

RESOLUTION #91- 198 OF THE
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APPROVING A MAJOR MODIFICATION TO PUD 85-59
TURTLE SHORES WEST

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

Section 1: Pursuant to a letter request dated September 27, 1991 submitted by SWD Properties, Inc. to the St. Johns County Planning and Zoning Department, this Board has approved the modification to PUD Ordinance 85-79 as set forth in the referenced letter, the revisions to the PUD are hereby approved in reliance upon, and in accordance with, the representations and statements attached hereto. All building code, zoning ordinance, and other land use development regulations of St. Johns County as may be amended from time to time shall be applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with special provisions of the approved development plans or PUD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited. All such modifications shall follow the PUD amendment procedures provided for in the St. Johns County Zoning Ordinance.

ADOPTED this 10th day of December, 1991.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: Fred Brubaker
Chairman

Markel
→ Attest: Carl "Bud" Markel, Clerk

By: Yvonne Carter
Deputy Clerk

(SEAL)





Bessent, Hammack & Ruckman, Inc.

CONSULTING AND DESIGN ENGINEERS

1900 CORPORATE SQUARE BOULEVARD • JACKSONVILLE, FLORIDA 32216 • (904) 721-2991

JACKSONVILLE/TAMPA

September 27, 1991

Receipt # 38145

Ms. Rosemary Yeoman
Planning and Zoning Department
St. Johns County Administration Building
State Road 16A
St. Augustine, Florida 32085

P. U. D. OFF. REC.
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Subject: Major Modification to PUD 85-59
Turtle Shores West
BHR Reference No. 25310.01

Dear Rosemary:

On behalf of the property owner, SWD Properties, Inc., a subsidiary of BancBoston Mortgage Company, we are requesting a time extension for buildout of the PUD.

The Turtle Shores West development was started by Summerhomes, Inc. and transferred to SWD in June, 1990. SWD plans to sell the entire parcel to a single developer and is actively marketing the property. Other than revising the phasing schedule, no other changes are requested in the approved PUD. There is currently no on-site sales office. The new owner will set up a sales trailer as provided for in the FDP for Phase 1.

In the PUD approved by the Board of County Commissioners on October 22, 1985, construction was to start in 1986 and be completed in 1991. Due to delays in permitting and construction, the original owner did not actually begin selling lots until 1988. When the project was returned to the bank in 1990, 41 lots had been sold versus a total of 336 proposed lots. The revised phasing schedule included in this submittal is our best estimate of future lot sales. The schedule was prepared by a professional real estate advisor and is based on lot sales in nearby projects plus a prediction of the market cycle.

Turtle Shores West is a quality development that when completed, will be an asset to the County. The property is designated as UV-3D (residential, 2-5 units/acre) on the September 14, 1990 Comprehensive Plan Map Series, Map III, 4 of 7. Phase 1, which consists of 76 lots, has FDP and Plat approval. Phase 2, consisting of 71 lots, has FDP approval and is ready for platting. All regulatory permits are still valid.

Ms. Rosemary Yeoman
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Phases 1 and 2 are categorically exempt from concurrency because FDP approval was granted prior to March 1, 1991. Attached is a letter from Mr. Jerry Napier confirming the exemption. No other development approval is being requested at this time.

Enclosed please find:

- o Concurrency Exemption Determination
- o Resolution Approving Major Modification to PUD.
- o Revised Phasing Schedule (Attachment A).
- o Property Owners Within 300 Feet of PUD (Attachment B, Part I).
- o Property Owners Within PUD (Attachment B, Part II).

Please call if you have any questions.

Sincerely,

BESSENT, HAMMACK & RUCKMAN, INC.

