P.U.D. OFF. REC.

ORDINANCE NUMBER: 97-47 BOOK K PAGE 945

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREIN AFTER FROM PRESENT ZONING CLASSIFICATION CG-B (COMMERCIAL GENERAL-B) AND OR (OPEN RURAL) TO PLANNED SPECIAL DEVELOPMENT (PSD); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That, as requested by Susan E. Green, Director of Planning for England, Thims & Miller, Inc., on behalf of the record title owner(s) Sunbelt Dix, Inc. in the application with supporting documents for zoning change dated May 16, 1997, as amended on June 16, 1997, (hereinafter the Winn Dixie PSD application) the zoning classification of lands described in Exhibit B is hereby changed from CG-B (Commercial General-B) and OR (Open Rural), to Planned Special Development, (PSD).

SECTION 2. That development of the lands within this Planned Special Development shall proceed in accordance with the PSD application, dated May 16, 1997, as amended on June 10, 1997, and other supporting documents which are a part of zoning file number R-PSD 97-020 and which are incorporated by reference into and made a part hereof this ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 3. That the requirements as set forth at the Planning and Zoning Agency Hearing of July 3, 1997, and included in the motion, become requirements for the development.

SECTION 4. That construction of the development shall commence (defined as approval of construction plans) within two (2) years of approval of the Ordinance as stipulated within the application.

SECTION 5. That if the property designated as Residential in this PSD is not developed as such, it will remain as open space.

SECTION 6. Findings of Fact: that the need and justification for approval of the Planned Special Development has been considered in accordance with Section 11-10-4 of the St. Johns County Zoning Ordinance and Comprehensive Plan, whereby, it is found that:

a. The proposed PSD does not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan or portion thereof adopted by the St. Johns County Board of County Commissioners.

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b. The proposed PSD will not adversely affect the health, safety, and welfare of the residents or visitors in the area and will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood.

c. The proposed PSD will accomplish the objectives, standards and criteria set forth in Section 8A-4 of the St. Johns County Zoning Ordinance.

d. The proposed PSD will be consistent with the development of property in the area and will be compatible with the desired development of the area.

e. The lands described herein are within the (Coastal) BB-1D residential land use category, as designated on the Future Land Use Map of St. Johns County Comprehensive Plan which permits the development of neighborhood commercial development on a scale suited to surrounding residential development pursuant to a PSD rezoning as well as residential uses. This development proposes a commercial building of 70,000 feet of neighborhood commercial use and a stormwater pond for commercial water, and future residential development, which does not conflict with any elements of the Plan.

f. That at the public hearing of July 3, 1997, the St. Johns County Planning and Zoning Agency found the application to be consistent with the St. Johns County Comprehensive Plan and recommended approval of the PSD application by a unanimous vote.

SECTION 7.

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 System 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.

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 property owner listed in Section 1 hereof.

SECTION 10. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed in the office of Planning, by the Planning Director or his designee.

P.U.D. OFF. REC.
BOOK K PAGE 947

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 12 DAY OF August, 1997

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: _____
Its Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: Irma Lacetti
Deputy Clerk

EFFECTIVE DATE: August 21, 1997

WINN DIXIE
PLANNED SPECIAL DEVELOPMENT
APPLICATION

3905 A1A South
St. Augustine Beach, Florida

P.U.D. OFF. REC.
BOOK K PAGE 948

SUBMITTAL DATE:

May 16, 1997

as amended on June 16, 1997

SUBMITTED ON BEHALF OF:

Sunbelt-Dix, Inc.
5233 Edgewood Court
Jacksonville, Florida 32254

AUTHORIZED AGENT FOR THE APPLICANT:

Susan A. Green
Director of Planning
England, Thims & Miller, Inc.
3131 St. Johns Bluff Road South
Jacksonville, Florida 32246

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EXHIBITS

EXHIBIT A	-	Application Form
EXHIBIT B	-	Legal Description
EXHIBIT C	-	Location Map
EXHIBIT D	-	Authorizations for Rezoning
EXHIBIT E	-	Proof of Ownership (Deed)
EXHIBIT F	-	Agreement to Comply
EXHIBIT G	-	Property owners within 300 feet
EXHIBIT H	-	Development Plan/ Phasing Plan
EXHIBIT I	-	Landscape Plan

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SECTION I
INTRODUCTION AND APPLICATION

Enclosed herein, please find an application for rezoning to Planned Special Development (PDS) with accompanying documents as required by the St. Johns County Zoning Ordinance. The application form is attached as Exhibit A. This petition is filed on behalf of the applicant:

Sunbelt-Dix, Inc.
5050 Edgewood Avenue
Jacksonville, Florida 32210

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The property sought to be rezoned consists of 17.3 +/- acres as described by the Legal Description - Exhibit B. It is situated in St. Johns County on the west side of A1A at the intersection of A1A and State Road 3 (SR 3) and south of Floridian Avenue. The property along SR 3 is vacant and there are single family houses along Floridian Avenue. The property is located in a mixed use area which includes business uses along SR 3 and along A1A. Immediately surrounding the property is an existing retail center (Anastasia Square), a restaurant, various businesses, vacant land, and single family dwellings. The location of the property is shown on the Location Map - Exhibit C. The name of the proposed Planned Special Development (PDS) will be Winn Dixie.

The subject property is owned by Sunbelt-Dix, Inc. as shown by the Proof of Ownership - Exhibit E. Said property owner has authorized Susan E. Green, Director of Planning, England, Thims & Miller, Inc. to act as their agent and to file the application for seeking the rezoning change indicated. Authorizations are attached as Exhibit D. Adjacent property owners for notification purposes are included as Exhibit G.

The applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PSD Ordinance as adopted by the St. Johns County Board of County Commissioners. The application also agrees to compile with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PSD as outlined in the Agreement to Comply, Exhibit F.

Except to the extent that they conflict with specific provisions of the approved development plan, PSD ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County including, without limitation 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 special exception shall be prohibited. Particularly, no private land use covenant or restriction that may be incorporated into this Ordinance shall take precedence over a Federal, State or County Statute, Ordinance, Regulation, Rule or Resolution except as such precedence is specifically provided for and described in the Ordinance or the incorporated PSD narrative.

