

RESOLUTION NUMBER: 92-121

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO ZONING ORDINANCE NUMBERS 86-79; 88-21; and 89-41, ALSO KNOWN AS MARSH CREEK PLANNED UNIT DEVELOPMENT

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

SECTION 1. Pursuant to the request of Gerald Dake and Associates, Inc., on behalf of Marsh Creek Partnership for Major Modification to Marsh Creek Country Club, hereafter called Marsh Creek PUD, the requested modification was considered and approved by the St. Johns County Planning and Zoning Agency at its July 16, 1992 meeting to increase overall density from 450 units to 473 units, to be placed in Unit #7.

SECTION 2. The property which is the subject of the requested major modification is included in the Marsh Creek PUD, legally described on the attached Exhibit A.

SECTION 3. Said Major Modification is hereby approved in accordance with the request identified in Sections 1 and 2 above and with composite Exhibit B, incorporated herein and made a part hereof.

PASSED AND ADOPTED THIS 28 day of July 1992.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA:

BY: J. L. Bilbrey
Its Chairman

ATTEST: CARL "BUD" MARKEL
CLERK OF COURTS

BY: Patricia DeGranda
Deputy Clerk

MARSH CREEK PUD

EXHIBIT "A"

PARCEL ONE:

Government Lots 1 and 2, Section 9, Township 8 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:

Beginning at a point on the South line of Section 3, Township 8 South, Range 30 East, where West side of County Road intersects said South line of said Section 3; thence in a Northwesterly direction along the West side of said County Road 50 feet to a point; thence West parallel to South line of said Section 3 and South line of Section 4, Township 8 South, Range 30 East, a distance of 56 chains and 21 links, more or less, to the marsh of the Matanzas River; thence Southerly along the edge of said marsh 50 feet, more or less, to the Southwest corner of Government Lot 7 of Section 7, Township 8 South, Range 30 East; thence East along the South line of said Section 4 and South line of said Section 3, a distance of 56 chains and 21 links, more or less, to the point of beginning.

Said land being the South 50 feet of Governments Lots 7 and 8 of Section 4 and the South 50 feet of that part of Government Lot 7 of Section 3, as lies West of the County Road, all in Township 8 South, Range 30 East, in St. Johns County, Florida.

PARCEL TWO:

All of Government Lots 7 and 8 of Section 4 and that part of Government Lot 7 of Section 3, lying West of the Crescent Beach or County Road.

Excepting 50 feet being the South 50 feet of Government Lots 7 and 8, Section 4, and the South 50 feet of that part of Government Lot 7, Section 3, as lies West of the County Road at the present time. All in Township 8 South Range 30 East, St. Johns County, Florida.

PARCEL THREE:

Government Lot 6, Section 4, Township 8 South, Range 30 East, St. Johns County, Florida.

PARCEL FOUR:

Government Lots 2, 3 and 4, Section 4, Township 8 South, Range 30 East, excepting therefrom the North 50 feet thereof conveyed to St. Johns County, Florida, for public road purposes as described in Deed Book 216, page 97, of the public records of St. Johns County, Florida.

EXHIBIT A (CONTINUED)

PARCEL FIVE:

All that part of Government Lot 3, Section 3, Township 8 South, Range 30 East, lying West of State Road Alternate A-1-A, St. Johns County, Florida.

PARCEL SIX:

Government Lot 5, Section 4, Township 8 South, Range 30 East, St. Johns County, Florida.

TOGETHER with all accretions thereto, but less and except that certain parcel of land described as follows:

A portion of land in Section 4 and accretion Westerly thereto, Township 8 South, Range 30 East, being more particularly described as follows:

Commence for a point of reference at the Northwest corner of said Section 4; thence run South along the Westerly line of said Section 4, 1170 feet, more or less, to the Northeasterly meander corner of Government Lot 1, Section 5; thence North $67^{\circ} 45'$ West 90 feet, more or less, to the Northerly meander corner of said Government Lot 1; thence South $54^{\circ} 45'$ West 92 feet, more or less, to the Northwesterly meander corner of said Government Lot 1, Section 5 and the point of beginning; thence North $54^{\circ} 45'$ East 92 feet, more or less, to the Northerly meander corner of said Government Lot 1; thence South $67^{\circ} 45'$ East 90 feet, more or less, to the Northeasterly meander corner of said Government Lot 1; thence South $22^{\circ} 45'$ East 86 feet, more or less, to the Easterly meander corner of said Government Lot 9, Section 4; thence South $23^{\circ} 15'$ West 84 feet, more or less, to the Southerly meander corner of said Government Lot 9; thence South $17^{\circ} 00'$ East 570 feet, more or less, to the Northeasterly meander corner of said Government Lot 10, Section 4; thence South $24^{\circ} 00'$ East 582 feet, more or less, to the Easterly corner of said Government Lot 10; thence South $19^{\circ} 00'$ West 132 feet, more or less, to the Southerly meander corner of said Government Lot 10; thence South $64^{\circ} 00'$ West 425 feet, more or less, to the mean high water line of the Matanzas River; thence meander Northerly along said mean high water line 1770 feet, more or less, to a point lying South $64^{\circ} 00'$ West 430 feet, more or less, from the point of beginning; thence North $64^{\circ} 00'$ East 430 feet, more or less, to the point of beginning.

A portion of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Southeast corner of said Section 33; thence South 89°19'05" West along the Southerly line of said Section 33, a distance of 1968.05 feet to the Westerly line of the East one half of the West one half of the Southeast one quarter of the aforesaid Section 33; thence North 01°04'33" West along said Westerly line, a distance of 50.00 feet to the Northerly right of way line of a 100.00 foot road right of way as recorded in Deed Book 216, Page 93 and 97 of the Public Records of the aforesaid county and the POINT OF BEGINNING; thence South 89°19'05" West, along said Northerly right of way line, 555.52 feet to an angle point therein; thence South 89°17'53" East continuing along said Northerly right of way line, 1312.94 feet to the Easterly line of the Southwest one quarter of the Southwest one quarter of aforesaid Section 33; thence North 01°12'00" West along said Easterly line, 1267.96 feet, to the Northeast corner of said Southwest one quarter of the Southwest one quarter of Section 33; thence North 89°11'52" East, along the South line of the Northeast one quarter of the Southwest one quarter of Section 33, a distance of 1314.59 feet to the Southeast corner of said Northeast one quarter of the Southwest one quarter; thence North 01°06'29" West, along the Easterly line of the Southwest one quarter of Section 39, a distance of 1319.37 feet, to the Northeast corner of the aforesaid Southwest one quarter of Section 33; thence North 89°07'01" East, along the North line of the Southeast one quarter of Section 33, a distance of 657.34 feet to the aforesaid Westerly line of the East one half of the West one half of said Southeast one quarter; thence South 01°04'33" East, along last said line, a distance of 2591.91 feet, to the POINT OF BEGINNING.

Containing 77.322 acres, more or less.

Exhibit "B" To Resolution No: 121

MARSH CREEK

COUNTRY CLUB

**1992 MODIFICATION
MARSH CREEK P.U.D.
ORD. 86-79**



Marsh Creek COUNTRY CLUB

88 MARSHSIDE DR. • ST. AUGUSTINE, FLORIDA 32084 • (904) 471-4343 • 1-800-445-2088

Fred Brinkhoff, Chairman
Board of County Commissioners
St. Johns County
P. O. Drawer 349
St. Augustine, Florida 32085-0349

Re: **MARSH CREEK P.U.D. ORD. 86-79**
Modification to increase residential units from 450 to 473

Dear Mr. Brinkhoff,

The Marsh Creek Partnership is entering it's final phases of development of the Marsh Creek Country Club and requests action from the Commission to approve a modification to the referenced zoning ordinance. The Marsh Creek P.U.D. was established in 1987 by ordinance 86-79 as a 500 acre mixed-use development consisting of 450 total residential units. This modification seeks to increase the number of approved residential units from 450 units to 473 units.

To date, Marsh Creek Country Club has received final development approval from St. Johns County for 447 residential units leaving only 3 additional units provided for under the P.U.D. The remaining developable acreage will allow for an additional 26 units which conform to the existing Patio Home standards of the development. This modification proposes no significant change to the approval plan of development and will benefit the Marsh Creek community by allowing for the completion of the original development plan for the community.

The Marsh Creek Partnership has received Concurrency Exemption status earlier this year (ord. 92-CE-09) to include a total of 450 residential units. A Concurrency Application for the additional 23 units has been submitted to the Planning Department which is in review concurrent with this filing.

