RESOLUTION NO. 2023-<u>153</u> RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A PLAT FOR DAIN'S PRESERVE AT WILDWOOD CREEK.

WHEREAS, DAIN T. BUFE AND KELLI M. BUFE, AS OWNERS have applied to the Board of County Commissioners of St. Johns County, Florida for approval to record a plat known as Dain's Preserve at Wildwood Creek.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

<u>Section 1</u>. The above-described subdivision plat and its dedicated areas depicted thereon are conditionally approved and accepted by the Board of County Commissioners of St. Johns County, Florida subject to Sections 2, 3, 4, 5 and 6.

Section 2. A Required Improvements Bond is not required.

Section 3. A Required Improvements Bond for maintenance is not required.

<u>Section 4</u>. The approval and acceptance described in Section 1 shall not take effect until the Clerk has received a title opinion, certificate, or policy pertaining to the real property that is the subject of the aforenamed subdivision plat which opinion, certificate or policy is in a form acceptable to the County Attorney or Assistant County Attorney.

<u>Section 5.</u> The Clerk is instructed to file and record the consent and joinder (s) to the plat executed by all mortgagees identified in the title opinion or certificate of the title in Section 4.

<u>Section 6</u>. The approval and acceptance described in Section 1 shall not take effect until the plat has been signed by each of the following departments, person or offices:

- a) Chairman or Vice-Chairman of the Board of County Commissioners of St. Johns County, Florida;
- b) Office of the County Attorney;
- c) County Growth Management Department;
- d) Office of the County Surveyor; and
- e) Clerk of Courts.

The Clerk shall not sign or accept the Plat for recording until it has been signed by each of the above persons or entities described in a) through d) above. If the plat is not signed and accepted by the Clerk for recording within 14 days from the date hereof, then the above-described conditional approval shall automatically terminate. If the plat is signed by the Clerk on or before such time, the conditions described herein shall be deemed to have been met.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 16th day of ______, 2023.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY:

Rendition Date MAY 1 6 2023

Christian Whitehurst, Chair

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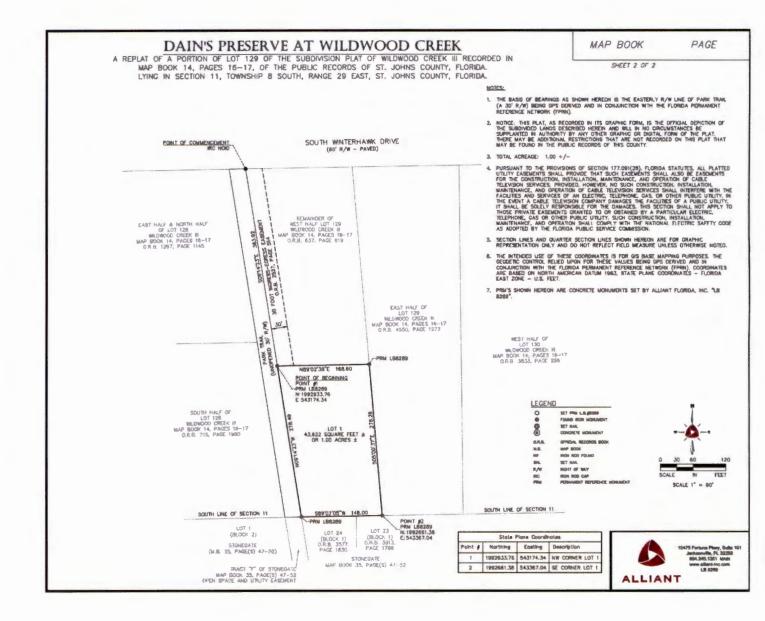
ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