SECTION II
PHYSICAL SITE CHARACTERISTICS

The property is located on the west side of S.R. 3 at the intersection of A1A and S.R. 3. The site is undeveloped with numerous trees and slopes from east to west. The site elevation ranges from 9 to 13 feet msl. The Soil Survey of St. Johns County Florida identifies A, C, and D soil type for the site. Vegetation is hardwoods and pine trees.

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SECTION III
INTENDED PLAN OF DEVELOPMENT

The real property to be considered for rezoning consists of 17.3+/- acres located at the intersection of A1A and S.R. 3. The development will be known as Winn Dixie. The property is currently zoned CG-B (Commercial General-B) and OR (Open Rural). This request is to rezone to Planned Special Development to allow for one (1) commercial building to accommodate a Winn Dixie grocery store, the stormwater retention pond for the commercial development, and a single family development.

The commercial portion of the development plan (Tract A) calls for construction of a total of 70,000 square feet of building space for commercial use, the associated required parking spaces, landscape and buffer areas and a retention/detention area as indicated on the Site Plan. Access to the site is planned from A1A at two (2) driveway locations. Access to outparcel to the north will be provided as depicted on the site plan. This driveway to the outparcel will align with one of the driveway aisles on the Winn Dixie site. The FDOT permits have been issued for the primary entrance located at the intersection of A1A and S.R. 3. At the south end of the property there is an exit only (right turn) driveway. The project will be constructed in one phase over 6-9 months. The applicant hereby requests that minor alterations to the site plan, including but not limited to any landscaping, parking spaces, and islands associated therewith, be allowed to accommodate permitting requirements.

Tract B is proposed to be a single family development which will have access from the proposed subdivision to the south. Tract B is proposed to be constructed as a last phase in the Ocean Trace Subdivision and be a part of the same in the future. The infrastructure, roadway system and platting of this phase will be consistent with the phasing schedule for Ocean Trace Subdivision.

Permitted Uses and Restrictions

The development will be constructed in an orderly manner, and allow the following uses (as defined by the St. Johns County Zoning Ordinance):

A. TRACT A
Commercial Building

1. Retail outlets for the sale of food and drugs, including restaurants (but not drive-thru), wearing apparel, toys, sundries and notions, books and stationary, leather goods, luggage, jewelry (including watch repair but not a pawnshop) art supplies, cameras or photographic supplies (including camera repair and photographic studio), sporting goods, hobby shops, musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs, package beer and wine, and similar products.

   In the event a restaurant is constructed in this location, on-premises consumption of alcoholic beverages, including liquor, beer and wine, shall be permitted in conjunction with food ordered from a menu, prepared on site and served for on premises consumption.

2. Professional and business offices.

Any uses allowable within the previously listed categories shall not emit air pollutants so as to be subject to review by the State Department of Environmental Protection (FDEP), shall not create noise levels which exceed the levels established for such uses by the St. Johns County Noise Ordinance.

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B. TRACT B

Single Family Residential

In Tract B, Single Family Residential is proposed for future development. Access for this development will be from the existing Ocean Trace Subdivision to the south of this tract. There will be a natural buffer (as depicted on the site plan) separating the commercial development in Tract A, from the single family dwellings in Tract B. Minor alterations to lot layout and road configuration to accommodate permitting shall be permitted. The maximum number of lots will be fourteen (14).

The development standards for the single family dwellings shall be as follows:*

Minimum lot area:	8,700 square feet	Minimum Front Yard Setback:	20 feet**
Minimum lot width:	60 feet	Minimum Side Yard Setback:	5 feet
Maximum lot coverage:	35%	Minimum Rear Yard Setback:	10 feet

**All setbacks are to be measured from the wall of the structure(s).*

**Front Facing garages - the minimum front yard setback shall be 25 feet measured from the property line to the garage door;

**Corner Lots - Setbacks for a lot with two street frontages shall be as follows:
The minimum front yard setback shall be required on one street frontage and only half of the minimum front yard setback shall be required on the second street frontage. The remaining two yards shall be deemed "side yards".

Site Development Constraints

The following requirements and conditions shall be met for development of Tract A (commercial):

1. **Coverage:**
The total ground area to be occupied by all buildings and structures shall not exceed thirty-five (35) percent. Total commercial building ground area coverage shall not exceed 70,000 square feet and the total impervious surface will not exceed 75%.

2. **Height:**
All buildings shall not exceed thirty-five (35) feet in height.

3. **Commercial Building Setbacks:**
The commercial building shall be setback a minimum of twenty-five (25) feet from SR 3 and a minimum of twenty (20) feet from the north, south and west property lines. Setbacks will be measured from the property line to the wall.

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4. **Commercial Buffers/Landscape Plan:**
A landscape plan (Exhibit I) is attached hereto as a part of this Application for Rezoning to PSD. The landscape plan depicts the buffer areas proposed, the proposed plantings, the proposed preservations areas, the trees to be removed, the vehicular use area landscaping and the total amount of landscaping proposed on this site. The plan proposes to exceed the required amount of interior landscaping (5% required/8% provided) , as well as the amount required for the overall on site landscaping (10% required/15% provided). The 5.61)acreage of vehicular use area) site requires 140 tree credits be provided. The proposed plan provides 302 tree credits preserved and 207 tree credits planted. The site shall be landscaped to comply with or exceed the St. Johns County Landscape Ordinance #86-80 and with the St. Johns County Tree Protection Ordinance #90-11. All landscaping shall be installed prior to receipt of a Certificate of Occupancy from the County.

5. **Fencing:**
A six (6) foot high 85% opaque fence will be provided within the buffer area along the south and west boundaries and between Tract A and Tract B and the residential development to the south. Should the property to the north be developed as commercial, then the fence along this boundary may be removed. In addition, if deemed necessary for security purposes, the applicant reserves the right to fence the retention area and/or the site.

6. **Parking:**
A minimum of 140 parking spaces will be provided for the commercial building in conformance with Article 9 of the St. Johns County Zoning Code, based upon a minimum of one (1) space per five hundred (500) square feet of floor space for gross business, service or retail space based upon 70,000 square feet. All spaces shall be constructed to all applicable County regulations and standards.

7. **Sidewalks:**
Sidewalks will be provided for the commercial building between the parking lot and the building front. Sidewalks shall be provided on one side of the road(s) in Tract B, if residential is developed. Sidewalks will be a minimum of five (5) feet in width.

8. **Access:**
A total of two (2) driveway entrance/exits will be provided on site, as shown on the Development Plan. New driveways will be installed in accordance with all Florida Department of Transportation (FDOT) and St. Johns County Public Works Department regulations and permits, as applicable.