This modification request is limited solely to an increase in the number of residential units from 450 to 473 units.

Sincerely,



Gregory J. Barbour
Executive Director

GJB/lc

attachments

Parcel 7

See Page 2 of Ex. B.

Parcel 4

Cooksey's CHT

Parcel 5

Parcel 3

Parcel 2

Parcel 1

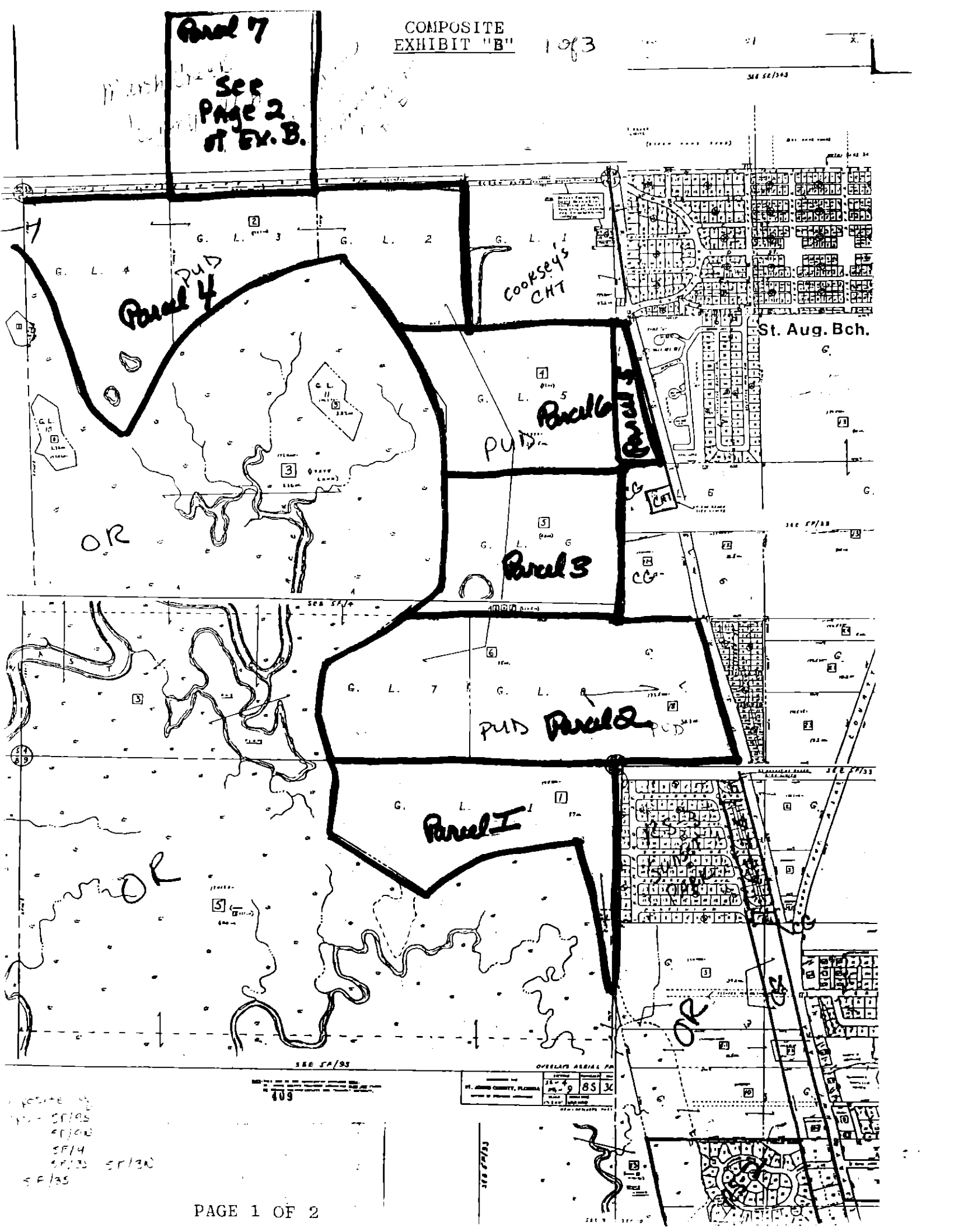
St. Aug. Bch.

