

RESOLUTION 94-210

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, MODIFYING THE CABALLOS DEL MAR DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON JULY 8, 1975, AS PREVIOUSLY MODIFIED BY RESOLUTION 83-36 APPROVED APRIL 26, 1983; RESOLUTION 83-75 APPROVED JULY 26, 1983; RESOLUTION APPROVED MARCH 13, 1984; RESOLUTION 84-54 APPROVED MAY 22, 1984; RESOLUTION 84-146 APPROVED NOVEMBER 20, 1984; RESOLUTION 85-128 APPROVED SEPTEMBER 24, 1985; RESOLUTION 86-176 APPROVED NOVEMBER 25, 1986; AND RESOLUTION 88-250 APPROVED SEPTEMBER 13, 1988; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fletcher Land Corporation (the "Developer") has submitted an Application for Non-Substantial Change to Development of Regional Impact dated October 17, 1994 requesting modification of the legal description of the lands subject to the Development Order (the "Application for Modification"); and

WHEREAS, the Developer has provided evidence that the addition of 7.62 acres of land to the Development of Regional Impact does not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes in that there will be no additional traffic generated, no additional demands on any public facilities, and no impacts to environmentally sensitive lands; and

WHEREAS, the Board has reviewed the Application for Modification and has considered the issue whether such modification constitutes a substantial deviation requiring further development of regional impact review at a public hearing held on November 8, 1994;

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

1. The following facts are determined in connection with this Resolution:

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

b. The proposed development, as modified herein, is consistent with the Zoning Ordinance of St. Johns County.

2. The Application for Modification provides clear and convincing evidence that the requested modification does not constitute a

substantial deviation to the Development Order because there will be no additional regional impact resulting from the requested addition of land.

3. The Caballos del Mar DRI Development Order is hereby modified to adopt the legal description attached as Exhibit 3 to the Application for Modification and to incorporate the revised Master Plan attached as Exhibit 5 to the application for Modification.

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 8th DAY OF NOVEMBER, 1994.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: Delean Roberts
Its Chairperson

Attest: Carl "Bud" Markel, Clerk

By: Vernie Carter
Deputy Clerk

Adopted Regular Meeting November 8, 1994

Effective: November 8, 1994

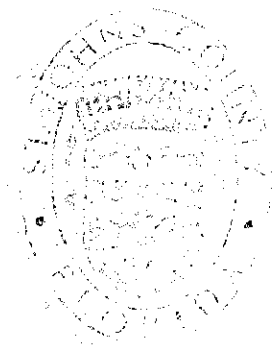


EXHIBIT 3

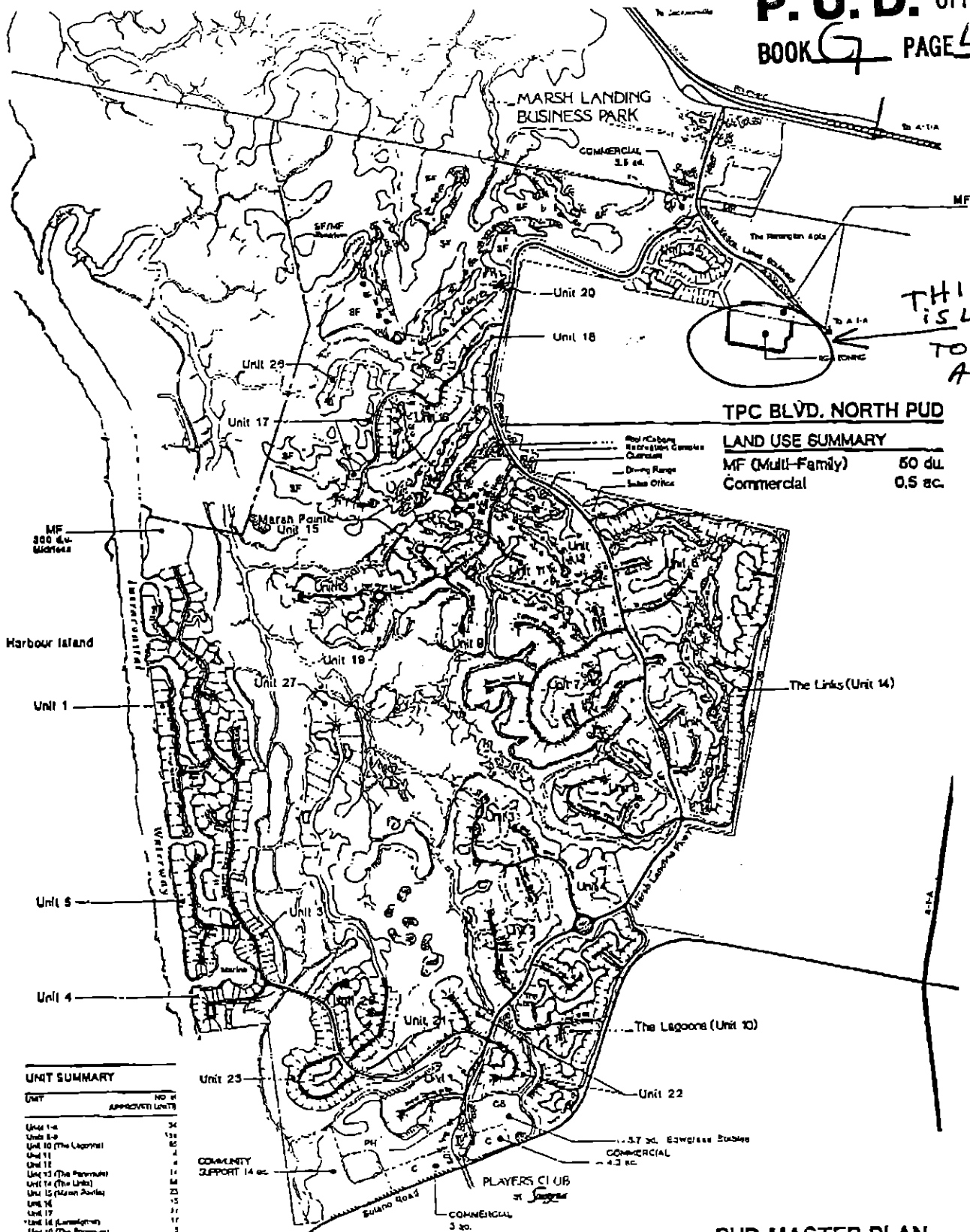
LEGAL DESCRIPTION

LANDS TO BE ADDED TO CABALLOS DEL MAR

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A PART OF SEASIDE LAKES AT PONTE VEDRA AS RECORDED IN MAP BOOK 23, PAGES 31 THROUGH 34 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA (THE SAME BEING A PART OF GOVERNMENT LOT 6, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 29 EAST) MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 3; THENCE S.88°44'38"W., ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OR 66.31 FEET TO THE MOST EASTERLY CORNER OF SAID SEASIDE LAKES AT PONTE VEDRA; THENCE S.88°44'38"W., ALONG THE SOUTH LINE OF SAID GOVERNMENT LOTS A DISTANCE OF 361.35 FEET TO THE POINT OF BEGINNING; THENCE; S.01°24'34"E. A DISTANCE OF 210.81 FEET; S.88°35'26"W. A DISTANCE OF 33.00 FEET; S.01°24'34"E. A DISTANCE OF 169.99'; S.88°35'26"W. A DISTANCE OF 255.99 FEET; N.73°34'27"W. A DISTANCE OF 146.17 FEET; S.75°57'49"W. A DISTANCE OF 144.31 FEET; S.88°45'31"W. A DISTANCE OF 351.49 FEET; N.01°16'20"W. A DISTANCE OF 329.02 FEET; N.88°44'38"E. A DISTANCE OF 40.00 FEET; N.01°16'20"W. A DISTANCE OF 40.00 FEET; THENCE N.88°44'38"E. ALONG THE SOUTH LINE OF GOVERNMENT LOT 3, A DISTANCE OF 879.60 FEET TO THE POINT OF BEGINNING.

