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ORDINANCE NUMBER: 2007-23

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE ZAXBY'S ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2004-09, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2008018870,
O.R. 3063 PG 1678-1692
04/02/2008 at 03:44 PM,
REC. \$61.00 SUR. \$68.00

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

WHEREAS CNL Bank, the owners of lands described herein, and incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number MAJMOD 2006-23 for a Major Modification to the Zaxby's St. Augustine PUD Ordinance 2004-07, as amended, dated October 2006, as described hereinafter, and after required notice was published, a public hearing was held on the 3rd day of April, 2007, at 9:00AM on said application.

SECTION 1. That development of lands within the Zaxby's St. Augustine (CNL Bank) PUD shall proceed in accordance with Ordinance 2004-07 as amended, including the Application for Major Modification dated October, 2006 and attached hereto and made a part hereof.

SECTION 2. That the need and justification for modification of the Zaxby's St. Augustine (CNL Bank) PUD has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Zaxby's St. Augustine (CNL Bank) PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. As modified, the Zaxby's St. Augustine (CNL Bank) PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the Zaxby's St. Augustine (CNL Bank) PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size; (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Map and Text for the Zaxby's St. Augustine (CNL Bank) PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

Shirley King
Cm+K

6. As modified, the Zaxby's St. Augustine (CNL Bank) PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance 97-23, as amended, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Except to the extent that they conflict with specific provisions of the approved development plan or the 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 special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 5. That the terms of this modification to the Zaxby's St. Augustine (CNL Bank) PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 3rd DAY OF April 2007.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Ben Rich
Ben Rich
Chairman

RENDITION DATE 04/05/07

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

**EFFECTIVE
DATE: 04/11/07**

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, BEING THE SAME PARCEL OF LAND AS DESCRIBED IN O.R. 815, PAGES 1243 & 1244, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF CURVATURE ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. S-5-A HAVING A STATE ROAD STATION OF 163+06.85; THENCE SOUTH 9 DEGREES 28 MINUTES 38 SECONDS EAST, 116.95 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 69 DEGREES 10 MINUTES 52 SECONDS EAST, 111.03 FEET ALONG THE CHORD OF A CURVE TO THE SOUTH HAVING A RADIUS OF 282.29 FEET, DELTA OF 22°41'00", AND ARC LENGTH OF 111.76 FEET; THENCE SOUTH 57 DEGREES 50 MINUTES 22 SECONDS EAST, 291.15 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 04 SECONDS EAST, 228.98 FEET; THENCE NORTH 86 DEGREES 24 MINUTES 21 SECONDS WEST, 198.22 FEET ALONG THE CHORD OF A CURVE TO THE NORTH HAVING A RADIUS OF 1849.86 FEET, DELTA OF 06°08'33", AND ARC LENGTH OF 198.31'; THENCE NORTH 09 DEGREES 28 MINUTES 38 SECONDS EAST, 48.48 FEET; THENCE NORTH 80 DEGREES 31 MINUTES 22 SECONDS WEST, 20.00 FEET; THENCE NORTH 09 DEGREES 28 MINUTES 38 SECONDS EAST, 200.00 FEET; THENCE NORTH 57 DEGREES 50 MINUTES 22 SECONDS WEST, 126.36 FEET; THENCE SOUTH 69 DEGREES 10 MINUTES 52 SECONDS EAST, 85.07 FEET ALONG THE CHORD OF A CURVE TO THE SOUTH HAVING A RADIUS OF 218.29 FEET, DELTA OF 22°41'00", AND ARC LENGTH OF 85.63'; THENCE NORTH 09 DEGREES 28 MINUTES 38 SECONDS EAST, 66.00 FEET TO THE POINT OF BEGINNING, AND THE LAST CALL OF THIS DESCRIPTION.