OR

CG

OR

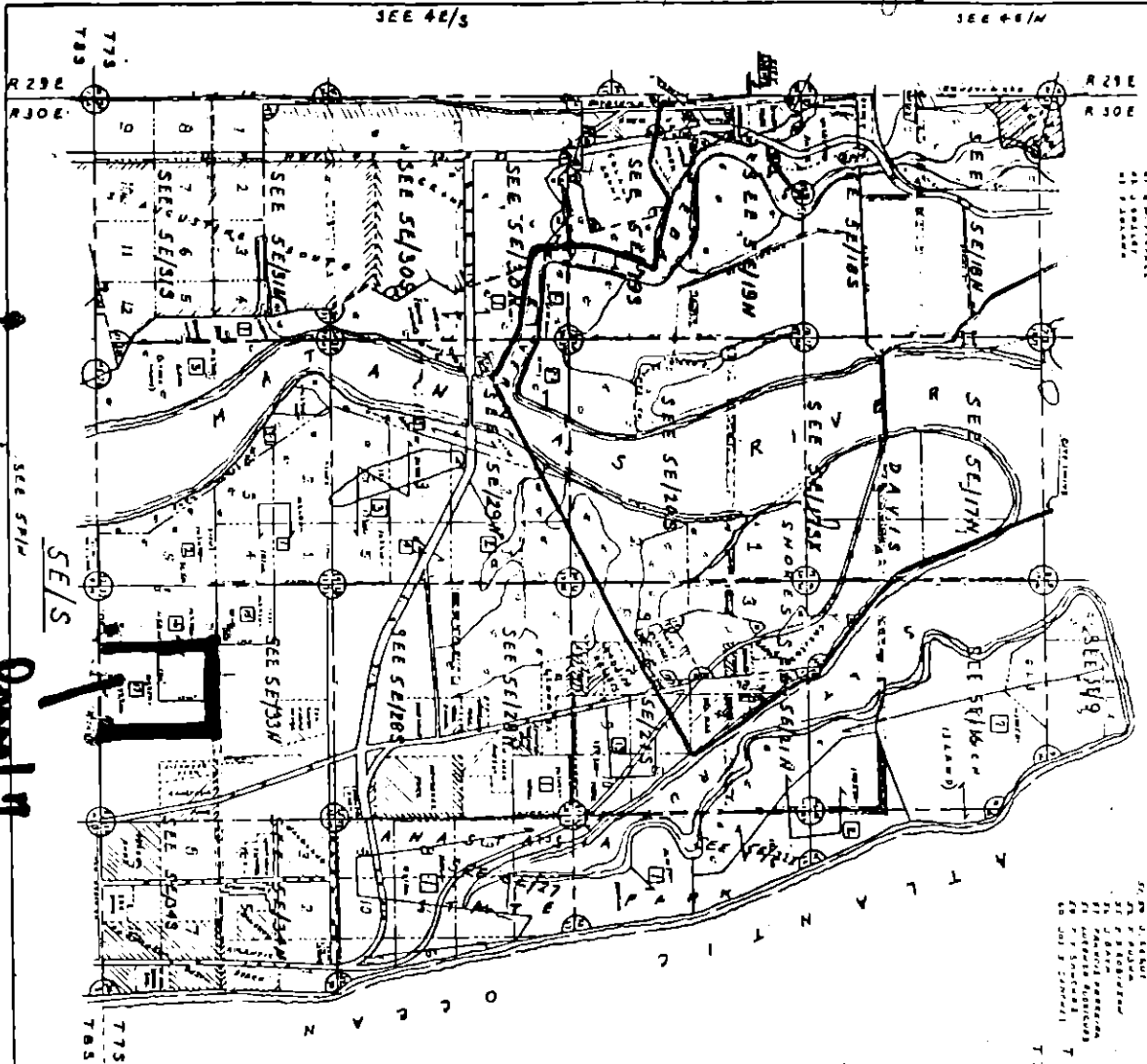
Composite of
SF 195
SF 100
SF 14
SF 133 SF 130
SF 125



