94-39 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, 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 PSD 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 State Constitutions.

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

O.R. 1193 PG 0850

SECTION 8. 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.

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PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY THIS 9th DAY OF July 1996.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

by: Donald Gordon
Its Chair

Attest: Carl "Bud" Markel, Clerk

By: Patricia DeGrande
Deputy Clerk



Adopted: 07-09-96

Effective: July 18, 1996

Walter James O'Kon
ARCHITECT

Exhibit 1

6-11-96

Planning and Zoning
St. Johns County
P.O. Drawer 349.
St. Augustine, Fla.
32085

Re: Major Modification
R-PSD-94-39

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O.R. 1193 PG 0851

The following Major Modification is proposed for R-PSD-94-39

The Amendments submitted include a new zoning application (enclosed), and new drawing page 1, dated 3-28-1996, REVISED 6-11-96.

Amendments to the original P.S.D. application are minimal, since the changes proposed in the amendments eliminate substantial amounts of new paving and the proposed new curb cut, and locate the building five feet closer to the original facility.

P.S.D. APPLICATION SECTION CHANGES ARE AS FOLLOWS:

INTRODUCTION No changes proposed.

INTENDED PLAN FOR DEVELOPMENT No changes proposed.

OPEN SPACE No changes proposed.

ROADS, WALKWAYS, AND PEDESTRIAN PATHS The first sentence shall be Changed as follows: "A portion of the existing brick wall and cap along the north property line shall be removed; See revised Preliminary Site Plan for extent. The second sentence shall be stricken or eliminated in its entirety.

PARKING No changes proposed.

UTILITIES No changes proposed.

LANDSCAPING No changes proposed.

DRAINAGE No changes proposed.

SIGNAGE No changes proposed.

See page 2

93 A KING STREET
ST. AUGUSTINE, FLA.
32084 ~ 4343
(904) 824 5879

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**Walter James O'Kon
ARCHITECT**

Planning and Zoning
St. Johns County
P.O. Drawer 349
St. Augustine, Fla.
32085

6-11-96

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O. R. 1193 PG 0852

Re: Major Modification
R-PSD-94-39
page 2

TEMPORARY USES No changes proposed.

WASTE No changes proposed.

SCHEDULE OF DEVELOPMENT The project shall commence within three years of approval of this Modification by the Board of County Commissioners. Commencement is defined as the approval of construction plans under the Development Review Procedures. The project shall be complete within eighteen months after approval of the construction plans. Completion is defined as the issuance of a Certificate of Occupancy (CO) by the Building Department.

OWNERSHIP AND MAINTENANCE No changes proposed.

REVISED SAVINGS CLAUS No changes proposed.

PSD PLAN A revised PSD plan is included with this submittal. The building is located Five feet closer to the existing , the paving area is now only 22 feet in width , and the storm water control structure has been consolidated along the east side of the parcel. The proposed curb cut has been eliminated.

All other items in the application remain unchanged.

