

ORDINANCE NUMBER: 98-23

P. U. D. OFF. REG.
BOOK L PAGE 755

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM PRESENT
ZONING CLASSIFICATION OF OR, OPEN RURAL,
TO PLANNED UNIT DEVELOPMENT
(PUD); MODIFYING (MAJOR) THE PUD ORDINANCE 97-25 AND
THE ASSOCIATED PUD MASTER PLAN TO INCLUDE
THE HEREIN REZONED LANDS; 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 JNM Woodlands Developers, Ltd, the record title owner(s) in the application with supporting documents for zoning change dated January 5, 1998 (hereinafter the Major Modification of Woodlands at Ponte Vedra PUD Ordinance No. 97-25 PUD application) the zoning classification of lands described on attached Exhibit "A" is hereby changed from OR, Open Rural, to Planned Unit Development, PUD.

SECTION 2. That development of the lands described on attached Exhibit A are hereby annexed into and become a part of the Woodlands at Ponte Vedra PUD, Ordinance 97-25, and by annexation of these lands described in Exhibit "A", the total number of allowable single family lots will be increased by two (2), to allow a maximum of seventy-one (71) lots in the Woodlands at Ponte Vedra PUD.

SECTION 3. That development of lands within this Planned Unit Development as modified shall proceed in accordance with Woodlands at Ponte Vedra PUD Ordinance 97-25 and supporting documents which are incorporated by reference into and made a part hereof this ordinance. In 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 4. Findings of Fact: that the need and justification for approval of the rezoning of one (1) acre parcel to Planned Unit 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 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 or portion thereof adopted by the St. Johns County Board of County

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Commissioners.

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- b. 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 the development of adjacent properties or the neighborhood.
- c. The project will accomplish the objectives, standards and criteria set forth in Section 8-4 of the St. Johns County Zoning Ordinance.
- d. The proposed rezoning of lands to PUD and the Major Modification to Ordinance 97-25 will be consistent with the development of the Woodlands at Ponte Vedra PUD and of property in the area and will be compatible with the desired development of the area.
- e. The lands described on attached Exhibit A are within the "B" residential classification as designated on the Future Land Use Map of St. Johns County Comprehensive Plan which allows residential development at a maximum of two (2) units per acre. This development proposes the total number of single family lots within the Woodlands at Ponte Vedra PUD will be increased by two (2) to allow a maximum of seventy - one (71) lots in the Woodlands at Ponte Vedra PUD which does not conflict with any elements of the Plan.
- f. That at the public hearing of February 19, 1998 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 rezoning of one acre to PUD and Major Modification to PUD Ordinance 97-25 application by unanimous vote.

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, 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. Furthermore, 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 this Ordinance or the incorporated PUD Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 7. This Ordinance shall be recorded by the Clerk of the Board of County

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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 8. 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.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 24TH DAY OF March 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

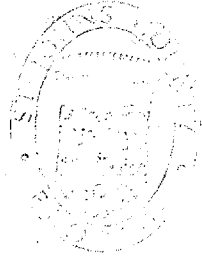
BY: Moses A. Floyd
Its Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wanne Carter
Deputy Clerk

EFFECTIVE DATE: March 30, 1998

K:\ROSEMARY.Y\PROC\ORD9725



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DESCRIPTION:

