

ST. JOHNS COUNTY
RESOLUTION NO. 96- 223

RESOLUTION OF THE COUNTY OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT 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; RESOLUTION 88-250 APPROVED SEPTEMBER 13, 1988; AND RESOLUTION 94-210 APPROVED NOVEMBER 8, 1994; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, M.L. Partnership and Fletcher Realty III, Inc. (the Owners/Developers) have submitted a Notification of a Proposed Change to the Caballos del Mar Development of Regional Impact (DRI) by letter dated December 18, 1995, and supplemental information (Notification) requesting modification of the legal description and master plan contained in the DRI Development Order; and

WHEREAS, the Owners/Developers have provided information showing that the proposed addition to the DRI of approximately 44.09 acres of land within the City of Jacksonville Beach in Duval County does not constitute a substantial deviation under any provision of Section 380.06(19), Florida Statutes (1995), in that there will be no additional traffic generated by the DRI project; no additional demands on regional public facilities beyond

those of the currently approved DRI that have not been addressed by public-private interlocal coordination through a separate Memorandum of Understanding by the Board of County Commissioners, City of Jacksonville Beach, M. L. Partnership and Fletcher Realty III, Inc.; and no impacts to environmentally sensitive lands; and

WHEREAS, the Board of County Commissioners has reviewed the Notification and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held on November 26 1996, after required notice.

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 Notification received provides clear and convincing evidence that the requested modification does not constitute a substantial deviation to the DRI because there will be no additional regional impacts resulting from the requested addition of land.

3. The Caballos del Mar DRI Development Order is hereby modified to adopt the additional legal description attached hereto as Exhibit A and the revised Master Plan attached hereto as Exhibit B, both of which are incorporated by reference. The Duval County legal

description and master plan as related to land located within Duval County are provided for information only, since that land is subject to the jurisdiction of the City of Jacksonville Beach and its separate Caballos del Mar DRI Development Order concerning that land.

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

5. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 26th DAY OF November, 1996.

BOARD OF COUNTY COMMISSIONER OF
ST. JOHNS COUNTY, FLORIDA

By: 

Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: 

Deputy Clerk

Adopted Regular Meeting November 26, 1996

Effective: November 26, 1996

EXHIBIT A
LEGAL DESCRIPTION
OF
ADDITIONAL LANDS TO BE ADDED TO
CABALLOS DEL MAR

LANDS OWNED BY ML PARTNERSHIP

PARCEL "A"
MARSH LANDING UNIT 32 (DUVAL COUNTY)

A PART OF THE WILLIAM HART GRANT, SECTION 55, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF SAID WILLIAM HART GRANT, THE SAME BEING THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5248, PAGE 934, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE N.89°10'27"E., ALONG THE LINE DIVIDING DUVAL COUNTY FROM ST. JOHNS COUNTY, A DISTANCE OF 1380.00 FEET; THENCE N.08°38'35"E. A DISTANCE OF 365.00 FEET; THENCE N.53°40'25"W. A DISTANCE OF 985.00 FEET; THENCE N.84°50'25"W. A DISTANCE OF 337.00 FEET; THENCE S.54°59'38"W. A DISTANCE OF 386.59 FEET TO A POINT ON THE WESTERLY LINE OF SAID WILLIAM HART GRANT; THENCE S.00°49'36"E., ALONG SAID WEST LINE, A DISTANCE OF 772.86 FEET TO THE POINT OF BEGINNING.