See page 3

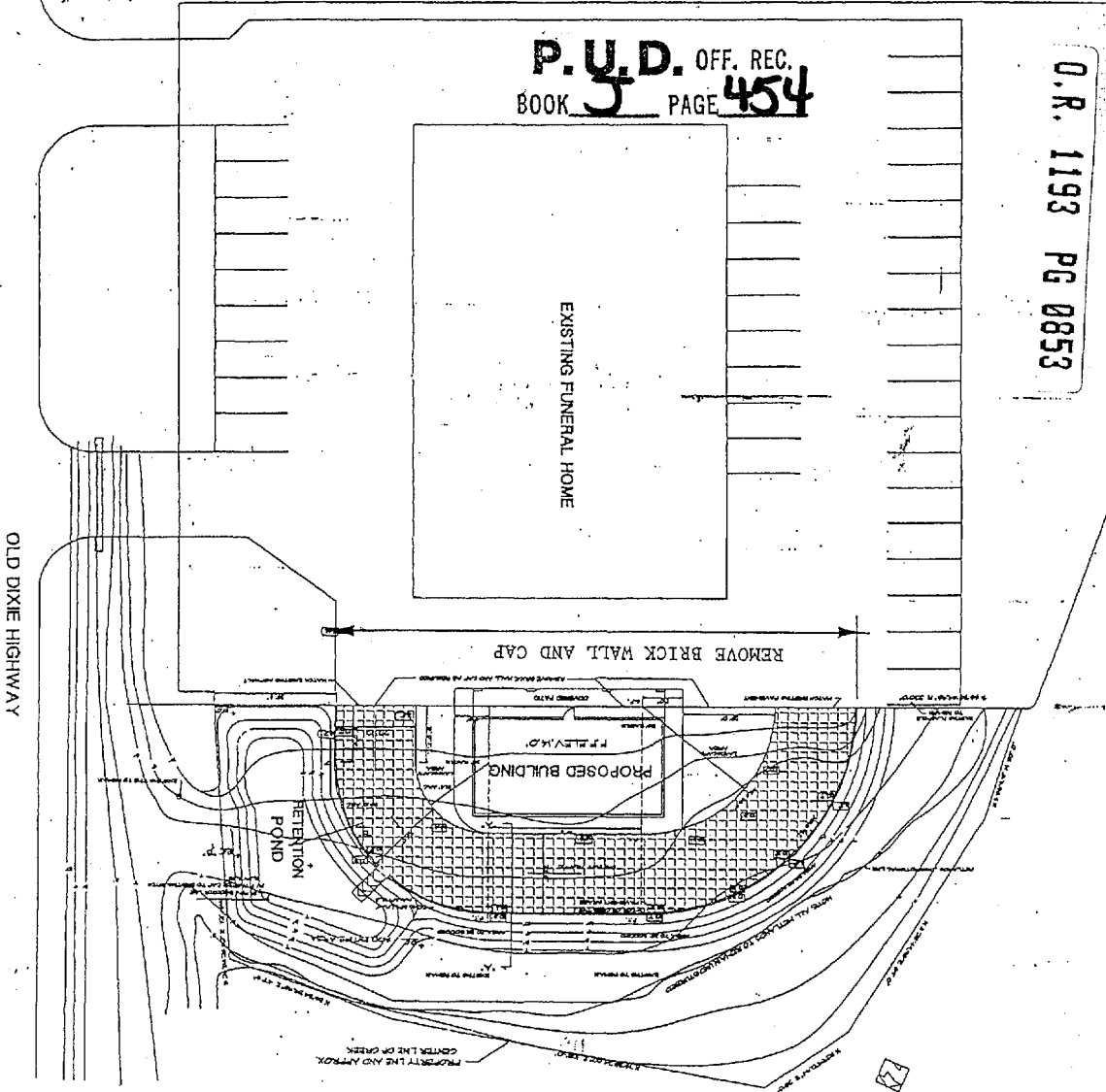
93 A KING STREET
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32084 ~ 4343
(904) 824 5879

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Exhibit 2

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O.R. 1193 PG 0853



<p>PRELIMINARY SITE PLAN PROPOSED OFFICE ANNEX CRAIG FUNERAL HOME</p>	<p>TED KELLER Inc. engineers ONE AND ONE HALF SOUTH WILSON BLVD GAINESVILLE, FLORIDA (904) 826-0299</p>	<p>WALTER JAMES O'KON ARCHITECT 14 S. GENE STREET, GAINESVILLE, FLORIDA 32604 (904) 864-1473</p>	<p>REGISTERED Professional Engineer No. 11110</p>
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Dnd. 96-44

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 _____ 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 to Ordinance 94-39 on July 9, 1996 @ _____

in the _____ Court, was published in said newspaper in the
issues of June 14, 1996 _____

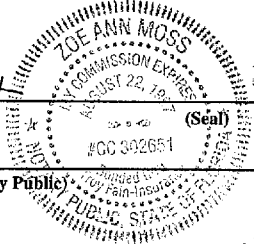
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 14th day of June, 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)



