

32
ORDINANCE NUMBER: 2006-18

Public Records of
St. Johns County, FL
Clerk # 2006017440,
O.R. 2657 PG 560-591
03/08/2006 at 10:20 AM,
REC. \$129.00 SUR. \$144.50

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO PLANNED RURAL DEVELOPMENT (PRD); 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 Pappas Metcalf Jenks & Miller, PA, on behalf of William R. Bryd, II, the record title owner in the application with supporting documents for zoning change dated August 24, 2005 (hereinafter the PRD application) the zoning classification of lands described on attached Exhibit A is hereby changed from Open Rural (OR) to Planned Rural Development (PRD).

SECTION 2. That development of the lands within this Planned Rural Development shall proceed in accordance with the PRD application, dated August 24, 2005 and other supporting documents which are a part of zoning file number PRD 2005-12 (Bartram Farms PRD) 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 construction of the development shall commence within one year of approval of this Ordinance, as stipulated within the application.

SECTION 4. Findings of Fact: that the need and justification for approval of the Planned Rural Development has been considered in accordance with the St. Johns County Land Development Code and Comprehensive Plan, whereby, it is found that:

- a. The rezoning has been fully considered after public hearing with legal notice duly published as required by law.
- b. The proposed project is consistent with the St. Johns County Comprehensive Plan, specifically, Goal A.1 of the Land Use Element related to effectively managed growth and the provision of diverse living opportunities, specifically Objective A.1.6 relating to the protection of agricultural and silvicultural lands through the implementation of Planned Rural Development controls.
- c. The proposed project meets the standards and criteria of Part 5.04 of the Land Development

Jack Y. Keag
BCC Secty
Ordinance Book 39 Page 733

Code with respect to specific regulations, which implement the Comprehensive Plan policies for PRDs in the Agriculture Intensive Future Land Use Map designation.

- d. The request meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Section 5.04.05 and Subsection 5.03.02(G)1.t of the Land Development Code.
- e. The Master Development Plan Text and Map for this project meet all requirements of Section 5.04.05 and Section 5.03.02(G) of the Land Development Code.

SECTION 5. Except to the extent that they conflict with specific provisions of the approved development plan or PRD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time, shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited.

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

SECTION 7. This Ordinance must be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners, in accordance with Section 125.68, Florida Statutes.

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 21st DAY OF February, 2006.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
James E. Bryant, Chairman

RENDITION DATE 2/23/2006

ATTEST: CHERLY STRICKLAND, CLERK

BY: Cherly Strickland
Deputy Clerk

EFFECTIVE DATE: 03/01/06

EXHIBIT "A"

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 3°19'17", ARC LENGTH OF 334.45', CHORD BEARING OF SOUTH 37°33'27" EAST, AND CHORD DISTANCE OF 334.41'; THENCE SOUTH 50°46'55" WEST, 253.83'; THENCE SOUTH 00°58'01" EAST, 823.14' TO THE INTERSECTION WITH A LINE AS DESCRIBED IN A BOUNDARY-PROPERTY LINE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1901, PAGE 1294, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°07'43" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 2618.94'; THENCE NORTH 89°53'14" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1543.37'; THENCE SOUTH 05°37'10" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1588.42'; THENCE SOUTH 57°36'13" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 4319.05' TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 36, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°32'00" WEST, ALONG THE WEST LINES OF BLOCKS 36, 35, 27, AND 26, OF SAID RIVERDALE FARM TRACTS, ±4792' TO THE CENTERLINE OF McCULLOUGH CREEK, ALSO BEING REFERENCE POINT "A"; THENCE BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE NORTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18'; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE CENTERLINE OF SAID McCULLOUGH CREEK; THENCE MEANDERING SOUTHERLY ALONG THE CENTERLINE OF SAID McCULLOUGH CREEK, ±7618' TO AFOREMENTIONED REFERENCE POINT "A" AND THE LAST CALL OF THIS DESCRIPTION.

LESS AND EXCEPTING LOT 10, BLOCK 7, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA;

TOGETHER WITH THE PORTION OF LOT 10, BLOCK 17, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING NORTHERLY OF McCULLOUGH CREEK;

SUBJECT TO 30' ROAD RESERVATIONS ALONG THE NORTH, EAST & SOUTH SIDE OF ALL MENTIONED BLOCKS, AS SHOWN ON PLAT OF RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH A 20' DRAINAGE EASEMENT LYING ALONG THE WEST LINE OF GOVERNMENT LOT 7, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AS PER DEED RECORDED IN O.R. 1628, PAGE 464 AND IN DEED BOOK 194, PAGE 321 OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 534, PAGE 124, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 15' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 705, PAGE 790, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTIONS 5 & 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 482, PAGE 113, OF THE PUBLIC RECORDS OF SAID COUNTY.

TOGETHER WITH A PRESERVATION AND MAINTENANCE EASEMENT LYING OVER AND ACROSS A 50' WIDE STRIP OF LAND LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65'; THENCE NORTHERLY ALONG THE AFOREMENTIONED WESTERLY RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18' TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE INTERSECTION WITH McCULLOUGH CREEK FOR THE POINT OF TERMINUS OF SAID EASEMENT SAID EASEMENT LIES 50' EASTERLY OF AND PARALLEL TO SAID DESCRIBED LINE

BARTRAM FARMS PRD

MASTER DEVELOPMENT PLAN TEXT

This Master Development Plan Text is part of an application for rezoning to Planned Rural Development (APRD@) in compliance with Section 5.04.00 of the St. Johns County Land Development Code. The application is filed on behalf of the applicant, The Alterra Group, LLC (AAlterra@).

- A. The Bartram Farms PRD proposed by this Development Plan Text fills a market demand for rural housing. This PRD provides such housing in a compact and contiguous design in order to minimize impacts to the adjacent rural property and provide preservation areas where agriculture and silvaculture activities will be continued. The lot sizes are consistent with adjacent residential development. The project will therefore uniquely blend with the adjacent residential development as well as adjacent agriculture and silviculture uses.
- B. The total number of acres within the project as requested in the application is approximately 766.63 acres within the Agricultural-Intensive Comprehensive Plan category.
- C. The total number of wetland acres included within the project as requested in the application is approximately 92.86 acres, as determined by review of aerial photos site inspection by ESI, flagging of wetland areas by ESI and soil maps. The exact location and acreage of wetlands will be determined in connection with final St. Johns River Water Management District permitting. An upland buffer with a width of 25 ft. shall be provided around wetlands that are contiguous to natural drainage ways that are located on-site. The 25 ft. upland buffer shall remain natural and undisturbed. Buffer areas and buffer area calculations shall be included on all construction plans submitted for review and shall be recorded on the plat. The application of this wetland buffer requirement shall be consistent with Section 4.01.06B.1 of the St. Johns County Land Development Code.
- D. Residential development will encompass approximately 76.66 acres within the Development Area as shown on the Master Development Plan. Wetlands consist of approximately 12.1% of the entire site. Wetlands consist of approximately 13.5% of the Reserve Area. Additional open space is provided within the Reserve Areas, buffers, trails, recreation areas and retention ponds.
- E. Residential development shall be limited to 154 residential units within the Development Area as shown on the Master Development Plan Map. The density of the PRD portion of the project is based on reserving 90% of the PRD land leaving 2 unit per acre of Development Area (10% x 766.63 acres x 2 units per acre = 154 units). The projected population within the entire project is 376 persons based upon 2.44 persons per household, the County concurrency standard. The estimated number of school age children within the project is 24.64 based upon .16 school age children per household (the County school population/total County population)
- F. There is no non-residential development within this PUD/PRD.

G. The residential areas (Development Area) will be developed with detached single family homes with fee-simple form of ownership. Modular, mobile and conventional homes shall be allowed, subject to private covenants and restrictions. Guest houses shall be allowed within the Development Area consistent with the Land Development Code, and subject to the setbacks of this paragraph. Home occupations consistent with the Land Development Code shall be allowed, subject to covenants and restrictions. Lot development criteria shall be as follows: All minimum building setbacks stated within this PRD text shall be from the overall (including deeded Reserved Area) property line to the wall of the structure, so long as all residential development remains within the Development Area. Minimum lot width shall be 150 ft. with a minimum Development Area lot size of 16,991 sq. ft. and a maximum lot coverage of 40%. Minimum spacing between all structures (measured eave to eave) shall be 15 ft., and maximum building height for all structures shall be 35 ft., except that barns located within the Reserve Area may be up to 39.5 ft. in height.

The following setback requirements shall apply to all residential structures. The minimum side yards setback shall be 7.5 ft. measured from property line to wall of structure. The minimum front yard setback shall be 20 ft., except 25 ft. shall be required for front entry garages. Minimum rear yard setbacks shall be 10 ft. (measured from property line to the wall of the structure). Notwithstanding any other provision of this paragraph all buildings with a permanent foundation shall be set back 25 ft. from any wetland buffer required by paragraph C above, consistent with Section 4.01.06B.2 of the St. Johns County Land Development Code. All detached accessory structures including, but not limited to swimming pools, utility buildings, air conditioning and heating units and pads, detached screen enclosures and any screened pool enclosure shall be located in a required side or rear yard and shall be setback 5 ft. from any property line or top of bank of any lake, (if applicable). Notwithstanding the setbacks referenced above, all residential structures shall be setback a minimum of 50 ft. from the right-of-way of CR-13A. All setbacks shall be measured from the architectural feature that is thirty (30) inches or more off grade nearest the Property line. Parking for two vehicles shall be provided within the driveway or garage of each residential unit. Driveways shall be a minimum of twelve (12) feet in width. The driveways, as depicted on the MDP, are located conceptually and may be located elsewhere and/or may be constructed as shared driveways at the Developer's option. Culverts shall be used where the driveways intersect the swaled road drainage system.

Uses within the Reserve Area shall include all uses typically allowed within agricultural areas including those used outlined in Section 2.02.01.B of the Land Development Code, except that housing units shall not be allowed within the Reserve Area. Commercial retail uses shall not be allowed within the Reserve Area. Typical uses shall include, but not be limited to agricultural, silvicultural, retention, buffers, parks, bridle trails, walking trails, docks and boardwalks, aquaculture, livestock, horses and other animals. Wells and septic tanks/drain fields shall be allowed within the Reserve Area to permit proper separation between such uses. The Reserve Area shall be designated within the plat and covenants as permanent open space and/or buffers.