9. **Signage:**
Sign size and construction will conform to all St. Johns County Sign Ordinance requirements as listed:

   a. One (1) development identification sign will be allowed on the site as indicated on the Development Plan. The sign shall conform to the criteria established in the St. Johns County Sign Ordinance. The sign may be lighted, will indicate the name of the development and the name of the business or businesses located within the development. The sign shall be no less than five (5) feet from any property line and shall not obstruct viability. Wall signs shall be permitted, consistent with the St. Johns County Sign Ordinance.

b. Various locational and directional signs shall be allowed on site to direct traffic and indicate the locations of various activities. Any such sign will be a maximum of two (2) square feet in size.

c. A twenty-four square foot subdivision identification sign shall be permitted to be placed at the entrance to Tract B, from the adjoining development to the south.

10. Potable Water:
Water service will be provided by the St. Johns County Utility Department (the property is within their service district). All connections will be in accordance with all applicable standards and all fire protection requirements will be met. Fire protection will be provided by County hydrants, and the buildings shall be so located that no building is more than 500 feet from the hydrant.

11. Sanitary Sewer:
The property is located within the St. Johns County Utility Department Service District and as such, sewer service will be provided by the same.

12. Stormwater/Drainage:
Stormwater will be retained/detained on site within the retention pond located along the west side of the site with overflow to the San Julian Creek which is a tributary of the Matanzas River located to the west of the site. The pond will be constructed to accommodate runoff for the outparcel located north of this site and east of the FDOT pond. The drainage structures and facilities will be designed and constructed in compliance with the St. Johns County Drainage Ordinance #96-40 and all other applicable permitting requirements. Construction plans will be filed for Development Review which will include SJRWMD permit(s).

13. Other Utilities:
All electrical and telephone lines will be installed underground on the site. Electricity will be provided for by Florida Power and Light Company.

14. Solid Waste:
Commercial solid waste will be handled by the licensed franchisee in the area. All trash and solid waste will be collected at a central dumpster location as shown on the Development Plan. The dumpster will be placed upon an accessible concrete pad and screened from outside view by a fence, wall, or landscape material.

15. Temporary Uses:
A temporary construction trailer shall be allowed to be placed on the commercial site during construction for a period of up to one (1) year. The trailer must be removed within 30 days of issuance of a Certificate of Occupancy by the County.

SECTION IV
SCHEDULE OF DEVELOPMENT

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The Winn Dixie is to be permitted and constructed in one (1) phase over a period of 6-9 months and will consist of the construction of all buildings, driveways, parking areas and retention pond, as well as erection of all required fencing. Development will commence immediately after approval of this PSD. Commencement is defined as approval of Construction Plans for the site.

Residential development will occur as Phase II of the PSD, however, if the residential portion of this PSD is not developed, it will remain as open space. It is intended that the residential portion of this development (known as Phase II) will be made a part of another residential development contiguous and south of this parcel of land.

SECTION V
OWNERSHIP AND MAINTENANCE

The Winn Dixie will be owned and operated by the applicant. The applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the property in a clean and orderly manner in accordance with all provisions of this Planned Special Development and conditions included with the adopting ordinance. All facilities will remain privately owned and will NOT be dedicated to St. Johns County.

The single family development and related uses/facilities associated therewith (other than individual offered for sale), will be owned, maintained and or operated as follows. Any common areas associated with the residential development (ie, amenities, common preservation areas, signage, landscape island/features, etc.) will managed through a Home Owner's Association. The roadways will be dedicated to St. Johns County, or at the option of the applicant, if the development becomes a "gated community", the roads will remain private and the maintenance of the same will be the responsibility of the Home Owner's Association. The drainage (and associated common areas) will be improved by the developer and maintained by the Home Owner's Association.

SECTION VI
SUMMARY AND CONCLUSION

The property is located within the BB-1D functional land use category of the St. Johns County Comprehensive Plan, which allows the types uses included in this application. This general area is emerging with a variety of commercial and business uses (Anastasia Square Plaza is across S.R. 3 to the north and east of our site) and is zoned commercial with allowable uses similar to the uses included in this application. This general area is emerging with a variety of commercial and business uses and the applicant feels that the types of uses included in the application are compatible with the surrounding zoning and are consistent with the St. Johns County Comprehensive Plan, as well as the overall development trend for the area. The applicant believes that the proposed Planned Special Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that the PSD will allow the County to control the development of a significantly located tract of land in a rapidly expanding area and will be able to exert control over the appearance and maintenance of the property.

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BOOK K PAGE 955

Justification for approval of this Planned Special Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, includes the following:

1. The project will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan 1990-2005.

2. The project will not adversely affect the health, safety, and welfare of the residents or visitors in the area and will not be detrimental to the natural environment or to development of adjacent properties or the general neighborhood due to the landscape enhancements and preservations proposed for this development, as well as the proposed use of the property, which is in keeping with the commercial development in this area of SR A1A and SR 3.

3. The project will accomplish the objectives, standards and criteria set forth in Section 8A-4 of the St. Johns County Zoning Ordinance.

4. The project will conform to the requirements of the St. Johns County Concurrency Review Committee in accordance with the procedures set forth in Section 7 of the Concurrency Management Ordinance of St. Johns County, Florida.

5. The conditions stipulated in the PSD Application and imposed by this Ordinance provide for strict regulation and maintenance of the project.

6. When developed in accordance with the conditions stipulated in the PSD application and imposed by this Ordinance, the proposed PSD will be consistent with the development of the property in the area and will be compatible with the desire future development of the area.

7. The land described by the attached Exhibit B - Legal Description, is within the BB-1D functional land use category, as designated on the Future Land Use Map of the St. Johns County Comprehensive, in which a mixture of land uses is encouraged by the establishment of the conceptual guidelines in the Plan. Accordingly, as previously mentioned, this area along S.R. 3 and A1A is "filling in" with commercial and business uses, which are very much the same as the development requests, and due to the fact property that the property described in this application is located within the BB-1D functional land use category as depicted on the Future Land Use Map of the 2010 Comprehensive Plan, the proposed rezoning is consistent with the Comprehensive Plan as well as, the emerging development trend of the area.

Therefore, this Planned Special Development request meets all of the above listed St. Johns County requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Plan is consistent with the Plan.