LANDS OWNED BY .ML PARTNERSHIP

PARCEL "B"
MARSH LANDING UNIT 31 (DUVAL COUNTY)

A PART OF THE WILLIAM HART GRANT, SECTION 55, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 55, THE SAME BEING THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5248, PAGE 934, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE N.89°10'27"E., ALONG THE LINE DIVIDING DUVAL COUNTY FROM ST. JOHNS COUNTY, A DISTANCE OF 3060.90 FEET TO THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5248, PAGE 934 AND THE POINT OF BEGINNING OF THE LANDS HEREIN BEING DESCRIBED; THENCE NORTHERLY ALONG THE EASTERLY LINES OF SAID LANDS THE FOLLOWING FOUR COURSES: 1) N.22°01'18"W. A DISTANCE OF 332.79 FEET; 2) N.10°47'48"W. A DISTANCE OF 206.50 FEET; 3) N.28°31'48"W. A DISTANCE OF 196.30 FEET; 4) N.16°18'33"W. A DISTANCE OF 486.68 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID WILLIAM HART GRANT, SECTION 55; THENCE S.89°10'21"W., ALONG SAID NORTH LINE, A DISTANCE OF 261.33 FEET; THENCE S.20°08'35"W. A DISTANCE OF 645.58 FEET; THENCE S.15°08'35"W. A DISTANCE OF 575.86 FEET TO A POINT ON THE AFORESAID COUNTY LINE; THENCE N.89°10'27"E., ALONG SAID COUNTY LINE (THE SAME BEING THE NORTH LINE OF MARSH LANDING AT SAWGRASS UNIT TWENTY-NINE AS RECORDED IN MAP BOOK 29, PAGES 29 THROUGH 37 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA), A DISTANCE OF 1028.05 FEET TO THE POINT OF BEGINNING.

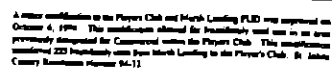
LANDS OWNED BY FLETCHER REALTY III, INC.

PARCEL "G"

A Part of Marsh Landing Unit 28 (DUVAL COUNTY)
A PART OF THE WILLIAM HART GRANT, SECTION 55, TOWNSHIP 3 SOUTH, RANGE 28 EAST, DUVAL
COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF
REFERENCE COMMENCE AT THE INTERSECTION OF THE EAST LINE OF SAID SECTION 55, WITH
THE LINE DIVIDING DUVAL COUNTY FROM ST. JOHNS COUNTY; THENCE S.88°51'00"W., ALONG
SAID DIVIDING LINE, A DISTANCE OF 1515.22 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUE S.88°51'00"W. CONTINUING ALONG SAID DIVIDING LINE A DISTANCE OF 580.00 FEET;
THENCE N.01°09'00"W. A DISTANCE OF 120.00 FEET; THENCE N.88°51'00"E. A DISTANCE OF 372.03
FEET; THENCE S.58°35'46"E. A DISTANCE OF 223.01 FEET TO THE POINT OF BEGINNING.

10/10/05-SECS55\MLBP10

EXHIBIT B



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 _____

Julia Meeks _____ 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 Amend the Caballos Del Mar Development on Nov. 12, 1996 @1:30pm

in the _____ Court, was published in said newspaper in the

issues of Sept. 27, 1996

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 27th day of Sept., 1996,
by Julia Meeks _____ who is personally
known to me or who has produced personally known as
(Type of Identification)
identification.

(Signature of Notary Public)

(Seal)

Zoe Ann Moss

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

COPY OF ADVERTISEMENT

NOTICE OF PUBLIC
HEARING OF THE ST.
JOHNS COUNTY BOARD
OF COUNTY
COMMISSIONERS TO
AMEND THE CABALLOS

DEL MAR
DEVELOPMENT OF
REGIONAL IMPACT
DEVELOPMENT ORDER
The Board of County
Commissioners of St. Johns
County will hold a public
hearing on a Notice Change
to the previously approved
Caballos de Mar Develop-
ment of Regional Impact
Development Order as ap-
proved by St. Johns County
on July 8, 1995 as amended.
The Applicant, Fletcher
Realty III, Inc. represented
by Pappas, Melcillo &
Jenks, are proposing
amendment to the Develop-
ment of Regional Impact.
The public hearing will be
held during the regular
meeting of the Board of
County Commissioners.