OVERLAY AERIAL PH
ST. AUGUSTINE COUNTY, FLORIDA
PAGE 9 85 30
DATE 05/13/85

SEE 4E/3

SEE 4E/W

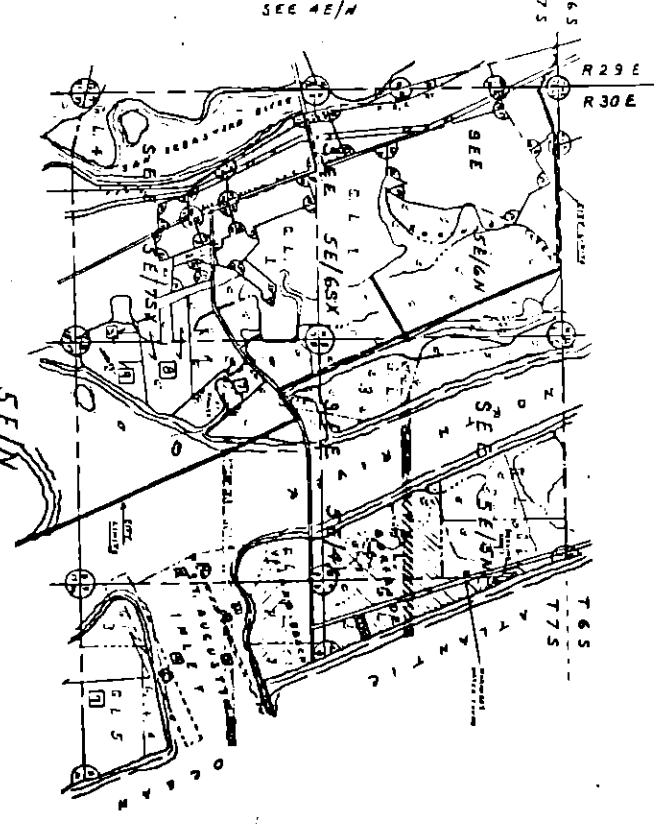


REMARKS:
 1. ALL LOTS ARE TO BE CONVEYED BY A SINGLE DEED.
 2. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.
 3. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.
 4. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.

STARTS
 1. AT THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E., AND PROCEEDS S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 2. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 3. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 4. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 5. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 6. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 7. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 8. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 9. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.
 10. THENCE S. 1/4 MI. TO THE N.W. CORNER OF SECTION 30, T. 77 S., R. 30 E.

Parcel 17
 369

REMARKS:
 1. ALL LOTS ARE TO BE CONVEYED BY A SINGLE DEED.
 2. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.
 3. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.
 4. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF FLORIDA.



