RESOLUTION 99-44


WHEREAS, the ATP and the Bolles School has submitted a Notice of Proposed Change to the Development of Regional Impact dated December 16, 1998, requesting modification of certain terms of the Development Order (the “Notice of Change”); and

WHEREAS, the Developer submits that the changes proposed in the Notice of Change, as modified, do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes;

WHEREAS, the Board has reviewed the Notice of Proposed Change and has considered the issue of whether such modifications constitute a substantial deviation requiring further development of regional impact review at a public hearing held on March 9, 1999;

WHEREAS, the County public hearing of this matter has been noticed and held in accordance with Section 380.06 (19)(f), Florida Statutes; and

WHEREAS, neither the Regional Planning Council nor the State Land Planning Agency has objected to this change.

NOW THEREFORE, BE IT RESOLVED BY the Board of County Commissioners of St. Johns County, Florida:

1. The following facts are found in connection with this Resolution:
a. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes.

b. The request is consistent with and furthers the objectives of the Comprehensive Plan.

c. The request is compatible with the surrounding area and the future development trends of the area.

d. The request does not appear to be detrimental to the surrounding area with respect to the health, safety and welfare of the area.

e. The proposed development, as modified by this Resolution, is consistent with the St. Johns County Comprehensive Plan 1990-2005, adopted September 14, 1990, in Ordinance No. 90-53.

f. The proposed development, as modified by this Resolution, is consistent with the St. Johns County Zoning Ordinance.

2. Clear and convincing evidence is found that the requested change does not constitute a substantial deviation to the Development Order, because there will be no additional regional impact resulting from any of the requested changes. No evidence to the contrary was submitted.

3. The Caballos del Mar DRI Development Order as restated and adopted by Resolution 83-36 and as subsequently modified is hereby modified by approval of the following specific changes:

a. Parcel 38 (Legal description attached as Exhibit A), previously designated as Tennis/Office Recreation Complex (88-250) is hereby redesignated to add, as an addition use, Community Support. Community Support Uses, including a private school, will be allowed on Parcel 38 hereby redesignated to “Community Support/Tennis/Office/Recreation Complex”.

b. The revised Master Development Plan for Players Club at Sawgrass attached as Exhibit “B” to this Resolution is hereby adopted as the approved Master Plan for Players Club at Sawgrass.

4. Except as modified by this Resolution, the Caballos del Mar DRI Development Order shall remain in full force and effect.

5. This Resolution shall become effective immediately upon adoption.
PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 9 DAY OF MARCH, 1999.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Marc A. Jacono
Its Chairperson

Attest: Cheryl Strickland, Clerk

By: Patricia M. Land
Deputy Clerk

Adopted Regular Meeting:

March 9, 1999

Effective:

March 9, 1999
EXHIBIT "A"

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared

LINDA Y Murray
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 PROPOSED CHANGE

in the matter of

CABALLOS DEL MAR DEVELOPMENT

in the Court, was published in said newspaper in the issues of JANUARY 30, 1999

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, Florida, for a period of one year next preceding the first publication of the 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.

Sworn to and subscribed before me this 1st day of FEBRUARY, 1999,

by

Zoe Ann Moss

who is personally known to me or who has produced

PERSONALLY KNOWN

Type of Identification

Zoe Ann Moss
MY COMMISSION # 00415114 EXPIRES
August 22, 2001
INSURED THROUGH INSURANCE, INC.

(Signature of Notary Public)

(ZOE ANN MOSS)

(Print, Type or Stamp Commissioned Name of Notary Public)