

RESOLUTION NO.: 95-188

BOOK

RESOLUTION MODIFYING RESOLUTION 93-123

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA

MODIFYING A FINAL DEVELOPMENT PLAN ("FDP")
MAKING FINDINGS OF FACT; PROVIDING AN EFFECTIVE DATE
FOR: 6000 SAWGRASS VILLAGE CIRCLE
OR: LOT 6, SAWGRASS VILLAGE EXECUTIVE CENTER

LOCATED WITHIN THE PARCEL OF LAND ZONED PUD
PURSUANT TO ORDINANCE NUMBER: 75-15

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

Section 1. That, as requested by Dale R. Andrews in his application with supporting documents for a zoning hearing dated August 24, 1995, 1995 (hereinafter the "FDP Modification"), the Final Development Plan incorporated in Resolution Number 93-123 is hereby modified as set forth in the Modification of Final Development Plan attached to this Resolution Modifying the FDP.

Section 2. That, the major modification to the final development plan of the development of the subject parcel in accordance with the FINAL DEVELOPMENT PLAN is compatible and consistent with the surrounding existing land uses, such uses being professional office and retail; the subject parcel is located in an area designated as commercial under PUD 75-15, as illustrated in the Master Plan/Players Club PUD (PUD 75-15) Land Use Map; undeveloped portions of the surrounding area are designated for commercial/office/retail development under said PUD; the development of the subject parcel in accordance with the FINAL DEVELOPMENT PLAN will not cause any inconvenience or hardship to the surrounding land owners and safety of the general neighborhood and the natural environment in this area is not adversely effected.

Section 3. That the development within the FDP shall proceed in accordance with Resolution 93-123, and the FDP Modification which is part of Zoning File, including the application for zoning hearing dated August 23, 1995, and Modification of Final Development Plan attached thereto.

Section 4. That the need and justification for modification of the FDP has been considered in accordance with Section 11-10-4 of the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan, whereby:

(A) The request is consistent with the requirements of Section 8-3-2 of the Zoning Ordinance and with the requirements of PUD Ordinance 75-15;

(B) The FDP, as modified, does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance, and in any Comprehensive Plan or portion thereof adopted by the St. Johns County Board of County Commissioners;

(C) The FDP, as modified, will not adversely affect the health or welfare of residents or workers in the area and will not be detrimental to the natural environment or to the use or development of adjacent properties or the general neighborhood;

(D) The FDP, as modified, will accomplish the objectives and will meet the standards and criteria of Section 8-4 of the Zoning Ordinance;

(E) The FDP, as modified, is consistent with the development trends of the surrounding area and with the goals, policies and objectives of the Comprehensive Plan; and,

(F) At the public hearing on September 21, 1995, the St. Johns County Planning and Zoning Agency recommended approval by unanimous vote.

Section 5. That all other provisions of Resolution No. 93-123, as amended, not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. Except to the extent that they conflict with specific provisions of the approved development plan or PSD 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.

Unless the Board of County Commissioners demonstrates that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to: (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may be provided in any such future building code, zoning ordinance or other land use and development regulations; or (b) supersede any concurrency certificate or concurrency exemption determination made by the Concurrency Review Committee or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance or other land development regulations as applied to this development under the Florida or United States Constitution.

Section 7. Pursuant to a request for Modification of Final Development Plan made by Dale R. Andrews, in accordance with Section 8-3 of the St. Johns County Zoning Ordinance, and subsequent review and approval by the Board of County Commissioners of St. Johns County, the Modification to the Final Development Plan attached to this Resolution is hereby approved in reliance upon, and in accordance with the representation and statements made in the written submission statement attached hereto as Exhibit "A" (Modification of Final Development Plan, Submission Statement, Standards and Criteria), Exhibit "B" (FINAL DEVELOPMENT PLAN Map), and Exhibit "C" (Survey and Legal Description).

Section 8. All Exhibits referenced herein are incorporated herein and made a part of the adopted resolution.

Section 9. The St. Johns County building official is hereby authorized to issue construction permits on the plans in accordance with the approved plans as modified provided all other requirements are met.