Crystal Sinte Deputy Clerk



Attachment 2 Plat Map

DAIN'S PRESERVE AT WILDWOOD		MAP BOOK PAGE
A REPLAT OF A PORTION OF LOT 129 OF THE SUBJICTION PLAT OF WILDING MAP BOOK 14, PAGES 16-17, OF THE PUBLIC RECORDS OF ST. JOH LYING IN SECTION 11, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOH	IS COUNTY, FLORIDA.	SHEET 1 OF 2
OFFICIAL RECORDS BOOK 2527, PAGE(S) 914	ADOPTION AND	DEDICATION
THE SOUTH 275.00 FEET OF THE NEST 1/2 OF LOT 129, THLDWOOD CREEK IF AS RECORDED IN MAP BOOK 14, PAGE 17, ALONG WITH A 30.00 FEET WIDE CASEWONT FOR INGRESS AND CORESS OVER THE WEST 30.00 FEET OF THE NORTH 30.01 FEET OF SAND LOT 129.	THE IS TO CORRECT THE UNDERSIDAED, DAWN T. BUFF AND HOLD M. BUFF, CO-TRUSTERS OF THE UNDER UNDER THE LANDLE DAWNERS OF THE LANDS DESCREED IN THE CAPTION SHOWN HEREON, MICH SHALL HEREAFTER BE KNOWN AS THAN'S BREAKED AS IN DIRECT AND THE TAIL THAT CALL HEREAFTER BE KNOWN AS	
METER & BOUNDS.	SURVEYED AND SURVEY, AND IS	IVE AT WILDWOOD CREEK", AND THAT IT HAS CAUSED THE BAME TO BE BUIDIVIDED, AND THAT THIS PLAT, MADE IN ACCORDANCE WITH BAND S MERCEY ADOPTED AS THE TRUE AND CORRECT PLAT OF SAND LANDS.
FOR A POINT OF RESTERENCE, COMMENCE AT THE NORTHWESTERLY COMMER OF LOT 120 OF MULTMOOD OFEICH IR, ROCOMED IN HAN'T BOOK 14, PAGES 18-17 OF THE OFFICIAL RECORDS OF SANT JOHNS COUNTY, FLORENA, SUN CARACTER BOOK 14, PAGES 18-17 OF THE CHIEDLAN ROCHT-OF-WAY OF SOUTH INTERNANK DIRY (A 60 FOOT RIGHT-OF-WAY) AND THE SASTENCY OF PARK TRANL (AN UNDERNED 30 FOOT RIGHT-OF-WAY) AS SHOWN IN SAD WILDROOD OFEEK II; THENCE BOUTHEASTERLY ALONG SHOE SASTENLY LINE OF PARK TRANL, S OP14'23' E, A DISTANCE OF 383.92 FEET TO ME, POINT OF BEGINNING.	A moving p. A mov	NO LANDS ARE HEREBY DEDICATED TO ST. JOHNS COUNTY, FLORIDA, A
FROM BAD POINT OF BEGINNING, THENCE DEPARTING BAD EASTERLY RIGHT-OF-WAY LINE OF PARK TRAM, N BOYDZ'38" E, A DISTANCE OF 168.60 FEET TO A POINT ON THE WESTERLY LINE OF THE EAST	PRINTED NAME	
HALF OF LOT 129 OF SAID WILDWOOD CREEK II AS DESCRIBED IN OFFICIAL RECORDS BOOK 4550, PAGE PROJECT	WEINITY MAP WITHENE	DAW T. BUFE
278.28 FEET TO A FORMT GIVE THE MORTHERRY LINE OF LOT 23, BLOOK 1 OF STOREGATE, RECORDED IN MAR BOOK SK, PAGES 47–32 OF THE OFFICIAL, RECORDS OF SAMT CJARIES COUNTY, FLOREDA, AS DESCRIEDE IN OFFICIAL, HELE SID VIGINI, PAGE 1788 OF SAVD COUNTY, THENES SOUTHRESTELLY ALORID SAM DORTHERRY LINE S BIDVIGO'S M, A DISTANCE OF 1940.00 FEET TO A FORMT OF	PRINTED NAME	
INTERSECTION WITH SAID PARK TRAIL (AN UNOPENED 30 FOOT RIGHT-OF-WAY); THENCE NORTHWESTERLY ALONG SAID EASTERLY NORT-OF-WAY OF PARK TRAIL IN 0914"23" W, 270.49 FEET TO THE FOUNT OF REGNAMING.	WITTHE DA	
TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED LANDS CONTAIN 1.00 ACRES, MORE OR LESS.	POINTED NAME	
CERTIFICATE OF THE CLERK	W174E.303	KELU K. BUFE
THIS IS TO CERTIFY THE FLAT HAS BEEN EXAMINED AND AND AND THAT IT COUPLES IN FORM WIT THE REGRADIENTS OF PART I, CAMPTER 177, FLORED STATUTES, AND IS RECORDS IN MAP BOOK. PARCES) OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLOREDA, ON PHS 647 OF 2023.	PRINTED NAME	
	TE OF FLORIDA, COUNTY OF ST. JOHNS	
BRANDON J. PATTY, CLOIX CLEIK OF THE CIRCUIT COURT AND COMPTROLLER	THE FORECOMD INSTRUMENT WAS ACCIONNEDDED EFFORE ME BY MEANS OF (PHYSICAL PRESIDED) OR(ONLINE NOTIVEZITION) THIS DAY OF ZO23, BY ON EDMLUY OF DAM I. BUFE AND KELLI M. BUFE, CO-TRUSTESS OF THE BUFE LIMING TRUST BEING VARIANT TO BE AND DID NOT TAKE AN OATH.	
	NOTARY PUBLIC, STATE OF FLORIDA	
HAS IS TO CARTER THAT THIS FLAT OF DARKS PROSENVE AT INCOMES COUNTY, TAS BEER APADVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, TABING, ON THIS DAY OF. 2023, THIS ACCEPTANCE SHALL NOT BE OF SHAD BY AN ADVISION OF DAY OF. 2023, THIS ACCEPTANCE SHALL NOT BE OF SHAD BY AND ADVISION OF DAY OF. 2023, THIS ACCEPTANCE SHALL NOT BE OF SHAD BY AND ADVISION OF DAY OF. 2023, THIS ACCEPTANCE SHALL NOT BE OF SHAD BY AND ADVISION OF DAY OF. 2023, THIS ACCEPTANCE SHALL NOT BE OF SHAD BY AND ADVISION OF DAY OF SHAD BY AND ADVISION OF DAY OF DA	I THES COLIRING	
	COMMISSION EXPIRES:	
DHAIR, BOARD OF COUNTY COMMISSIONERS PC	PORSONALLY KNOWN OR PRODUCED IDENTIFICATION	
CERTIFICATE OF REVIEW-COUNTY ATTORNEY		
AND REVIEWED BY THE OFFICE OF ST. JOHNS COUNTY ATTORNEY ON THIS DAY OF	CERTIFICATE OF APPROVAL-GROWTH MANAGEMENT DEPARTMENT	
, 2023. TH	THIS IS TO CORTRY THAT THES PLAT OF "DAM'S PRESERVE AT WILDWOOD CREEN" HAS BEEN EXAMINED AND APPROVED BY THE COUNTY GONETH MANAGEMENT DEPARTMENT FOR SI. JOHNS COUNTY, FL DH THEB DAY OF 2023.	
OFFICE OF THE COUNTY ATTORNEY OF	DIRECTOR OF THE GROWTH MANAGEMENT OCPARTMENT	
CHEMIFICATE OF SURVEYOR NOOM ALL WEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING CURRENTLY LICENSED AND REGISTERED BY THE STATE OF FLOMED AS A PROFESSIONAL SURVEYOR AND IMPIPER, DOES HEREIN'C ERTIFY THAT THE	RIFICATE OF PLAT REVIEW	
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		1. PLATTING BY THIS OFFICE OF THE COUNTY SURVEYOR
PROFESSIONAL SURVEYOR AND MAPPER PR	NALD A. BRADSHAW, COUNTY SURVEYOR DESSIONAL SURVEYOR AND MAPPER DISE NUMBER 2013	10478 Feature Play, State 101 Jacksondia, PL 3228 DOL 201 1281 March
ALLIANT FLORIDA, INC. 10475 FORTUNE PROMY, SUITE 101		BOL 240.1301 Aven verve atlant-bacem L& 2200
INCRISIONALLE, FL. 32236 CERTIFICATE OF AUTHORIZATION HUMBER "LB 8280"		ALLIANT
and and an and an and and and and and an		