Two project identification signs shall be permitted at the main residential entrance to the project on CR-13A consistent with Section 7.06.01A of the Land Development Code. The project identification signs shall be either one two-sided median sign with a maximum sign face area of 32 sq. ft. per sign face or up to 2 one sided signs attached to a wall or fence with a maximum sign face area of 32 sq. ft. All permanent identification signs permitted within this PUD shall be monument type signs (or attached to a fence or wall not to exceed 6 ft. in height) which shall be no less than 5 ft. from any property line and shall not obstruct visibility for vehicular traffic. All sign face areas shall not include the base or decorative edging.

- H. All roads, streets, and parking areas shall conform to the design standards specified in the St. Johns County Land Development Code. The internal roadways will be dedicated to St. Johns County, subject to acceptance by the Board of County Commissioners. The 10 feet along the western right-of-way line of CR-13A as it abuts the property shall be reserved for future right-of-way expansion. No development shall be permitted in the reserved right of way. Upon the request of the County or upon an initiative of the applicant, which ever occurs first, such right-of-way and shall be conveyed by the abutting land owner to St. Johns County in exchange for fair market value compensation based upon the acreage as PRD lands, which may include impact fee credits at the option of the Seller.

The Master Plan depicts a preliminary vehicular circulation system that shows all proposed points of connection with public rights-of-way. The exact location and configuration of the internal roads shall be depicted on construction plans submitted for approval. To promote interconnectivity with surrounding properties, a total of three (3) potential future connections have been reserved by the Developer as depicted on the MDP. These potential future connections need not be engineered at the time of construction plan approval, nor built at the time of construction of the roads, but shall be reserved until such demand exists. For internal pedestrian circulation purposes, the Project will include a sidewalk four (4) feet in width as depicted on the MDP. Changes made to the PRD shall be in accordance with LDC Section 5.04.07.

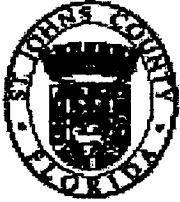
All stormwater drainage shall be handled on-site, as shown on the MDP Map, and shall be in compliance with the LDC. Open space is addressed in Paragraph AD@ above. The deeded Reserve Areas will provide for the private recreational needs of residents. A 2.29 acre park for active recreation with playground equipment and bridle and walking trails with work-out equipment will be provided.

Fire protection shall be provided consistent with the St. Johns County Land Development Code. A private fire service main and appliances will be provided in compliance with NFPA 24. Fire equipment accessibility will be provided in compliance with NFPA 1141, Chapter 4 and the LDC. Solid waste collection shall be provided by the County-contracted waste collection company.

- I. Well and septic tanks shall be used within this project.
- J. The soil survey for St. Johns County Florida identifies the following types of soil in the upland portions of the site: Pomona fine sand; On a fine sand; St. Johns fine sand; Floridian fine sand, frequently flooded; Wabasso fine sand; Samsula muck; Toco fine sand; Riviera fine sand, flooded; Holopan fine sand; and Floridian fine sand.

- K. The vast majority of the upland areas shown on the Master Development Plan is potato row crops. The wetland areas shown on the Master Development Plan are wetland forest mixed. The owner of the 766.63 acres of real property (the "Owner") shall be allowed to continue all agricultural uses of the Property (except within areas designated as conservation or undisturbed upland buffers on the MDP) including the grazing of cattle and other commercial animals and planting and harvesting of timber, sod and any and all other crops now planted or in the future planted in, on or upon the Property ("Agricultural Uses"). The Owner shall have the right to commence Agricultural Uses differing from those Agricultural Uses for which the Property is currently used. Furthermore, the Owner shall be permitted to actively manage the Property for the furtherance of Agricultural Uses, such management shall specifically include but not be limited to harvesting of crops, ditching, building of trail roads, thinning of timber (unprotected or exempt trees only) and digging of borrow pits or fire suppression ponds ("Management"). No Agricultural Uses or Management of the Property shall hinder or delay the issuance of development permits for the Property, and the issuance of development permits shall not interfere with the Agricultural Uses and Management of the Property. The Owner's rights to continue Agricultural Uses and Management, as described herein, shall continue up to such time as a plat has been recorded upon the Property, at which time such Agricultural Uses and Management, excepting ingress and egress in furtherance of Agricultural Uses and Management, shall be permitted only within the Reserve Area.
- L. There is no Significant Natural Communities Habitat (as defined by the St. Johns County Land Development Code) within this project.
- M. There are no known or observed Historic Resources (as defined by the St. Johns County Land Development Code) within this project.
- N. A 10 ft. landscaped or natural vegetation perimeter buffer shall be provided around the boundary of the property. A minimum 50 ft. buffer shall be provided around the Development Area lots of the PRD. An averaged twenty-five foot (25') undisturbed buffer (minimum ten feet (10') and a twenty-five foot (25') setback for the upland buffer will be provided for all buildings with a permanent foundation adjacent to contiguous wetlands.
- O. This PRD is not located in a Special District as defined by Article III of the St. Johns County Land Development Code.
- P. Development of this site and construction of the improvements may require temporary uses such as construction trailers, sales offices or trailers, temporary signage or temporary access. Temporary sales and construction trailers and other temporary improvements shall be removed from a lot or parcel before any improvements on such lot or parcel receive a certificate of occupancy from the County. No individual non-builder lot sales may occur prior to recording a plat. As allowed by the St. Johns County Land Development Code, model homes may be constructed prior to platting. Model homes must be located on a residential lot shown on the approved Master Development Plan. Model homes shall not equal more than 10% of the total number of lots approved in the Master Development Plan. No certificates of occupancy shall be released until a final plat has been recorded and asbuilts are approved.

- Q. The setbacks for accessory uses for all residential development are addressed in subparagraph G above. Accessory structures including but not limited to swimming pools, utility buildings, air conditioning and heating units and pads, detached screen enclosures and any screen pool enclosure, all of which shall be located in a required side or rear yard. No Permanent Structures shall be allowed in any public or private drainage or utility easements. Examples of Permanent Structures shall include but not be limited to air conditioning or electrical equipment, buildings, footings, masonry fences, masonry walls, decks, screened enclosures, patios, swimming pools and swimming pool decks.
- R. The development will be built in three phases over six years, which may be accelerated at the option of the developer. The project will commence within three years of approval of this PRD. Commencement is defined as approval of construction plans. Completion shall occur within six years of commencement. Completion is defined as approval of as-builts for all common improvements shown on the MDP.
- S. The project will provide on-site stormwater drainage facilities. Wells and septic tanks will be provided on-site. The project will therefore have minimal impact on the facilities and infrastructure of St. Johns County. The project will meet the demand for housing by residents of St. Johns County. The existing zoning district would not permit the property to meet the housing demand.
- T. Intentionally omitted.
- U. All successors in title to the Property shall be bound to the conditions of the approved PRD. A notice of PRD approval and designation of the Reserve Area as permanent open space shall be placed of record upon approval of this PRD, consistent with Comprehensive Plan Policy A.1.6.2.(j).
- V. The property is located in the Agricultural-Intensive Comprehensive Plan FLUM categories.



ST. JOHNS COUNTY
Application For Rezoning

RECEIVED
AUG 31 2005

FROM O/R TO PRD

ST. JOHNS COUNTY
PLANNING DEPARTMENT

DATE August 24, 2005

PROJECT NAME: Bartram Farms PRD

OWNER/APPLICANT*: The Alterra Group, LLC, on behalf of William R. Byrd, II

ADDRESS: 1914 Art Museum Drive
Jacksonville, Florida 32207

PHONE : (904) 353-1980 FAX : (904) 353-5217

E-MAIL ADDRESS: pioneerID@aol.com

CONTACT PERSON: Frank E. Miller, Joseph J. VanRooy, Pappas Metcalf Jenks & Miller, P.A.

ADDRESS: 245 Riverside Avenue, Suite 400, Jacksonville, Florida 32202

PHONE: (904) 353-1980 FAX: (904) 353-5217

E-MAIL ADDRESS: fmliller@papmet.com; jvanrooy@papmet.com

PROPERTY APPRAISERS PARCEL NO. Please see attached proof of ownership Fund Title Commitment
CF-1349673 for multiple parcel numbers.

SECTION: 5, 8, & 9 TOWNSHIP: 8 South RANGE: 28 East

CENSUS TRACT: _____ PROPERTY APPRAISERS MAP SHEET: _____

LOCATION: West of CR 13A, one mile south of CR 214

911 ADDRESS (IF KNOWN) Unknown

CITY _____ STATE _____ ZIP CODE _____

TAZ _____ MAJOR ACCESS CR13A

OVERLAY DISTRICT? NO IF YES, WHICH ONE _____

ZONE CLASS OR _____ COMP. PLAN DSGN A-I

PRESENT USE OF PROPERTY: Potato and Sod Fields

*The Alterra Group, LLC is the Applicant. Owner's Authorization for Agent and Proof of Ownership are attached.

Revised September 10, 2002

10-6

{00122028.DOC.}

WATER/SEWER: On-site water and sewer

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) Property Owners Association/ St. Johns County

WHO WILL MAINTAIN DRAINAGE: Property Owner's Association

TYPE OF DEVELOPMENT: Single-Family Residential

ACRES: 766.63 NUMBER OF LOTS/ UNITS: 154 SQ.FOOTAGE _____
(SIZE OF PROPERTY) (IF SUBDIVISION) (OF EACH BUILDING)

ACRES TO BE CLEARED: Unknown 1/4 MILE INCREMENTS OF ROADWAY: Unknown

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES _____ NO X

IS THE PROJECT SEAWARD OF CCCL? YES _____ NO X

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

See attached narrative Master Development Plan.