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UNIT SUMMARY

UNIT	NO. OF APPROVED UNITS
Unit 1-4	34
Unit 5-8	156
Unit 10 (The Lagoons)	82
Unit 11	4
Unit 12	4
Unit 13 (The Peninsula)	14
Unit 14 (The Links)	64
Unit 15 (The Links)	23
Unit 16	15
Unit 17	11
Unit 18 (Landscape)	17
Unit 19 (The Peninsula)	3
Unit 20 (Landscape)	3
Unit 21 (Landscape)	63
Unit 22 (Landscape)	48
Unit 23 (Landscape)	23
Unit 24 (Landscape)	34
Unit 25 (Landscape)	10
Unit 26 (Landscape)	36
Unit 27 (Landscape)	36
Unit 28 (Landscape)	19
Unit 29 (Landscape)	23
Unit 30 (Landscape)	190
TOTAL	1,471

LAND USE SUMMARY

RESIDENTIAL	SINGLE FAMILY	APARTMENTS	MULTI-FAMILY	TOTAL
Existing Approved Residences*	742 ±	173 ±	67 ±	1,077 ±
Proposed Residences**	428 ±	0 ±	411 ±	839 ±
TOTAL	1,170 ±	173 ±	1,088 ±	2,331 ±
RECREATION COMMERCIAL	12.6 acres	4.5 acres		

PUD MASTER PLAN

MARSH LANDING COUNTRY CLUB

© Fletcher Land Corporation

Revised August 10, 1984

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive
Tallahassee, Florida 32399
904/488-4925

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NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes, requires that
submittal of a proposed change to a previously approved DRI be
made to the local government, the regional planning agency, and
the state land planning agency according to this form.

1. I, Paul Z. Fletcher, the undersigned
owner/authorized representative of Fletcher Land Corporation,
(developer)

hereby give notice of a proposed change to a previously approved
Development of Regional Impact in accordance with Subsection
380.06(19), Florida Statutes. In support thereof, I submit the
following information concerning the
Caballos del Mar Development of Regional Impact (Marsh Landing Country Club)
(original & current project names)

development, which information is true and correct to the best of
my knowledge. I have submitted today, under separate cover,
copies of this completed notification to
St. Johns County,
(local government)

to the Northeast Florida Regional Planning Council, and
to the Bureau of State Planning, Department of Community Affairs.

October 17, 1994
(Date)

Paul Z. Fletcher
(Signature)
Paul Z. Fletcher
Fletcher Land Corporation

2. Applicant (name, address, phone). FLETCHER LAND CORPORATION
4400 MARSH LANDING BOULEVARD, P O BOX 1219, PONTE VEDRA BEACH FL 32082;285-6921
3. Authorized Agent (name, address, phone).
SEE ATTACHED EXHIBIT 1
4. Location (City, County, Township/Range/Section) of approved DRI and proposed change. See Legal Descriptions attached as Exhibit 2 (Existing DRI) and Exhibit 3 (Additional Land)
5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval. See Text attached as Exhibit 4.

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Indicate such changes on the project master site plan supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

See Master Plan attached as Exhibit 5.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change. The completed chart is attached as Exhibit 6.
7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project? No change in local government.
See Text regarding prior modifications.

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

Numerous lots within antiquated subdivisions known as Pinecrest and Surfside located adjacent to easterly boundary of project. Total owned acreage is approximately 35 acres. There are no current plans for use of this land because there are no existing roads, land ownership is still not consolidated and the lots are too small to meet current standards.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes. None of the criteria in Section 380.06(19)(b) apply to the proposed change.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2.,

F.S.

YES _____

NO _____

XX _____

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates. No.
11. Will the proposed change require an amendment to the local government comprehensive plan? No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions. See Exhibit 5.
13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify: No change in development order language.
- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;
- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development; See Exhibit 2 and Exhibit 3.
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable; Not applicable.
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development; Not applicable.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
Not applicable.
- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C. No change requested.

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EXHIBIT 1
AUTHORIZED AGENTS

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Paul Z. Fletcher, President
Fletcher Land Corp.
P.O. Box 1219
4400 Marsh Landing Boulevard
Ponte Vedra Beach, FL 32082
904/285-6921

Mr. Robert L. Johnson
Fletcher Land Corp.
P.O. Box 1219
4400 Marsh Landing Boulevard
Ponte Vedra Beach, FL 32082
904/285-6921

Donald V. Fullerton, ASLA
Director, Planning Design
Prosser, Hallock & Kristoff
8101 Phillips Highway
Jacksonville, FL 32256
904/739-3655

EXHIBIT 2
LEGAL DESCRIPTION
EXISTING LANDS WITHIN CABALLOS DEL MAR

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All of Government Lots 3, 4, 14 and 13, Section 16; all of Government Lots 3, 4, 9, 10, 11 and 12 and a part of Government Lots 1, 2, 5, 7 and 8; Section 17; a part of Section 19; all of Government Lots 1, 2, 3, 6 and 7 and a part of Government Lots 4, 5 and 8, Section 20; all of Government Lots 3, 4 and 5 and part of Government Lot 11, Section 21; a part of Government Lots 8 and 9, Section 27; and all of Government Lot 1, 2 and 3 and a part of Government Lot 4, Section 28; a part of Government Lots 4 and 9, Section 34; a part of the Lewis Mattair Grant, Section 39; a part of the Heirs of Thomas Fitch Grant, Section 40; a part of the Francis X. Sanchez Grant Section 41; a part of the Sebastian Espinosa Grant, Section 42; a part of the Nicholas Sanchez Grant, Section 46; a part of the Sanchez or Hill Grant, Section 47; all of the Sanchez, Hill or Fitch Grant, Section 48; all of the Christina Hill or Fitch Grant, Section 50; a part of the Christina Hill or Fitch Grant, Section 51; a part of the Hill, Fitch or Sanchez Grant, Section 52; and a part of the William Hart Grant, Section 55; all in Township 3 South, Range 29 East, St. Johns County, Florida; together with a part of Government Lots 2 and 3 of Section 3; a part of the Heirs of Thomas Fitch Grant, Section 38; a part of the Heirs of Espinosa Grant, Section 39 and a part of the Christina Hill Grant, Section 70; all in Township 4 South, Range 29 East, St. Johns County, Florida; more particularly described as follows: For a POINT OF BEGINNING commence at the Northeast corner of aforementioned Government Lot 14, Section 16, Township 3 South, Range 29 East; thence run Southerly along the Easterly line of said Government Lot 14 and along the Easterly line of Government Lots 3 and 5 of aforesaid Section 21, a distance of 3960 feet, more or less to the South line of said Government Lot 5; thence run Westerly along the Southerly line of aforesaid Government Lot 5, Section 21, a distance of 1740 feet, more or less to the Northeasterly line of Section 40; thence run Southeasterly along the Northeasterly line of aforesaid Section 40, a distance of 1500 feet, more or less to the Northerly line of Government Lot 11, Section 21; thence run Easterly along the Northerly line of aforesaid Government Lot 11, Section 21, a distance of 2360 feet, more or less to the East line of Government Lot 11; thence run Southerly along the Easterly line of said Government Lot 11, Section 21; a distance of 1320 feet, more or less to the North line of Government Lot 1, Section 28; thence run Easterly, along the Northerly line of aforesaid Government Lot 1, Section 28, a distance of 1328.12 feet to the Northeasterly corner of said Government Lot 1, Section 28; thence run S.00°20'05"E., along the Easterly line of said Section 28, a distance of 1328.07 feet to the Northwesterly corner of Sun Valley as recorded in Map Book 6, Page 11 of the public records of said county; thence run S.00°20'46"E., along the Westerly line of said Sun Valley, a distance of 1311.97 feet to a point in the centerline of Sun Valley Drive, as platted by said Sun Valley; thence run due South a distance of 30.00 feet; thence run S.2°42'15"E., a distance of 221.00 feet; thence run due West a distance of 300.00 feet; thence run S.2°42'15"E., a distance of 500.00 feet; thence run due East, along the Southerly line of a 60 foot right of way known as Mosquito Control Road and its Westerly projection, a distance of 1473.16 feet; thence run S.2°48'00"E., along the Westerly right of way line of a State Road known as Ponte Vedra By-Pass Road (as now established as a 200 foot right of way) State Road No. A-1-A and/or State Road No. 203, a distance of 983.53 feet to an angle point in said right of way; thence continue Southerly and Southwesterly along said Westerly right of way line of Ponte Vedra By-Pass Road a distance of 5300 feet more or less to the Westerly right of way line of Palm Valley Road, State Road No. 210; thence run Southwesterly along said Westerly right of way line of Palm Valley Road a distance of 3000 feet more or less to the Northerly line of the lands described in Deed Book 177 Page 362 of the aforesaid public records; thence run Westerly along said Northerly line a distance of 265 feet more or less; thence run Southerly along the Westerly line of the lands described in the aforesaid Deed Book 177 Page 362 a distance of 100 feet more or less to the Northerly line of the lands described in Official Records Volume 265, Pages 99 and 101 of the aforesaid public records; thence run Westerly along said Northerly line a distance of 1756 feet more or less to the Northwesterly line of the lands in the possession of J. E. Wilson; thence run Southwesterly along said Northwesterly line of the lands in the possession of J. E. Wilson and its Southwesterly projection a distance of 1700 feet more or less to the Northerly line of Lot 39, Palm Valley