PLANNING & ZONING
DEPARTMENT

JUN 17 1996

ST. JOHNS COUNTY
FLORIDA

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NOTICE OF PUBLIC HEARING ON PROPOSED MAJOR MODIFICATION TO PLANNED SPECIAL DEVELOPMENT. Notice is hereby given that a public hearing for Major Modification to Ordinance Number 94-39, an ordinance that will modify lands within Planned Special Development will be heard by the Board of County Commissioners of St. Johns County, Florida, to consider the following changes in the Master Development Plan and Schedule of Development to revise roads, Walkways and Pedestrian paths, and to extend construction duration on the following described lands located in St. Johns County, Florida: Exhibit 'A' A PARCEL OF LAND IN THE G.W. PERPALL GRANT, SECTION 47, TOWNSHIP 7 SOUTH, RANGE 30, EAST, ST. JOHNS COUNTY, FLORIDA DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID PERPALL GRANT WITH THE WEST RIGHT OF WAY LINE OF OLD U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5, SECTION 7801, PROJECT B-48-A), SAID RIGHT OF WAY BEING 120 FEET IN WIDTH LYING 50 FEET ON EACH SIDE OF THE CENTERLINE; THENCE SOUTH 27 DEGREES 27 MINUTES EAST, ON SAID RIGHT OF WAY LINE, 55.47 FEET TO THE POINT OF CURVE TO THE RIGHT WITH RADIUS OF 2232.01 FEET; THENCE ON SAID CURVE TO THE RIGHT AND ON SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 1 DEGREE 52 MINUTES 17 SECONDS, AN ARC DISTANCE OF 73.00 FEET TO THE POINT OF BEGINNING AT THE EAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 66 DEGREES 33 MINUTES 50 SECONDS WEST 220 FEET MORE OR LESS TO THE CENTER OF CREEK OR DITCH; THENCE MEANDERING ON SAID CENTER OF DITCH ON THE FOLLOWING APPROXIMATE BEARINGS AND DISTANCES: NORTH 5 DEGREES 36 MINUTES 10 SECONDS WEST 33 FEET; THENCE NORTH 8 DEGREES 23 MINUTES 50 SECONDS EAST 49 FEET; THENCE NORTH 39 DEGREES 39 MINUTES 13 SECONDS EAST 28 FEET; THENCE NORTH DEGREES 45 MINUTES 54 SECONDS EAST 103 FEET; THENCE NORTH 84 DEGREES 55 MINUTES 00 SECONDS EAST 47.50 FEET TO SAID WEST RIGHT OF WAY LINE OF OLD U.S. HIGHWAY NO. 1; THENCE ON SAID RIGHT OF WAY LINE, ON A CURVE CONCAVE WESTERLY WITH RADIUS OF 2232.01 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 26 DEGREES 35 MINUTES 00 SECONDS EAST 72.00 FEET TO THE POINT OF BEGINNING. Said land being located: Intersection of Old Dixie Highway and U.S. #12 adjacent to existing Crole funeral Home. The Board of County Commissioners will hear the request on the 9th day of July, 1996, at 1:30 p.m. Said

County Auditor, County Administration Building, Lewis Speedway, (County Road 16-A), and US 1 North, St. Augustine, Florida.

The Modification FILE NUMBER: Major Modification # 94-0055 (main file) Planning Office, County Administration Building, 420 Lewis, (16-A), St. Augustine, Florida, and may be examined by parties interested prior to said public hearing, and all parties in interest shall be granted an opportunity to be heard at said public hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHN'S COUNTY, FLORIDA

CARL BUD MARKEL, CLERK OF COURTS

If a person desires 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, at (904) 823-2500, of the County Administration Building, 420 Lewis Speedway, St. Augustine, Florida 32055, not later than 5 days prior to the date of this meeting.

This matter is subject to court imposed 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, properly noticed public hearings or to written communication care of St. Johns County Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32055.

L371 June 14, 1995