SEE 5D/5

WITNESSED BY
 SUBDIVISIONS

DESCRIPTION	ACRES	REMARKS
SECTION 30, T. 77 S., R. 30 E.	360.00	
SECTION 29, T. 77 S., R. 30 E.	360.00	
SECTION 28, T. 77 S., R. 30 E.	360.00	
SECTION 27, T. 77 S., R. 30 E.	360.00	
SECTION 26, T. 77 S., R. 30 E.	360.00	
SECTION 25, T. 77 S., R. 30 E.	360.00	
SECTION 24, T. 77 S., R. 30 E.	360.00	
SECTION 23, T. 77 S., R. 30 E.	360.00	
SECTION 22, T. 77 S., R. 30 E.	360.00	
SECTION 21, T. 77 S., R. 30 E.	360.00	
SECTION 20, T. 77 S., R. 30 E.	360.00	
SECTION 19, T. 77 S., R. 30 E.	360.00	
SECTION 18, T. 77 S., R. 30 E.	360.00	
SECTION 17, T. 77 S., R. 30 E.	360.00	
SECTION 16, T. 77 S., R. 30 E.	360.00	
SECTION 15, T. 77 S., R. 30 E.	360.00	
SECTION 14, T. 77 S., R. 30 E.	360.00	
SECTION 13, T. 77 S., R. 30 E.	360.00	
SECTION 12, T. 77 S., R. 30 E.	360.00	
SECTION 11, T. 77 S., R. 30 E.	360.00	
SECTION 10, T. 77 S., R. 30 E.	360.00	
SECTION 9, T. 77 S., R. 30 E.	360.00	
SECTION 8, T. 77 S., R. 30 E.	360.00	
SECTION 7, T. 77 S., R. 30 E.	360.00	
SECTION 6, T. 77 S., R. 30 E.	360.00	
SECTION 5, T. 77 S., R. 30 E.	360.00	
SECTION 4, T. 77 S., R. 30 E.	360.00	
SECTION 3, T. 77 S., R. 30 E.	360.00	
SECTION 2, T. 77 S., R. 30 E.	360.00	
SECTION 1, T. 77 S., R. 30 E.	360.00	
SECTION 30, T. 78 S., R. 30 E.	360.00	
SECTION 29, T. 78 S., R. 30 E.	360.00	
SECTION 28, T. 78 S., R. 30 E.	360.00	
SECTION 27, T. 78 S., R. 30 E.	360.00	
SECTION 26, T. 78 S., R. 30 E.	360.00	
SECTION 25, T. 78 S., R. 30 E.	360.00	
SECTION 24, T. 78 S., R. 30 E.	360.00	
SECTION 23, T. 78 S., R. 30 E.	360.00	
SECTION 22, T. 78 S., R. 30 E.	360.00	
SECTION 21, T. 78 S., R. 30 E.	360.00	
SECTION 20, T. 78 S., R. 30 E.	360.00	
SECTION 19, T. 78 S., R. 30 E.	360.00	
SECTION 18, T. 78 S., R. 30 E.	360.00	
SECTION 17, T. 78 S., R. 30 E.	360.00	
SECTION 16, T. 78 S., R. 30 E.	360.00	
SECTION 15, T. 78 S., R. 30 E.	360.00	
SECTION 14, T. 78 S., R. 30 E.	360.00	
SECTION 13, T. 78 S., R. 30 E.	360.00	
SECTION 12, T. 78 S., R. 30 E.	360.00	
SECTION 11, T. 78 S., R. 30 E.	360.00	
SECTION 10, T. 78 S., R. 30 E.	360.00	
SECTION 9, T. 78 S., R. 30 E.	360.00	
SECTION 8, T. 78 S., R. 30 E.	360.00	
SECTION 7, T. 78 S., R. 30 E.	360.00	
SECTION 6, T. 78 S., R. 30 E.	360.00	
SECTION 5, T. 78 S., R. 30 E.	360.00	
SECTION 4, T. 78 S., R. 30 E.	360.00	
SECTION 3, T. 78 S., R. 30 E.	360.00	
SECTION 2, T. 78 S., R. 30 E.	360.00	
SECTION 1, T. 78 S., R. 30 E.	360.00	

LABORATORY AND
 ST. JOHNS COUNTY, FLORIDA
 OFFICE OF PROPERTY ADMINISTRATION

SCALE
 1" = 100'