Attachment 3 Order Approving NZVAR 2021-14



St. Johns County Board of County Commissioners

Growth Management | Development Review Division

ORDER ST. JOHNS COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

NZVAR 2021-14 1261 South Winterhawk

RE:

LEGAL:

PARCEL:

Kimberly Sikes

FILE NUMBER:

Exhibit A

136795-1292

DATE OF HEARING:

February 1, 2022

ORDER APPROVING NON-ZONING VARIANCE

The above referenced application for Non-Zoning Variance to the following Land Development Code Section:

<u>6.02.01.B.3.a:</u> which states easements for access to public roadways shall only be permitted to serve multi-family residential projects (except townhomes), non-residential projects, or non-platted residential subdivisions or subdivisions requiring plat approval may not access a public roadway through an easement.

4040 Lewis Speedway, St. Augustine, FL 32084 | P: 904.209.0660 | F: 904.209.0743

RECENSER.us

CLERK OF COURTS

FEB 03 2022

ST. JOHNS COUNTY

CLERK OF COURT

DEPUTY CL

FULED

FINDINGS OF FACT

Having considered said application for Non-Zoning Variances, supporting documents, and the evidence presented at the public hearing, the Board of County Commissioners makes the following Findings of Fact:

- 1. The request for this Non-Zoning Variance has been fully considered after public hearing pursuant to legal notice as required by Florida law and the St. Johns County Land Development Code.
- 2. There are practical difficulties in carrying out the strict letter of the regulation.
- 3. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
- 4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
- 5. The proposed variance will not substantially diminish property values in, nor alter the essential character of area surrounding the site.
- 6. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

ACCORDINGLY, based on the said Findings of Fact, the Board of County Commissioners hereby grants the Non-Zoning Variance to Land Development Code Section as noted above.

- The Non-Zoning Variance shall be transferable and shall run with the title to the properties.
- 2. The request is limited to access for one (1) dwelling unit on the subject property.
- Approval of the Non-Zoning Variance does not release the properties from compliance with all other relevant requirements of the St. Johns County Land Development Code or Comprehensive Plan.
- 4. The approval of this Non-Zoning Variance is limited to the specific provisions of the Land Development Code. Approval shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the recommendation and interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.
- As a condition to acquiring a residential building permit for the subject property as part of this request, the access easement will be required to meet the standards of Section 6.04.07.B.2 for easement stabilization and maintenance.
- As a condition to the approval of this non-zoning variance the applicant will make application to re-plat the property per Section 5.01.01.C.3 of the Land Development Code.

Any appeal of this decision may be made by filing a petition for writ of certiorari with the Clerk of the Circuit Court of St. Johns County within thirty (30) days.

Date of Commission Action: February 1, 2022

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

2022

N3

By: Henry Dean, Chair

Rendition Date: FFR

ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

Jonne By: Deputy Clerk

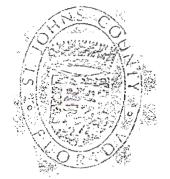


Exhibit A

OFFICIAL RECORDS BOOK 2527 PAGE(S) 514

THE SOUTH 275.00 FEET OF THE WEST 1/2 OF LOT 129, WILDWOOD CREEK III AS RECORDED IN MAP BOOK 14, PAGE 17, ALONG WITH A 30.00 FEET WIDE EASEMENT FOR INGRESS AND EGRESS OVER THE WEST 30.00 FEET OF THE NORTH 360.16 FEET OF SAID LOT 129.

:

THE ST. AUGUSTINE RECORD Affidavit of Publication

KIMBERLY SIKES 220 PHOENICIA DRIVE

SAINT AUGUSTINE, FL 32086

ACCT: 59719 AD# 0003395140-01

PO#

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

STATE OF FLORIDA COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee 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 SA Legal Classified in the matter of NZVAR 2021-14 was published in said newspaper in the issue dated 01/07/2022.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has 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 preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to (or affirmed) and subscribed before me by means of

physical presence or online notarization

day of JAN 0 7 2022

who is personally known to by me or who has produced as identification

ature of Notary ublic)

Notary Public State of Floride Kimberty M Reese My Commission GG \$12209 Expires 09/17/2023

St. Augustine Record - 01/07/2022

VARIANCE NOTICE IS HEREBY GIVEN that a public hearing will be held on 2/1/2022 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augusting: Florida to consider arquest for a Non-Zoning Variance to Sections 6.02.01.B.3 and 6.04.07.B of the Land Development Code to allow for a 30-foot access easement from a public road in a platted subdivision and Section 5.01.01.C.1 for relief from Subdivision platting regulations for the division of a platted lot.

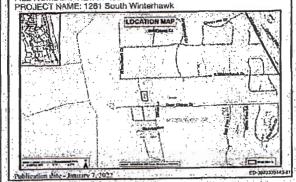
The subject property is located north of Deer Chase Drive. See attached map (Exhibit A). This ille is maintained in the Planning and Zoning Division of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspectied by interested pattles prior to said public hearing, items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensuine that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested, parties should limit contact, with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126; to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an Interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084; Hearing Impaired persons, call Florida Relay Service (1 800 955 8770); no later than 5 days prior to the meeting. BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA HENRY DEAN, CHAIR FILE NUMBER: NZVAR-2021-14



Page : D02

January 7, 2022 9:02 am (GMT -5:00)

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