

RESOLUTION NO. 85-87

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA
DETERMINING THAT THE ADDITION OF AREA
TO THE DEVELOPMENTS KNOWN AS
PLAYERS CLUB AT SAWGRASS AND
MARSH LANDING AT SAWGRASS
IS NOT A SUBSTANTIAL DEVIATION AND
MODIFYING THE DEVELOPMENT ORDER TO
INCORPORATE THOSE CHANGES

WHEREAS, on July 8, 1975, a Development of Regional Impact Development Order (the "Development Order") was issued by the Board of County Commissioners of St. Johns County, Florida, ("the Board"), authorizing development of the property then known as Caballos del Mar and now known as Players Club at Sawgrass and Marsh Landing at Sawgrass, ("the Property"); and

WHEREAS, on several subsequent occasions the Board has reviewed changes in the development plan, determined that such changes were minor, and approved such changes; and

WHEREAS, by application dated June 26, 1984 (the "Application"), the developers of the Property have requested approval of certain additional changes;

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

1. None of the modifications in the development plans for the Property as set forth in the Application are substantial deviations as defined in Section 380.06(17), Florida Statutes (1981), since none of the changes create a reasonable likelihood of additional adverse regional impact or any other regional impacts not previously reviewed by the Regional Planning Agency.

2. The development, as modified, is consistent with the adopted St. Johns County Comprehensive Plan contained in County Ordinances 81-47 and 81-48, and all other development laws and regulations of the County.

3. The County acknowledges receipt and approval of the following items, which are, by attachment, made a part of this Resolution:

o Exhibit A - Submittal Letter dated
April 26, 1985

o Exhibit B - Submittal Letter dated
April 22, 1985

o Exhibit C - Map Showing Proposed Modification

4. Except as further modified herein, the Development Order,
as previously modified, shall remain in full force and effect.

5. This Resolution shall become effective immediately upon
its adoption.

PASSED AND APPROVED by the Board of County Commissioners of St.
Johns County, Florida, this 18 day of June, 1985.

BOARD OF COUNTY COMMISSIONERS

ST. JOHNS COUNTY, FLORIDA

BY:

Francis M. Brubaker
Vice Chairman

ATTEST: Carl "Bud" Markel, Clerk

By:

Cheryl Kent
Deputy Clerk



Prosser, Hallock & Kristoff, Inc.

Planners and Engineers

April 26, 1985

St. Johns County Board
of County Commissioners
Post Office Drawer 349
St. Augustine, Florida 32084

Re: Determination of Non-Substantial
Deviation to Development of
Regional Impact Order
PHK Reference No. 85-036

Dear Commissioners:

On behalf of Fletcher Land Corporation, we are requesting that a determination that the minor adjustment requested of PUD Ordinance 75-3, in our letter dated April 22, 1985, also be found as a non-substantial deviation to the Development of Regional Impact (DRI) development order approved as a part of said PUD.

The modifications being sought herein, we feel, are non-substantial to the DRI development order pursuant to Florida Statute 380.06, par. (17)(a), which defines substantial as "Any change to the previously approved Development of Regional Impact which creates a reasonable likelihood of additional adverse regional impact or any other regional impact created by the change not previously reviewed by the regional Planning Agency." Generally, the proposed modification, as delineated and described in the April 22nd submittal consist of shifting less than four percent of the approved residential density and a slight increase of same (less than one percent).

CHAPTER 380 CRITERIA

Please consider the proposed development changes as measured in accordance with Florida Statute 380.06, par. (17)(b), which specifically mandates that the following changes shall be presumed not to be substantial:

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CRITERIA F.S. 380.06 (17) (b)1

"An increase in the number of dwelling units of not more than five percent or 200 dwelling units, whichever is less."

PROPOSED CHANGE

The original development order approved 8,255 dwelling units with subsequent modifications only slightly reducing this figure into the neighborhood of 7,835 dwelling units, therefore, the more restrictive criteria would be the 200 dwelling unit modification. The proposed change is approximately 50 additional dwelling units, thus, clearly below the presumptive substantial change threshold of 200 dwelling units. The proposed modification also holds the total number of dwelling units to 370 below that originally reviewed and subsequently approved, thus resulting in an overall reduction of residential density from that which was originally expected.

CRITERIA F.S. 380.06 (17) (b)2

"A decrease in the number of dwelling units which does not require a major redistribution of density."