Please list below any applications currently under review or recently approved which may assist in the review of this application: Application for Concurrency number CONMAJ2005-39 has been filed with the County and is currently under review.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT: Signature of owner or person authorized to represent this application:

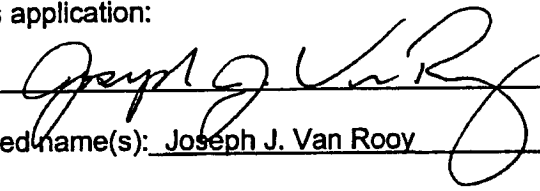
Signature: 
Printed or typed name(s): Joseph J. Van Rooy

EXHIBIT "B"

LEGAL DESCRIPTION

{00122035.DOC.}

ORDINANCE BOOK 39 PAGE 744

RECEIVED

AUG 31 2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 3°19'17", ARC LENGTH OF 334.45', CHORD BEARING OF SOUTH 37°33'27" EAST, AND CHORD DISTANCE OF 334.41'; THENCE SOUTH 50°46'55" WEST, 253.83'; THENCE SOUTH 00°58'01" EAST, 823.14' TO THE INTERSECTION WITH A LINE AS DESCRIBED IN A BOUNDARY-PROPERTY LINE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1901, PAGE 1294, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°07'43" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 2618.94'; THENCE NORTH 89°53'14" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1543.37'; THENCE SOUTH 05°37'10" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1588.42'; THENCE SOUTH 57°36'13" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 4319.05' TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 36, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°32'00" WEST, ALONG THE WEST LINES OF BLOCKS 36, 35, 27, AND 28, OF SAID RIVERDALE FARM TRACTS, ±4792' TO THE CENTERLINE OF McCULLOUGH CREEK, ALSO BEING REFERENCE POINT "A"; THENCE BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE NORTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18'; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE CENTERLINE OF SAID McCULLOUGH CREEK; THENCE MEANDERING SOUTHERLY ALONG THE CENTERLINE OF SAID McCULLOUGH CREEK, ±7618' TO AFOREMENTIONED REFERENCE POINT "A" AND THE LAST CALL OF THIS DESCRIPTION.

LESS AND EXCEPTING LOT 10, BLOCK 7, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA;

TOGETHER WITH THE PORTION OF LOT 10, BLOCK 17, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING NORTHERLY OF McCULLOUGH CREEK;

SUBJECT TO 30' ROAD RESERVATIONS ALONG THE NORTH, EAST & SOUTH SIDE OF ALL MENTIONED BLOCKS, AS SHOWN ON PLAT OF RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH A 20' DRAINAGE EASEMENT LYING ALONG THE WEST LINE OF GOVERNMENT LOT 7, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AS PER DEED RECORDED IN O.R. 1626, PAGE 464 AND IN DEED BOOK 194, PAGE 321 OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 534, PAGE 124, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 15' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 705, PAGE 790, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTIONS 5 & 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 482, PAGE 113, OF THE PUBLIC RECORDS OF SAID COUNTY.

TOGETHER WITH A PRESERVATION AND MAINTENANCE EASEMENT LYING OVER AND ACROSS A 50' WIDE STRIP OF LAND LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65'; THENCE NORTHERLY ALONG THE AFOREMENTIONED WESTERLY RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18' TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE INTERSECTION WITH McCULLOUGH CREEK FOR THE POINT OF TERMINUS OF SAID EASEMENT SAID EASEMENT LIES 50' EASTERLY OF AND PARALLEL TO SAID DESCRIBED LINE.

OWNER'S AUTHORIZATION FOR AGENT

Pappas Metcalf Jenks & Miller, P.A., Frank E. Miller and Joseph J. Van Rooy as agents for The Alterra Group, LLC are hereby authorized by William R. Byrd, II, the owner of those lands described on Exhibit "A" attached hereto, and as described in the attached deed or other such proof of ownership as may be required, to apply to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Rezoning / Modification | <input checked="" type="checkbox"/> Special Use Permit |
| <input checked="" type="checkbox"/> Zoning Variance | <input checked="" type="checkbox"/> Non-Zoning Variance |
| <input checked="" type="checkbox"/> Appeal | <input checked="" type="checkbox"/> Overlay District Review |
| <input checked="" type="checkbox"/> Concurrency | <input checked="" type="checkbox"/> Other |
| <input checked="" type="checkbox"/> FLUM Amendment | |

William R. Byrd, II (SEAL)
William R. Byrd, II

State of Florida
County of St. Johns

Signed and sworn before me on this 31st day of August, 2005.

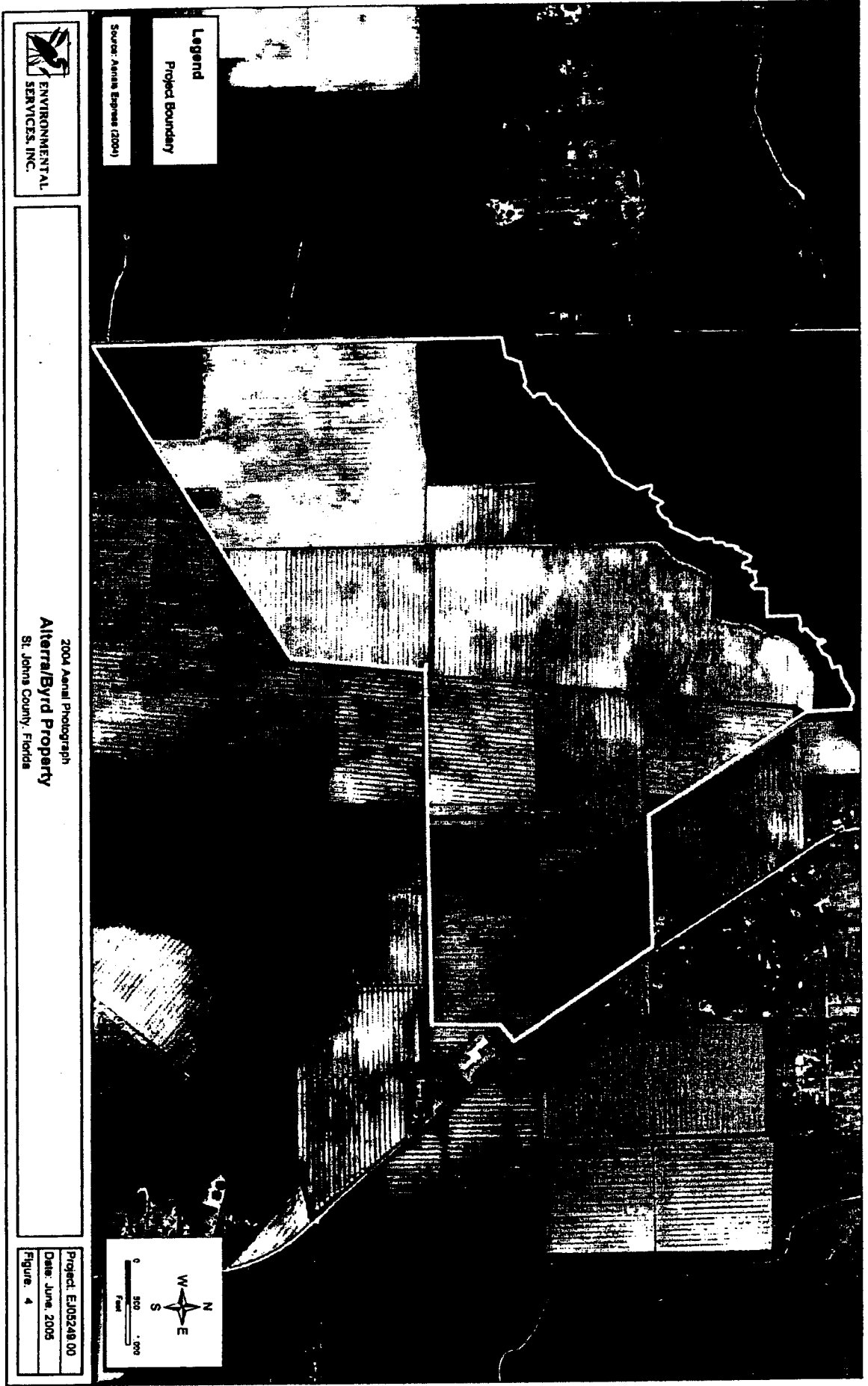
By: William R. Byrd, II Identification verified: yes - personally known

Oath sworn: _____ Yes _____ No _____

Rebecca K. Schild
Notary Signature

My Commission Expires: 9-27-05

REBECCA K. SCHILD
Notary Public, State of Florida
My comm. exp. Sept. 27, 2005
Comm. No. DD 060901

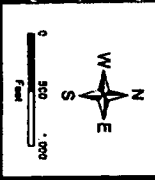


ENVIRONMENTAL SERVICES, INC.

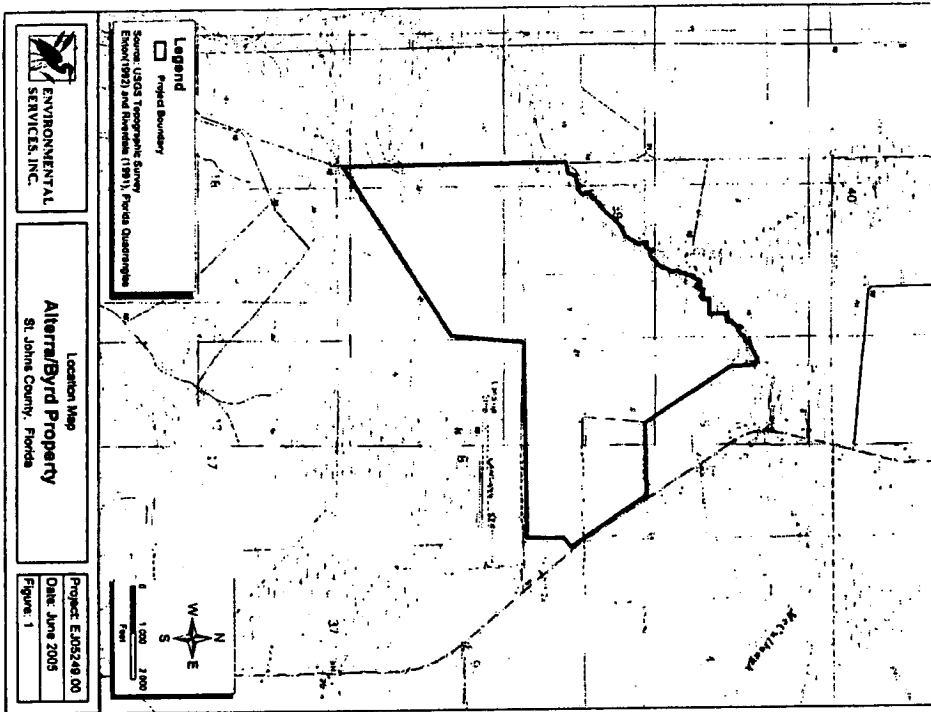
Source: Aerial Express (2004)