DATE
 11/18/20

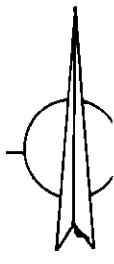
REVISION
 11/18/20

DRAWN BY
 JMS

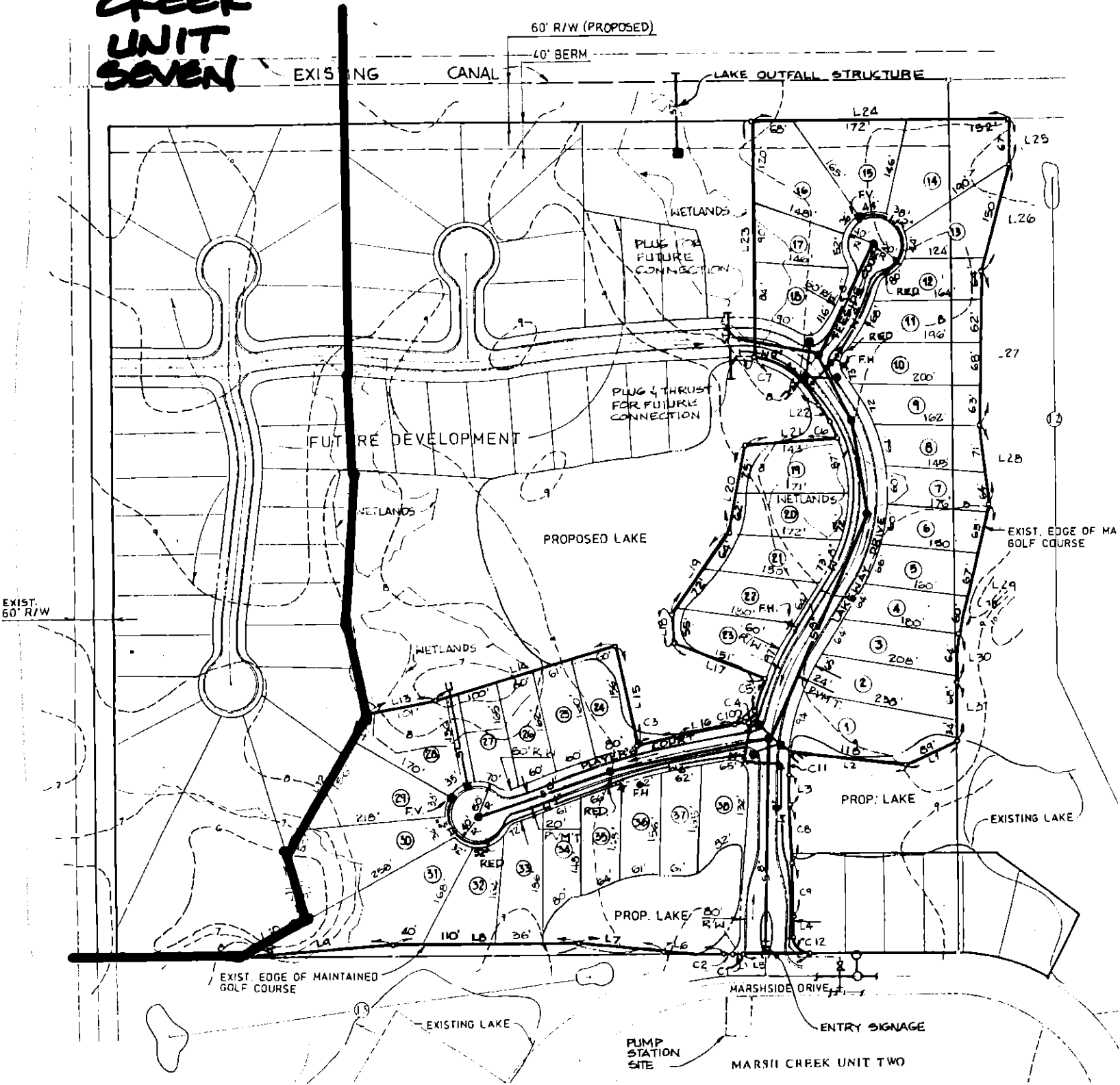
CHECKED BY
 JMS

C8	741.92	R4.20	42.65	84.76	S 02°42'23" E	06.22.01
C9	750.00	R8.35	44.07	87.48	N 02°52'39" W	06.43.30
C10	85.49	11.71	5.86	11.20	S 89°07'11" W	02°50'48"
C12	25.00	39.83	25.57	15.75	S 45°09'31" E	91°27'4"
C11	153.25	28.60	14.31	28.59	S 02°48'14" W	04.38.17

303
Composite B



MARSH CREEK UNIT SEVEN



MARSH CREEK UNIT TWO

Applicant Major Modification Marsh Creek

7/16/92 PZA
Staff Report

Marsh Creek Partnership
c/o Gerald Dake & Associates, Inc.
7563 Phillips Highway
Jacksonville, FL

Requested Change

The request is for major modification to increase the overall number of units from 450 to 473 with no change in land size or Master Development Plan. The increase in units will become Unit 7, a residential development. The applicant has filed a concurrency application which is pending at this time. The property is located within a "D" coastal density zone, which permits a density of up to 5 dwellings per acre.

Comment/Recommendation

Planning Department

The original 503+- acres of this project, which was previously the Anastasia Shores Development of Regional Impact, was rezoned to the Marsh Creek PUD in October 1986 with a reduction in density from 1754 DU's to 450 DU's. Rezoning and Major Modifications approved in 1988 and 1989 added approximately 117 acres of contiguous properties to the PUD without increasing the 450 dwelling units approved in 1986.

The additional 23 dwelling units being requested to complete the residential portion of the project would provide for a total of 473 units on a 627+- acre project which would equate to approximately .78 dwelling units per acre exclusive of commercial property within the PUD. Since the project is located within the FB-4B and FB-4D Districts of the Coastal Corridor Development Plan, which permits densities from 2 to 5 dwelling units per acre, approval of the request would appear to be consistent with the Comprehensive Plan and compatible with the development pattern in the area subject to compliance with the Public Works Department comments and Concurrency requirements prior to development.

Public Works Department

The applicant must demonstrate compliance with the requirements of all local, state and federal regulatory agencies having jurisdiction over the proposed activity. Signed and sealed construction drawings and calculations demonstrating compliance with Ordinance 86-4 with revisions (Paving, Grading and Drainage Ordinance) must be submitted to and approved by the Public Works Department prior to Final Plat approval.