Exhibit A

St. Johns County Planning Department
4020 Lewis Speedway
St Augustine, FL 32095
(904) 823-2470

P.U.D. OFF. REC. BOOK K PAGE 956

PLANNING & ZONING DEPARTMENT
MAY 15 1997
FLORIDA

See copy of receip

APPLICATION FOR ZONING HEARING

Date May 5, 1997 File # RPSO97-020 Parent # PA 97.074 Receipt # 97-004945

1. Project Name Winn Dixie
   Also Known As
2. Applicant's Name, Address, and Phone # Susan E. Green, Director of Planning @ England, Thims & Miller, Inc. 3131 St. Johns Bluff Road, South, Jacksonville, Fla 32: (904) 642-8990
3. Owner's Name, Address, and Phone # Sunbelt-Dix, Inc. 5050 Edgewood Ct., Jacksonville, Fla 32203 (904) 783-5000
4. Property Location South of Anastasia Square Plaza, on the west side of AlA at the intersection of AlA and State Road 3. 3905 AlA South
5. Legal Description attached as Exhibit "B"
6. Present Use of Property vacant
7. Parcel # 174480-0000 8. Zoning CG and OR 9. Comp Plan BB-1D
10. Section 10 11. Township 8 south 12. Range 30 east 13. TAZ 44
14. Requested Change Planned Special Development (PSD)
15. Reason Change is Requested to permit construction of a stormwater retentin pond on the portion of the property which is now zoned Open Rural and is designated BB-1D in t Comprehensive Plan. A PSD would also allow for the parking, vehicular use areas ar other portions of the commerical development to be located wihtin the portion zonec
16. Statement of Facts for Requested Change
    See attached written narrative and supporting documents
17. Concurrency Required #96-CD-17 18. Map Page # 5F/10N 19. Road Segment #13C
20. Size of Property 17.3 acres +/- NOTE: If the application is for a rezoning or major modification, please provide the name of the in the Utility Company/Companies servicing the proposed project
21. Attach the following to application:
    a. List of adjacent property owners within 300 feet showing name, address and brief legal description from current tax rolls; address one long envelope to each person on the list, no return address needed, but proper postage on each. Two envelopes are needed if the application requires two public hearings.
    b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of all owners or authorized person if letter of authorization is attached:

Printed or typed name(s): Susan E. Green, Director of Planning/England, Thims & Miller

Signature(s): Susan Green

ADDRESS & TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION: Name: Susan E. Green, Director of Planning Phone: (904) 642-8990
Mailing Address: 3131 St. JOhns BLuff Road, South Jacksonville, Florida 32246

Form #001

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Exhibit B

WINN DIXIE - ST. AUGUSTINE E96-179

LEGAL DESCRIPTION:

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A PARCEL OF LAND IN GOVERNMENT LOTS 3 AND 4, SECTION 10 TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 12, SUNSET PARK SUBDIVISION, AS RECORDED IN MAP BOOK 8, PAGES 71 AND 72, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 14 DEGREES 46 MINUTES 05 SECONDS EAST, ON THE WEST RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A, A DISTANCE OF 227.63 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE SOUTH 14 DEGREES 46 MINUTES 05 SECONDS EAST, ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. A-1-A, A DISTANCE OF 756.61 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 13 SECONDS WEST, ON A LINE PARALLEL WITH AND 363.42 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOTS 3 AND 4, A DISTANCE OF 1,591.41 FEET; THENCE NORTH 12 DEGREES 27 MINUTES 02 SECONDS WEST, ON THE MEANDER LINE ON THE WEST LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 33 FEET MORE OR LESS; THENCE NORTHEASTERLY, NORTHERLY, EASTERLY AND NORTHERLY ON THE CENTERLINE OF A CREEK, 1,120 FEET MORE OR LESS; THENCE NORTH 89 DEGREES 25 MINUTES 31 SECONDS EAST, ON THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 17 FEET MORE OR LESS; THENCE SOUTH 04 DEGREES 25 MINUTES 20 SECONDS EAST 86.89 FEET; THENCE SOUTH 11 DEGREES 36 MINUTES 19 SECONDS EAST 80.53 FEET; THENCE SOUTH 13 DEGREES 17 MINUTES 41 SECONDS EAST 84.06 FEET; THENCE SOUTH 18 DEGREES 19 MINUTES 53 SECONDS EAST 36.89 FEET; THENCE SOUTH 06 DEGREES 25 MINUTES 47 SECONDS WEST 54.69 FEET; THENCE SOUTH 06 DEGREES 58 MINUTES 22 SECONDS EAST 42.50 FEET; THENCE SOUTH 03 DEGREES 25 MINUTES 55 SECONDS EAST 44.83 FEET; THENCE NORTH 89 DEGREES 02 MINUTES 06 SECONDS EAST 822.74 FEET; THENCE NORTH 14 DEGREES 49 MINUTES 53 SECONDS WEST 128.00 FEET, THENCE NORTH 75 DEGREES 10 MINUTES 07 SECONDS EAST 299.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 17.30 ACRES MORE OR LESS.