Legend
Project Boundary

2004 Aerial Photograph
Alterra/Byrd Property
St. Johns County, Florida



Project: E105248 00
Date: June, 2005
Figure: 4

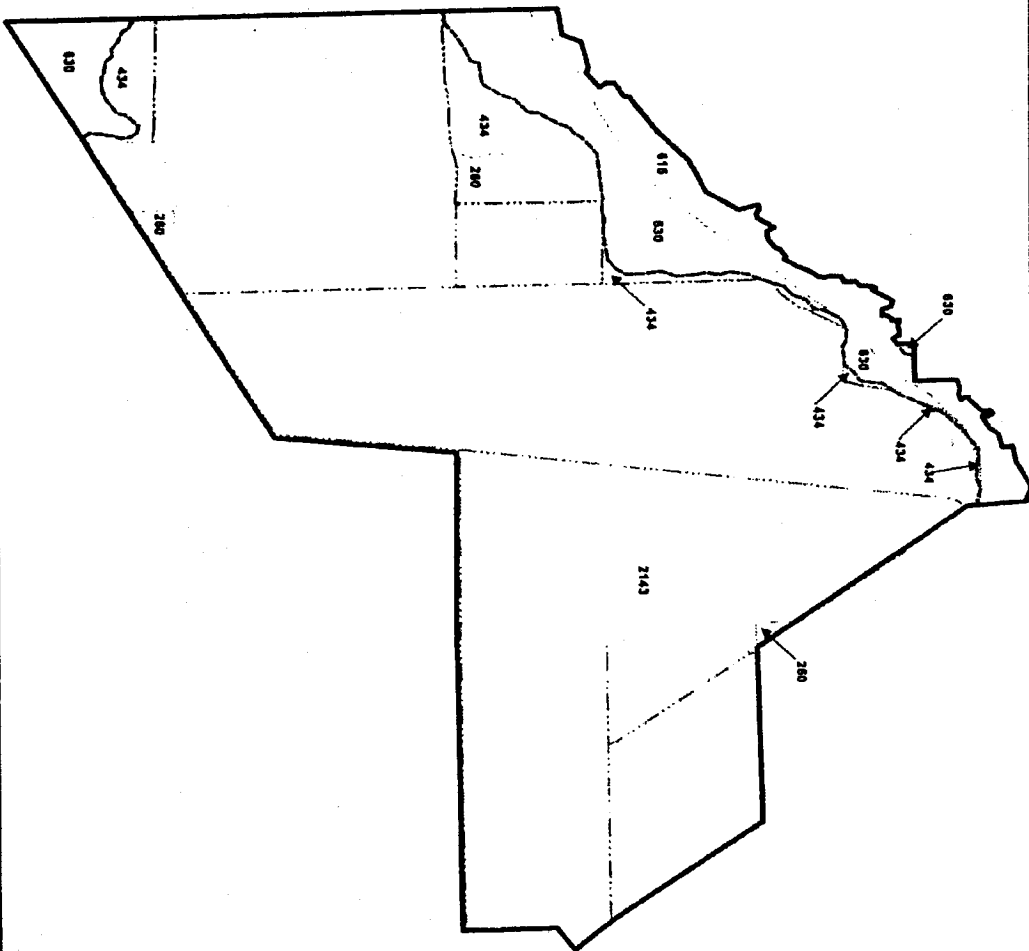




ENVIRONMENTAL SERVICES, INC.

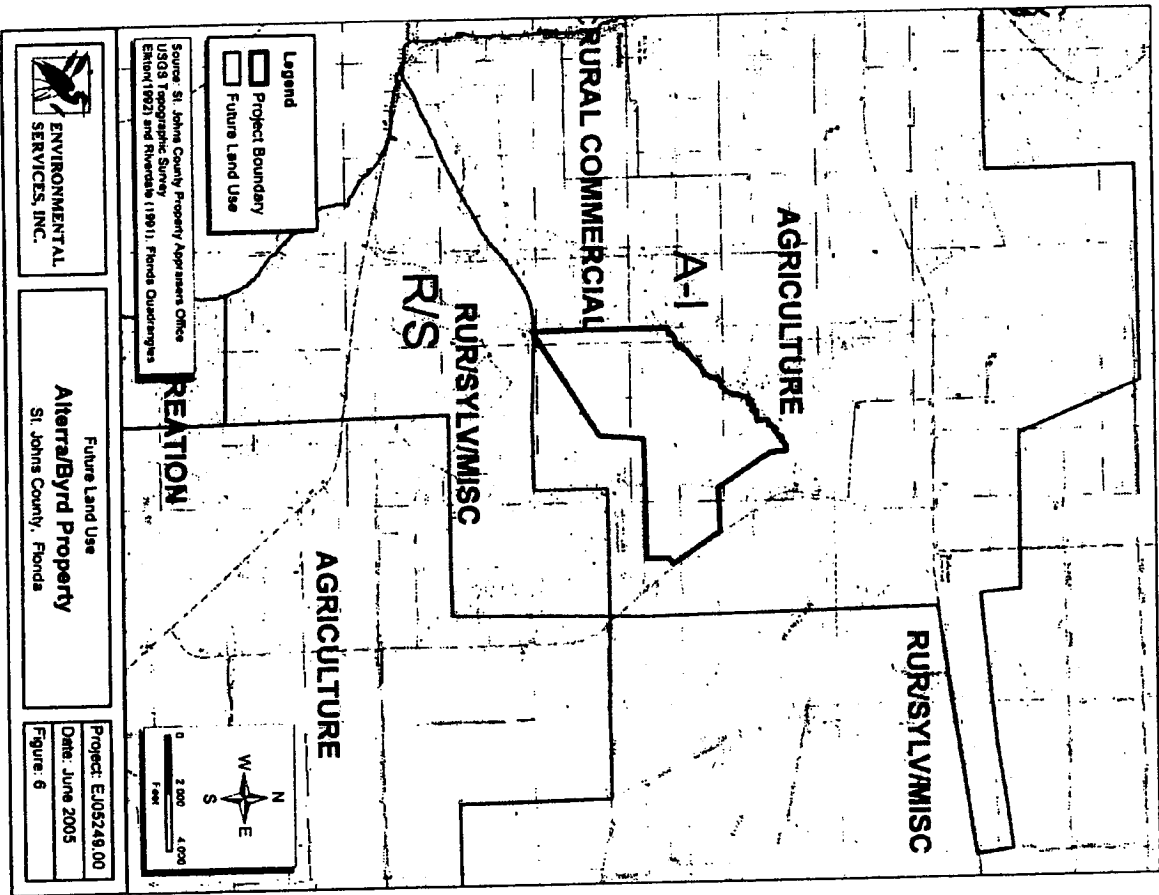
Source: Florida Land Use, Cover, and Form Classification System (FLUCFS)

- Legend**
- Project Boundary
 - Wetland Line
- FLUCFS**
- 2143 - Potato Row Crops
 - 280 - Other Open Lands, Rural
 - 434 - Hardwood-Conifer Mixed
 - 815 - Streams and Lake Swamps
 - 830 - Wetland Forested Mixed
 - Ditches



Existing Site Conditions FLUCFS Map
Alterra/Byrd Property
St. Johns County, Florida

Project: E105248.00
Date: June, 2005
Figure: 3



ENVIRONMENTAL SERVICES, INC.
7220 FINANCIAL WAY, SUITE 100
JACKSONVILLE, FLORIDA 32256
904-470-2200 • FAX 904-470-2112
www.esinc.cc

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OCT 26 2005
ST. JOHNS COUNTY
PLANNING DEPARTMENT

25 October 2005

Mr. Joseph Van Rooy
Pappas, Metcalf, Jenks, & Miller
245 Riverside Avenue, Suite 400
Jacksonville, Florida 32202

**RE: Alterra/ Byrd Property
St. Johns County, Florida**

Dear Mr. Van Rooy:

Pursuant to your request, Environmental Services, Inc., has conducted a preliminary assessment to determine the existing site conditions at the above-referenced property. The Alterra/Byrd property is located west of County Road 13A, and South of County Road 214, in St. Johns County, Florida (see attached location map, Figure 1). A copy of the county soils map (Figure 2), existing site conditions map (Figure 3), 2004 aerial photograph of the property (Figure 4), property appraiser's map (Figure 5), and future land use map (Figure 6) are also attached. A field visit was conducted to assess and characterize the natural communities located within the site. The site was also reviewed for significant natural communities as described in the St. Johns County Land Development Regulations Article IV, Section 4.01.07. In addition, a wildlife study was conducted to assess the potential occurrence of listed wildlife species on the property.

Existing Community Types

The community types were classified based upon the *Florida Land Use, Cover and Forms Classification System (FLUCFCS)* (Florida Department of Transportation State Topographic Bureau Thematic Mapping Section Procedure No. 550-010-001-a). Each community type found on the property is described below and is depicted on the attached existing site conditions map (Figure 3). Please note that a majority of the site displays evidence of past disturbance related to agricultural activities.

Uplands

Potato Row Crops (FLUCFCS 2143).

This area comprises the majority of the property and is defined as agricultural land, which is managed for the production of row crops. The area is cultivated and planted with potato plants (*Solanum tuberosum*).

Rural Open Land (FLUCFCS 260).

This category includes undeveloped land that does not exhibit any structures or any indication of intended transitional state. Open land can be found in the western portion of the property. This area is devoid of a vegetative canopy and understory. The groundcover is dominated by bahia grass (*Paspalum notatum*), and also contains sensitive weed (*Mimosa quadrivalvis*) and blackberry (*Rubus* spp.).

Hardwood – Conifer Mixed (FLUCFCS 434).