PROPOSED CHANGE

There is no reduction in the number of dwelling units proposed, however, there is a minor redistribution of density as depicted in Exhibit II which is confined to less than ten percent of the total land area subject to the development order and involves only one percent of the total number of approved units.

CRITERIA F.S. 380.06 (17) (b)3

"A decrease in the area set aside for common open space of not more than five percent or 50 acres, whichever is less."

PROPOSED CHANGE

There is no planned change in open space area.

CRITERIA F.S. 380.06 (17) (b)4

"An increase in the area set aside for common open space."

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PROPOSED CHANGE

There is no planned change in open space.

CRITERIA F.S. 380.06 (17) (b) 5

"An increase in the floor area proposed for non-residential use of not more than five percent or 10,000 square feet, whichever is less."

PROPOSED CHANGE

There is no planned increase.

CRITERIA F.S. 380.06 (17) (b) 6

"A decrease in the regional impact of the development."

PROPOSED CHANGE

Regional or multi-county issues which were central to this Development of Regional Impact included: 1) Added traffic loading to the regional highway system (AlA); 2) Increased stormwater run-off to the Cabbage Creek Estuary; and 3) The provision of adequate protection of lowland hardwoods, the marsh fringe, and other environmentally sensitive habitats. There should be no measurable change for any of these issues. The changes proposed are all internal to the project and consist of slight shifts in residential densities.

CRITERIA F.S. 380.06 (17) (b) 7

"A change required by permit conditions or requirements imposed by the Department of Environmental Regulation, the Department of Natural Resources, or any of their successor agencies or by any appropriate federal regulatory agency."

PROPOSED CHANGE

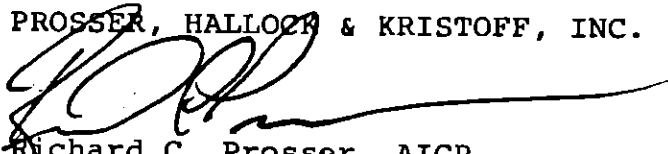
The changes proposed herein are not the result of DER, DNR, or any other State or Federal Agency permit requirements.

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We trust upon your review of the above criteria and proposed changes you will agree that our request does not constitute a substantial deviation to the development order.

Respectfully submitted,

PROSSER, HALLOCK & KRISTOFF, INC.



Richard C. Prosser, AICP
President

RCP/dlv

cc: Paul Z. Fletcher, President
Robert Johnson, Vice President
Fletcher Land Corporation
P.O. Box 1219
Ponte Vedra Beach, Florida 32082



Prosser, Hallock & Kristoff, Inc.
Planners and Engineers

April 22, 1985

St. Johns County Planning
and Zoning Agency
P.O. Drawer 349
St. Augustine, Florida 32084

Re: Minor Adjustment to PUD
PUD Zoning Ordinance 75-3
Marsh Landing at Sawgrass
PHK Reference No. 85-036

Dear Board Members:

On behalf of Fletcher Land Corporation, we are requesting a minor adjustment to the approved PUD Master Plan for Marsh Landing at Sawgrass. The adjustment represents a shift of 143 units from four areas on the south portion of the property to the multi-family area on the Intracoastal Waterway, plus an addition of 50 units. The total number of units on the waterway becomes 850. This represents 50 more units than the number that was previously approved. Approved density shifts had reduced this number to the existing 657 units.

The changes comply with the criteria established for minor adjustments to a PUD ordinance under Section 8-2-4:

- a. The change in the plan reflects less than 1% increase in the number of dwelling units;
- b. There is the same general amount of open space and the open space is in the same general location;
- c. There is no increase in the number of stories and/or floor area; and
- d. The roads follow the same course, have the same width, and the same private rights therein.

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Based on the foregoing description of the proposed changes, it is clear that the changes comply with the criteria for minor adjustments of the PUD ordinance and we request that you modify accordingly. These adjustments to the master plan are shown on the attached exhibits.

If you have any questions or need additional information, please don't hesitate to contact me.

Sincerely,

PROSSER, HALLOCK & KRISTOFF, INC.



Richard C. Prosser, AICP
President

RCP/dlv

Enclosures: Approved PUD Master Plan (7/30/84)
Revised PUD Master Plan (4/22/85)
Form of Resolution

cc: Mr. Robert Johnson, Vice President
Fletcher Land Corporation

EXHIBIT C