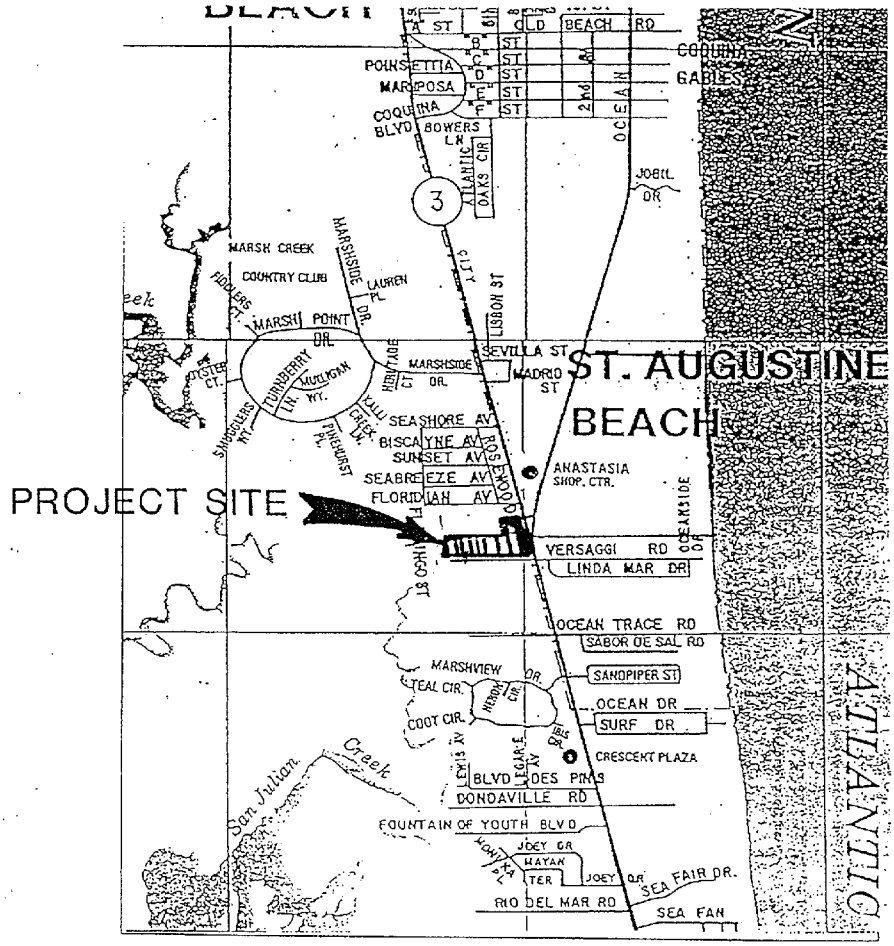
P.U.D. OFF. REC.
BOOK K PAGE 958

EXHIBIT C

LOCATION MAP

(ATTACHED HERETO)

P.U.D. OFF REC
BOOK K PAGE 959



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England-Thims & Miller, Inc. Consulting & Design Engineers 3131 St. Johns Bluff Road South Jacksonville, Florida 32246 Phone Number (904) 642-8990	LOCATION MAP	PROJ. NO. E 96-179 DATE: 3-13-1997
	WINN DIXIE ST. AUGUSTINE	SCALE: N.T.S. DRAWING NO. 1 OF 1

P.U.D. OFF. REC.
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EXHIBIT D

AUTHORIZATION LETTER

SUNBELT-DIX, INC.
5050 Edgewood Court
Jacksonville, Florida 32254-3699

Telephone 904-783-5000 (Legal Department)

January 31, 1997

P.U.D. OFF. REC.
BOOK K PAGE 961

England, Thims & Miller, Inc.
3131 St. Johns Bluff Road
Jacksonville, Florida
Attention: Susan E. Green, Director of Planning

Re: Winn-Dixie Store #129, St. Augustine, Florida - Agency Engagement

Dear Ms. Green:

Sunbelt-Dix, Inc. ("Owner") engages England, Thims & Miller, Inc. to act on behalf of Owner as applicant and agent ("Agent") in connection with the proposed rezoning of the real property described on attached Exhibit A (the "Property"), located in St. Johns County, Florida, subject to the terms, conditions and limitations set forth below.

Agent is engaged by Owner for the limited purpose of making application and taking all acts associated with such application to St. Johns County, Florida, relating to rezoning of the Property to Planned Special Development (PSD), and related processes, meetings or procedures that may concern and be necessary for obtaining all governmental approvals, authorizations and consents for such rezoning (the "Agency Powers"). The Agency Powers may include, but will not be limited to, participation in preliminary conferences, staff meetings, technical reviews and public hearings.

Notwithstanding the foregoing, in the exercise of such Agency Powers, Agent shall obtain Owner's prior written approval of any submittals to be made, including, without limitation, the application for rezoning and any related site plans, land use plans, drawings, plans, proposed resolutions and ordinances, and proposed covenants, restrictions or development conditions or obligations (the "Submittals"), and will regularly inform Owner of the nature and progress of acts taken in the exercise of the Agency Powers. Additionally, in the exercise of such Agency Powers, Agent shall not, without first consulting with and obtaining the express and specific approval of Owner, take any action that would involve or result in (a) any material modifications or revisions to any Submittals previously approved by Owner, (b) any material modifications of, or imposition of conditions relating to, the land use or zoning designation of the Property or permit conditions affecting the Property other than as set forth in Submittals previously approved by Owner, (c) any material or permanent effect on the Property or the use thereof, or the

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Owner's interest therein other than as set forth in Submittals previously approved by Owner, or (d) any material expense to Owner other than Agent's compensation as previously agreed between Agent and Owner in writing, and customary rezoning application fees and charges.

The Agency engagement provided herein will terminate upon the effective date of the St. Johns County ordinance approving the rezoning of the Property to PSD, or earlier termination by Owner, at its election, by written notice to Agent and St. Johns County.

Please acknowledge your acceptance of the foregoing terms and limitations by countersigning this letter in the space provided below.

Very truly yours,

Sunbelt-Dix, Inc.

By: R. P. McCook
Name: R. P. McCook
Title: VICE PRESIDENT

ACKNOWLEDGED AND AGREED:

England, Thims & Miller, Inc.

By: Susan E. Green
Name: Susan E. Green
Title: Director of Planning/England, Thims & Miller, Inc.

Dated: February 27, 1997

O:\NEWFORMS\CONSTRUC\AGENCY.LTR

P.U.D. OFF. REC.
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EXHIBIT E

PROOF OF OWNERSHIP
(DEEDS)

(ATTACHED HERETO)

Clerk [illegible]
Recording $21.00 Surcharge $3.00 Doc Stamps $8,050.00

This Instrument Prepared By:
John D. Bailey, Jr.
Upchurch, Bailey and Upchurch, P.A.
Post Office Drawer 3007
St. Augustine, Florida 32085-3007
FN. 8-99-193

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SPECIAL WARRANTY DEED

THIS INDENTURE, made this 21 day of November, 1996, by DAVID C. DRYSDALE, AS TRUSTEE OF THE MARITAL DEDUCTION TRUST CREATED UNDER ARTICLE IV OF THE WALTER I. DRYSDALE LIVING TRUST DATED JULY 29, 1987 (AS TO A 17% INTEREST AS A TENANT IN COMMON) AND DAVID C. DRYSDALE, AS TRUSTEE OF THE RESIDUARY TRUST CREATED UNDER ARTICLE V OF THE WALTER I. DRYSDALE LIVING TRUST DATED JULY 29, 1987 (AS TO AN 83% INTEREST AS A TENANT IN COMMON), hereinafter collectively called "Grantor" to SUNBELT-DIX, INC., a Delaware corporation qualified to do business in the State of Florida, whose post office address is 2 Penn Plaza, Suite 1585, New York, NY 10121-1585, whose federal taxpayer identification number is: 51-0335123, hereinafter called "Grantee".