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line of 39, Palm Valley Gardens Unit 6, as recorded in Map Book 5, Page 74; thence run Northwesterly along the Easterly line of said public records, a distance of 300 feet, more or less to the Easterly line of Palm Valley Gardens Unit 6; thence run Northwesterly along the Easterly line of Palm Valley Gardens Unit 6, a distance of 1200 feet, more or less to the Northwesterly corner of Palm Valley Gardens Unit 6; thence run Southwesterly along the Northwesterly line of said Palm Valley Gardens Unit 6, a distance of 1512 feet, more or less to the Easterly line of Palm Valley Gardens Unit 3, Map Book 5, Page 66; thence run Northwesterly along the Easterly line of Palm Valley Gardens Unit 3, as recorded in Map Book 5, Page 66; thence run Northwesterly along the Easterly line of said public records, a distance of 3657.06 feet, more or less to the Southeast corner of said public records, a distance of 3657.06 feet, more or less to the Southeast corner of Palm Valley Gardens Unit 4, Map Book 5, Page 71; thence continue Northwesterly along the Easterly line of Palm Valley Gardens Unit 4, as recorded in Map Book 5, Page 71; thence run Northwesterly along the Easterly line of said public records, a distance of 7018.06 feet, more or less to the Northeast corner of Palm Valley Gardens Unit 4; thence run Westerly along the Northerly line of said public records, a distance of 323 feet, more or less to the Southeast corner of Big Cypress Subdivision Map Book 5, Page 74; thence run Northwesterly along the Northerly line of Big Cypress Subdivision, as recorded in Map Book 5, Page 74; thence run Northwesterly along the Northerly line of said public records, a distance of 2605.01 feet, more or less to the Northeast corner of said Subdivision; thence run Southwesterly along the Northwesterly line of Big Cypress Subdivision, a distance of 860 feet, more or less to the Easterly line of the Intracoastal Waterway; thence run Northwesterly along the Northwesterly line of the 500 foot right of way of the Intracoastal Waterway, a distance of 500 feet, more or less to the Northeast corner of Section 39; thence run Southwesterly along the Northeast corner of Section 39, a distance of 100 feet, more or less to the Southeast corner of Section 39; thence run Southwesterly along the Southeast corner of Section 39, a distance of 92 feet, more or less, to the Southeast corner of Sections 18, 19 and 39 of Township 3 South, Range 29 East, thence run Easterly along the Northerly line of said Section 19, a distance of 203 feet, more or less, to the corner common to Sections 17, 18, 19 and 20 of said Township and Section 20, thence run Easterly along the Northerly line of Government Lot 10, a distance of 1120 feet more or less to the Westerly line of Government Lot 10, thence run Northeastly along the U. S. Government Land Office meander line of said Government Lot 10, the same being the Westerly line of Government Lots 4, 9 and 10 of aforesaid Section 17, a distance of 2680 feet to an angle point in said meander line; thence run Northwesterly continuing along said meander line the same being the Westerly line of Government Lots 3 and 4 of said Section 17, a distance of 2240 feet, more or less to the Southerly line of Section 55; thence run Northwesterly continuing along said meander line (the same being the Westerly line of aforesaid Section 55) a distance of 1144 feet, more or less to the Northerly boundary of St. Johns County, Florida; thence run Easterly along the Northerly boundary of St. Johns County, Florida a distance of 1320 feet, more or less to the Northeast corner of Government Lot 3, Section 16; thence run Southerly along the Easterly line of aforesaid Government Lot 3, Section 16, a distance of 1320 feet, more or less to the Southeast corner of Government Lot 3; thence run Westerly along the Southerly boundary of said Government Lot 3, a distance of 1317.02 feet, more or less to the Southwest corner thereof; thence run Westerly along the Southerly line of Government Lot 4 of said Section 16, a distance of 1317.02 feet, more or less to the Southwest corner thereof; thence run Northwesterly along the Easterly line of said public records, as recorded in Map Book 5, Page 74; thence run Northwesterly along the Easterly line of said public records, a distance of 105 feet, more or less to the Northeast corner of said Pine Crest Estates; thence run Westerly along the Northerly line of said Pine Crest Estates, a distance of 2.5 feet, more or less, to a point in the Easterly boundary of aforesaid Government Lot 1, Section 17; thence continue Northwesterly along said Northerly boundary of Pine Crest Estates, a distance of 1318.07 feet to the Northwest corner of said Pine Crest Estates, thence run Southerly along the Westerly line of said Pine Crest Estates, a distance of 2658.05 feet; thence run Easterly along the Southerly line of said Pine Crest Estates and the Easterly line of said Government Lot 7, a distance of 1370 feet, more or less, to a point in the Easterly line of said Government Lot 7, a distance of 60 feet, more or less to the Northeast corner of Government Lot 13, Section 16; thence run Easterly along the Northerly line of aforesaid Government Lots 13 and 14, a distance of 2640 feet, more or less to the POINT OF BEGINNING, excepting therefrom the 60 and 66 foot right of way of State Road No. S-210-A; also excepting therefrom those lands as described in Official Records Volume 217, Page 450 of the aforesaid public records, subject to an easement for the right of ingress and egress over Thousand Oaks (a private road having a 60 foot right of way) as described in said Official Records Volume 217, Page 450 of the aforesaid public records; also subject to a 100 foot easement for the right of ingress and egress over Thousand Oaks as described in Jacksonville Electric Authority easement as described in Official Records Volume 217, Page 450 of the aforesaid public records. Containing 3670 acres more or less.

At the request of County staff and the Legal Department, the Applicant, Paul Z. Fletcher, Fletcher Land Corporation, is submitting a "Notice of Proposed Change to a Previously Approved Development of Regional Impact," the Caballos del Mar Development of Regional Impact (DRI), in accordance with the Substantial Deviation Section 380.06 (19) Florida Statutes. This DRI was first approved July 8, 1975.

The request is for approval to add 7.62 acres of land for 70 multi-family units to the Marsh Landing portion of the DRI. The 7.62 acre addition is adjacent to 12.54 acres in the DRI on which 190 multi-family units are planned. The 20.14 acre site is located on the south side of Ponte Vedra Lakes Blvd., across from the Remington Apts. No additional units are being added to the DRI. The multi-family units are being transferred to the site from the number of approved multi-family units for the Marsh Landing portion of the DRI.