Exhibit "C"
MASTER DEVELOPMENT PLAN TEXT

a. "A Description related to the design, character and architectural style or theme of the Project, which demonstrates an innovative, unified, cohesive and compatible plan of development for all Uses included in the Project. Mixed Use PUDs that contain different Uses or several Development Parcels must also demonstrate consistency in design and character and plan of development."

The CNL Bank and Retail center Planned Unit Development ("PUD") will consist of an approximately 5,000 sq. ft. bank with two (2) drive-throughs and an approximately 10,150 sq. ft retail site. The PUD is to be developed on approximately 2.63 acres of land with approximately 1.53 acres of added lands to the original 1.10 acres of PUD. It is anticipated that the design, character and architectural style of the development will result in a unified, cohesive and compatible plan of development that will permit a creative approach to the development of the property and accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the Land Development Code. Additionally, the project provides an environment of stable character, compatible with surrounding commercial areas, maintaining the existing character, while complimenting the commercial business opportunities present in the area.

b. "The total number of acres included within this Project as requested in the application."

Approximately 2.63 acres.

c. "The total number of Wetland acres included within the Project as requested in the application."

None

d. “The total amount of Development area, including the total number of developable acres (including filled Wetlands) for each proposed land Use and the total number of Wetland acres to be preserved for each land Use. Each developable Parcel shall be limited to one Use Classification, as provided in Article II of this Code.”

The area proposed for development is comprised of approximately 2.63 upland acres and no wetland acres.

e. “The total number of residential Dwelling Units and density of the Project, the projected population, and projected population of elementary and high school age children that may reside within the Project.”

There are no residential dwelling units in the CNL Bank and Retail Center PUD.

f. “The total square footage and intensity of non-residential Development.”

The development shall be limited to a 5,000 square foot bank with two (2) drive-throughs and a 10,150 square foot retail center. The retail center shall consist of the uses allowed under “specialty retail uses” in the ITE Transportation Manual. The Maximum Impervious Surface Ratio shall not exceed 75% of the total site. The Floor Area Ratio (“FAR”) shall be limited to 50%. The sale of alcoholic beverages shall be allowed in conjunction with the operation of the restaurant and in accordance with Section 2.03.02 of the Land Development Code. All of the outdoor lighting shall be in accordance with Section 5.03.06(H)(6) of the Land Development Code.

g. “The residential and non-residential Structure setbacks, as measured from the property line, the minimum size of residential Lots, the number of parking spaces for residential and non-residential Uses, the use of Signs and signage to serve the Project and the maximum height of all Structures.”

Residential:

There is no residential development.

Non-Residential:

Setbacks: A minimum twenty (20) foot building setback will be provided from SR 312 and from Old Moultrie Road. All other setbacks shall be as indicated on the MDP Map,

Exhibit D. Parking will be as generally depicted on the MDP Map, Exhibit D. The size and number of spaces for the site will be not less than those required in the St. Johns County Land Development Code. Notwithstanding the foregoing, portions of the commercial site may be sold as individual parcels, provided each parcel has common property frontage for access/ingress/egress. Such individual parcels may share parking with other facilities, with shared parking agreements and will comply with Section 6.05.02 of the Land Development Code. Off-site parking, which shall be located within the bounds of the commercial area of the PUD, will be an allowable use for out-parcels.

Signage: Signage for the Commercial Site shall meet the requirements of Section 7.00.00, 7.01.00, 7.02.00, 7.03.00, 7.04.00, 7.05.00, and 7.06.00 of the LDC in effect at the time of the adoption of the PUD.

Two (2) on-site project construction signs will be allowed, with one located near the entrance to the property along Old Moultrie Road, and one along the frontage of SR 312, both of which must be removed within thirty (30) days after the "as-built" plans have been approved by the County. The signs may be two (2) sided with each face limited to thirty-two (32) square feet. In addition, temporary development signs will be allowed within the development, meeting the same criteria as the on-site project construction signs.