A portion of Government Lots 1 and 2, Section 4, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: For a Point of Commencement, COMMENCE at the true Southeast corner of Government Lot 1 of said Section 4, (being marked by a found 4 inch by 4 inch Coquina Monument with a 1/2 inch Iron Pipe in the center); run thence South $0^{\circ}51'55''$ East, a distance of 806.20 feet to the South line of Government Lot 2, Section 4, by possession (also being the North line of Government Lot 3, Section 4, by possession, also being the South line of that Personal Representative Deeds from the Estate of Virginia Hinson to Paul C. Hinson and recorded in Official Records Book 1129, Page 1044 of the Public Records of said St. Johns County, Florida); run thence South $89^{\circ}22'40''$ West, along the South line of Government Lot 2, Section 4 (by possession), a distance of 983.39 feet to the Westerly line of that Quit Claim Deed dated May 19, 1993; run thence North $00^{\circ}37'20''$ West, along aforesaid Westerly line, a distance of 193.20 feet to the centerline of a 30 foot Easement for Ingress and Egress Purposes; run thence North $89^{\circ}22'40''$ East, along the Northerly line of the aforesaid Quit Claim Deed dated May 19, 1993, and along the boundary line of the aforesaid Personal Representatives Deed recorded in Official Records Book 1129, Page 1044, a distance of 450.94 feet; continue thence the following five (5) courses along and around the boundary lines of aforesaid Personal Representatives Deed from the Estate of Virginia Hinson to Paul C. Hinson, recorded in Official Records Book 1129, Page 1044 of said Public Records: Course No. 1: North $00^{\circ}37'20''$ West, a distance of 377.44 feet to a point; Course No. 2: South $60^{\circ}50'50''$ East, a distance of 50.00 feet; Course No. 3: North $39^{\circ}31'25''$ East, a distance of 27.68 feet to the POINT OF BEGINNING of the herein described parcel of land; thence Course No. 4: South $88^{\circ}49'08''$ East, a distance of 228.85 feet; Course No. 5: North $01^{\circ}10'52''$ East, a distance of 253.19 feet to a point on the South line of those lands in that instrument Quit Claim Deed from Ada V. Hinson Smith to Paul C. Hinson, recorded in Official Records Book 652, Page 2024 of said Public Records; run thence along the Southerly boundary lines of last said instrument; thence North $88^{\circ}49'08''$ West, a distance of 256.37 feet; thence run South $56^{\circ}23'10''$ East, a distance of 179.61 feet; thence run South $39^{\circ}31'25''$ West, a distance of 200.00 feet to the aforesaid POINT OF BEGINNING.

The lands thus described contain 43,560 square feet, or 1.00 acres, more or less, in area.

Rezoning and Major Modification of the
Woodlands at Ponte Vedra PUD

P.U.D. OFF. REC.
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This request for Rezoning and Major Modification of the Woodlands at Ponte Vedra PUD is made to 1) rezone and add one additional acre to the PUD and 2) to modify minor language in the PUD text in order to be consistent with the FDP.

1) The subject one (1) acre parcel is located adjacent to the existing PUD land on the east side of Palm Valley Road - C.R. 210. The exact location and configuration of the one (1) acre parcel to be added is shown on the attached map. The subject property is currently designated as B-Residential according to the St. Johns County Comprehensive Plan and allows for the development of up to two units per acre. This request for rezoning and major modification to the PUD will rezone the subject from open rural to PUD and increase the total number of lots in the Woodlands PUD from the 69 single family lots currently approved to a total of 71 single family lots.

The one (1) acre subject parcel is located adjacent to and on the west side of the proposed Woody Creek Drive in the PUD, according to the approved Final Development Plan and approved engineering plans. This is an area where the five (5) foot electric easement on the west side of proposed Woody Creek Drive has been eliminated in order to save trees on the east side of proposed Woody Creek Drive. The addition of the subject one (1) acre to the PUD will allow sufficient room outside the west right-of-way of proposed Woody Creek Drive to provide this electric easement.

2) In order to make the PUD language consistent with the approved FDP language one additional minor change to the PUD in Section IV "Restrictions and Guidelines", paragraph 2 "Setbacks" is requested. The rear yard setback descriptions currently read:

Rear yard set backs 15' minimum from rear lot line or top of lakebank.
Rear yard set backs 15' from most upland wetland buffer line as established by St. Johns County and/or St. Johns River Water Management District.

The Rear Yard Setback descriptions will be changed to read as follows:

Rear yard set backs "15 feet (or 10 feet from upland buffer limit/face of bulkhead/top of lake bank)"

Justification for approval of this Major Modification to the Woodlands at Ponte Vedra PUD, when developed in accordance with the conditions stipulated within the application, and the original PUD, and imposed by the adopting ordinance, include 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, to the St. Johns County Comprehensive Plan 1990-2005.

2) The project is consistent with the intent and objectives of the St. Johns County Zoning Code and encourages ingenuity and imagination in the development of land while keeping with the

overall land use intensity of the zoning Ordinance and Comprehensive Plan.

3) The subject property is currently zoned OR, is irregular in shape, and is located on a one acre parcel adjacent to the existing PUD land parcel located on the east side of Palm Valley Road - C.R. 210. This request is intended to enhance the existing PUD configuration while maintaining buffers around the Henson family homestead. This request will enhance the appearance of the Woodlands at Ponte Vedra neighborhood, as well as the Henson homestead, and provide an environment of stable character compatible with the surrounding area so that property values are enhanced over the years.