The Staff report finds the Applicant has adequately rebutted the presumption that the addition of the 7.62 acres is a substantial deviation. The Staff report also concludes the proposed modification does not meet the threshold requirements of a Substantial Deviation according to Florida Statutes and recommends the PZA and BCC find the modification does not constitute a Substantial Deviation and therefore does not require further DRI review.

The Northeast Florida Regional Planning Council staff also concluded the proposed modification is not a Substantial Deviation. The staff also stated it does not object to the BCC hearing for the Notice of Proposed Change for the Caballos del Mar DRI taking place on November 8, 1994. The letter addressed Subsection 380.06 (19) (f) 3 Florida Statutes which stipulates the local government schedule a public hearing no sooner than 30 days after submittal of the application. The BCC hearing is being held 20 days after submission of the application dated October 19, 1994. The hearing has been expedited in order to preserve certain financing options for the project. The hearing has been properly noticed.

At the November 3, 1994 PZA Hearing, Mr. Dan Bosanko, Assistant County Attorney, recommended the PZA only approve the Proposed Change conditioned upon the receipt of a letter from the Department of Community Affairs stating it had no objection to the BCC hearing of November 8, 1994.

The PZA unanimously voted to recommend to the BCC:

1. Approval of the proposed change which adds land to the DRI, but with no increase in dwelling units, there are no additional off-site impacts; and
2. A finding the proposed change does not constitute a substantial deviation and does not require further DRI review.

c:brdwalk3

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ST. JOHNS COUNTY, FLORIDA

Board of County Commissioners

PLANNING AND ZONING
DEPARTMENT

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



PHONE: (904) 823-247
FAX: (904) 823-240

MEMO

DATE: November 2, 1994
TO: Planning and Zoning Agency
FROM: Bobbie Zeman, AICP: Growth Mgmt. Coordinator
RE: Update on the Caballos del Mar DRI Notice of Proposed Change

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BZ

Since the October 27, 1994 Staff report to the PZA, we have received the following:

1. Memo from Bruce Myhre, County Environmental Engineer, stating there are no jurisdictional wetlands on site of the proposed 7.62 acre addition to the Caballos del Mar DRI.
2. Letter from the Northeast Florida Regional Planning Council stating it does not object to the BCC hearing for the Notice of Proposed Change for the Caballos del Mar DRI taking place on November 8, 1994. The letter addresses Subsection 380.06 (19) (f) 3 F.S. which stipulates the local government shall schedule a public hearing no sooner than 30 days after submittal of the application. The BCC hearing is being held 20 days after submission of the application dated October 19, 1994. The hearing has been properly noticed.

The Notice of Change was filed by the Applicant, Paul Z. Fletcher, upon request by the Planning Staff and Legal Dept. The hearing is being expedited in order to preserve certain financing options for the project.

3. A revised Resolution is attached.

c:brdwalk4

ST. JOHNS COUNTY, FLORIDA

Board of County Commissioners

PUBLIC WORKS DEPARTMENT
Office of County Engineer

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



PHONE: (904) 823-2450
FAX: (904) 823-2585

MEMORANDUM

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DATE: November 2, 1994
TO: Bobbie Zeman, Growth Management Coordinator
FROM: Bruce Myhre, Environmental Engineer
RE: Boardwalk Apartments

I inspected the location of the proposed Boardwalk Apartments on November 1, 1994. My conclusion is that there are no jurisdictional wetlands on site. I would concur with the site evaluation performed by Environmental Services, Inc.

Although, ACOE wetland vegetation exists on site (slash and pond pine), there is no indication of wetland soils or hydrology.

Please let me know if you have any questions.



Northeast Florida Regional Planning Council

Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns

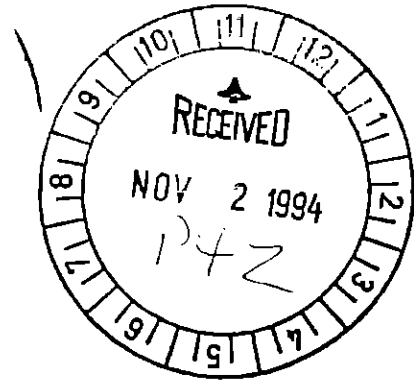
9143 Phillips Highway, Suite 350, Jacksonville, Florida 32256

(904)363-6350 FAX (904) 363-6356

Suncom 874-6350 Suncom FAX 874-6356

November 1, 1994

Ms. Bobbie Zeman
St. Johns County Planning
and Zoning Dept.
4020 Lewis Speedway
St. Augustine, Florida 32095



Dear Bobbie:

In reference to the proposed Notice of Proposed Change for the Caballos del Mar Development of Regional Impact (Marsh Landing), please be advised that the NEFRPC does not object to the proposal going before the County Commission at its November 8, 1994 meeting. Please let me know if you have any further questions, or if I can provide any further clarification concerning this matter.

Sincerely

Ed Lehman
DRI Coordinator

cc: Ms. Carol Collins

ST. JOHNS COUNTY, FLORIDA

Board of County Commissioners



PLANNING AND ZONING
DEPARTMENT

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

PHONE: (904) 823-2470
FAX: (904) 823-2490

MEMO

DATE: October 27, 1994
TO: Planning and Zoning Agency
FROM: Planning and Zoning Staff
RE: Staff Recommendation regarding:

P. U. D. OFF. REC.
BOOK G PAGE 440

A review and recommendation to the BCC regarding a determination that Fletcher Land Corporation's Request for a Change to the Caballos del Mar DRI is not a Substantial Deviation

The Applicant, Fletcher Land Corporation, as represented by Paul Z. Fletcher, is submitting a "Notice of Proposed Change to a Previously Approved DRI," the Caballos del Mar DRI, in accordance with the Substantial Deviation Section 380.06 (19), Florida Statutes. The request is for approval to add 7.62 acres of land for multi-family residential development to the Marsh Landing portion of the DRI. The multi-family units are being transferred to the site from the number of approved multi-family units for the DRI. No additional units are being added to the DRI.

The DRI was first approved by the Board of County Commissioners at a hearing held on July 8, 1975 for 8255 residential units, 113.15 acres of commercial and 1313 acres of recreation/community support. The DRI's 3328 acres are generally located from the Duval County/St. Johns County boundary on the north to CR 210 on the South. Modifications were approved in 1978, 1980, and 1982. A Restated Development Order was approved by Resolution 83-36 which reduced the number of residential units to 7576; further modifications were approved in 1984, 1985, 1986, and 1988. Residential densities have been reduced since the original approval of the DRI.

The DRI is divided into two PUDs: Marsh Landing which extends from the Duval County/St. Johns County boundary on the north to Solana Road on the south and the Players Club which extends from Solana Road to CR 210 on the South. The Marsh Landing PUD, as modified, is currently approved for 1187 single family units, 820 multi-family units, and 125 patio homes for a total of 2112 dwelling units; 12.8 acres of village commercial; 19.7 acres of community support; and a 6 acre marina. As of October 1994, Final Development Plans have been approved for 799 single family units, 344 multi-family units, and 88 patio homes for a total of 1231 units.

The Players Club PUD is approved for 3784 residential units which includes the Marriott Hotel, and 82.6 acres of commercial. As of October 1994, Final Development Plans have been approved for 1362 single family units and 1283 multi-family units for a total of 2645 units.

I. Substantial Deviation Review Procedures

Under the provisions of the DRI Substantial Deviation Section 380.06 (19) Florida Statutes, the County has the responsibility of determining whether the proposed changes meet the threshold of a substantial deviation and thereby require further Development of Regional Impact review. If the County determines that the proposed changes do not require further DRI review and is otherwise approved, the County issues an amendment to the DRI Development Order incorporating the approved changes and conditions of approval relating to the change. The Florida Department of Community Affairs (DCA) can appeal the County's decision. If the County determines the proposed changes do require further DRI review, the applicant is required to submit a Substantial Deviation application for review by the County, Department of Community Affairs, and state agencies.