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of Ten and No/100's Dollars ($10.00), and other good and valuable considerations to it in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land in St. Johns County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (THE "PROPERTY").

Parcel Identification Number: 174480-0000

SUBJECT TO: Those matters listed on Exhibit "B" attached hereto and by this reference made a part hereof.

And Grantor does hereby warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor, its successors and assigns, and not otherwise.

IN WITNESS WHEREOF, said Grantor has caused these presents to be duly executed on the day and year first hereinabove written.

Signed, sealed and delivered
in the presence of:

Witness John D Bailey Jr
(type or print name)

Witness Gloria M Barta
(type or print name)

DAVID C. DRYSDALE, AS TRUSTEE OF THE MARITAL DEDUCTION TRUST CREATED UNDER ARTICLE IV OF THE WALTER I. DRYSDALE LIVING TRUST DATED JULY 29, 1987 (AS TO A 17% INTEREST AS A TENANT IN COMMON) AND DAVID C. DRYSDALE, AS TRUSTEE OF THE RESIDUARY TRUST CREATED UNDER ARTICLE V OF THE WALTER I. DRYSDALE LIVING TRUST DATED JULY 29, 1987 (AS TO AN 83% INTEREST AS A TENANT IN COMMON)
Post Office Drawer 9005
St. Augustine, FL 32085-9005

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O.R. 1209 PG 0623

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 21 day of November, 1996, by David C. Drysdale, as Trustee of the Marital Deduction Trust Created Under Article IV of the Walter I. Drysdale Living Trust dated July 29, 1987 (as to a 17% interest as a tenant in common) and David C. Drysdale, as Trustee of the Residuary Trust Created Under Article V of the Walter I. Drysdale Living Trust dated July 29, 1987 (as to an 83% interest as a tenant in common) who (X) is personally known to me or (_) has produced Florida driver's license no._____ as identification.

Gloria M Banta
Notary Public

GLORIA M. BANTA
MY COMMISSION # CC 436097
EXPIRES: April 28, 1999
Bonded Thru Notary Public Underwriters

(Name of notary, typed/printed)
My commission number:_____
My commission expires:_____

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EXHIBIT "A"

P.U.D. OFF. REC. BOOK K PAGE 966

DRYSDALE PARCEL (RESIDUAL):

A PARCEL OF LAND IN GOVERNMENT LOTS 3 AND 4, SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 12, SUNSET PARK SUBDIVISION, AS RECORDED IN MAP BOOK 8, PAGES 71 AND 72, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 14 DEGREES 46 MINUTES 05 SECONDS EAST, ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. S-3 AND ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. A-1-A, A DISTANCE OF 984.24 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 13 SECONDS WEST, ON A LINE PARALLEL WITH AND 363.42 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOTS 3 AND 4, A DISTANCE OF 1,591.41 FEET; THENCE NORTH 12 DEGREES 27 MINUTES 02 SECONDS WEST ON THE MEANDER LINE ON THE WEST LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 33 FEET MORE OR LESS; THENCE NORTHEASTERLY, NORTHERLY, EASTERLY AND NORTHERLY ON THE CENTERLINE OF A CREEK, 1,120 FEET MORE OR LESS; THENCE NORTH 89 DEGREES 25 MINUTES 31 SECONDS EAST, ON THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 17 FEET MORE OR LESS; THENCE SOUTH 04 DEGREES 25 MINUTES 20 SECONDS EAST 86.89 FEET; THENCE SOUTH 11 DEGREES 36 MINUTES 19 SECONDS EAST 80.53 FEET; THENCE SOUTH 13 DEGREES 17 MINUTES 41 SECONDS EAST 84.06 FEET; THENCE SOUTH 18 DEGREES 19 MINUTES 53 SECONDS EAST 36.89 FEET; THENCE SOUTH 06 DEGREES 25 MINUTES 47 SECONDS WEST 54.69 FEET; THENCE SOUTH 06 DEGREES 58 MINUTES 22 SECONDS EAST 42.50 FEET; THENCE SOUTH 03 DEGREES 25 MINUTES 55 SECONDS EAST 44.83 FEET; THENCE NORTH 89 DEGREES 02 MINUTES 06 SECONDS EAST 822.74 FEET; THENCE NORTH 14 DEGREES 49 MINUTES 53 SECONDS WEST 431.86 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 31 SECONDS EAST, ON THE NORTH LINE OF SAID GOVERNMENT LOTS 3 AND 4, A DISTANCE OF 309.53 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND SHALL BE SUBJECT TO THE FOLLOWING DESCRIBED PERPETUAL EASEMENTS.

PERPETUAL EASEMENT #1:

A PARCEL OF LAND IN GOVERNMENT LOTS 3 AND 4, SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 2, BLOCK TWELVE, SUNSET PARK SUBDIVISION, AS RECORDED IN MAP BOOK 8, PAGES 71 AND 72, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN SOUTH 14 DEGREES 49 MINUTES 53 SECONDS EAST, A DISTANCE OF 30.95 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 31 SECONDS WEST, A DISTANCE OF 309.53 FEET; THENCE RUN NORTH 14 DEGREES 49 MINUTES 53 SECONDS WEST, A DISTANCE OF 30.95 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 31 SECONDS EAST, A DISTANCE OF 309.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,286 SQUARE FEET MORE OR LESS.

PERPETUAL EASEMENT #2:

A PARCEL OF LAND IN GOVERNMENT LOT 4, SECTION 10, TOWNSHIP 8 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 2, BLOCK TWELVE, SUNSET PARK SUBDIVISION, A SUBDIVISION AS RECORDED IN MAP BOOK 8, PAGE 71 AND 72, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AT A POINT 51.59 FEET EASTERLY FROM THE SOUTHEAST CORNER OF SAID LOT 2; THENCE RUN SOUTH 14 DEGREES 49 MINUTES 53 SECONDS EAST, A DISTANCE OF 198.13 FEET; THENCE SOUTH 75 DEGREES 10 MINUTES 17 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 3 AND THE POINT OF BEGINNING; THENCE SOUTH 14 DEGREES 49 MINUTES 53 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 130.00 FEET; THENCE SOUTH 75 DEGREES 10 MINUTES 07 SECONDS WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 14 DEGREES 49 MINUTES 53 SECONDS WEST, A DISTANCE OF 130.00 FEET; THENCE NORTH 75 DEGREES 10 MINUTES 07 SECONDS EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,200 SQUARE FEET MORE OR LESS.