D. R. Smith

Donald R. Smith
Project Manager

DRS/bl/M7BL.R

cc: Peter Connelly, Pine Street Partners, Inc.
Vernon McDaniell, BancBoston Mortgage Corporation

MAJOR MODIFICATION TO PUD 85-59
TURTLE SHORES WEST
REVISED PHASING SCHEDULE

Approved Units:	Marsh Homes	120
	Dune Homes	<u>216</u>
	Total	336

Lots Sold to Date: 41

Lots to be Sold: 295

Revised Phasing Schedule:

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<u>New or Cumulative</u>	<u>Existing</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
New	41	15	25	30	35	40
Cumulative	41	56	81	111	146	186
		<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
New		45	40	35	20	10
Cumulative		231	271	306	326	336

Approved Final Development Plans:

Phase 1 - Approved June 9, 1987	Marsh Homes	31
	Dune Homes	<u>45</u>
	Total	76

Phase 2 - Approved February 13, 1990	Marsh Homes	26
	Dune Homes	<u>45</u>
	Total	71

Balance to be Incorporated in Future Final Development Plans:

Phases 3 through 6	Marsh Homes	63
	Dune Homes	<u>126</u>
	Total	189

ATTACHMENT "B", PART I
PROPERTY OWNERS WITHIN 300 FEET
PROPOSED MODIFICATION TO THE PUD
TURTLE SHORES WEST
PUD 85-59

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142200-0000
TIITF/State of Florida
3900 Commonwealth Boulevard
Tallahassee, Florida 32303

142220-0000
TIITF/State of Florida
Public Lands
c/o DNR Douglas Building
Tallahassee, Florida 32303

142230-0011
William B. Brant and Terry A. Moore
and Roberta T. Vickers, Trustee
121 W. Forsyth Street, Suite 900
Jacksonville, Florida 32202

142230-0010
William B. Brant and Terry A. Moore
and Roberta T. Vickers, Trustee
121 W. Forsyth Street, Suite 900
Jacksonville, Florida 32202

142230-0020
William B. Brant and Terry A. Moore
and Roberta T. Vickers, Trustee
121 W. Forsyth Street, Suite 900
Jacksonville, Florida 32202

142100-0000
Aldridge, Frederick S. Trustee of
Aldridge, Frederick S. Living Tr.
1555 Selva Marina Drive
Atlantic Beach, Florida 32233-5613

142110-0000
Philip J. and Laurie L. Rowen
3443 Williamsburg Drive
Waldorf, Maryland 20601-3012

142230-0160
James H. Post and Andrew J.
Fawbush and
Terry A. Moore and William Brant
Post Office Box 53315
Jacksonville, Florida 32201-3315

M6BL.W

142230-0110
Mary L. Sferre and Mary R. Steves
3121 S. Ponte Vedra Boulevard
Ponte Vedra Beach, Florida 32082

142120-0010
Gloria L. Singleton
9085 Bay Cove Lane
Jacksonville, Florida 32217

142120-0020
G. Warren Leve
c/o Louise F. Leve
18 Walkers Ridge Drive
Ponte Vedra Beach, Florida 32082

142120-0030
Michael J. and Katherine K. Zambetti
Post Office Box 23547
Jacksonville, Florida 32241

142120-0040
Celeste K. Hampton
12127 River Road
Jacksonville, Florida 32207

142120-0050
Peter L. Franzino
7375 Secret Woods Drive
Jacksonville, Florida 32216

142120-0080
Barbara Jean Dillahunt
10838 Crosswicks Road
Jacksonville, Florida 32216

142040-0000
TIITF/State of Florida
3900 Commonwealth Boulevard
Tallahassee, Florida 32303

142230-0000
Goodwin Beach Partnership
707 Mill Creek Road, No. 300
Jacksonville, Florida 32211-6432

142215-0210
 Hugh A. and Carole Westbrook
 19030 NE 21st Avenue
 North Miami Beach, Florida 33179

142215-0220
 William M. and Carole A. Malcolm
 3043 S. Ponte Vedra Boulevard
 Ponte Vedra Beach, Florida 32082

142215-0230
 Ali S. and Faith M. Ahmed
 93 Spook Hill Road
 Wappingers Falls, New York 12590

142215-0240
 Ronald J. and Joan M. Gasparro
 Kay Drive
 Pleasant Valley, New York 12569