The uplands in the western portion of the property are characterized as a hardwood-conifer mixed community. The canopy in this community consists of loblolly pine (*Pinus taeda*), live oak (*Quercus virginiana*), water oak (*Q. nigra*), and laurel oak (*Q. hemisphaerica*). The understory and ground cover are dominated by swamp bay (*Persea palustris*), saw palmetto (*Serenoa repens*), and Virginia chainfern (*Woodwardia virginica*).

WetlandsDitches (FLUCFCS 510).

Ditches are located throughout the property and are associated with the potato crops. The vegetation found in the ditches is primarily elderberry (*Sambucus canadensis*) and Carolina willow (*Salix caroliniana*).

Stream and Lake Swamps (Bottomlands) (FLUCFCS 615).

The stream and lake swamp habitat canopy is dominated by such species as bald cypress (*Taxodium distichum*), swamp bay, water oak, red maple (*Acer rubrum*), and loblolly bay (*Gordonia lasianthus*). The understory is dominated by wax myrtle (*Myrica cerifera*), and red cedar (*Juniperus silicicola*). The herbaceous layer is dominated by Virginia chainfern and royal fern (*Osmunda regalis*).

Wetland Forested Mixed (FLUCFCS 630).

This community covers the majority of the wetlands found on the project site. Within this community, the dominant canopy species are loblolly pine, bald cypress, loblolly bay, sweet bay (*Magnolia virginiana*), swamp bay, red maple, sweetgum (*Liquidambar styraciflua*), and water oak. The understory species include fetterbush (*Lyonia lucida*), bitter gallberry (*Ilex glabra*), elderberry, Carolina willow, and wax myrtle. The groundcover is dominated by Virginia chainfern, rushes (*Juncus* spp.), hatpins (*Ericaulon* spp.), redroot (*Lachnanthes caroliniana*), pickerelweed (*Pontederia cordata*), canna lily (*Canna flaccida*), club moss (*Lycopodium* spp.), lizards tail (*Saururus cernuus*), and St. Johns wort (*Hypericum* spp.).

Wildlife Study

The wildlife study was initiated with a literature search of the listed species known to occur in St. John's County, Florida. The literature consulted included lists supplied by the Florida Fish and

OCT 26 2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT

Wildlife Conservation Commission (FWC), U.S. Fish and Wildlife Service (USFWS), and the Florida Natural Areas Inventory (FNAI). Based on this information, and knowledge of the specific habitat requirements for the individual listed species, the probability of potential habitat and species occurrence on the site was considered. Of the listed species with the potential to occur on-site, the FWC lists the white ibis (*Eudocimus albus*) as species of special concern, the southeastern American kestrel (*Falco sparverius paulus*) as a threatened species, and both the peregrine falcon (*Falco peregrinus*) and wood stork (*Mycteria americana*) as endangered species. The USFWS recognizes the southeastern American kestrel as a threatened species and the wood stork as an endangered species. While the site contains potential foraging habitat for these species, it does not contain optimal nesting habitat.

Additionally, soil types that may potentially support habitat suitable for the gopher tortoise (*Gopherus polyphemus*) and its commensal species, which include the Florida gopher frog (*Rana capito aesopus*), Florida pine snake (*Pituophis melanoleucus mugitus*), Florida mouse (*Podomys floridanus*), and eastern indigo snake (*Drymarchon corais couperi*) occur within the project limits. The FWC lists the gopher tortoise, Florida gopher frog, Florida pine snake, and Florida mouse as species of special concern and the eastern indigo snake as a threatened species. A species-specific survey of the extent of the on-site gopher tortoise habitat and commensal species was conducted on 24 October 2005 in accordance with FWC guidelines. During the survey, no listed species or suitable habitat were observed on-site. Therefore, an incidental take permit for gopher tortoises and commensal species is not necessary based on the lack of known occurrences and lack of potential habitat.

In conclusion, the upland and wetland communities found on-site are common in the landscape of St. Johns County and northeast Florida. No "significant natural communities" as classified by St. Johns County were identified within the project boundaries. Based on the results of the wildlife study and the review of existing site conditions, it is our opinion that the development of the property will not result in adverse impacts to listed wildlife species.

Should you have any questions or need additional information, please call Niki Dana or me.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.



David M. Dickson
Senior Project Manager

Attachments

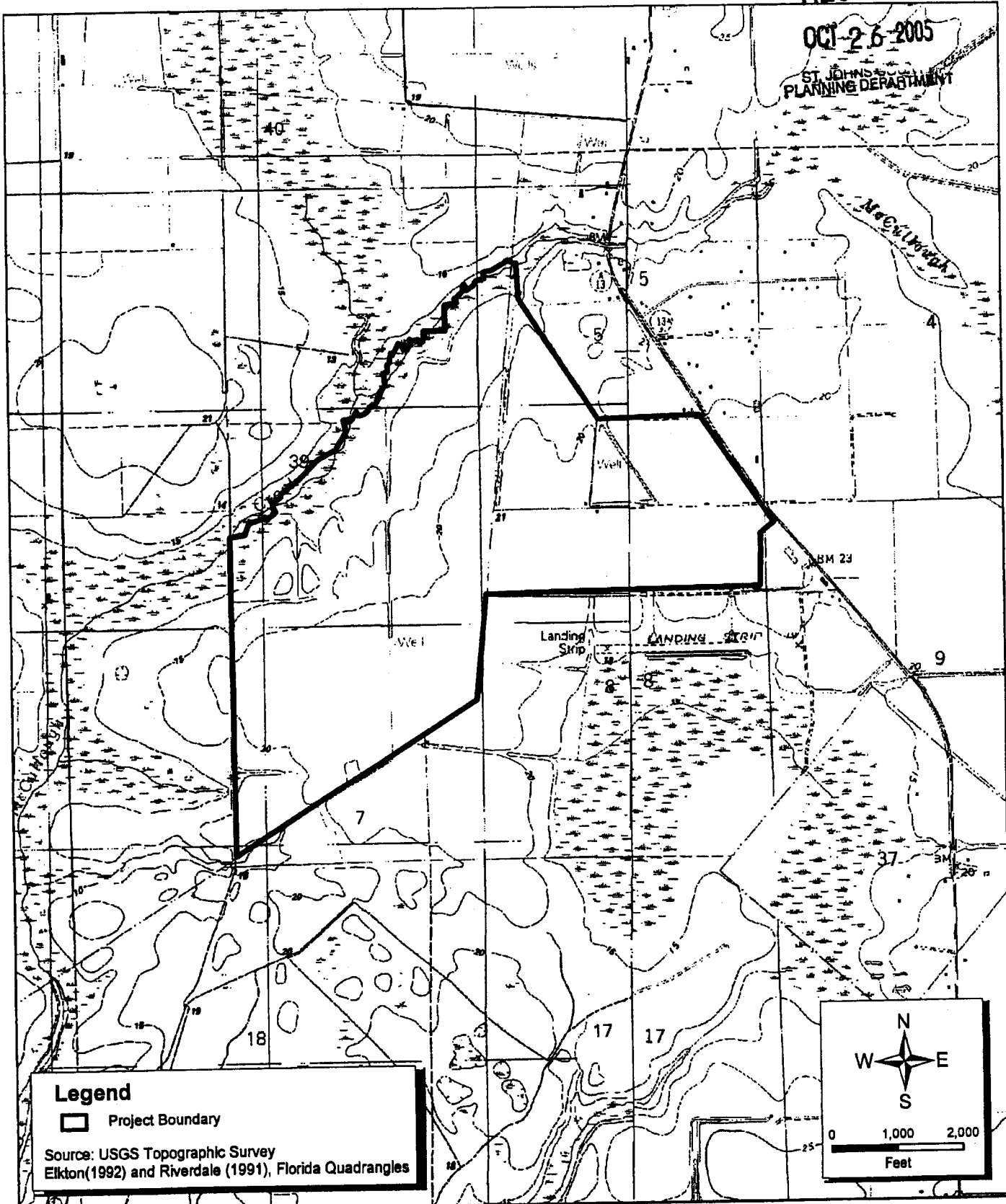
xc: Mike Mesiano

DMD/cdh/EJ05249.00/byrdprelim.doc
S:PF251005f

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OCI-26-2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT



Legend

□ Project Boundary

Source: USGS Topographic Survey
Elkton(1992) and Riverdale (1991), Florida Quadrangles