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EXHIBIT "B"

1. Taxes accruing subsequent to December 31, 1996.

2. Zoning and other applicable governmental regulations.

3. Perpetual easements described on Exhibit "A", including easement granted to the State of Florida, Department of Transportation by instrument recorded in Official Records Book 1201, Page 944, public records of St. Johns County, Florida.

4. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the Property, including submerged, filled and artificially exposed lands, and lands accreted to such lands.

5. Rights of others to the uninterrupted flow of water thru the ditches crossing the Property as shown on survey prepared by Jones & Pellicer, Inc., dated November 6, 1996. Drawing No. WDBNW311.

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EXHIBIT F

AGREEMENT TO COMPLY

WINN- DIXIE SITE

P.U.D. OFF. REC. BOOK K PAGE 969

I, the undersigned, on behalf of Sunbelt-Dix, Inc., do hereby agree to proceed with the Planned Special Development applied for by us, in accordance with all written information, drawings, and exhibits attached in our application with such conditions and safeguards as may be set forth by the Board of County Commissioners of St. Johns County, Florida, in such Ordinance and approved by us. In addition, I agree, on behalf of Sunbelt-Dix, Inc., to bind all my successors in title to any of the commitments made in this Application or the Ordinance adopting this Planned Special Development.

SUNBELT-DIX, INC.
Property Owner

By: K. P. McCall, Vice President
Date 3/19/97

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EXHIBIT G

LIST OF PROPERTY OWNERS WITHIN 300 FEET
OF THE PROPOSED REZONING TO PUD

(ATTACHED HERETO)

PROPERTY OWNERS WITHIN 300 FEET OF THE PUD

NAME AND ADDRESS	RE #'s
Eric Jannson 300 Corporate Point Warner Robbins, Georgia 31088	#174490-0070
Werner and Manfred Georgi AM Beulardstein 21 5100 Aachen-Lau Germany	#174491-0901
Susanne Hollister 527 Cascade Drive Lilburn, Georgia	#174491-0902
Heribert and Anne Marie Diekmann AM Blauen Berg 5 D51375 Leverkusen Germany	#174491-0903
Mary G. Smith P.O. Box 1026 Interlachen, Florida 32148	#174491-0904
Marcia M. Byles & Edward G. Mussallem 2500 Ponce De Leon Boulevard St. Augustine, Florida 32084-2645	#174510-5000
Herbert F. And Sandra D. Bensen 1474 Cassandra Drive Jacksonville, Florida 32217	#174531-0000
Frank M. Doyle, et al 3960 A1A South #611 St. Augustine, Florida 32084	#174532-0000
Bailey B. and Linda R Broudy 33 Linda Mar Drive St. Augustine, Florida 32084	#174533-0000
Guy and Cheryl Mawhinney 3955 A1A South St. Augustine, Florida 32084	#174485-0020
Harry Zaharis 3945 A1A South St. Augustine, Florida 32084	#174485-0030
Marsh Creek Partnership 88 Marshside Drive St. Augustine, Florida 32084	#174485-0040

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P.U.D. OFF. REC.
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WINN DIXIE • ST. AUGUSTINE BEACH
EXHIBIT "A"
REVISED SITE PLAN
JUNE 16, 1997

PRELIMINARY SITE PLAN
WINN DIXIE - ST. AUGUSTINE, FLORIDA
FOR
WINN DIXIE STORES, INC.

England-Thims & Miller, Inc.

1 OF 1

REFER TO EXHIBIT "C" FOR LOCATION

FLORIDAN AVENUE

PERPETUAL EASEMENT

ONE PARCEL ZONED CGB

F.D.O.T. POND

RETENTION LAKE

TRACT "A"

TRACT "B"

WETLAND

25' VEGETATED BUFFER

MATURE TREE REFER

WINN DIXIE

STATE ROAD A-1-A SOUTH

PROPOSED OCEAN TRACE SUBDIVISION

ZAHARIA'S RESTAURANT

BEST WESTERN MOTEL

BEST WESTERN UNDEVELOPED

APPROXIMATE CENTERLINE OF CREEK

N.T.S.

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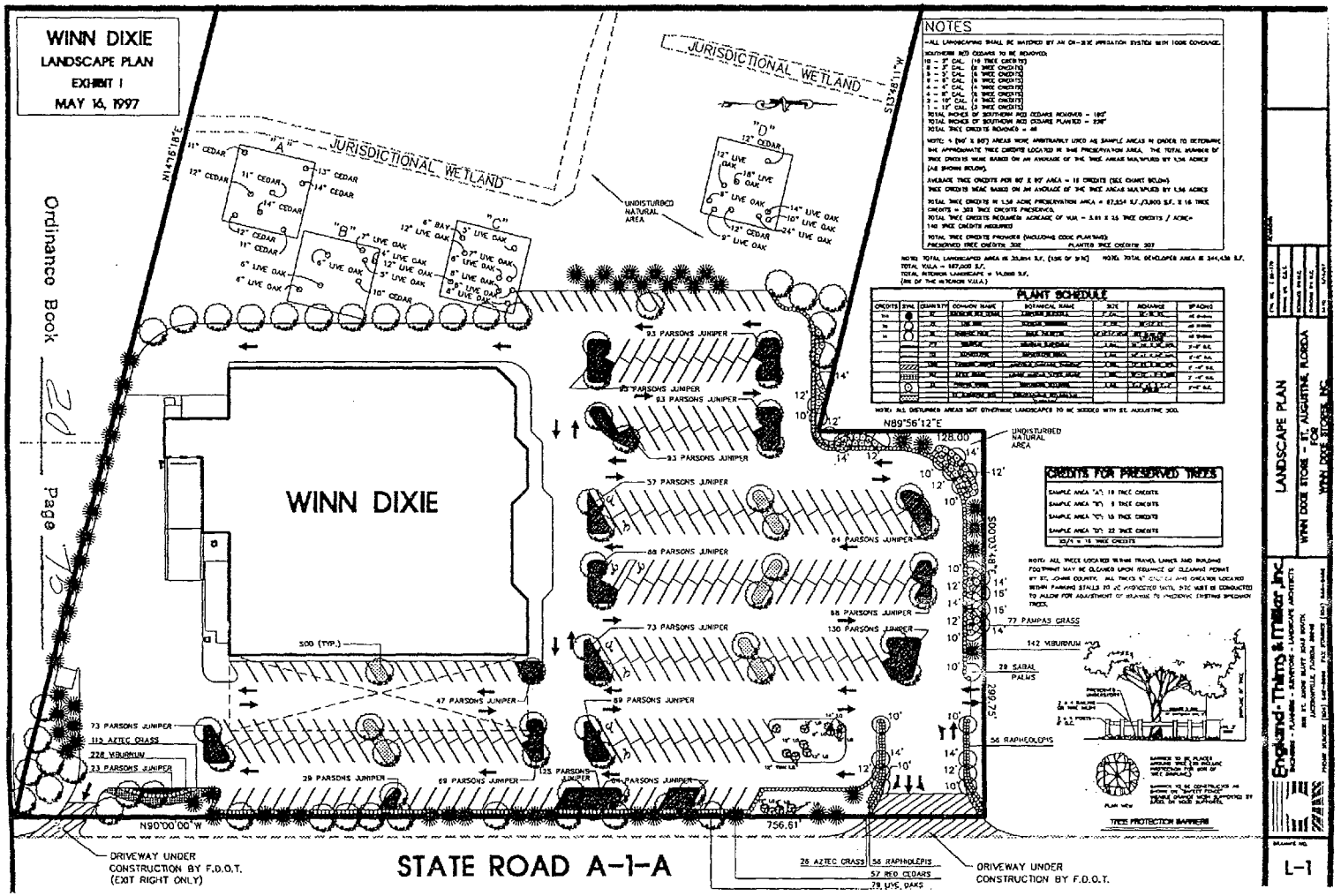


