

RESOLUTION NO. 87-101

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA  
MODIFYING THE PROVISIONS OF ORDINANCE #84-17  
AN ORDINANCE REZONING CERTAIN LAND TO  
PLANNED UNIT DEVELOPMENT (PUD),  
MODIFYING THE SCHEDULE OF DEVELOPMENT  
INCORPORATED BY REFERENCE THEREIN,  
BY EXTENDING THE COMMENCEMENT AND COMPLETION DATES OF  
PHASES I THROUGH IV

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

SECTION 1: Pursuant to a request from John D. Bailey, Sr. and A. H. Runk,  
the commencement and completion dates of Phases I through IV, as  
specified in the schedule of development incorporated by reference  
Ordinance #84-17, an ordinance rezoning certain land to Planned Unit  
Development (PUD), are hereby modified and shall henceforth read as  
follows:

(a) Development of Phase I shall be commenced within five (5)  
years and completed within seven (7) years from the date of final  
approval of the PUD.

(b) Development of Phase II shall be commenced within seven (7)  
years and completed within ten (10) years from the date of final  
approval of the PUD.

(c) Development of Phase III shall be commenced within nine (9)  
years and completed within thirteen (13) years from the date of final  
approval of the PUD.

(d) Development of Phase IV shall be commenced within eleven (11)  
years and completed within seventeen (17) years from the date of final  
approval of the PUD.

SECTION 2: All building code, zoning ordinance and land use development regulations of St. Johns County, as amended from time to time, are applicable to this development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 3: In all other respects, the remaining Provisions contained in said Ordinance #84-17, shall remain in full force and effect.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA

BY: Phyllis L. Lydon  
Chairman

ATTEST: Carl "Bud" Markel

By: Cheryl Kent, Deputy Clerk

Adopted regular meeting: May 26, 1987

Effective: May 26, 1987

REQUEST FOR MODIFICATION

TO R-PUD-84-4

APPLICANTS:

JOHN D. BAILEY, SR.

A. H. RUNK

The applicants, John D. Bailey, Sr. and A. H. Runk, as owners of the real property described in the aforesaid PUD Ordinance, request the PUD be modified as follows;

The schedule of development incorporated within the Planned Unit Development Ordinance provides that development of Phase I shall be commenced within three (3) years and completed within five (5) years from the date of final approval of the PUD. The applicants request the schedule of development be modified to provide that development of Phase I shall be commenced within five (5) years and completed within seven (7) years from the date of final approval of the PUD.

The applicants further request that the commencement and completion dates specified in the schedule of development for Phases II, III and IV, be extended by two (2) years due to the extension of the commencement and completion dates for Phase I.

In support of this request, the applicants submit they have timely complied with Section 4 of the PUD Ordinance, which required them to convey to St. Johns County certain real property for the extension of Mizell Road. Further, the surrounding land uses and conditions, which existed as of April 4, 1984, have not changed, and the granting of the requested extension will not prejudice either St. Johns County or surrounding property owners.

All other terms and provisions of said PUD Ordinance, not in conflict herewith, shall remain in full force and effect.

Respectfully submitted,

UPCHURCH, BAILEY AND UPCHURCH, P.A.


By:   
JOHN D. BAILEY, JR.  
Attorney for Applicants

EXHIBIT "A"

**PROPERTY TO BE REZONED:**

Situate, lying and being in the County of St. Johns, State of Florida, more particularly described as follows: Parcel ONE: The South East 1/4(SE1/4) of the North West 1/4(NW1/4) less and except right of way for county rd known as 16th Street.

Parcel TWO: the West 1,155+/- of the South West 1/4 of the North East 1/4(NE1/4) ALL Lying and Being in Section 33 Township 7 South, Range 30 East, St. Johns County, Florida.

A search of the public records of St. Johns County as maintained in the office of the clerk of the Circuit Court and records as maintained in this office reveals the apparent owner of record as to the above captioned property to be vested in John D. Bailey, Sr. and Margaret, his wife and Runk Properties, Inc., by virtue of Warranty Deeds found in Official Records Book 454 page 174 and Official Records Book 736 page 1656

EXHIBIT "B"

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

ZONING CERTIFICATE FOR PROPERTY OWNER VERIFICATION AND OWNERSHIP FOR REZONING:

I HEREBY CERTIFY THAT THE ATTACHED NAMES/ADDRESSES IS A TRUE AND CORRECT LIST OF ADJACENT PROPERTY OWNERS OF LAND WITHIN 300 FEET OF REQUEST FOR MODIFICATION TO PUD AND HAS BEEN OBTAINED FROM THE CURRENT TAX ROLLS OF ST. JOHNS COUNTY PROPERTY APPRAISER'S RECORDS VIA THE ST. JOHNS COUNTY TITLE AND ABSTRACT COMPANY.

FURTHER . . . .

I HEREBY CERTIFY THAT THE NAMES LISTED IN THE REQUEST ARE SOLE OWNERS OF LAND DESCRIBED ON EXHIBIT "A".

UPCHURCH, BAILEY AND UPCHURCH, P.A.

By: *W. O. Bailey Jr.*  
Attorneys for Applicant  
501 Atlantic Bank Building  
Post Office Box 170  
St. Augustine, Florida 32084  
(904) 829-9066

Dated: March 30, 1987

APPLICATION NUMBER: R-PUD-84-4

SWORN TO AND SUBSCRIBED before me this 30th day of March, 1987.

*Dorothy J. Pleitgen*  
Notary Public,  
State of Florida at Large  
at Large

Notary Public, State of Florida  
My Commission Expires Feb. 25, 1989  
Bonded through Lawyers Surety Corporation