Height: Structures shall not exceed thirty-five (35) feet in height.

h. "The type and location of infrastructure needed to serve the Project, including at a minimum, drainage facilities, vehicle and pedestrian access to the Project, internal vehicle and pedestrian access within the Project, interconnectivity access points to adjacent properties, park, open space and recreation facilities, types of active recreation that will be provided, the provision of water and sewer, fire protection, and solid waste collection. Additional infrastructure requirements may be addressed based upon the character or location of the Project."

The infrastructure needed to serve the PUD consists of drives/aisles, drainage facilities, water and sewer, fire protection and solid waste collection.

Vehicular Access: There will be one access to Old Moultrie Road at the northern end of the site, in the approximate location as depicted on the MDP Map, Exhibit D. All accesses shall be installed in accordance with all FDOT and St. Johns County regulations and permits and will comply with the Land Development Code.

Internal Access: All internal drives shall be constructed in accordance with Section 6 of the Land Development Code. All drives are private and shall be maintained by the property owners.

Pedestrian Access: Sidewalks shall be provided as indicated on the MDP Map, Exhibit D.

Drainage: Storm water will be treated on site within the retention areas. All drainage structures and facilities will be designed and constructed in compliance with the Land Development Code and the applicable rules of the St. Johns River Water Management District, with revisions and/or with the approval of the St. Johns County Development Services Department. All necessary permits and construction plans will be acquired and approved prior to the commencement of any construction.

Utilities:

- a. Water and sewer will be provided by the St. Johns County Utility Department.
- b. The Developer shall master plan all phased developments' utility infrastructures to maintain level of service to each phase. If the Developer requests prioritizing alternate phases, the utility infrastructure shall have to be accommodated accordingly to minimize the impact to the existing St. Johns County Utility Department's infrastructure.
- c. The Developer must confirm utility connection points at the design level. Utility connection points shall be installed as listed in the Availability letter or as directed otherwise by the St. Johns County Utility Department to minimize impact to the existing infrastructure or to the existing level of service.

d. Width of right-of-way shall not limit meeting the minimum setbacks for underground utility lines set by the St. Johns County Utility Department. The Developer will provide the necessary easements in case proposed right-of-way cannot provide the required spacing for proper orientation of underground utilities. The Developer will not install water or sewer pressurized mains under pavement, sidewalk, and concrete walk unless approved by the St. Johns County Utility Department. The Developer will install such lines in grassed right-of-way. All private lines will be serviced via master meters. The Developer will provide restoration easements to maintain utilities in private right-of-way as long as they meet the St. Johns County Utility Department's requirements for operation and maintenance.

e. Any landscaping trees shall be placed at a minimum of 7.5 feet away from the center line of pipeline to the center line of the trees.

Solid waste: All solid waste and recycling areas shall be fully screened from view. Solid waste and recycling areas may be combined in the areas sufficient to accommodate both in the same location. The location, number and size of the solid waste and recycling areas may be moved to accommodate the actual need for such facilities subject to review and approval by the St. Johns County Development Services Department.

Fire Protection: Fire Protection will be provided in accordance with Section 6.03.00 of the Land Development Code.

Recreation: As the use of the property is commercial, no recreational facilities have been provided.

Lighting: The lighting plan shall be in compliance with Section 5.03.06.H.6 of the Land Development Code.

i. “The amount of water and sewer use, based upon the projected population, and the Public Utility Providers, if applicable.”

A water and sewer availability letter is attached hereto as “Exhibit E.” The amount of water and sewer use shall be as follows:

- 1) Retail Shopping Center (10,150 sq. ft. x .1 GPD = 1,015 GPD) = 1,015 GPD
- 2) Financial Center with drive-thru (5,000 sq. ft. = 5,000/100 x 15 GPD = 750 GPD
- 3) Total average water and sewer usage = 1,765 GPD.

j. “The type of underlying soils and its suitability for Development of the proposed Project.”