II. Proposed DRI Modifications

The proposed changes are presented on the "Notice of Change" pages 1-4, Exhibit 1 and the text labeled "Application for Non-Substantial Deviation to Caballos Del Mar DRI," Exhibit 4 and the Substantial Deviation Determination Chart, Exhibit 6. The proposed modification is reviewed according to the Substantial Deviation Criteria of Section 380.06 (19)(b)(c) and (e.) 3. Florida Statutes.

The Applicant is proposing to add 7.62 acres of land

adjacent to the existing boundaries of the DRI; see Exhibit 5, Revised Master Plan. The developer plans to combine this parcel with a 12.52 acre parcel in the DRI and to move to this 20.14 acre site, 260 multi-family units of the 476 multi-family units approved under the existing Marsh Landing PUD, but not yet approved through Final Development Plans. No residential units will be added to the DRI.

The 7.62 acre parcel was previously zoned RG-1 for single family and multi-family units; the 12.52 acre parcel within the Marsh Landing PUD was designated for multi-family. Both parcels are located within the "F" Future Land Use Category on the Future Land Use Map which allows up to 13 units to an acre. The proposed 260 multi-family units on 20.14 acres are consistent with the zoning and Future Land Use Map.

III. FINDINGS OF FACT: Review of Substantial Deviation Criteria as Applied to the proposed changes

A. Section 380.06 (19)(b), Florida Statutes

According to Section 380.06 (19)(b) Florida Statutes, the proposed changes are to be reviewed according to the thresholds and criteria specified in Section (19)(b). If the proposed changes, either individually or cumulatively with other changes, exceeds any of the following criteria, the change causes the development to be subject to further Development of Regional Impact review without the necessity for a finding of same by the local government.

The Section (19)(b) criteria are reviewed for the proposed land use change of adding 7.62 acres adjacent to the Marsh Landing PUD section of the DRI for multi-family development. These criteria follow:

1. Specified increases: parking spaces for an attraction or recreation facility; an increase in: land area or units for industrial areas, office development, dwelling units, commercial, hotel/motel units, industrial development areas, external vehicle trips; airport expansion, hospital beds, mining operations, chemical/petroleum storage facilities, storage at a waterport, recreational vehicle park area. None of these uses were increased.

2. A decrease in the area set aside for open space of 5 percent or 20 acres, whichever is less. No open space areas were decreased.

3. Any change which would result in development of any area which was specifically set aside in the DRI Application or Development Order for preservation or special protection of endangered or threatened plants or animals and their habitat, or archaeological and historical sites.

The 12.52 acre site within the DRI/PUD had no areas set aside for protection of habitat or archaeological/historical sites. The 7.52 acre site was reviewed for wetlands, protected species and their habitats, and archaeological/historical significance. A submission of October 27, 1994 which consists of a letter to J. Thomas Beck, of DCA, from Betsy Bowman, Esq., and a letter to Robert Johnson from Nancy Zyski of Environmental Services, Inc. state no cultural or environmental resources were found on the site. A revised Resolution was also submitted. These three documents are attached to the staff report.

4. A proposed increase to a multiuse DRI where the sum of the increases of each land use is equal to or exceed 100 percent of the applicable substantial deviation criteria. The land area of the DRI is being increased, but the number of dwelling units are not being increased.

B. Section 380.06 (19)(c) regarding phase extension is not applicable.

C. Section 380.06 (19)(e)1. states proposed changes which, either individually or, if there were previous changes, cumulatively with those changes is equal to or exceeds 40 percent of any numerical criterion in Section 380.06 (19)(b)1-15., shall be presumed not to create a substantial deviation subject to further review. The proposed changes do not equal or exceed 40 percent of any numerical criterion specified in Section 380.06 (19)(b) 1-15 F.S.

D. Section 380.06 (19)(e) 3. states any addition of land not previously reviewed shall be presumed to create a substantial deviation which may be rebutted by clear and convincing evidence. The addition of land was reviewed for environmental and cultural significance as previously discussed in Section A. 3 of this report. None was found. Since the 260 multi-family units are being transferred from the DRI, there are no additional impacts on public facilities.

STAFF RECOMMENDATIONS

Staff finds the proposed change to the Caballos del Mar DRI

does not meet the threshold criteria of Section 380.06 (19)(b) Florida Statutes and the change reviewed under Section 380.06 (19)(e)(3) does not create a reasonable likelihood of additional regional impacts, according to Section 380.06 (19)(a). Therefore staff recommends the PZA recommends to the BCC a determination that the change does not constitute a substantial deviation and does not require further DRI review.

The BCC shall hold the noticed hearing on November 8, 1994 at 1:30 p.m.

c:brdwalk2

P. U. D. OFF. REC.
BOOK G PAGE 444

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 8526

TALLAHASSEE, FLORIDA 32314

(904) 222-7500

FAX (904) 224-8531

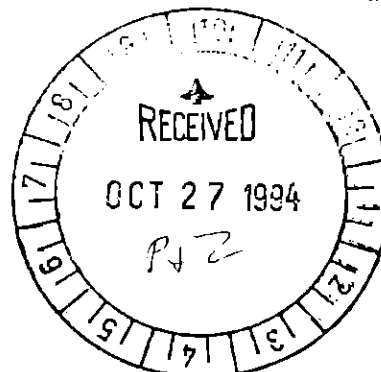
FAX (904) 425-3415

KRISTIN M. CONROY
C. ALLEN CULP, JR.
CONNIE C. DURRENCE
JONATHAN S. FOX
JAMES C. GOODLETT
GARY K. HUNTER, JR.
DALANA W. JOHNSON
JONATHAN T. JOHNSON
ANGELA R. MORRISON
MARIBEL N. NICHOLSON
GARY V. PERKO
KAREN M. PETERSON
MICHAEL R. PETROVICH
DOUGLAS S. ROBERTS
R. SCOTT RUTH
JULIE R. STEINMEYER

OF COUNSEL
W. ROBERT FOXES

P. U. D. OFF. REC.
BOOK G PAGE 445

October 27, 1994



BY HAND DELIVERY

J. Thomas Beck, Chief
Bureau of State Planning
Department of Community Affairs
2740 Centerview Drive - Room 248E
Tallahassee, Florida 32399-2100

Re: Notification of Proposed Change, Caballos Del Mar DRI,
Marsh Landing Country Club, St. Johns County

Dear Tom:

In conjunction with the above referenced notice of proposed change submitted on October 17, 1994, I am forwarding for our client, Fletcher Land Corporation, the enclosed environmental and cultural assessment of the 7.5 acre parcel to be added to the DRI. This report indicates that no significant environmental or cultural resources are present.

We also are enclosing a revised DRI development order amendment resolution. The revised version incorporates the updated master plan by reference.

We request that this report and revised resolution be made part of the official application for the notice of change. As always, please call if you have any questions.