4) The addition of this one (1) acre to the Woodlands at Ponte Vedra PUD will provide additional area in which to locate and continue the five foot electrical easement on the west side of proposed Woody Creek Drive within the PUD, which is in greater conformity with Ordinance 96-40.

5) The project will not adversely affect the health, safety, and welfare of residents or visitors in the area nor will it be detrimental to the natural environment or to the development of the adjacent properties or the neighborhood, and will accomplish the objectives, standards and criteria as set forth in Section 8-4 of the St. Johns County Zoning Ordinance.

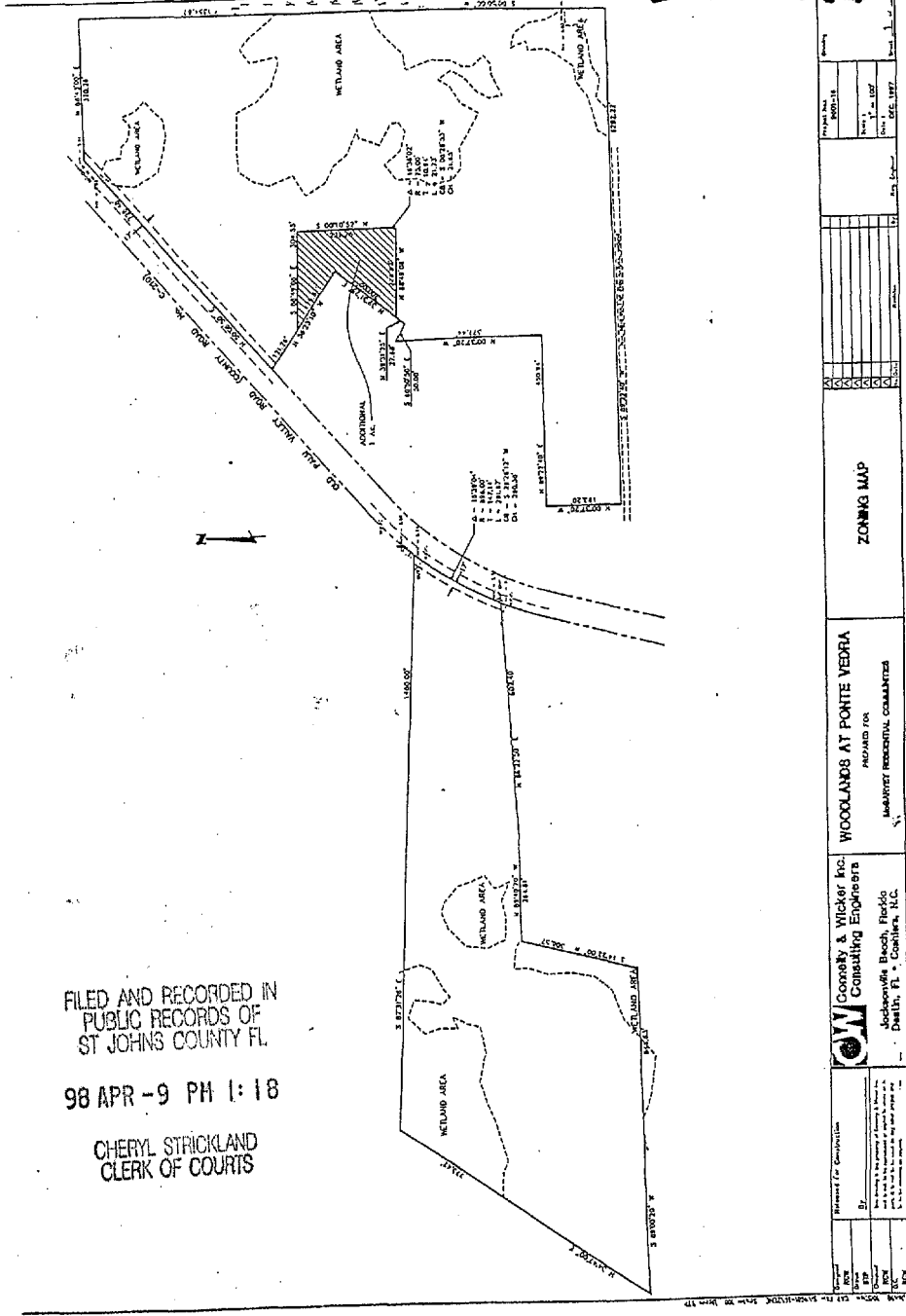
6) The request is consistent with other subdivisions along C.R. 210, some of which have been zoned to higher density.