**ENVIRONMENTAL
SERVICES, INC.**

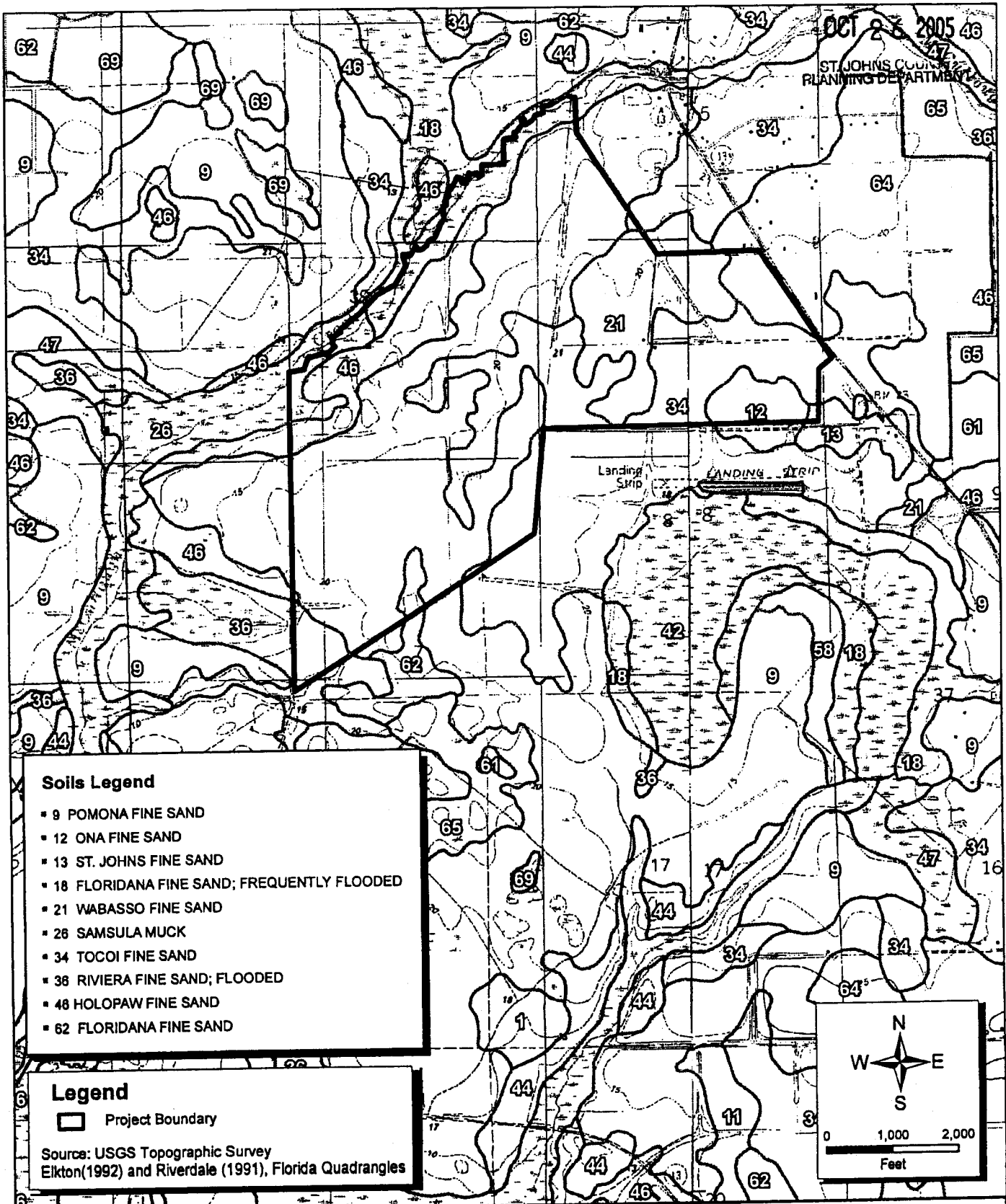
Location Map
Alterra/Byrd Property
St. Johns County, Florida

Project: EJ05249.00

Date: October 2005

Figure: 1

OCT 26 2005 46
ST. JOHNS COUNTY
PLANNING DEPARTMENT



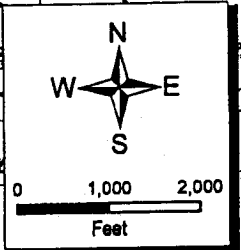
Soils Legend

- 9 POMONA FINE SAND
- 12 ONA FINE SAND
- 13 ST. JOHNS FINE SAND
- 18 FLORIDANA FINE SAND; FREQUENTLY FLOODED
- 21 WABASSO FINE SAND
- 26 SAMSULA MUCK
- 34 TOCOI FINE SAND
- 36 RIVIERA FINE SAND; FLOODED
- 48 HOLOPAW FINE SAND
- 62 FLORIDANA FINE SAND

Legend

□ Project Boundary

Source: USGS Topographic Survey
Elkton(1992) and Riverdale (1991), Florida Quadrangles











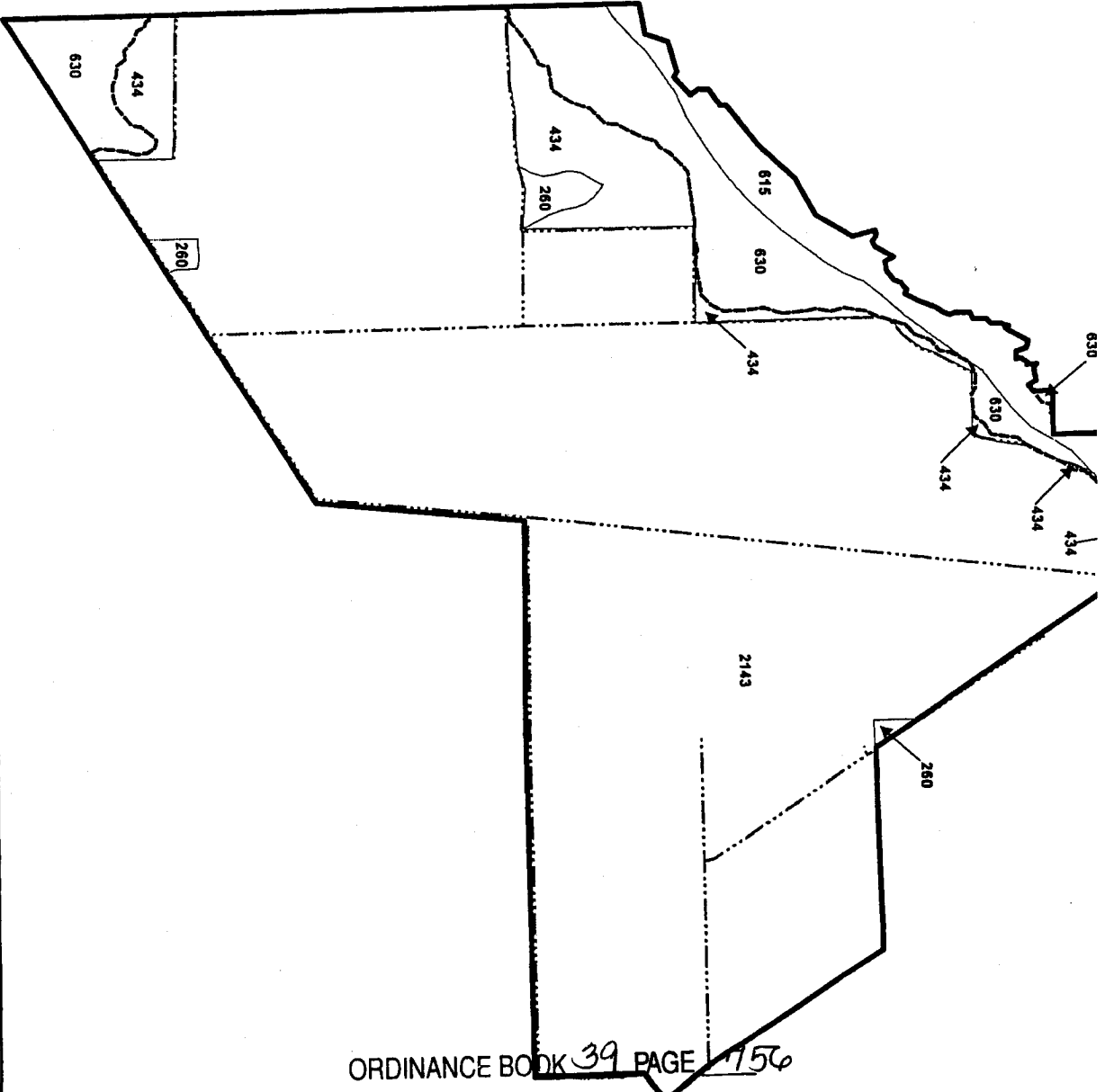
**ENVIRONMENTAL
SERVICES, INC.**

Soils Map
Alterra/Byrd Property
St. Johns County, Florida

Project: EJ05249.00
Date: October 2005
Figure: 2

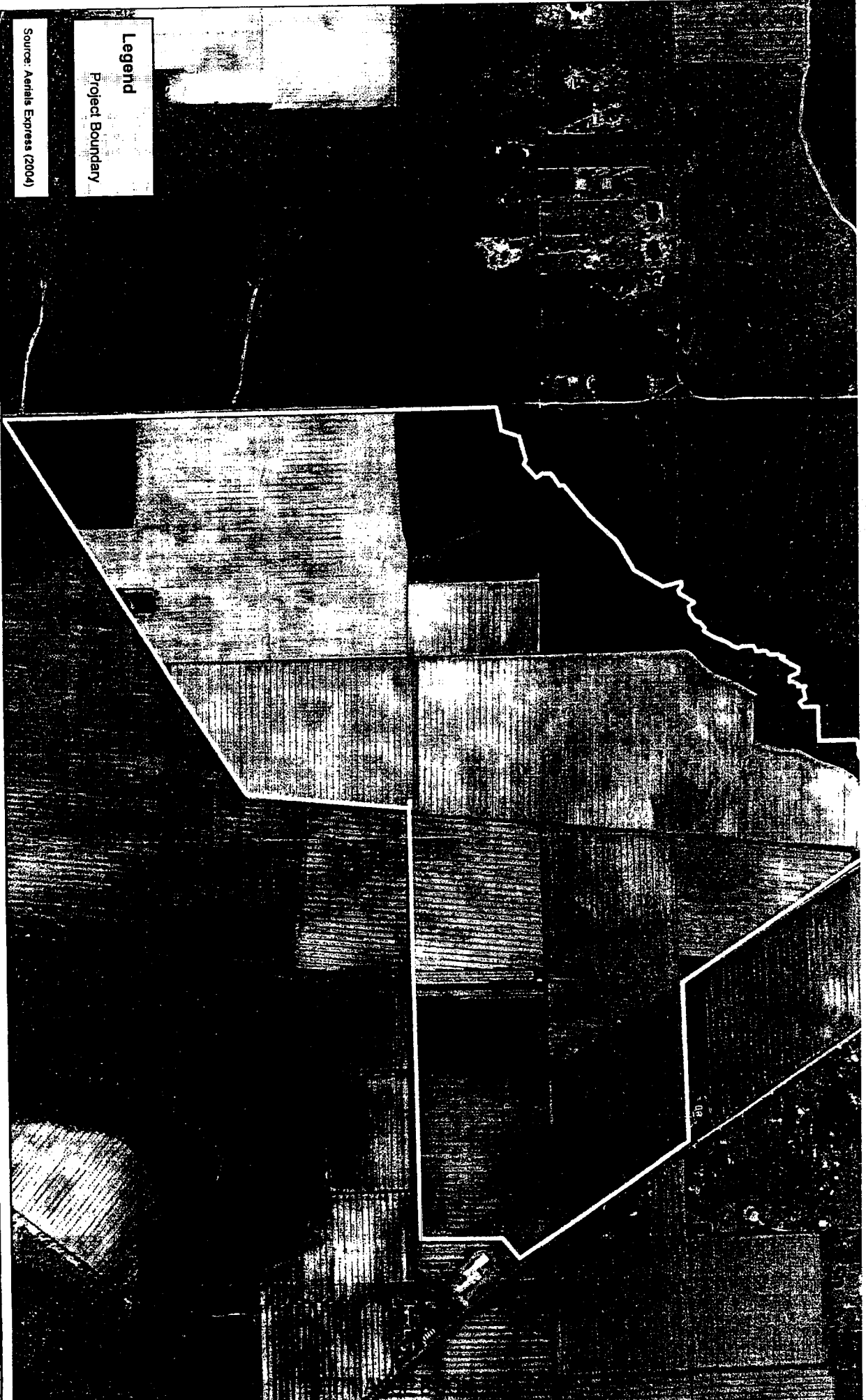
Source: Florida Land Use, Cover and Form Classification System (FLUCFCS)