Sincerely,

Elizabeth C. Bowman

ECB/nrw
Enclosures

J. Thomas Beck
October 27, 1994
Page 2

P. U. D. OFF. REC.
BOOK 6 PAGE 446

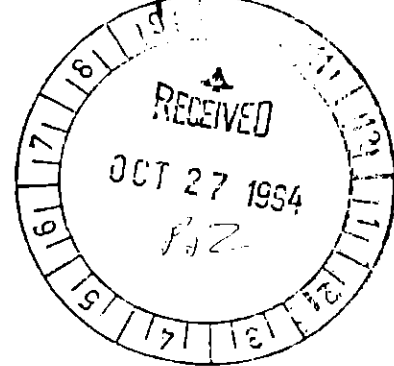
cc with enclosures: Carmen Bishop, Department of Community Affairs (by hand)
Ed Lehman, Northeast Florida Regional Planning Council (by telecopy)
Jerry Napier, St. Johns County, Director of Planning and
Zoning (by telecopy)
Bob Johnson, Fletcher Land Corporation (by telecopy)
John Metcalf, Pappas, Metcalf & Jenks (by telecopy)

ENVIRONMENTAL SERVICES, INC.
8711 PERIMETER PARK BOULEVARD, SUITE 11
JACKSONVILLE, FLORIDA 32218

(904) 645-9900

27 October 1994

P. U. D. OFF. REC.
BOOK 6 PAGE 447



Mr. Robert Johnson
Post Office Box 1219
4400 Marsh Landing Boulevard
Ponte Vedra Beach, Florida 32082

RE: Proposed Boardwalk Apartment Site

Dear Bob:

Environmental Services, Inc. (ESI) inspected the referenced site on 18 October 1994 to complete a preliminary environmental assessment. Specifically, our efforts were to address the presence and extent of jurisdictional wetlands, any observed or potential habitat for endangered/threatened plant and animal species and the site's potential for cultural resources.

The site comprises approximately 7.5 acres located in northeast St. Johns County, immediately south of Butler Boulevard. It lies equidistant to the Atlantic Ocean to the east and Cabbage Creek to the west.

The vegetative cover associated with the site comprises a pine flatwood community dominated by a canopy of slash pine (Pinus elliotii) with scattered pond pine (Pinus serotina), water oak (Quercus nigra) and wax myrtle (Myrica cerifera) with ground cover provided by saw palmetto (Serenoa repens), gallberry (Tox glabra), broomsedge (Andropogon virginicus), blackberry (Rubus sp.) and bracken fern (Pteridium aquilinum). The site was found to consist entirely of uplands with no jurisdictional wetlands encountered.

No endangered or threatened species were observed during the site inspection of the parcel. Additionally, no suitable habitat was observed that would indicate a potential for such species to utilize the site.

With regard to cultural resources, Ms. Marsha Chance, Senior Archaeologist with ESI reviewed the Boardwalk Apartment tract to determine the potential for cultural/ archeological resources to occur there.

The tract is considered to be an area of low site probability, based on soil types and distance to water. Although located between the inland waterway and the Atlantic Ocean, it lies more than a mile east of the marshes and tributaries of Pablo Creek (the Intracoastal Waterway). Most known sites in the region are directly adjacent to the marsh system or to the coastal beach. In addition, the major soil of the tract, Cassia fine sand, is somewhat poorly drained. The second soil type within the tract is poorly drained Myakka fine sand. Of these two, neither is realistically expected to have supported prehistoric usage.

It is not anticipated that archaeological sites occur within the tract. However, the State Historic Preservation Office (SHPO) currently interprets that a tract such as the Boardwalk Apartment site may have some potential for cultural resources, strictly as a result of its general coastal barrier island location. Mr. Robert Johnson

ENVIRONMENTAL SERVICES, INC.

Mr. Robert Johnson
27 October 1994
Page 2 of 2

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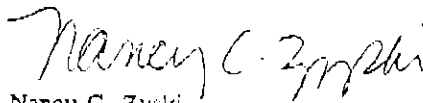
Only one previously recorded site occurs within one mile of the tract. Site 8DU52 (general vicinity) is located near the beach approximately one half mile to the east. The adjacent Marsh Landing development, located to the west and south of the Boardwalk Apartment tract, was originally assessed for cultural/archaeological resources as part of the Caballos del Mar Development of Regional Impact (DRI).

In summary, the site contains no jurisdictional wetlands and no threatened/endangered species were observed at the site. Additionally, no suitable habitat was found that would support the utilization of such species. Due to the location of the tract and the soil types associated with it, the tract is considered to be of low site probability for cultural resources. The proposed apartment development to be constructed on the 7.5-acre tract and the adjacent land to the north of it has been reviewed and approved by the St. Johns River Water Management District (SJRWMD) and U.S. Army Corps of Engineers (CE). No permit was required from the Florida Department of Environmental Protection (DEP).

We trust that this will address our environmental assessment of the project site. Please call me if you have questions or if I can be of further assistance.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.



Nancy C. Zyski
President



Northeast Florida Regional Planning Council

Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns

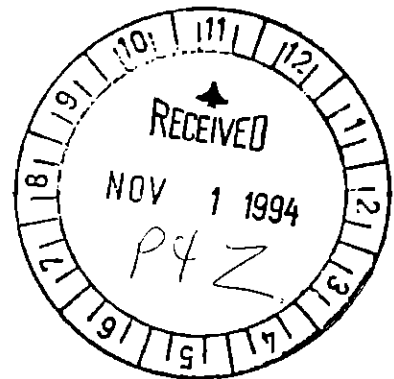
9143 Phillips Highway, Suite 350, Jacksonville, Florida 32256

(904)363-6350 FAX (904) 363-6356

Suncom 874-6350 Suncom FAX 874-6356

October 31, 1994

Ms. Carol Collins
DRI Section
Dept. of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100



Re: Caballos Del Mar (Marsh Landing) DRI Notice of Proposed Change

Dear Carol:

I have reviewed the Notice of Proposed Change for the Caballos Del Mar DRI (Marsh Landing). The proposed change involves the addition of a 7.62 acre parcel of land to an existing DRI. This land will be combined with a 12.52 acre parcel already part of the DRI for the construction of 260 multi-family units approved under the existing DRI. The proposed addition of land not previously reviewed is presumed to be a substantial deviation pursuant to 380.06(19)(e)3, the presumption of which can be rebutted by clear and convincing evidence.

The proposed multi-family development proposed for construction on the subject parcel is consistent with existing zoning and the Comprehensive Plan. The subject parcel has been shown on the master plan since 1989, but was never specifically incorporated into the DRI. According to the applicant, the parcel is presently undeveloped but has been partially cleared. Non-jurisdictional wetlands existing on site consist of a manmade ditch and a borrow pit.

The development proposed for the subject parcel will not result in an increase in development amounts approved in the Development Order. Therefore, there will be no increase in the regional impacts to infrastructure from development of the multi-family project. In order to rebut the presumption that the additional land to be developed according to this proposal constitutes a substantial deviation, the applicant submitted a preliminary environmental assessment on the 7.62 acre site. According to the analysis, there are no jurisdictional wetlands on site, and no threatened/endangered species were observed at the site. A preliminary cultural assessment revealed that the tract is considered to be an area of low site probability for cultural resources.

Ms. Carol Collins
October 31, 1994
Page Two

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In my opinion, the applicant has adequately rebutted the presumption that the addition of the 7.62 acres to the Marsh Landing site is a substantial deviation. Therefore, I do not believe there is a need for the Department to notify St. Johns County of its intent to participate at the public hearing, based on the changes as represented in this notice. If you have any questions or comments, please give me a call.

Sincerely,



Ed Lehman
DRI Review Coordinator

cc: Ms. Bobbie Zeman
Ms. Elizabeth Bowman
Mr. Robert Johnson



Fletcher Land Corporation

Post Office Box 1219
Ponte Vedra Beach, Florida 32004
Phone: (904) 285-6921 Fax: (904) 285-4157

October 19, 1994

Mr. Jerry Napier, Director
of Planning and Zoning
St. Johns County
P. O. Drawer 349
St. Augustine, FL 32085-0349

P. U. D. OFF. REC.
BOOK 7 PAGE 451

Re: Marsh Landing Country Club/Modification of Caballos del
Mar Development of Regional Impact/Boardwalk Apartments

Dear Jerry:

Pursuant to the suggestion of Dan Bosanko and Bobbie Zeman, I have enclosed a completed State of Florida Department of Community Affairs Form RPM-BSP-PROPCHANGE-1 for a non-substantial change to the Caballos del Mar Development of Regional Impact. The purpose of this notice of change is to incorporate the 7.62 acre parcel that was part of the Seaside Lakes project (the "RG-1 Parcel") into the DRI.