The soil survey of St. Johns County, Florida, identifies the soil types on the property as Astatula fine sand and Immokalee fine sand. The potential for community development in the Astatula fine sand areas is high. The potential for community development in the Immokalee fine sand areas is medium. A soils map is attached hereto as “Exhibit F.”

k. “The type and extent of upland forest and wetlands on the site using the Level III classification of the Florida Land Use Cover and Classification System (FLUCCS). A map depicting the location of upland forest and Wetland vegetation shall be provided with the application submittal.”

A FLUCCS map is attached hereto as “Exhibit G.”

l. “The type and extent of any Significant Natural Communities Habitat as defined by this Code.”

There are no existing Significant Natural Communities Habitat nor any existing Listed Species on site. See “Exhibit H” attached hereto.

m. “Identification of known or observed Historic Resources as defined by this Code, including any sites listed within the State Division of Historical Resources Master Site File or the St. Johns County Historic Resources Inventory. In such cases, the requirements of Part 3.01.00 of this Code shall apply.”

A copy of the SHPO letter is attached hereto as “Exhibit I.”

n. “The type and extent of buffering, landscaping, tree removal and tree protection, and buffering between adjacent uses as needed to aesthetically screen uses and provide privacy.”

The Applicant shall provide a ten (10) foot perimeter buffer. Fill shall be permitted in the ten (10) foot perimeter buffer. The Applicant shall provide a twenty (20) foot setback for buildings and parking from the property line adjacent to SR 312 right-of-way. Sidewalks shall be allowed within the twenty (20) foot setback. The Applicant shall also provide a twenty (20) foot setback for buildings and parking from the property line adjacent to the Old Moultrie right-of-way. The County has requested and the Applicant is granting a seventeen (17) foot reservation for future expansion of the right-of-way at Old Moultrie Road. Should the County exercise said reservation, the setback along Old Moultrie Road shall be reduced by the amount of the reservation used by the county. The buffer will remain at ten (10) feet from the seventeen (17) foot reserved right-of-way; therefore, the MDP Map indicates a buffer of ten (10) feet from said reservation. Screening and buffering requirements are as depicted on the MDP Map, Exhibit D.

o. “PUDs located in Special Districts as defined by Article III of the Land Development Code shall include a statement identifying the particular Special District and referencing the requirements to comply with the provisions of such Special District.”

The CNL Bank and Retail Center PUD is not located within a Special District as defined by the St. Johns County Land Development Code.

p. “The use, location and duration of temporary uses, including construction trailers, sales units, model homes, and temporary signage related to construction of the Project.”

Construction trailers shall be allowed to be placed on site and moved throughout the site as necessary. Parking shall be provided for the trailer(s) in a temporarily defined, but unpaved lot within the driveway apron that meets County Code requirements. Construction trailers shall be removed prior to issuance of a certificate of occupancy.

q. "The use and location of accessory uses for residential and non-residential structures, including Guest Houses, A/C units and related heating/cooling units, setbacks, swimming pools, fencing, and similar Uses."

Exterior air conditioning units and related heating/cooling units may be located adjacent to or at the rear of the structures served. Any fencing shall comply with Section 2.02.04.12 of the Land Development Code.

r. "A phasing schedule, including at a minimum, the amount of residential and non-residential development to be completed within a specified phase, a specific commencement date, a definition of commencement of the Project, and a specific completion date. The PUD shall expire at the end of the specific completion date included in the MDP Text and no further development shall occur until the phasing schedule is extended or modified pursuant to the requirements of this part. The PUD shall provide as part of the phasing schedule, an estimate of uses to be developed within five (5) year phases. The estimated phases may overlap during construction; however, the phase shall be fifty percent (50%) complete, before the next phase may proceed unless modified through a PUD Minor Modification."