St. Johns County, Florida
Concurrency Review Committee

TO: Jerry Napier, Director
St. Johns County Planning
and Zoning Department

No. 92-CE-09

RE: **MARSH CREEK COUNTRY CLUB**
Marsh Creek Partnership
88 Marshside Drive
St. Augustine, FL 32084

Decision Granting Application
for Concurrency Exemption

On April 8, 1992, the Concurrency Review Committee ("Committee") reviewed the application of Marsh Creek Partnership for a concurrency exemption pursuant to Section 6 and Section 8, Concurrency Exemption Ordinance, St. Johns County Ordinance No. 91-6 ("Ord. No. 91-6"), for the property known as **MARSH CREEK COUNTRY CLUB** and legally described on Exhibit A, which is attached hereto, incorporated and made a part hereof.

Upon review of the application, and supporting documents, and reports of the evaluating departments, the Committee decides as follows:

(1) The application for a concurrency exemption is granted for the property described on Exhibit A and shown on Composite Exhibit B (Tax Assessors Maps), which are attached hereto, incorporated and made a part hereof, as follows:

- a. A categorical concurrency exemption is granted for Phases I through VI, as shown on the Unit Map, dated

April 27, 1992, filed with application #92-CE-09, which is incorporated by reference herein and made a part hereof, pursuant to Section 6.3, Ord. No. 91-6;

- b. A concurrency exemption is granted for 25,000 sq. ft. of commercial development and the two remaining dwelling units to be built under the PUD approved (PUD Ord. No. 86-79) 450 dwelling units, pursuant to Section 8.1, Ord. No. 91-6, conditioned upon the applicant providing the County with a Unit Map showing the existing and proposed development within the Units prior to May 1, 1992.

This exemption is subject, however, to compliance with all applicable federal, state, regional, and local land development regulations in effect at the time of permitting. The project is exempt from review under the Concurrency Management Ordinance, St. Johns County Ordinance No. 91-7, provided that all uses in the Marsh Creek PUD as defined in Ordinance 86-79 and Resolutions 88-123 and 89-199 do not exceed the threshold of a Development of Regional Impact mixed-use development.

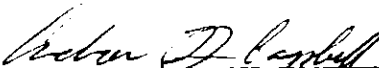
(2) The exempt project remains subject to all governmental requirements relating to availability and adequacy of public facilities which were in effect prior to March 4, 1991, the effective date of Ord. No. 91-6. See Section 9.1, Ord. No. 91-6.

(3) The concurrency exemption determination granted herein shall have no effect on other governmental requirements applicable to the above-described property. See Section 9.2, Ord. No. 91-6.

(4) The concurrency exemption determination granted herein shall remain in effect until March 4, 1994, at which time it shall terminate, unless extended by the St. Johns County Board of County Commissioners pursuant to Section 9.3, Ord. No. 91-6. See Section 9.4.2, Ord. No. 91-6.

(5) This decision may be appealed to the St. Johns County Board of County Commissioners. Any appeal must be filed with the Planning and Zoning Department within 15 days of receipt of this decision. The notice of appeal must include the information required in Section 7.3.2, Ord. No. 91-6. See Section 7.6, Ord. No. 91-6.

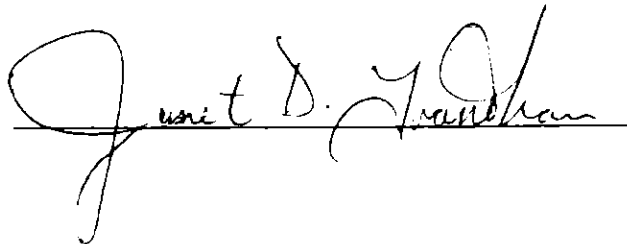
Dated this 20th day of May, 1992.



Andrew D. Campbell, Chairman
Concurrency Review Committee

Certificate of Service

A copy of the foregoing has been provided to Marsh Creek Partnership, 88 Marshside Drive, St. Augustine, FL 32084, by U.S. Mail, certified with return receipt requested; and to Gerald Dake Associates, 7563 Phillips Highway, Jacksonville, FL 32256 by U.S. Mail, this 20th day of May, 1992.



Janet D. Franklin

crc disk 2: \MCDEC.WPF