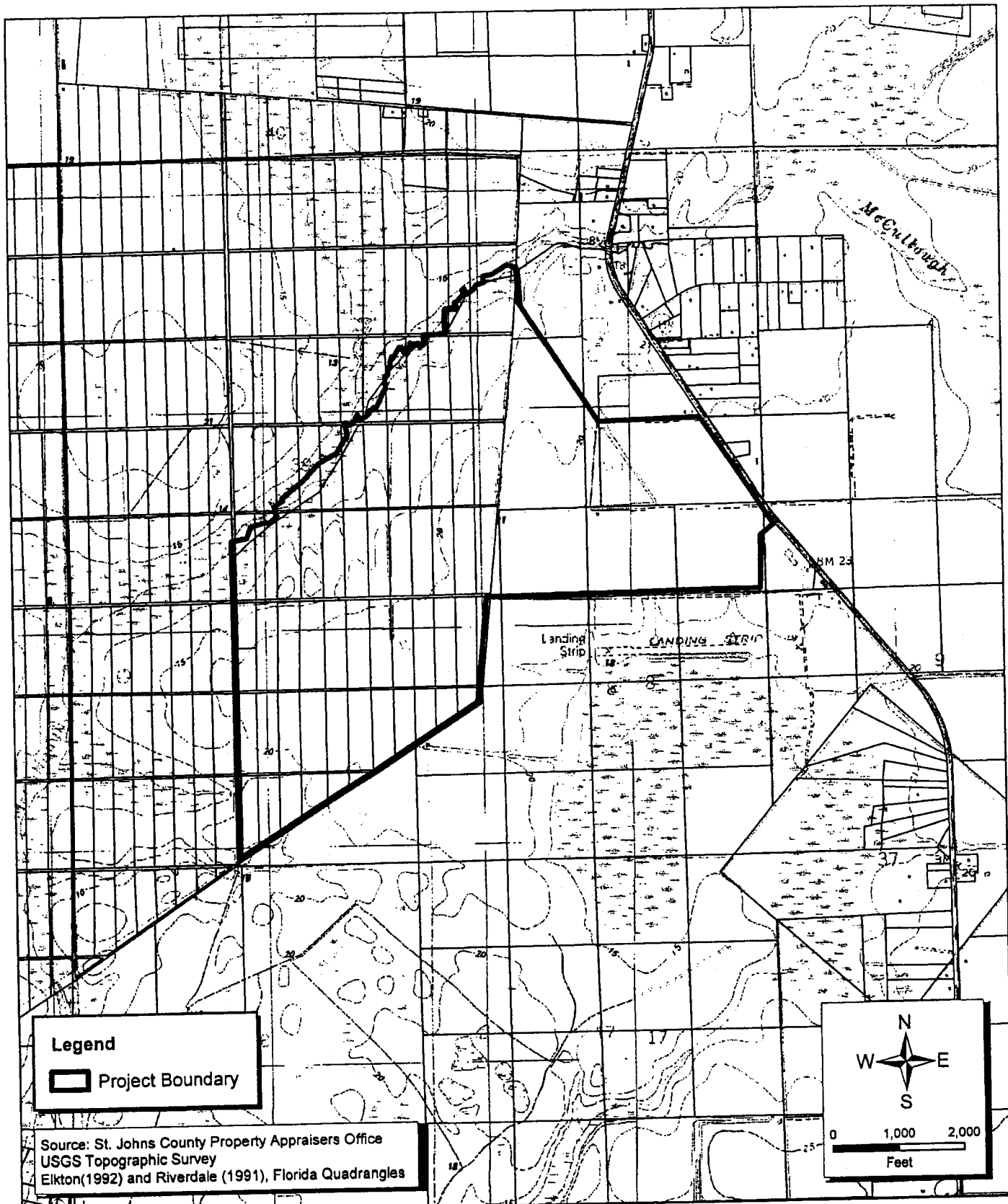
- Legend**
-  Project Boundary
 -  Wetland Line
- FLUCFCS**
-  2143 - Potato Row Crops
 -  260 - Other Open Lands, Rural
 -  434 - Hardwood-Conifer Mixed
 -  615 - Streams and Lake Swamps
 -  630 - Wetland Forested Mixed
 -  Ditches



Source: Aerials Express (2004)

Legend
Project Boundary





**ENVIRONMENTAL
SERVICES, INC.**

Property Appraisers Map
Alterra/Byrd Property
St. Johns County, Florida

Project: EJ05249.00
Date: October 2005
Figure: 5

RURAL COMMERCIAL

RUR/SYLV/MISC


AGRICULTURE

RURAL COMMERCIAL

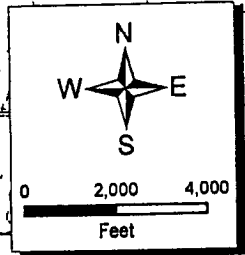
RUR/SYLV/MISC

AGRICULTURE

Legend

-  Project Boundary
-  Future Land Use

Source: St. Johns County Property Appraisers Office
USGS Topographic Survey
Elkton(1992) and Riverdale (1991), Florida Quadrangles



REACTION



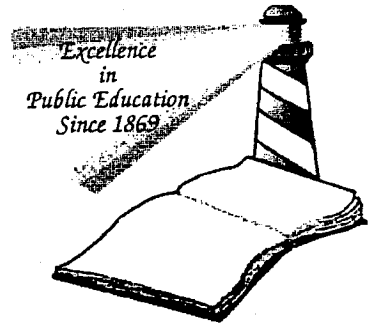
ENVIRONMENTAL SERVICES, INC.

Future Land Use
Alterra/Byrd Property
St. Johns County, Florida

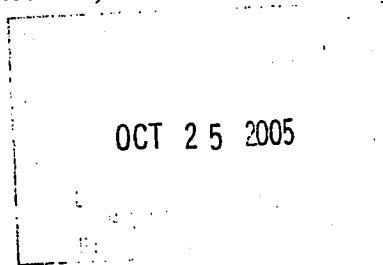
Project: EJ05249.00
Date: October 2005
Figure: 6

St. Johns County School District
40 Orange Street
St. Augustine, Florida 32084
(904) 819-7500
www.stjohns.k12.fl.us

Joseph G. Joyner, Ed.D.
Superintendent



October 21, 2005



Teresa Bishop, AICP, Planning Director
St. Johns County Planning Division
4020 Lewis Speedway
St. Augustine, FL 32084

Re: **Bartram Farms PRD**

Dear Teresa:

Thank you for providing the School District with a copy of the Bartram Farms PRD application to review for student projections and potential school impacts. Staff of the School District's Facilities Department and Student Services Department has reviewed the documentation and has determined that the student projections are too low.

In Section E of the Master Development Plan Text, the applicant indicates that the project will generate 24.64 students based on a calculation of 154 units at 0.16 students per household. We estimate that the projected number of students generated by the development will be 0.45 students per household for the 154 single family units. Thus the projected number of students for the project would be 69. Please provide this information to the applicant as a part of your review comments.

One or more of the schools to which the subject property is currently zoned are either at or above capacity. If the proposed PRD is approved, it will impact these schools by causing overcrowding. While, one of the schools has capacity at this time, due to previously approved developments and the District's need to maximize space, the remaining capacity may be filled by the time this project comes on line. The current attendance zones may not be the attendance zones in place at the time the development is occupied due to the growth St. Johns County is experiencing. The applicant should convey this information to any associated developers, builders, realtors, buyers, etc. By copy of this letter, the District will advise the Applicant that school attendance zones are not guaranteed.

We would appreciate the opportunity to meet with the applicant to discuss any information they may have concerning the potential availability of adjacent land for school sites and/or any other relevant information.

Please feel free to contact my office should you have any questions or require additional information.

Sincerely,

Nicole Cubbedge, AICP
Director for Facilities Planning and Growth Management

Cc: Frank E. Miller
Joe Joyner

School Board Members
David Toner

Tom Schwarm
Tom Manuel

The St. Johns County School District will inspire in all students a passion for lifelong learning, creating educated and caring contributors to the world.

School Board

Beverly Slough
District 1

Tommy Allen
District 2

Diane Lovell
District 3

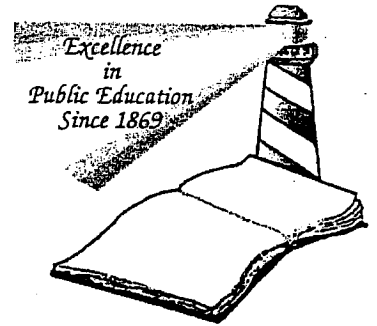
Bill Fehling
District 4

Carla Wright
District 5

ORDINANCE BOOK 39 PAGE 760

St. Johns County School District
40 Orange Street
St. Augustine, Florida 32084
(904) 819-7500
www.stjohns.k12.fl.us

Joseph G. Joyner, Ed.D.
Superintendent



October 21, 2005

Frank E. Miller
Pappas, Metcalf, Jenks & Miller, P.A.
245 Riverside Avenue, Suite 400
Jacksonville, FL 32202

Re: Bartram Farms PRD

Dear Mr. Miller:

The St. Johns County Planning Division provided the School District with a copy of the Bartram Farms PRD application to review for student projections and potential school impacts. We have forwarded to the County our concerns as it relates to the impact of additional students from the Bartram Farms PRD (see enclosed copy of letter). Please be advised that one or more of the schools to which the subject property is currently zoned are either at or above capacity and we strongly encourage that you inform associated developers, builders, realtors, buyers and anyone else that might be impacted by either overcrowded schools or zoning changes of this situation.