142215-0250
 Carl F. and Rebecca H. Kauney
 3049 S. Ponte Vedra Boulevard
 Ponte Vedra Beach, Florida 32082

142215-0260
 Mary O. Lim
 3051 S. Ponte Vedra Boulevard
 Ponte Vedra Beach, Florida 32082

142215-0290
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0300
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0310
 Robert E. and Carol A. Jancar
 3061 S. Ponte Vedra Boulevard
 Ponte Vedra Beach, Florida 32082

142215-0320
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0330
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0340
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0350
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0360
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0370
 Country, Inc.
 c/o Legal Department
 1 SE Financial Center, 38th Floor
 Miami, Florida 33131

142215-0380
 Country, Inc.
 c/o Legal Department
 1 SE Financial Center, 38th Floor
 Miami, Florida 33131

142215-0390
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0400
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0410
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

142215-0420
 Summerhomes, Inc.
 10405 St. Augustine Road
 Jacksonville, Florida 32217

ATTACHMENT "B", PART II
PROPERTY OWNERS WITHIN PUD
PROPOSED MODIFICATION TO THE PUD
TURTLE SHORES WEST
PUD 85-59

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142150-0010
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

142170-0000
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

142150-0000
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

142145-0000
SWD Properties, Inc.
7301 Baymeadow Way
Jacksonville, Florida 32256

142145-0020
C. A. Brown, Jr.
10405 St. Augustine Road
Jacksonville, Florida 32217

142145-0010
St. Johns County
Post Office Drawer 349
St. Augustine, Florida 32085-0349

142146-0002
Unit 1, Tract B
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

142146-0010
Sherman Francoise
104 Turtle Cove Court
Ponte Vedra Beach, Florida 32082

142146-0020
Stephen J. Fortus and
Deidre A. Conville
108 Turtle Cove Court
Ponte Vedra Beach, Florida 32082

142146-0030
Douglas D. and Peggy J. Phillips
112 Turtle Cove Court
Ponte Vedra Beach, Florida 32082

142146-0040
Summerhomes, Inc.
10405 St. Augustine Road
Jacksonville, Florida 32217

142146-0050
Lois J. McKenna and
Marjorie C. Ordun
120 Turtle Cove Court
Ponte Vedra Beach, Florida 32082

142146-0060
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

142146-0070
SWD Properties, Inc.
7301 Baymeadow Way
Jacksonville, Florida 32256

142146-0080
Gary W. and Kristin L. Bailey
132 Turtle Cove Court
Ponte Vedra Beach, Florida 32082

142146-0090
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

M6BL.W

142146-0700
Judith L. Williams
141 Turtle Bay Lane
Ponte Vedra Beach, Florida 32082

142146-0710
Summerhomes, Inc.
10405 St. Augustine Road
Jacksonville, Florida 32217

142146-0720
Clifford P. and Jean H. Reeves
133 Turtle Bay Lane
Ponte Vedra Beach, Florida 32082

142146-0730
SWD Properties, Inc.
7301 Baymeadow Way
Jacksonville, Florida 32256

142146-0740
SWD Properties, Inc.
7301 Baymeadow Way
Jacksonville, Florida 32256

142146-0750
SWD Properties, Inc.
7301 Baymeadow Way
Jacksonville, Florida 32256

142146-0760
SWD Properties, Inc.
7301 Baymeadows Way
Jacksonville, Florida 32256

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MGBL.W



COUNTY COURTHOUSE
ST. AUGUSTINE, FLORIDA
Oldest City in the United States

BOARD OF COUNTY COMMISSIONERS

Historical St. Johns County, Florida

PLANNING AND ZONING DEPARTMENT

P.O. DRAWER 349
ST. AUGUSTINE, FLORIDA
32085-0349

TELEPHONE: 824-8131
(EXT. 422 or 423)

March 28, 1991

P.U.D. OFF. REC.
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Mr. Peter J. Connelly
Pine Street Partners, Inc.
11760 U. S. Highway One
North Palm Beach, Florida 33408

Re: Turtle Shores West P.U.D. South Ponte Vedra Beach, Florida

Dear Mr. Connelly;

Thank you for your letter of March 19, 1991 requesting a Concurrency Exemption Determination with regard to Phase I & II of the subject Planned Unit Development.