PASSED AND ADOPTED this 24 day of October, 1995.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

BY: Barbara Ward
Chairman

ATTEST: Carl "Bud" Markel its Clerk

By: Irma Paetti
Deputy Clerk

EXHIBIT "A"

P.U.D. OFF. REC.
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MODIFICATION OF FINAL DEVELOPMENT PLAN,
WRITTEN SUBMISSION, STANDARDS AND CRITERIA

IN ACCORDANCE with the procedure established in Section 8.3, "Implementation of a PUD", this Modification of the Final Development Plan, and the following text regarding compliance with Section 8-4 of St. Johns County Zoning Ordinance, are submitted for your consideration.

The Modification of the Final Development Plan depicts the information required by the St. Johns Planning and Zoning Agency together with several Exhibits listed below:

Exhibit A - Written Submission Statement, Standards & Criteria (Resolution 93-123)

Exhibit B - Final Development Plan Map

Exhibit C - Survey and Legal Description

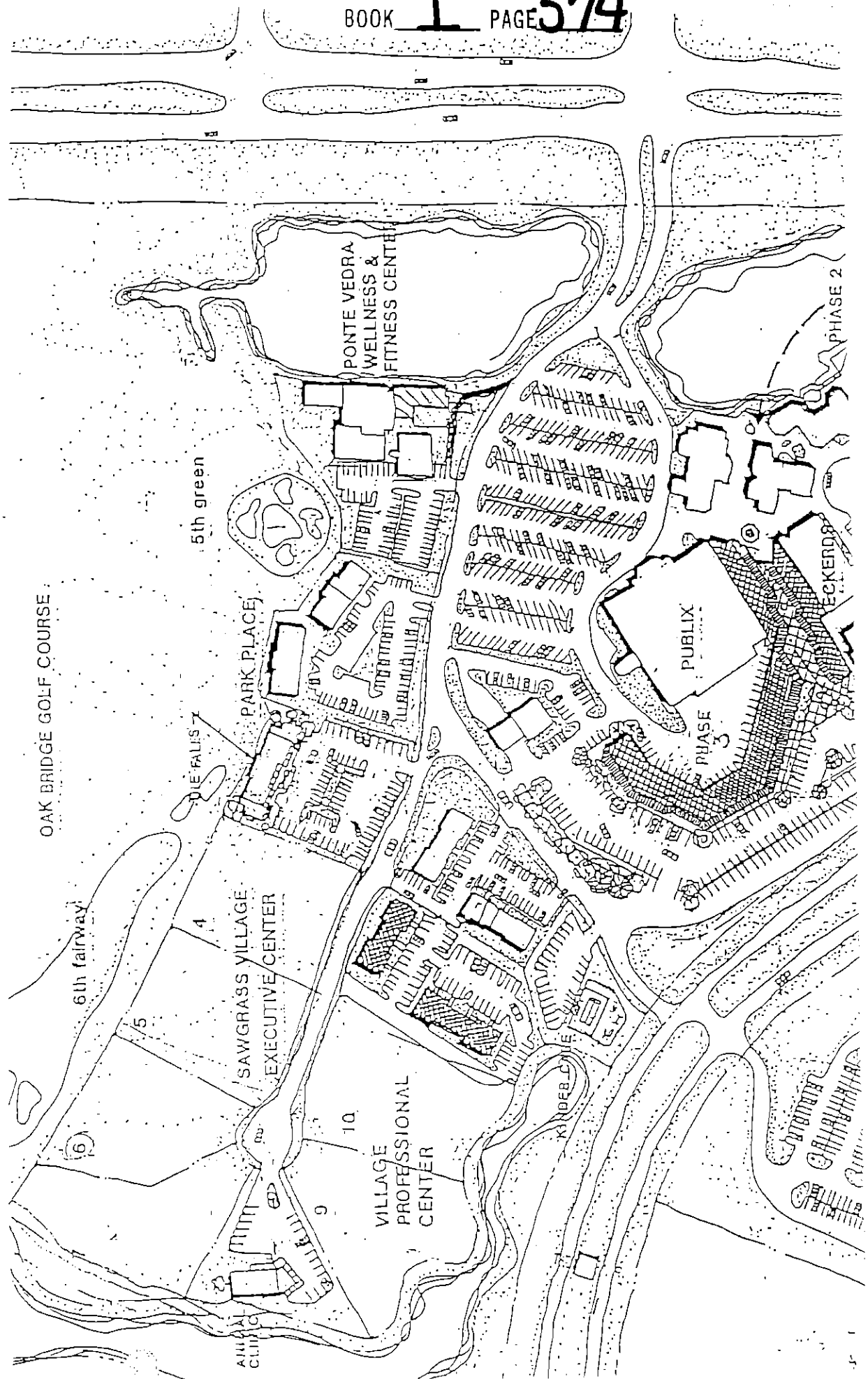
Nothing contained in the Declaration shall be interpreted to limit or restrict in any way the regulatory powers of St. Johns County (including its powers to review and approve plat and replats under Section 177.071 of the Florida Statutes). Those sections of the Declaration which are specifically referenced herein are incorporated by reference in the Final Development Plan, and shall be made a part of the Final Development Plan and shall not be amended without approval of the Board of County Commissioners of St. Johns County, notwithstanding said review and approval. The developer reserves the right to alter, amend, or allow to be amended all other sections of the Declaration provided, however, that if any alteration, amendment or series of alterations or amendments to the Declaration materially erodes the protection afforded by the Declaration so that the Board of County Commissioners of St. Johns County, in the exercise of its reasonable discretion, determines that there is substantial likelihood that the spirit and intent of Article 8 of the St. Johns County Zoning Ordinance will be undermined, then the Board may require that further alterations and amendments be submitted to it for approval prior to the recordation of such alterations or amendments. Upon approval of the Final Development Plan an association will be formed to govern, maintain and protect the best interests of the common areas benefiting the office building owners within the development. The Covenants and Restrictions related to said association may be modified from time to time by the governing body of said Association. All common areas governed and owned by the Association shall be defined as the entire subject property. EXCLUDING the individual building pads, together with the exterior walls of each building.