As you know, this issue came up at the last minute in connection with review of a final development plan for a multi-family project that would be developed partly on the RG-1 Parcel and partly within the existing DRI boundaries. The RG-1 Parcel has been shown on the DRI master plan since 1989 when we proposed the Seaside Lakes project on the land. The land was not specifically incorporated into the DRI at that time because neither we nor the County staff believed such incorporation necessary.

The project that is now planned for this site will not add units to the DRI and thus will have no impact on the traffic. The RG-1 Parcel does not have any significant wetlands or other environmentally sensitive areas. As a result, we do not believe there are any additional regional impacts as a result of this change. As you know, the proposed project is consistent with the approved density totals under both the DRI development order and existing zoning and existing comprehensive plan designation for the RG-1 Parcel.

As we discussed several times, it is crucial to us that we stay on schedule so that we can close on the sale of this property in a timely fashion. As a result, we request that we stay on the October 25, 1994 Board Meeting agenda for final development plan approval.

- 2 -

Mr. Jerry Napier
October 19, 1994

P. U. D. OFF. REC.
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Bobbie Zeman is preparing a notice for a November 8, 1994 hearing on the notice of change. Dan Bosanko spoke to Carmen Bishop last Friday. She indicated the Department of Community Affairs would be cooperative. We plan to contact the Department next week when Carmen returns from vacation.

If we can be of further assistance, please call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Z. Fletcher". The signature is fluid and cursive, with the first name "Paul" being more prominent and the last name "Fletcher" written in a more compact, cursive style.

Paul Z. Fletcher
President

TEXT

P. U. D. OFF. REC.
BOOK G PAGE 453

APPLICATION FOR NON-SUBSTANTIAL DEVIATION
TO
CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT

OCTOBER 18, 1994

This Application for Non-Substantial Deviation to the Caballos del Mar Development of Regional Impact is submitted by Fletcher Land Corporation to request approval of the addition of 7.62 acre parcel of land for residential development identified as the "RG-1 Parcel" and legally described on Exhibit 3 to the Notification Of A Proposed Change To A Previously Approved Development of Regional Impact (the "Notice of Change") to which this text (the "Text") is attached as Exhibit 4.

The Caballos del Mar Development of Regional Impact (the "DRI") was approved by the St. Johns County Board of County Commissioners at a hearing held on July 8, 1975 (Minor changes to the Caballos del Mar Development of Regional Impact were approved in December, 1978; May, 1980; October 1980; and June, 1982.). A Restated Development of Regional Impact Order was approved by St. Johns County Resolution 83-36 on April 26, 1983. Additional modifications were approved by St. Johns County Resolution 83-75 dated July 26, 1983, a Resolution approved March 13, 1984, Resolution 84-54, approved May 22, 1984, Resolution 84-146 approved November 20, 1984, Resolution 85-128 approved September 24, 1985, Resolution 86-176 dated November 25, 1986, and Resolution 88-250, approved September 13, 1988. The DRI Development Order as modified by all prior modifications is referred to below as the "Development Order."

The 7.62 acres of land to be added to the DRI is adjacent to the existing boundaries of the DRI. The developer plans to combine this parcel with a 12.52 acre parcel in the DRI and to sell the resulting 20.14 acre site for development as a multi-family project with 260 multi-family units approved under the existing DRI. No residential units will be added to the DRI. As a result, no additional traffic impact or other increase in the demand for public facilities will occur.

The RG-1 Parcel is designated for residential development within density zone "F" on the St. Johns County Comprehensive Plan and is zoned RG-1. The existing comprehensive plan designation and zoning of the RG-1 Parcel is appropriate for multi-family residential development without need for any rezoning or comprehensive plan modification.

The RG-1 Parcel is presently undeveloped but has been partially cleared. The vegetation on site consists primarily of slash pines. The RG-1 Parcel does not contain any wetlands within the jurisdiction of the St. Johns River Water Management District except a manmade ditch and a borrow pit. There are no environmentally sensitive areas on the RG-1 Parcel.

In summary, the additional land will not result in any additional regional impacts because no additional residential units are being added to the project, no habitat for threatened or endangered species will be disturbed and there will be no additional wetland impacts within the project.

FLETCHER LAND CORPORATION

Reg. filed

EXHIBIT 6

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Attraction/ Recreation	# Parking Spaces # Spectators # Seats Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NOT APPLICABLE		
Airports	Runway (length) Runway (strength) Terminal (gross square feet) # Parking Spaces # Gates Apron Area (gross square feet) Site locational changes Airport Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NOT APPLICABLE		
Hospitals	# Beds # Parking Spaces Building (gross square feet) Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NOT APPLICABLE		

P. U. D. OFF. REC.
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SUBSTANTIAL DEVIATION DETERMINATION CHART

PREVIOUS D.O.
CHANGE + DATE

ORIGINAL
PLAN

PROPOSED
PLAN

CHANGE
CATEGORY

TYPE OF
LAND USE

Industrial

Acreage, including drainage, ROW, easements, etc.
Parking Spaces
Building (gross square feet)
Employees
Chemical storage (barrels and lbs.)
Site locational changes
External Vehicle Trips
D.O. conditions
ADA representations

NOT APPLICABLE

Mining
Operations

Acreage mined (year)
Water Withdrawal (Gal/day)
Size of Mine (acres), including drainage, ROW, easements, etc.
Site locational changes
External Vehicle Trips
D.O. conditions
ADA representations

NOT APPLICABLE

Office

Acreage, including drainage, ROW, easements, etc.
Building (gross square feet)
Parking Spaces
Employees
Site locational changes
External Vehicle Trips
D.O. conditions
ADA representations

NO CHANGES PROPOSED

P. U. D. OFF. REC.
BOOK 9 PAGE 457

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Petroleum/Chem. Storage	Storage Capacity (barrels and/or lbs.) Distance to Navigable Waters (feet) Site locational changes Facility Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NOT APPLICABLE		
Ports (Marinas)	# boats, wet storage # boats, dry storage Dredge and fill (cu.yds.) Petroleum storage (gals.) Site locational changes Port Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NO CHANGES PROPOSED		
Residential	# dwelling units Type of dwelling units # lots Acreage, including drainage, ROW, easements, etc. Site locational changes # External Vehicle Trips	NO CHANGES PROPOSED 3,677.62 3,670	SEE REVISED MASTER PLAN	

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SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc. Floor Space (gross square feet) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	NO CHANGES PROPOSED		
Hotel/Motel	# Rental Units Floor Space (gross square feet) # Parking Places # Employees Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	NO CHANGES PROPOSED		
R.V. Park	Acreage, including drainage, ROW, easements, etc. # Parking Spaces Buildings (gross square feet) # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	NOT APPLICABLE		

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SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Open Space (All natural and vegetated non-impervious surfaces)	Acreage Site locational changes Type of open space D.O. conditions ADA representations	NO CHANGES PROPOSED		
Preservation, Buffer or Special Protection Areas	Acreage Site locational changes Development of site proposed D.O. conditions ADA representations	NO CHANGES PROPOSED		

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

P. U. D. OFF. REC.
BOOK G PAGE 460

CLERK OF CIRCUIT COURT
54 NOV 23 AM 9:10
J. L. "Bud" M. [unclear]
RECEIVED
NOV 23 1974
CIRCUIT COURT

COPY OF ADVERTISEMENT

NOTICE OF
PUBLIC HEARING
PROPOSED CHANGES TO
THE CABALLOS DEL
MAR DEVELOPMENT
OF REGIONAL IMPACT
The St. Johns County
Board of County Commis-
sioners will hold a public
hearing on a Notice of
Change to the Previously
Approved Caballos Del Mar
Development of Regional
Impact (DRI) at the
County Administration Center
at 1:30 p.m. in the County
Auditorium, County Admin-

istration Building, 488
Lewis Speedway, St. Augus-
tine, Florida. The Board
will review the recommen-
dations of the Planning and
Zoning Agency and deter-
mine whether the proposed
changes constitute a sub-
stantial deviation which will
require further Develop-
ment of Regional Impact
(DRI) review. If the Board
determines the proposed
changes do not require fur-
ther review, the Board shall
issue an amendment to the
development order incorpo-
rating the approved
changes and conditions of
approval relating to the
change.