I have examined our departmental files and reviewed your request in light of the County's Concurrency Exemption Ordinance (#91-6) which became effective February 26, 1991. Inasmuch as Phase I & II of Turtle Shores West received final development plan approval prior to the effective date of Ordinance #91-6, I find both phases to be "categorically exempt" under the provisions of Section 6.3 which reads as follows:

"6.3 Planned Special Developments and portions of Planned Unit Developments that have received final development plan approval by the Board prior to the effective date of this Ordinance."

It should be pointed out however, that this concurrency exemption determination has no effect on any other applicable governmental requirement. Further the duration of the exemption is as set forth in Section 9.4.1 of the Ordinance as follows:

"9.4.1 Categorical Exemptions. Categorically Exempt Projects shall not be subject to the Concurrency Management Ordinance for a period of three (3) years from the effective date of this Ordinance, unless such period shall be extended by action of the Board as set forth in Section 9.3."

If I can be of further assistance please don't hesitate to call.

Sincerely,

Jerry D. Napier
Planning Director

JDN/jc

OFFICE OF PLANNING AND ZONING
ST. AUGUSTINE, FLORIDA
95 FEB 17 AM 8:03
2-2 "B-1" M-60
OFFICE OF PLANNING COMMISSIONER

The St. Augustine Record

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

SHERRY L. RAUCH _____ who on oath says that she is

ACCOUNTING CLERK _____ of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida; that

the attached copy of advertisement, being a _____

NOTICE OF PUBLIC HEARING _____

_____ in the matter of _____

A/A Turtle Shores Development _____

_____ in the _____ Court,

was published in said newspaper in the issues of _____

October 17, 1991 _____

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 has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sherry L. Rauch
Zoe Ann Johns

Sworn to and subscribed before me _____

this 18th day of October _____

A.D. 1991 _____

Zoe Ann Johns
Notary Public

8122193

NOTICE OF PUBLIC HEARING ON PROPOSED MAJOR MODIFICATION TO PLANNED UNIT DEVELOPMENT

NOTICE IS HEREBY GIVEN that a Major Modification to Ordinance Number 85-79, an ordinance rezoning lands to Planned Unit Development will be heard by the Planning and Zoning Agency and the Board of County Commissioners of St. Johns County, Florida, to consider the following major modification:

Extending time for Schedule of Development on the following described lands located in St. Johns County, Florida:

EXHIBIT A To Modification PARCEL C

Begin at the Southeast corner of Section 18, Township 6 South, Range 30 East, St. Johns County, Florida; run thence South 89 degrees, 15 minutes West along the South line of said Section for a distance of 297 feet; thence run North 45 degrees, 45 minutes West for a distance of 726 feet; thence run North 71 degrees, 45 minutes West for a distance of 132 feet; thence run North 5 degrees, 15 minutes East for a distance of 428.22 feet; thence run North 89 degrees, 15 minutes East for a distance of 1,032.15 feet to a point on the Southwesterly right-of-way line of Florida State Road A1A; thence run South 12 degrees, 56 minutes, 54 seconds East along said right-of-way for a distance of 604.89 feet; thence run South 89 degrees, 15 minutes West for a distance of 267.53 feet; thence run South 0 degrees, 45 minutes East for a distance of 390.97 feet to the point of beginning.