The last sentence of the fourth full paragraph (the first complete paragraph on page 2) of the Final Development Plan approved in Resolution Number 93-123, attached hereto as Exhibit "A", shall be amended to read: "The occupancy and uses proposed for the center of the three buildings, as more particularly described in the legal description incorporated herein, will be solely for professional offices and/or medical uses, and/or the operation of a retail spa."

No other portion of the approved Final Development Plan shall be amended by this modification and all other portions thereof shall remain in full force and effect.

andrews . ros

LOCATION MAP



OAK BRIDGE GOLF COURSE

6th fairway

5th green

DIE FALLS

PARK PLACE

SAWGRASS VILLAGE
EXECUTIVE CENTER

VILLAGE
PROFESSIONAL
CENTER

PONTE VEDRA
WELLNESS &
FITNESS CENTER

PUBLIX

PHASE 2

PHASE 3

ECKERD

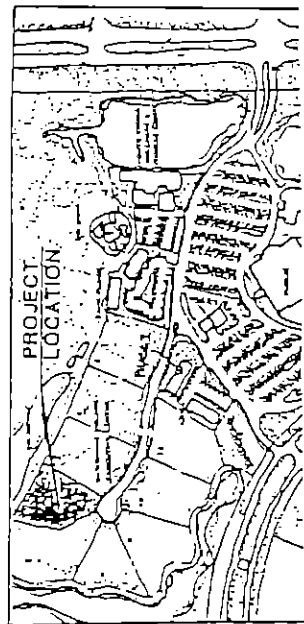
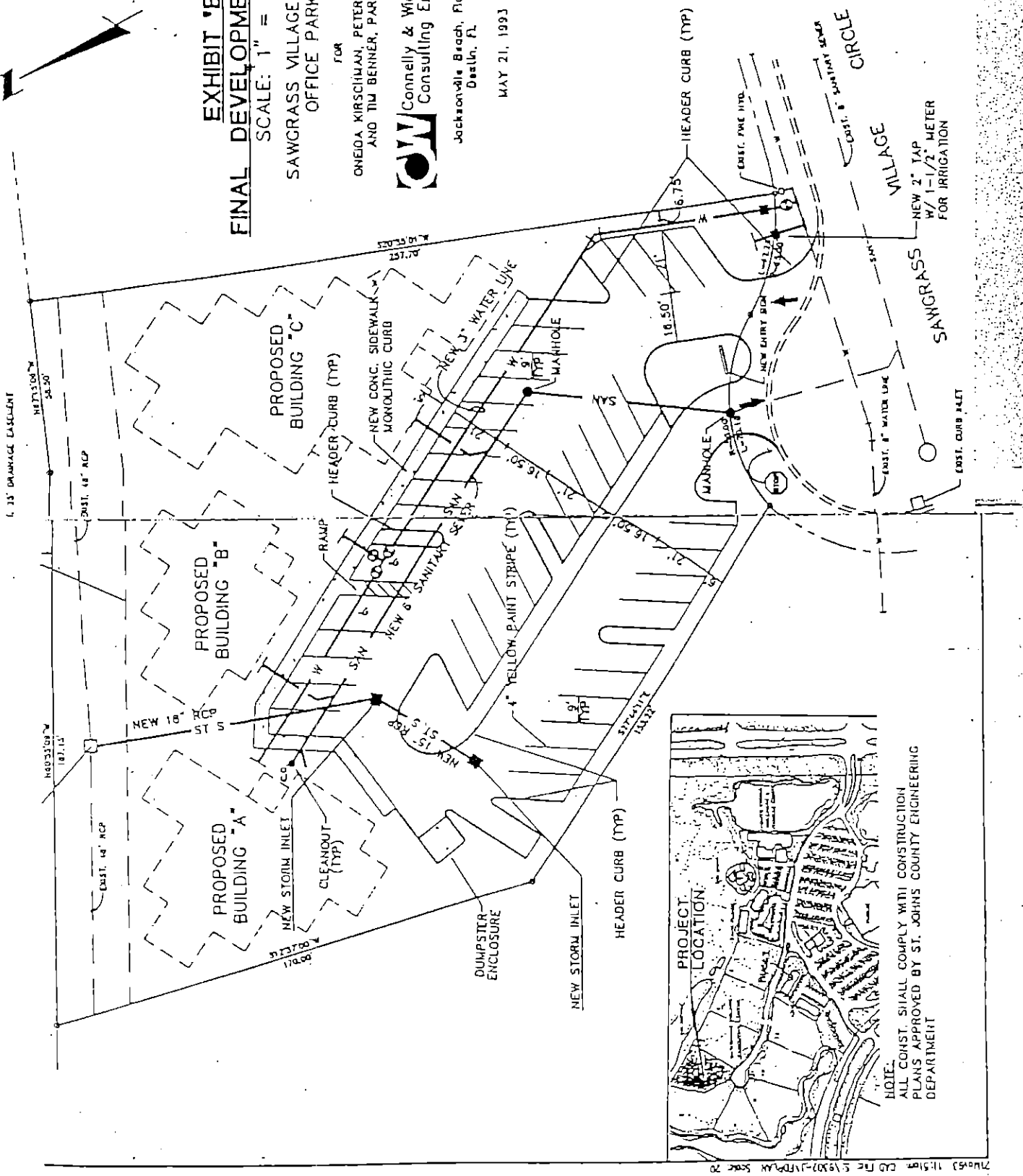
LIBRARY

EXHIBIT 'B'
FINAL DEVELOPMENT PLAN
SCALE: 1" = 20'

SAWGRASS VILLAGE CIRCLE
OFFICE PARK

FOR
ONEIDA KIRSCHMAN, PETER HOLLADAY
AND TIM BENNER, PARTNERS
COW
Connelly & Wicker, Inc.
Consulting Engineers
Jacksonville Beach, Florida
Destin, FL