The CNL Bank and Retail Center PUD is designed to be constructed within one (1) five-year phase. The water and sewer infrastructure shall be constructed in one (1) five (5) year phase. Commencement of construction shall begin within two (2) years of the approval of the PUD rezoning ordinance. Commencement shall be deemed to have occurred upon approval of the construction plans for either building. The foregoing notwithstanding, Applicant may request the issuance of a Certificate of Occupancy on a building-by-building basis. Each building will provide the necessary parking access and maneuvering prior to the issuance of a Certificate of Occupancy for that building. Completion is defined as receipt of approval from the County of As-Built Surveys either on a building-by-building basis as provided herein or for the entire project. Completion shall be within five (5) years of commencement. FDEP permits will be obtained in accordance with the phasing schedule.

s. “The projected impact of the Project upon St. Johns County, an explanation of the Project’s benefit to the County, as compared to existing zoning or other zoning district, and justification of the Project.”

The impact of the PUD on County service and infrastructure will be within all adopted levels of service. The PUD’s benefits include the provision of additional commercial opportunities that will complement adjacent developments.

- The property in question is located in a Mixed Use District category under the 2015 St. Johns County Comprehensive Land Use Plan. The property is suitable in character and location for the structure and uses proposed.

- The PUD will not adversely affect the orderly development of St. Johns County as embodied by the LDC and the St. Johns County 2015 Comprehensive Plan. The property is identified as Mixed Use District on the 2015 Future Land Use Map, which allows development activities as proposed within this application. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall trend of the area.

- The PUD will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties and will accomplish the objectives, standards and criteria set forth in the LDC. The developer and owners will maintain the character and appearance set forth herein.

- The PUD will conform to the requirements of Article XI of the LDC. Construction will commence only after confirmation by the St. Johns County Concurrency Review Committee in accordance with the standards and procedures of the LDC that the availability of adequate public facilities and services support the proposed PUD. A Final Certificate of Concurrency will be provided upon receipt as “Exhibit J.”

- The conditions stipulated in the PUD application and imposed by this ordinance provide for strict regulation and maintenance of this PUD.

- When developed in accordance with the conditions stipulated by this ordinance, the PUD will maintain the standards of the area, complement the neighboring developments and will be compatible with the development of the area.

t. "A description of any waivers, variances, or deviations from this Code included in the application and justification for such waivers, variances, or deviations."

The Applicant would like to request a waiver from Section 6.06.03.G.1 of the Land Development Code to allow terminal islands no less than nine (9) feet in width.

u. "A statement binding all successors and assigns in title to the commitments and conditions of the MDP."

The Applicant, its successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant also agrees to comply 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 PUD specifically outlined as follows:

"To the extent that they do not conflict with the specific and detailed provisions of this approved PUD Ordinance, all provisions of the Land Development Code, as such may be amended from time to time, shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance,

building code, comprehensive plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein."

v. *"When the subject property is designated as more than one Future Land Use designation on the Comprehensive Plan Future Land Use Map, a map shall be provided depicting the boundaries between the designations and provide the total upland and Wetland acres for each land Use designation."*

Not Applicable.

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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 a **NOTICE OF HEARING**
in the matter of **MAJ 06-23 CNL BK**
was published in said newspaper in the issues of
MARCH 19, 2007.

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 **20TH** day of **MARCH, 2007.**

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD27599
Expires December 18, 2007

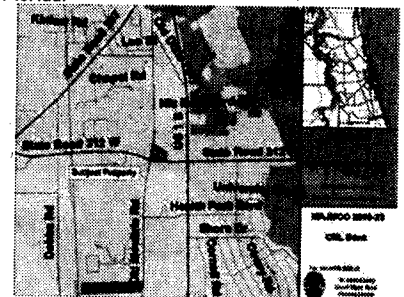
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, April 3, 2007 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, request a Major Modification to the Planned Unit Development. Items not heard by 6pm shall automatically be continued until 9am the following day, unless otherwise directed by the Board.

The subject property is located NE quadrant of SR 312 & Old Moultrie Road within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 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. It is anticipated that one or more County Commissioners may attend this meeting. 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 notified 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

BEN RICH, CHAIRMAN
* FILE NUMBER: MAJMOD 2006-23 CNL Bank
L694-7 Mar 19, 2007