The hearing will be held in
the County Auditorium, in
County Administration
Building, 4020 Lewis Speed-
way, St. Augustine, Florida.
At such hearing, the Board
of County Commissioners
will hear comments from
the public and will consider
whether the proposed
changes constitute a Sub-
stantial Development De-
viation to the Development
and will require further re-
view. The Board will also
consider and take action of
the following Resolution:

RESOLUTION 96-
A RESOLUTION OF THE
COUNTY OF ST. JOHNS
COUNTY, STATE OF
FLORIDA, MODIFYING
THE CABALLOS DEL
MAR DEVELOPMENT OF
REGIONAL IMPACT DE-
VELOPMENT ORDER AS
PREVIOUSLY AP-
PROVED BY ST. JOHNS
COUNTY ON JULY 8, 1995,
AS PREVIOUSLY MODI-
FIED BY RESOLUTION
83-36 APPROVED APRIL
26, 1983; RESOLUTION
83-75 APPROVED JULY 26,
1983; RESOLUTION AP-
PROVED MARCH 13, 1984;
RESOLUTION 84-34 AP-
PROVED MAY 22, 1984;
RESOLUTION 84-146 AP-
PROVED NOVEMBER 20,
1984; RESOLUTION 85-128
APPROVED SEPTEMBER
24, 1985; RESOLUTION
86-174 APPROVED NO-
VEMBER 25, 1986; RESO-
LUTION 88-230 AP-
PROVED SEPTEMBER 13,
1988; AND RESOLUTION
94-210 APPROVED NO-
VEMBER 8, 1994; FIND-
ING THE MODIFICA-
TIONS THE CONSISTENT
WITH THE ST. JOHNS
COUNTY ZONING ORDI-
NANCE; ADOPTING A
REVISED MASTER
PLAN; AND FINDING
THAT THE MODIFICA-
TION DOES NOT CONSTI-
TUTE A SUBSTANTIAL
DEVIATION; AND PRO-
VIDING FOR AN EFFECT-
IVE DATE.

The property owners
propose to convert a 14 acre
tract designated as Commu-
nity Support to Single Family
Residential located off
Solano road, west of the en-
trance to Marsh Landing,
with no increase in the total
number of approved units;
convert a 5.7 acre tract de-
signed as Community Sup-
port to Single Family Resi-
dential located off Solano
Road, east of the entrance
to Marsh Landing, with no
increase in the total number
of approved units; convert
4.78 acres of a 6.8 acre Com-
munity Support to Single
Family Residential located
at the intersection of Bou-
levard and Marsh Landing
Parkway with no increase
in the total number of units,
and convert a 3 acre tract
designated as Commercial
to Single Family Resi-
dential, located at the south-
west intersection of Marsh

Landing Parkway and Solano
Road.

The application and
Draft Resolution are avail-
able for review in the office
of the Clerk of the Board of
County Commissioners and
the Planning Office of the
County Administration
Building, 4020 Lewis Speed-
way, St. Augustine, Florida
and the County Libraries
and may be examined prior
to said public hearing. All
interested parties shall be
granted an opportunity to
be heard at said public
hearing.

Notice to persons need-
ing special accommoda-
tions and to all hearing im-
paired persons: In accord-
ance with the Americans
with Disabilities Act, per-
sons needing special accom-
modations or an interpreter
to participate in this pro-
ceeding should contact Da-
vid Halstead, ADA Coordi-
nator, at (904) 823-2500 or at
the County Administration
Building, 4020 Lewis Speed-
way, St. Augustine, Florida,
32095, not later than 5 days
prior to the date of this
meeting.

This matter is subject
to court imposed quasi-judicial
rules of procedures. Inter-
ested parties should limit
contact with the County
Commissioners on this mat-
ter, except with compliance
with resolution 93-126, to
properly noticed public
hearings or to written com-
munication care of St.
Johns County Planning De-
partment, P.O. Drawer 349,
St. Augustine, Florida,
32095.

L101 Sept. 27, 1996