Please feel free to contact my office should you have any questions or require additional information.

Sincerely,

Nicole Cubbedge, AICP
Director for Facilities Planning and Growth Management

Cc: Teresa Bishop
Joe Joyner
School Board Members
David Toner
Tom Schwarm
Tom Manuel

The St. Johns County School District will inspire in all students a passion for lifelong learning, creating educated and caring contributors to the world.

School Board

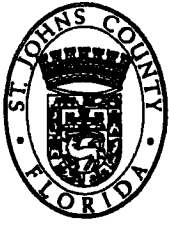
Beverly Slough
District 1

Tommy Allen
District 2

Diane Lovell
District 3

Bill Fehling
District 4

Carla Wright
District 5



**DECISION OF THE ST. JOHNS COUNTY, FLORIDA
CONCURRENCY REVIEW COMMITTEE**

RE: BARTRAM FARMS PRD
William R. Byrd, II
P.O. Box 158
Elkton, FL 32033-0158

FILE NUMBER: CONMAJ 2005-39

**DECISION GRANTING
FINAL CERTIFICATE OF CONCURRENCY WITH CONDITIONS**

On September 14, 2005 the Concurrency Review Committee ("Committee") reviewed the application of Joseph Van Rooy, Pappas Metcalf Jenks & Miller, Inc. for a concurrency determination pursuant to Part 11.03 St. Johns County Land Development Code, Ordinance No. 99-51 ("Ord. No. 99-51"), as amended, for the project known as Bartram Farms PRD and legally described on Exhibit A, attached hereto, incorporated and made a part hereof.

Upon review of the application, supporting documents, reports of the evaluating departments, and the Planning Department Staff Report/Recommendation, dated September 8, 2005 the Committee decides as follows:

1. The Committee adopts the Findings of Fact contained in the Staff Report, and the Findings of Fact are incorporated by reference and made a part hereof.
2. The application for a Final Certificate of Concurrency is granted with conditions pursuant to Section 11.03.02.B, Ord. No. 99-51, for the development of 154 single-family residential units located on the property described on Exhibit A and shown on Exhibit B (General Location Map), which exhibits are attached hereto, incorporated and made a part hereof, conditioned upon:
 1. The applicant obtaining approval of the proposed rezoning to PRD pursuant to rezoning application PRD 2005-12. If the proposed rezoning is denied by the St. Johns County Board of County Commissioners and all appeals have been exhausted, this Final Certificate of Concurrency shall cease to be effective;
 2. The applicant receiving approval of construction/drainage plans from the Development Services Division prior to commencement of construction;
 3. The applicant obtaining appropriate permits for the on-site well and septic systems for each individual unit prior to issuance of a Building Permit for each unit; and

4. Compliance with all other applicable federal, state, regional, and local land development regulations in effect at the time of permitting.

The effective date of this Final Certificate of Concurrency is **September 14, 2005**.

3. The Final Certificate of Concurrency shall remain in effect for two (2) years, pursuant to Section 11.03.02.B and its subparts, and Section 11.03.03 and 11.03.05 of Ord. No. 99-51, and will expire on **September 14, 2007** unless the applicant obtains Construction Plan approval for horizontal or vertical construction for the amount of development approved in the certificate by the expiration date, then the Certificate of Concurrency shall remain in effect until the expiration of the approved Construction Plans to which it applies; or the Certificate of Concurrency is extended by a reservation of capacity pursuant to Sections 11.03.02.B(3), 11.03.04.A, and Section 11.03.05 of Ord. 99-51.

If the Certificate of Concurrency expires, then a new Final Certificate of Concurrency must be obtained prior to any further development of the project.

4. This decision does not affect any other aspect of development and improvement standards or requirements, or any other aspect of the development of land or provision of public improvements subject to the County Land Development Regulations or Comprehensive Plan, or other County regulations, which shall be operative and remain in full force and effect without limitation with respect to all such development, pursuant to Part 11.01, Ord. No. 99-51. A Final Certificate of Concurrency does not relieve the applicant from applying for other applicable permits or complying with any land development regulation or governmental requirement, nor does the Certificate of Concurrency guarantee the granting of other applicable permits such as rezonings, variances, special uses, or building permits.
5. This decision may be appealed to the St. Johns County Board of County Commissioners. Any appeal must be filed with the Planning Department within 30 days of the decision. See Part 11.06, Ord. No. 99-51.
6. This decision shall serve as the Final Certificate of Concurrency to be issued by the County Administrator pursuant to Section 11.02.06.B, Ord. No. 99-51.

DATED THIS 14th DAY OF September, 2005

Scott A. Clem
Scott A. Clem, AICP
Chairman, Concurrency Review Committee

EXHIBIT "A"

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', ALSO BEING THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 3°19'17", ARC LENGTH OF 334.45', CHORD BEARING OF SOUTH 37°33'27" EAST, AND CHORD DISTANCE OF 334.41'; THENCE SOUTH 50°46'55" WEST, 253.83'; THENCE SOUTH 00°58'01" EAST, 823.14' TO THE INTERSECTION WITH A LINE AS DESCRIBED IN A BOUNDARY-PROPERTY LINE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1901, PAGE 1294, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89°07'43" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 2618.94'; THENCE NORTH 89°53'14" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1543.37'; THENCE SOUTH 05°37'10" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 1588.42'; THENCE SOUTH 57°36'13" WEST, ALONG SAID BOUNDARY-PROPERTY LINE AGREEMENT, 4318.05' TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 36, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 00°32'00" WEST, ALONG THE WEST LINES OF BLOCKS 36, 35, 27, AND 26, OF SAID RIVERDALE FARM TRACTS, ±4792' TO THE CENTERLINE OF McCULLOUGH CREEK, ALSO BEING REFERENCE POINT "A"; THENCE BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE NORTHERLY ALONG THE RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18'; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE CENTERLINE OF SAID McCULLOUGH CREEK; THENCE MEANDERING SOUTHERLY ALONG THE CENTERLINE OF SAID McCULLOUGH CREEK, ±7618' TO AFOREMENTIONED REFERENCE POINT "A" AND THE LAST CALL OF THIS DESCRIPTION.

LESS AND EXCEPTING LOT 10, BLOCK 7, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA;

TOGETHER WITH THE PORTION OF LOT 10, BLOCK 17, RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING NORTHERLY OF McCULLOUGH CREEK;

SUBJECT TO 30' ROAD RESERVATIONS ALONG THE NORTH, EAST & SOUTH SIDE OF ALL MENTIONED BLOCKS, AS SHOWN ON PLAT OF RIVERDALE FARM TRACTS, AS RECORDED IN MAP BOOK 1, PAGES 148 - 153, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH A 20' DRAINAGE EASEMENT LYING ALONG THE WEST LINE OF GOVERNMENT LOT 7, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AS PER DEED RECORDED IN O.R. 1626, PAGE 464 AND IN DEED BOOK 194, PAGE 321 OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 534, PAGE 124, OF THE PUBLIC RECORDS OF SAID COUNTY.

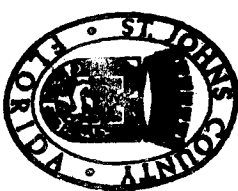
SUBJECT TO A 15' F.P.L. EASEMENT LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 705, PAGE 790, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO A 12' F.P.L. EASEMENT LYING IN SECTIONS 5 & 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, AS PER DEED RECORDED IN O.R. 482, PAGE 113, OF THE PUBLIC RECORDS OF SAID COUNTY.

TOGETHER WITH A PRESERVATION AND MAINTENANCE EASEMENT LYING OVER AND ACROSS A 50' WIDE STRIP OF LAND LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A FOUND RAILROAD IRON; THENCE SOUTH 00°58'01" EAST, ALONG THE PROJECTED EAST LINE OF SAID SECTION 5, 89.38' TO THE INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD #13-A, HAVING A RIGHT OF WAY WIDTH OF 80', SAID POINT LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65'; THENCE NORTHERLY ALONG THE AFOREMENTIONED WESTERLY RIGHT OF WAY OF SAID COUNTY ROAD #13-A, LYING IN A CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5769.65', DELTA OF 2°52'10", ARC DISTANCE OF 288.94', CHORD BEARING OF NORTH 34°27'44" WEST, AND CHORD DISTANCE OF 288.91' TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 33°01'39" WEST, ALONG SAID RIGHT OF WAY OF COUNTY ROAD #13-A, 1353.82'; THENCE SOUTH 88°24'44" WEST, 1508.18' TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 33°06'38" WEST, 2178.46'; THENCE NORTH 03°18'00" WEST, ±534' TO THE INTERSECTION WITH McCULLOUGH CREEK FOR THE POINT OF TERMINUS OF SAID EASEMENT SAID EASEMENT LIES 50' EASTERLY OF AND PARALLEL TO SAID DESCRIBED LINE.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 7th DAY OF March 20 06 CHERYL STRICKLAND, CLERK Ex-Officio Clerk of the Board of County Commissioners BY: *Denise Kelly* D.C.



FEB - 6 2006

COPY OF ADVERTISEMENT

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 CHARLES BARRETT who on oath says that he is an 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 NOTICE OF HEARING in the matter PUD 05-12 BARTRAM FARMS was published in said newspaper in the issues of FEBRUARY 6, 2006.

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, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he 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 6TH day of FEBRUARY, 2006.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Patricia A. Bergquist]

(Signature of Notary Public)



(Seal)

Patricia A. Bergquist My Commission DD275991 Expires December 18, 2007

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING. NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 21, 2006 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Open Rural (OR) to Planned Rural Development (PRD). The subject property is located at 855 County Road 13A South within St. Johns County, Florida. [Map showing County Road 13A, County Road 214, County Road 13B, and County Road 306. A small inset map shows the location within St. Johns County. A legend indicates 'BARTRAM FARMS' and 'PRD 2005-12'. A 'FILED' stamp is also present.] This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing. NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting. If a person decides to appeal any decision made 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. This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085. BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES BRYANT, CHAIRMAN FILE NUMBER: PRD 2005-12 Bartram Farms L377-6 Feb 6, 2006