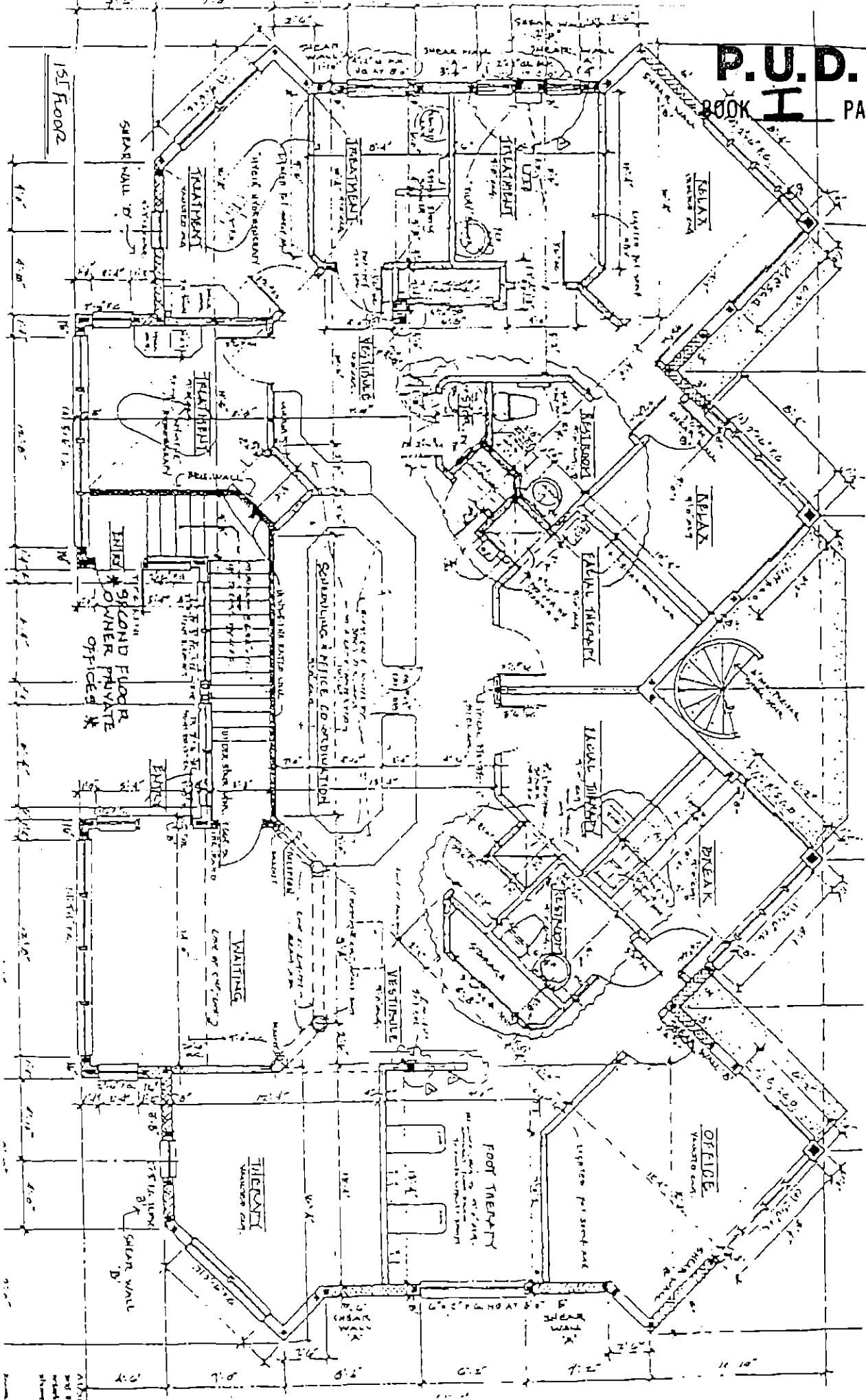
MAY 21, 1993

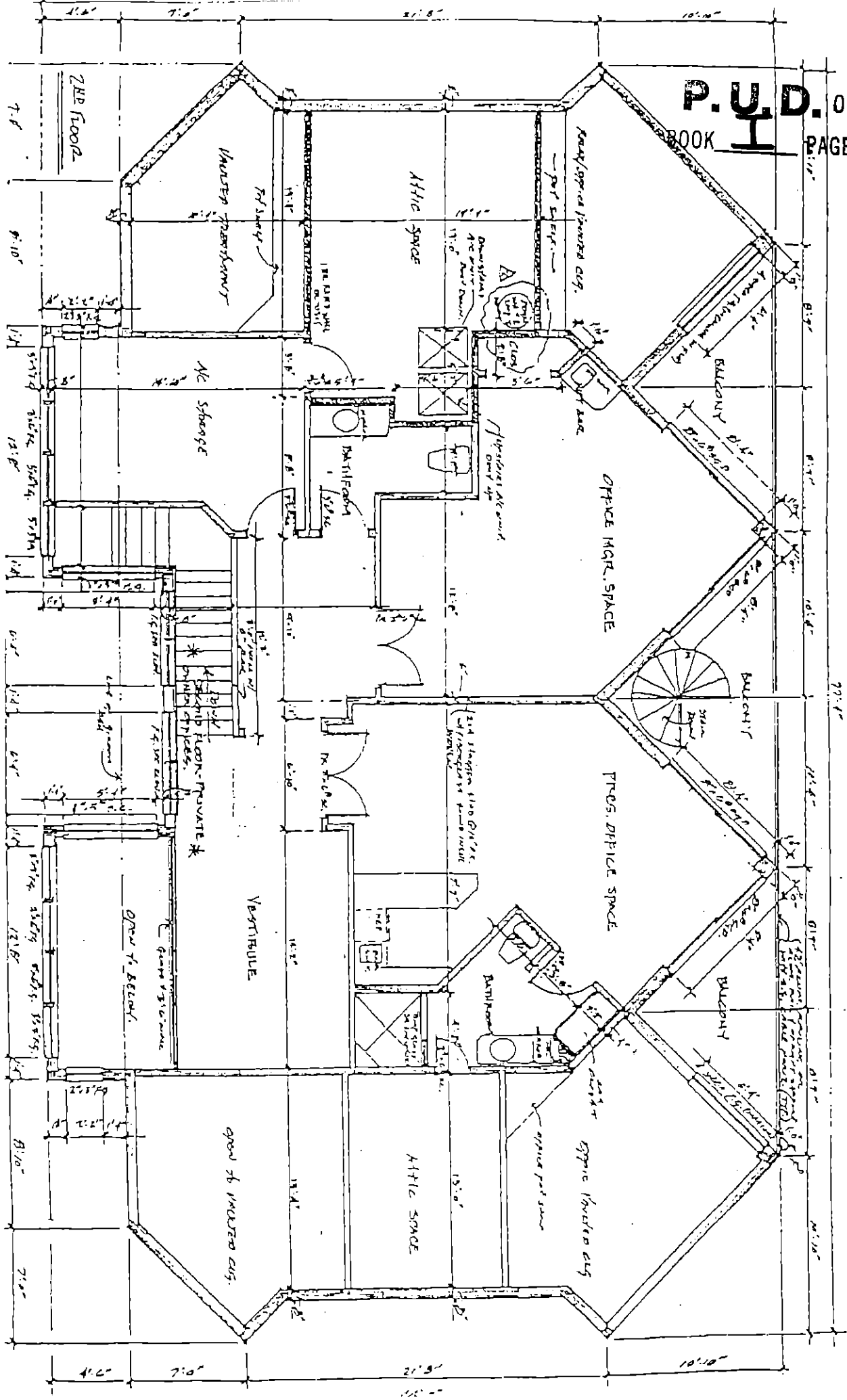


NOTE:
ALL CONST. SHALL COMPLY WITH CONSTRUCTION
PLANS APPROVED BY ST. JOHNS COUNTY ENGINEERING
DEPARTMENT

THURS) 11:51am CJD REC 5/19/93-JVPRAM SC# 20

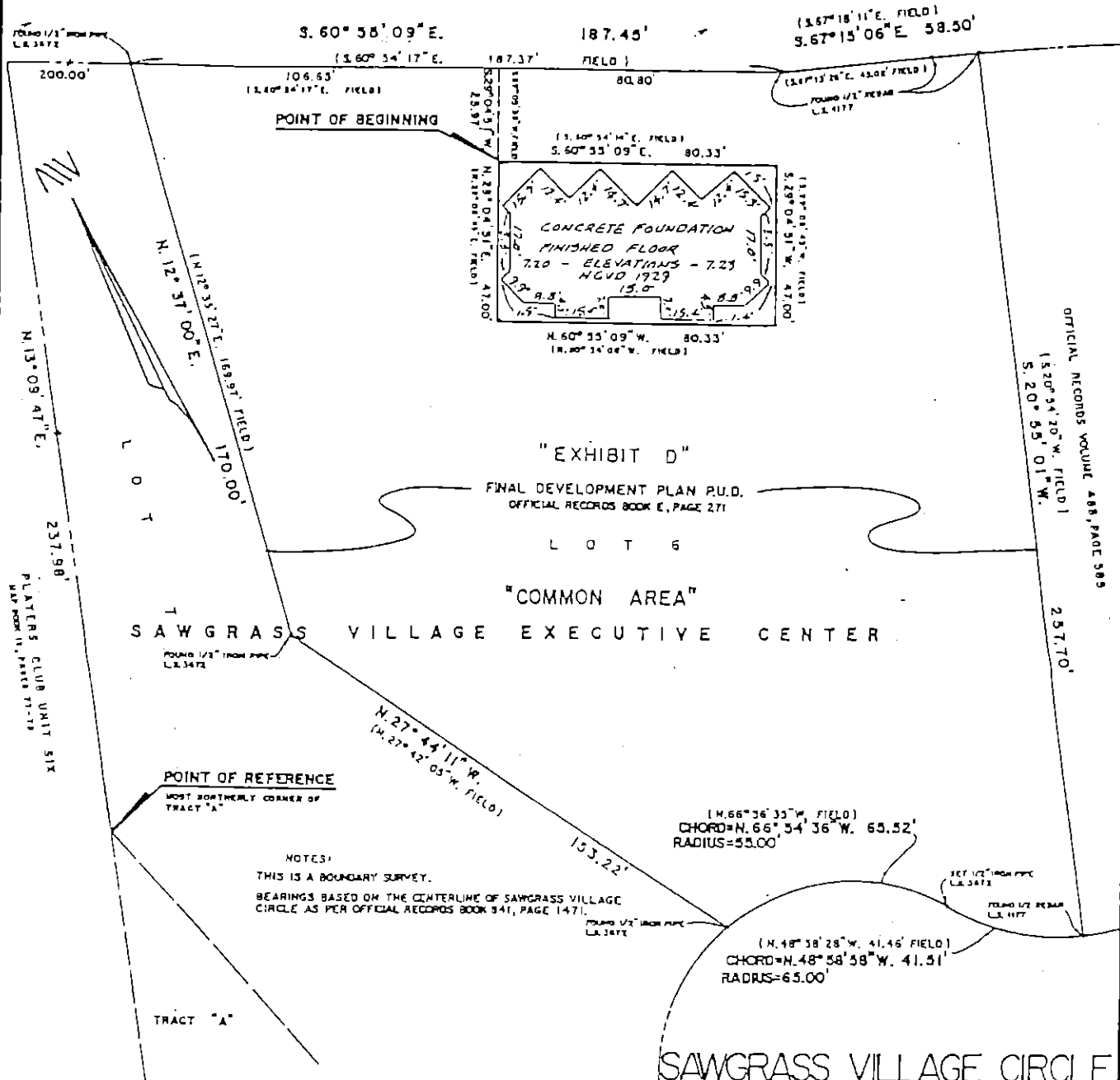
Exhibit "B"





P.U.D. OFF. REC.
 BOOK I PAGE 579

OAK BRIDGE GOLF COURSE



OFFICIAL RECORDS VOLUME 488, PAGE 598
 $152^{\circ} 34' 20'' W.$ FIELD
 $5.20^{\circ} 55' 01'' W.$

NOTES:
 THIS IS A BOUNDARY SURVEY.
 BEARINGS BASED ON THE CENTERLINE OF SAWGRASS VILLAGE
 CIRCLE AS PER OFFICIAL RECORDS BOOK 341, PAGE 1471.

THE PROPERTY SHOWN HEREIN APPEARS TO LIE IN FLOOD
 ZONE "B" AS WELL AS CAN BE DETERMINED FROM THE
 FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER
 125147-0200-B, REVISED JULY 15, 1992 FOR ST. JOHNS
 COUNTY, FLORIDA.