ANNING & ZONING
DEPARTMENT
JUL 17 1997

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
JOHNS COUNTY
FLORIDA

Before the undersigned authority personally appeared _____

Sandra D. Oliver **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 Rezoning

in the matter of File # R-PSD -97-020

in the _____ **Court, was published in said newspaper in the issues of** July 16, 1997

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 16 **day of** July **, 19**97**,**

by Sandra D Oliver **who is personally known to me or who has produced** Personally Known **(Type of Identification) as identification.**

Zoe Ann Moss
(Signature of Notary Public) **(Seal)**

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

ZOE ANN MOSS
MY COMMISSION EXPIRES
AUGUST 23
CC 302651
NOTARY PUBLIC STATE OF FLORIDA

Ordinance Book 20 Page 76

COPY OF ADVERTISEMENT

NOTICE OF
PROPOSED REZONING

Notice is hereby given that the Board of County Com sioners of St. Johns County, Florida, at its regular mee on the 12th day of August, 1997, at 1:30 p.m., in the Co Auditorium, County Administration Building, Lewis Sp way (County Road 16-A) and US1 North, St. August Florida, will consider passage of the following Ordinanc

An Ordinance of the County of St. Johns, State of F da, Rezoning Lands as described hereinafter from the p ent zoning classification of CG, Commercial General OR, Open Rural, to PSD, Planned Special Development application for development for portions of commercial (stormwater retention pond, parking and vehicular use eas in conjunction with retail store on the portion zo CG).

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

SECTION 1: Pursuant to the application of Sunbelt-I Inc., owners of the following described land, zoning clas cation of CG, Commercial General and OR, Open rural the following described lands:

IS HEREBY CHANGED TO: PSD, Planned Special velopment, in accordance with documents in file R-P 97-020.

SECTION 2: Nothing herein contained shall be deer to impose conditions, limitations or requirements not ap cable to all other land in zoning district wherein and lo are located.

SECTION 3: The Building Department is authorize issue construction permits allowed by zoning classifica as rezoned hereby.

SECTION 4: The Ordinance shall take effect immediately upon receipt of official acknowledgement of the of of the Secretary of State to the Clerk of the Board of Cou Commissioners, that same has been filed.

BOARD OF COUN
COMMISSIONERS OF
JOHNS COUN
FLORI
By Cheryl Strickl
Its Cl

If a person decides to appeal any decision made by Board of County Commissioners with respect to any mat considered at the meeting or hearing, he will need a rec of the proceedings and for such purpose he may need to sure that a verbatim record of the proceedings is ma which record includes the testimony and evidence u which appeal is to be based.

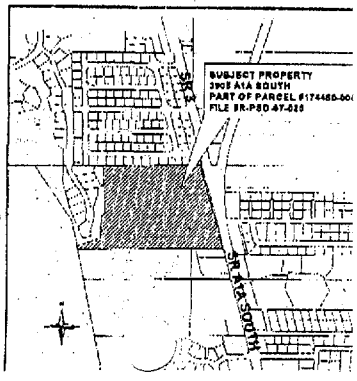
Interested parties may appear at the meeting and heard with respect to the proposed request.

County documents specifically related to this mat are available for public inspection and reproduction cost) in the office of the St. Johns County Planning Depa ment.

Notice to persons needing special accommodations o to all hearing impaired persons: In accordance with Americans with Disabilities Act, persons needing a spec accommodation or an interpreter to participate in this p ceeding should contact David Halstead, ADA Coordinat at (904) 823-2500 or at the County Administration Buildi 4020 Lewis Speedway, St. Augustine, Florida, 32095, not ter than 5 days prior to the date of this meeting.

This matter is subject to court imposed quasi-judic rules of procedures. Interested parties should limit cont with the County Commissioners and Planning & Zoni Agency members on this topic, except with compliar with Resolution 95-126, to properly notice public hearings to written communication care of St. Johns County Pl ning Department, P.O Drawer 349, St. Augustine, Florid 32095.

Subject to a proper and timely objection of a party the beginning of the hearing, the record of the Planning Zoning Agency hearing of this matter, including the to recording of the proceedings before the Planning & zoni Agency, shall be part of the record and file of this matt submitted to the Board of County Commissioners for consideration in this hearing.

The Planning & Zoning Agency record and file of t case is available for review by the public in the Planni Department and/or office of the Clerk to the County Co mission located at the St. Johns County Administrati complex, 4020 Lewis Speedway (County Road 16-A and U North), St. Augustine, Florida.

L008 July 16, 19