The Marsh Landing
Section of the DRI is gener-
ally located south of the
Duval County/St. Johns
County border to Solana
Road and adjacent to the
Intracoastal Waterway.

The applicant, Fleicher
Land Corporation, proposes
to add 7.62 acres to the
Marsh Landing section of
the existing DRI and trans-
fer multi-family units from
the DRI to the 7.62 acres
site. The site is generally lo-
cated on the south side of
Ponte Vedra Lakes Boule-
vard across from the Rem-
ington Apts. The legal de-
scription follows:

A PART OF SEASIDE
LAKES AT PONTE VE-
DRA AS RECORDED IN
MAP BOOK 23, PAGES 31
THROUGH 34 OF THE
PUBLIC RECORDS OF ST.
JOHNS COUNTY, FLORI-
DA (THE SAME BEING A
PART OF GOVERNMENT
LOT 6, SECTION 16,
TOWNSHIP 3 SOUTH,
RANGE 29 EAST) MORE
PARTICULARLY DE-
SCRIBED AS FOLLOWS:
FOR A POINT OF REFER-
ENCE COMMENCE AT
THE SOUTHEAST COR-
NER OF SAID GOVERN-
MENT LOT 3; THENCE
S.88°44'38"W., ALONG THE
SOUTH LINE OF SAID
GOVERNMENT LOT 3, A
DISTANCE OF 66.31 FEET
TO THE MOST EASTERLY
CORNER OF SAID SEA-
SIDE LAKES AT PONTE
VEDRA; THENCE
S.88°44'38"W., ALONG THE
THE SOUTH LINE OF
SAID GOVERNMENT
LOTS A DISTANCE OF
361.35 FEET TO THE
POINT OF BEGINNING;
THENCE, S.01°24'34"E. A
DISTANCE OF 210.81
FEET; S.88°35'26"W., A
DISTANCE OF 33.00
FEET; S.01°24'34"E. A DIS-
TANCE OF 189.99;
S.88°35'26"W. A DISTANCE
OF 255.99 FEET;
N.73°34'27"W. A DISTANCE
OF 146.17 FEET;
S.75°57'49"W. A DISTANCE
OF 144.31 FEET;
S.88°45'31"W. A DISTANCE
OF 351.49 FEET;
N.01°16'20"W. A DISTANCE
OF 329.02 FEET;
N.88°44'38"E. A DISTANCE
OF 40.00 FEET;
N.01°16'20"W. A DISTANCE
OF 40.00 FEET; THENCE
N. 88°44'38"E. ALONG THE
SOUTH LINE OF GOV-
ERNMENT LOT 3, A DIS-
TANCE OF 879.60 FEET

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 _____

Barbara Dresslar

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 _____

Changes to Caballos Del Mar

in the _____ Court,

was published in said newspaper in the issues of _____

Oct. 22, 1994

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.

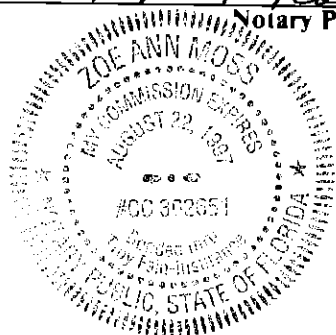
Barbara Dresslar

Sworn to and subscribed before me Zoe Ann Moss

this 24th day of Oct.

A.D. 19 94

Zoe Ann Moss
Notary Public



TO THE POINT OF BEGINNING.

The Notice of Change is maintained in the office of Planning and Zoning at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095. The County Clerk and the County Treasurer and may be examined prior to said public hearing and all parties in interest shall be granted an opportunity to be heard at said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): (904) 823-2501 or Florida Relay Service: 1-800-955-9770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, such person will need a record of the proceedings and for such purpose he may 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.

Dated this 20th day of October 1994.

St. Johns County
Board of County
Commissioners
Carl "Bud" Markel,
Clerk of Court
By Irma Pacelli
Clerk
L307 Oct. 22, 1994

COPY OF ADVERTISEMENT

The St. Augustine Record

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ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

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Barbara Dresslar

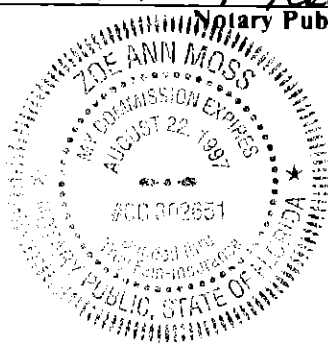
Sworn to and subscribed before me Zoe Ann Moss

this 24th day of Oct.

A.D. 19 94

Zoe Ann Moss
Notary Public

(SEAL)



**NOTICE OF
PUBLIC HEARING
PROPOSED CHANGES TO
THE CABALLOS DEL
MAR DEVELOPMENT
OF REGIONAL IMPACT**

The St. Johns County Board of County Commissioners will hold a public hearing on a Notice of Change to the Previously Approved Caballos Del Mar Development of Regional Impact (DRI) on Monday, October 24, 1994 at 1:30 p.m. in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. The Board will review the recommendations of the Planning and Zoning Agency and determine whether the proposed changes constitute a substantial deviation which will require further Development of Regional Impact (DRI) review. If the Board determines the proposed changes do not require further review, the Board shall issue an amendment to the development order incorporating the approved changes and conditions of approval relating to the change.

The Marsh Landing Section of the DRI is generally located south of the Duval County/St. Johns County border to Solana Road and adjacent to the Intracoastal Waterway.

The applicant, Fletcher Land Corporation, proposes to add 7.62 acres to the Marsh Landing section of the existing DRI and transfer multi-family units from the DRI to the 7.62 acres site. The site is generally located on the south side of Ponte Vedra Lakes Boulevard across from the Remington Apts. The legal description follows:

A PART OF SEASIDE LAKES AT PONTE VEDRA AS RECORDED IN MAP BOOK 23, PAGES 31 THROUGH 34 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA (THE SAME BEING A PART OF GOVERNMENT LOT 6, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 29 EAST) MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 3; THENCE S.88°44'38"W., ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 66.31 FEET TO THE MOST EASTERLY CORNER OF SAID SEASIDE LAKES AT PONTE VEDRA; THENCE S.88°44'38"W., ALONG THE SOUTH LINE OF SAID GOVERNMENT LOTS A DISTANCE OF 361.35 FEET TO THE POINT OF BEGINNING; THENCE: S.01°24'34"E. A DISTANCE OF 210.81 FEET; S.88°35'26"W., A DISTANCE OF 33.00 FEET; S.01°24'34"E. A DISTANCE OF 169.99'; S.88°35'26"W. A DISTANCE OF 255.99 FEET; N.73°34'27"W. A DISTANCE OF 146.17 FEET; S.75°57'49"W. A DISTANCE OF 144.31 FEET; S.88°45'31"W. A DISTANCE OF 351.49 FEET; N.01°16'20"W. A DISTANCE OF 329.02 FEET; N.88°44'38"E. A DISTANCE OF 40.00 FEET; N.01°16'20"W. A DISTANCE OF 40.00 FEET; THENCE N.88°44'38"E. ALONG THE SOUTH LINE OF GOVERNMENT LOT 3, A DISTANCE OF 879.60 FEET TO THE POINT OF REFERENCE.

The Notice of Change is maintained in the office of Planning and Zoning at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. Persons wishing to be heard at the public hearing should contact the Planning and Zoning Department at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): (904) 823-2501 or Florida Relay Service: 1-800-955-9770, no later than 5 days prior to the date of this meeting.

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St. Johns County Board of County Commissioners
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