PARCEL D

Commence at the Southeast corner of Section 18, Township 6 South, Range 30 East, St. Johns County, Florida; run thence South 89 degrees, 15 minutes West along the South line of said Section for a distance of 297 feet; thence run North 45 degrees, 45 minutes West for a distance of 726 feet; thence run North 71 degrees, 45 minutes West for a distance of 132 feet; thence run North 5 degrees, 15 minutes East for a distance of 460 feet to the point of beginning. From the point of beginning thus obtained, thence run North 5 degrees, 15 minutes East for a distance of 585.48 feet; thence run North 89 degrees, 15 minutes East for a distance of 1347.93 to a point on the Southwesterly right-of-way line of Florida State A-1-A; thence run South 12 degrees, 56 minutes, 54 seconds East along said Southwesterly right-of-way line of said road for a distance of 1,649.28 feet; thence run South 89 degrees, 15 minutes West for a distance of 1,032.15 feet; thence run North 5 degrees, 15 minutes East for a distance of 231.78 feet; thence run North 71 degrees, 45 minutes West for a distance of 660 feet to the point of beginning.

Parcel D-1

Commence at the Southeast corner of Section 18, Township 6 South, Range 30 East, St. Johns County, Florida; run thence South 89 degrees, 15 minutes West along the South line of said Section for a distance of 297 feet; thence run North 45 degrees, 45 minutes West for a distance of 726 feet; thence run North 71 degrees, 45 minutes West for a distance of 132 feet to the point of beginning. From the point of beginning thus obtained, thence run North 71 degrees, 45 minutes West for a distance of 660 feet; thence run North 5 degrees, 15 minutes East for a distance of 660 feet; thence run South 71 degrees, 45 minutes East for a distance of 660 feet; thence run South 5 degrees, 15 minutes West for a distance of 660 feet to the point of beginning.

PARCEL E

That certain parcel or tract of land situated in Section 18, Township 6 South, Range 30 East, St. Johns County, Florida, more particularly described as follows:

Commence at the Southeast corner of Section 18, Township 6 South, Range 30 East, St. Johns County, Florida; run thence South 89 degrees, 15 minutes West for a distance of 297 feet; thence run North 45 degrees, 45 minutes West for a distance of 725 feet; thence run North 71 degrees, 45 minutes West for a distance of 792 feet; thence run North 5 degrees, 15 minutes East for a distance of 1,245.45 feet to the point of beginning. From the point of beginning thus obtained, thence run North 5 degrees, 15 minutes East for a distance of 1,094.57 feet; thence run North 4 degrees, 22 minutes, 40 seconds West for a distance of 657.34 feet; thence run North 89 degrees, 15 minutes East for a distance of 811.72 feet more or less to the intersection with the Southwesterly right-of-way line of Florida State Road A1A; thence run South 12 degrees, 24 minutes East along said right-of-way for a distance of 1,511.70 feet; thence run South 12 degrees, 56 minutes, 54 seconds East along said road for a distance of 575.41 feet; thence run South 89 degrees, 15 minutes West for a distance of 1,347.93 feet to the point of beginning.

Said lands located: A1A - Timbers Shores Development.

THE PLANNING AND ZONING AGENCY WILL HEAR THE REQUEST ON THE 7 DAY OF November 1991, AT 1:30 p.m. Said hearing to be held in the County Auditorium, County Administration Building, Lewis Speedway (County Road 16-A) and U.S. #1 North, St. Augustine, Florida.

THE APPLICATION for modification, FILE NUMBER R.P.U.D-85-89, is maintained in the office of Planning and Zoning, County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. #1 North, St. Augustine, Florida, and may be examined by parties in interest prior to said public hearings, and all parties in interest shall be granted an opportunity to be heard at said public hearing.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY,
FLORIDA

By s/ Mel Kutzer
NOTICE IS FURTHER GIVEN THAT THE MAJOR MODIFICATION TO ORDINANCE NUMBER 85-79, an ordinance relating lands to Planned Unit Development, will be heard by the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON THE 10 DAY OF December 1991, at 1:30 p.m. in the County Auditorium, County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. #1 North, St. Augustine, Florida.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By /s/ CARL "BUD" MARKEL,
CLERK

If a person decides to appeal any decision made by the Planning and Zoning Agency or the Board of County Commissioners with respect to any matter considered at the meeting, he will need a record of the proceedings and for such purpose he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

L1003 Oct. 17, 1991