

RESOLUTION 99-44

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, MAKING FINDINGS OF FACT AND MODIFYING THE CABALLOS DEL MAR DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON JULY 8, 1975; AND AS PREVIOUSLY MODIFIED BY RESOLUTION 83-36 APPROVED APRIL 26, 1983, RESOLUTION 83-75 APPROVED JULY 26, 1983, 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, RESOLUTION 94-210 APPROVED NOVEMBER 8, 1994, RESOLUTION 96-223 APPROVED NOVEMBER 26, 1996, AND RESOLUTION 97-24 APPROVED FEBRUARY 11, 1997; FINDING THIS MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

a. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes.

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

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

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

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

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

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

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

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

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

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

5. This Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA THIS 9 DAY OF March, 1999.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: Marc A. Jacone
Its Chairperson

Attest: Cheryl Strickland, Clerk

By: Patricia A. Strickland
Deputy Clerk

Adopted Regular Meeting:

March 9, 1999

Effective:

March 9, 1999

EXHIBIT "A"

A PART OF THE SEBASTIAN GRANT, SECTION 42 AND A PART OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF T.P.C. BOULEVARD, AS PLATTED AS PARCEL "A" OF WATER OAK, AS RECORDED IN MAP BOOK 14, PAGES 51, 52, 53 AND 54 OF THE PUBLIC RECORDS OF SAID COUNTY WITH THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A (AS NOW ESTABLISHED AS A 200 FOOT RIGHT OF WAY); THENCE S.00°40'10"W., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 863.72 FEET TO AN ANGLE POINT IN SAID RIGHT OF WAY LINE; THENCE S.07°09'54"W., CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD A-1-A, A DISTANCE OF 1068.63 FEET; THENCE S.85°39'43"W., ALONG THE SOUTHERLY LINE OF AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES, AS RECORDED IN OFFICIAL RECORDS VOLUME 707, PAGE 921 THROUGH 935 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 581.68 FEET TO THE POINT OF BEGINNING; THENCE S.11°43'50"W., ALONG THE EASTERLY BOUNDARY OF THE LANDS KNOWN AS THE T.P.A. PARKING AREA AND DESCRIBED AS EXHIBIT "B" AND RECORDED IN OFFICIAL RECORDS VOLUME 405, PAGE 304 OF SAID PUBLIC RECORDS, A DISTANCE OF 951.64 FEET; THENCE N.76°19'28"W. A DISTANCE OF 612.59 FEET; THENCE N.13°39'22"E. A DISTANCE OF 762.31 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE AFOREMENTIONED EASEMENT FOR INGRESS, EGRESS AND UTILITIES, AS RECORDED IN OFFICIAL RECORDS VOLUME 707, PAGES 921 THROUGH 935; THENCE N.85°39'43"E., ALONG SAID SOUTHERLY LINE, A DISTANCE OF 610.47 FEET TO THE POINT OF BEGINNING. CONTAINING 11.77 ACRES MORE OR LESS.

Res. 99-44

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 _____

LINDA Y MURRAY 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 PROPOSED CHANGE

in the matter of _____

CABALLOS DEL MAR DEVELOPMENT

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

issues of JANUARY 30, 1999

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

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

by Linda Y Murray who is personally

known to me or who has produced PERSONALLY KNOWN as

identification.

Zoe Ann Moss
MY COMMISSION # GC641814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.



(Signature of Notary Public)

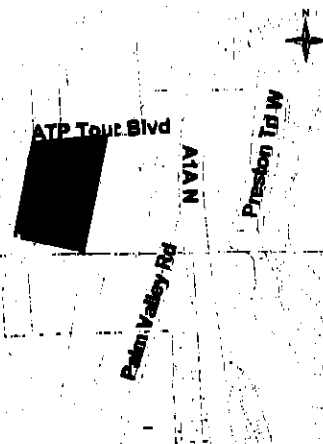
(Seal)

ZOE ANN MOSS

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

NOTICE OF A PROPOSED CHANGE (NOPC) TO CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; A MAJOR MODIFICATION TO THE PLAYERS CLUB PUD; AND A MINOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN FOR THE TENNIS/OFFICE/ RECREATION COMPLEX (PARCEL 38)

NOTICE IS HEREBY GIVEN that the Planning & Zoning Agency (Agency) and the Board of County Commissioners (Board) of St. Johns County, Florida will hold public hearings on a Notice of Proposed Change to the previously approved Caballos Del Mar DRI, also known as "Sawgrass", as approved by St. Johns County on July 8, 1976, as amended and a Major Modification to the Players Club PUD.



Parcel 38 - The ATP Site within the Players Club PUD of Caballos Del Mar DRI

The applicant, The Bolles School, proposes to change the approved land use designation within Parcel 38 from tennis/office/recreation to community support (school)/office/recreation. There is no request to increase the total approved square footage of structures, improvements, or an addition to any uses which did not previously exist in the DRI.

The subject property is located south of ATP Tour Boulevard and west of State Road A1A North within Sections 34 and 42, Township 3 South, Range 28 East, St. Johns County, Florida, as generally depicted on the map. (A complete legal description is available in the Planning Department.)

Public hearings will take place Thursday, February 18, 1999 at 1:30 p.m. before the Planning & Zoning Agency and on Tuesday, March 9, 1999 at 1:30 p.m. before the Board of County Commissioners. Said hearings will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida. At such hearings, comments from the public will be heard.

The Agency and the Board will consider whether the proposed change constitutes a substantial deviation to the Development Order and will require further review. The Board will also take action on the following resolution regarding the Notice of Proposed Change:

RESOLUTION

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, 1976, AND AS PREVIOUSLY MODIFIED BY RESOLUTION 83-38 APPROVED APRIL 28, 1983; RESOLUTION 83-75 APPROVED JULY 28, 1983; RESOLUTION 84-64 APPROVED MAY 22, 1984; RESOLUTION 84-146 APPROVED NOVEMBER 20, 1984; RESOLUTION 85-128 APPROVED SEPTEMBER 24, 1985; RESOLUTION 85-179 APPROVED NOVEMBER 25, 1985; RESOLUTION 86-250 APPROVED SEPTEMBER 13, 1986; RESOLUTION 84-210 APPROVED NOVEMBER 8, 1994; RESOLUTION 86-223 APPROVED NOVEMBER 28, 1996; AND RESOLUTION 87-24 APPROVED FEBRUARY 11, 1997; FINDING THAT THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The Agency and the Board will also consider and take action on the following ordinance regarding the major modification:

ORDINANCE

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE PLAYERS CLUB PLANNED UNIT DEVELOPMENT ORDINANCE 75-18, AS AMENDED; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The Agency will also consider and take action on the following resolution regarding the minor modification to the final development plan:

RESOLUTION

RESOLUTION OF THE PLANNING AND ZONING AGENCY, COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MINOR MODIFICATION TO THE FINAL DEVELOPMENT PLAN FOR TENNIS/OFFICE/RECREATION COMPLEX (PARCEL 38) ADOPTED BY RESOLUTION 85-251 AND AMENDED BY RESOLUTION 80-182.

File numbers: CABALLOS DEL MAR DRI - NOPC 12/86 and MUM-98-002 are available for review at the St. Johns County Planning Department.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Cheryl Strickland, Its Clerk

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act (ADA), persons who are hearing impaired or have other disabilities may request special accommodations for the public hearings. Such requests should be made at least 10 business days before the hearing. For more information, contact the Planning & Zoning Agency at (904) 825-1234.