7) The conditions stipulated in the PUD application and imposed by this ordinance provide for strict regulation of the project.

8) The project conforms with 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.

This request for a Major Modification to the Woodlands at Ponte Vedra PUD meets all of the above listed St. Johns County zoning requirements, including the Comprehensive Plan requirements, does not conflict with any elements of the plan, and is consistent with that plan. This plan reflects the Henson family's desire to maintain their original homestead and provide buffering. Based on the findings provided above the applicant respectfully requests approval of the proposed rezoning of one (1) additional acre to be added to the Woodlands at Ponte Vedra PUD which will then allow a maximum of 71 single family lots with related common area amenities, lakes and wetlands to be constructed within the PUD.

The legal description for the one acre to be added to the Woodlands at Ponte Vedra PUD is attached to this text. No other modifications to the PUD are requested.



FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY FL.
98 APR -9 PM 1:18
CHERYL STRICKLAND
CLERK OF COURTS

| | | |
|---|-------------------|-------------------|
| Project No. 800115 | Sheet 1 of 107 | Date Dec. 1987 |
| ZONING MAP | | |
| WOODLANDS AT PONTE VEDRA HOARD FOR INDUSTRY RESOURCE CONSULTANTS | | |
|  Cornealy & Wicker Inc. Consulting Engineers Jacksonville Beach, Florida Dunedin, FL • Coonika, N.C. | | |
| Witness for Certification By: _____ This is to certify that the project of _____ has been prepared by the undersigned and that the same is a true and correct copy of the original as shown to me by the undersigned. | | |
| Scale | 1" = 100' | 1" = 200' |

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 _____

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 Hearing

in the matter of Major Mod. to R PUD 97 010

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

issues of March 5, 1998

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 5 day of March, 1998,

by Sandra D. Oliver who is personally

known to me or who has produced _____ as

identification. _____ (Type of Identification)

Zoe Ann Moss

MY COMMISSION # CC641814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss (Signature of Notary Public)

(Seal)

Zoe Ann Moss

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

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NOTICE OF PUBLIC HEARING ON PROPOSED MAJOR MODIFICATION TO PLANNED UNIT DEVELOPMENT AND REZONING OF LANDS ADDING TO PLANNED UNIT DEVELOPMENT ORDINANCE 97-25
Notice is hereby given that a public hearing for Major Modification to Ordinance 97-25, An Ordinance modifying lands within The Woodlands at Ponte Vedra Planned Unit Development, by rezoning one acre of land and incorporating into the PUD Ordinance 97-25 and supporting documents, increasing number of lots by 2, will be heard by the Board of County Commissioners of St. Johns County, Florida, to consider the following:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, MODIFYING THE MASTER DEVELOPMENT PLAN INCORPORATED INTO ORDINANCE NUMBER 97-25, BY REZONING ONE ACRE OF LAND AND INCORPORATING INTO THE PLANNED UNIT DEVELOPMENT ORDINANCE 97-25, AN ORDINANCE REZONING CERTAIN LANDS DESCRIBED THEREIN TO PLANNED UNIT DEVELOPMENT; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; PROVIDING AN EFFECTIVE DATE.
A summary of the request is as follows:
Rezoning of one acre of land, incorporating the one acre of land into the PUD of Woodlands at Ponte Vedra, increasing the total number of allowable single family lots by two, to allow a maximum of seventy-one lots in accordance with the supporting documents of Ordinance 97-25, as amended by the rezoning on the following described lands located in St. Johns County, Florida:
Exhibit A
A portion of government Lots 1 and 2, Section 4, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:
For a Point of Commencement, COMMENCE at the true Southeast corner of Government Lot 1 of said Section 4, (being marked by a found 4 inch by 4 inch Conquina Monument with a 1/2 inch iron Pipe in the center); run thence South 01°51'55" East, a distance of 806.20 feet to the South line of Government Lot 2, Section 4, by possession (also being the North line of Government Lot 3, Section 4, by possession also being the South line of the Personal Representative Deeds from the Estate of Virginia Hinson to Paul C. Hinson and recorded in Official Records Book 1129, Page 1044 of the Public Records of said St. Johns County, Florida); run thence South 89°22'40" West, along the South line of Government Lot 2, Section 4, (by possession), a distance of 963.39 feet to the Westerly line of the Gulf Claim Deed dated May 19, 1993, run thence North 00°37'20" West, along aforesaid Westerly line, a distance of 193.20 feet to the centerline of a 30 foot Easement for Ingress and Egress Purposes; run thence North 89°22'40" East, along the Northerly line of the aforesaid Gulf Claim Deed dated May 19, 1993, and along the boundary line of the aforesaid Personal Representative Deed recorded in Official Rec-