THE PROPERTY SHOWN IS SUBJECT TO TERMS AND CONDITIONS
 SET FORTH IN P.U.D. OFFICIAL RECORDS BOOK N, PAGE
 271 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY,
 FLORIDA.

I HEREBY CERTIFY TO AM-TRD, INC. FIRST NATIONAL BANK NORTH FLORIDA
 AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY THAT I HAVE SURVEYED
 THE LANDS AS SHOWN IN THE ABOVE CAPTION AND THAT THIS MAP IS A TRUE
 AND CORRECT REPRESENTATION OF THAT SURVEY AND THAT THE SURVEY REPRESENTS
 THE HIGHEST MEETS THE MINIMUM TECHNICAL STANDARDS OF THE FLORIDA
 ADMINISTRATIVE CODE CHAPTER 61 G17-6 AND THE FLORIDA LAND TITLE
 ASSOCIATION.

THIS SURVEY NOT VALID UNLESS
 SEALED WITH AN EMBOSSED SEAL
 OF SURVEYOR SHOWN HEREON

Exhibit "C"

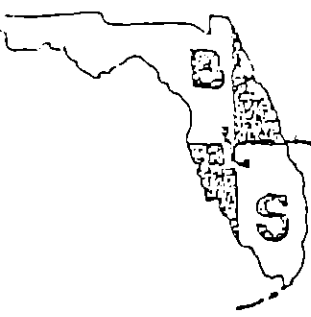
[Signature]
 DOWN W. BOATWRIGHT, L.S.
 FLORIDA REG. LAND SURVEYOR, No. 3295

FOUNDATION LOCATION ONLY DECEMBER 14, 1994
 RECHECKED APRIL 7, 1994

SCALE: 1" = 30'
 DRAWN BY: G. FREEMAN

BOATWRIGHT LAND SURVEYORS, INC.

DATE SIGNED:
 MARCH 7, 1994



P. U. D. OFF. REC.
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A PART OF THE CHRISTINA HILL OR FITCH GRANT, SECTION 50, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE MOST NORTHERLY CORNER OF TRACT "A", PLAYERS CLUB UNIT SIX, AS RECORDED IN MAP BOOK 19, PAGES 77, 78 AND 79 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 13°09'47" EAST, ALONG THE EASTERLY LINE OF SAID PLAYERS CLUB UNIT SIX, A DISTANCE OF 237.98 FEET; THENCE SOUTH 60°55'09" EAST ALONG THE SOUTHERLY LINE OF OAK BRIDGE GOLF COURSE, A DISTANCE OF 306.65 FEET; THENCE SOUTH 29°04'51" WEST, A DISTANCE OF 25.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 60°55'09" EAST, A DISTANCE OF 80.33 FEET; THENCE SOUTH 29°04' 51" WEST, A DISTANCE OF 47.00 FEET; THENCE NORTH 60°55'09" WEST, A DISTANCE OF 80.33 FEET; THENCE NORTH 29°04'51" EAST, A DISTANCE OF 47.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3775 SQUARE FEET, OR 0.09 ACRE MORE OR LESS.

STATE OF FLORIDA

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA

COUNTY OF ST. JOHNS

96 FEB 13 AM 10:52

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

P. U. D. OFF. REC.
BOOK I PAGE 581

I, CARL "BUD" MARKEL, CLERK OF THE CIRCUIT COURT, Ex-officio, Clerk of the Board
of County Commissioners of St. Johns County, Florida,

DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following:

RESOLUTION NO. 95-188

**Adopted by the Board of County Commissioners of St. Johns
County, Florida, at a regular meeting of said Board held October
24, 1995**

as the same appears of record in the office of the Clerk of the Circuit Court of St. Johns County,
Florida, of the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 12th day
of February, 1996.

CARL "BUD" MARKEL,
CLERK OF THE CIRCUIT COURT
Ex-officio Clerk of the Board of County
Commissioners of St. Johns County, Florida

By: *Irma Pacetti*
Irma Pacetti, Deputy Clerk



(seal)