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 distance of 450.94 feet; hence
 the following (A) 15' distance along and
 around the boundary lines
 of aforesaid E8730nd Rep.
 esentatives Deed from the
 Estate of Virginia Johnson to
 Paul C. Hinson, recorded in
 official Records, Book 1129,
 page 1044 of said Public
 Records Course No. 31,
 North 00°37'25" West, a dis-
 tance of 377.44 feet to a
 point; Course No. 31, a dis-
 tance of 50.00 feet; Course No. 31,
 North 39°31'25" East, a dis-
 tance of 27.68 feet to a
 POINT OF BEGINNING of
 the herein described parcel
 of land; thence Course No.
 31, a distance of 22.85 feet;
 Course No. 31, North
 01°10'52" East, a distance of
 253.19 feet to a point on the
 South line of these lands in
 that instrument; quit Claim
 Deed from Adair V. Hinson
 Smith to Paul C. Hinson, re-
 corded in Official Records,
 Book 452, Page 2024 of said
 Public Records, run thence
 along the Southern boundary
 of the land of last sale instru-
 ment, a distance North
 88°49'08" West, a distance of
 236.37 feet; thence run
 South 58°23'10" East, a dis-
 tance of 179.61 feet; thence
 run South 39°31'25" West, a
 distance of 200.00 feet to the
 aforesaid POINT OF BE-
 GINNING.

The lands thus de-
 scribed contain 43.569
 square feet, or 1.00 acres,
 more or less, in area.

Said land being located:
 2205 Palm Valley Road.
 The Board of County
 Commissioners will hear
 the request on the 24th day
 of March, 1998, at 1:30 p.m.
 the County Auditorium,
 County Administration
 Building, Lewis Speedway
 (County Road 16-A) and
 US1 North, St. Augustine,
 Florida.

The Modification FILE
 NUMBER, Major Modifi-
 cation to R-PUD-97-010, is
 maintained in the Planning
 Office, County Administra-
 tion Building, 4020 Lewis
 Speedway (County Road 16-
 A), St. Augustine, Florida,
 and may be examined by
 parties in interest prior to
 the 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
 CHERYL STRICKLAND

If a person decides to ap-
 peal any decision made by
 the Board of County Com-
 missioners with respect to
 any matter considered at
 the meeting or hearings, he
 will need a record of the
 proceedings and for such
 purpose he may need to en-
 sure that a verbatim record
 of the proceedings is made,
 which record includes the
 testimony and evidence
 upon which appeal is to be
 based.

County documents spe-
 cifically related to this mat-
 ter are available for public
 inspection and reproduction
 (at cost) in the offices of the
 St. Johns County Planning
 Department.

Notice to persons need-
 ing special accommoda-
 tions and to all hearing im-
 paired persons: In accord-
 ance with the Americans
 with Disabilities Act, per-
 sons needing a special ac-
 commodation or an in-
 terpreter to participate in
 this proceeding should con-
 tact David Holstead, ADA
 Coordinator, at (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. Inter-
 ested parties should limit
 contact with the County
 Commissioners and Plan-
 ning & Zoning Agency
 members on this topic, ex-
 cept with compliance with
 Resolution 95-126, to prop-
 erly noticed public hearings
 or to written communica-
 tions care of St. Johns Coun-
 ty Planning Department,
 P.O. Drawer 349, St. Augus-
 tine, Florida, 32095.

Subject to a proper and
 timely objection of a party
 at the beginning of the hear-
 ing, the record of the Plan-
 ning & Zoning Agency hear-
 ing of this matter, including
 the tape recording of the
 proceedings before the
 Planning & Zoning Agency,
 shall be part of the record
 and file of this matter sub-
 mitted to the Board of Coun-
 ty Commissioners for its
 consideration in this hear-
 ing.

The Planning & Zoning
 Agency record and file of
 this case is available for re-
 view by the public in the
 Planning Department
 and/or office of the Clerk in
 the County Commission lo-
 cated at the St. Johns Coun-
 ty Administrative Complex,
 4020 Lewis Speedway
 (County Road 16-A and US1
 North), St. Augustine, Flor-
 ida.
 2296 March 5, 1998

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