Inst No:200300983 6 Date:02/21/2003
GAIL WADSWORTH, FLAGLER Co. Time:11:34
Book: 899 Page: 1652 Total Pgs: 3
OFF REC 0899 PAGE 1652

RESOLUTION 2003-21

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY CONSTITUTING THE FOURTH AMENDMENT TO THE HAMMOCK DUNES DEVELOPMENT OF REGIONAL IMPACT (DRI); PROVIDING FOR AN EXTENSION OF THE BUILD OUT DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 30, 1984, the Board of County Commissioners of Flagler County, Florida ("Flagler County"), pursuant to Section 380.06, Florida Statues, adopted Resolution 84-7 approving a Development Order for the Development of Regional Impact known as Hammock Dunes ("Development Order"); and

WHEREAS, on July 17, 1995 and January 30, 1998 Flagler County adopted Resolution Nos. 95-50 and 98-10 constituting the First and Second Amendments, respectfully, to the Development Order; and

WHEREAS, on July 15, 2002 Flagler County adopted Resolution2002-107 rescinding Resolution 2001-135 in its entirety and restating the Third Amendment to the Development Order; and

WHEREAS, on December 10, 2002 the Developer of record filed a Notice of Proposed Change (NOPC) with Flagler County, DCA, and the Northeast Florida Regional Planning Council requesting an extension of the build out date by approximately 5 years and 11 months; and

WHEREAS, the Northeast Florida Regional Planning Council and the Florida Department of Community Affairs, have reviewed the NOPC and find that it does not create a substantial deviation requiring additional DRI review and do not object to the proposed changes; and

WHEREAS, public notice of this Resolution has been provided in accordance with Chapter 380.06, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY FLAGLER COUNTY AS FOLLOWS:

UNOFFICIAL DOCUMENT

Rt: Finance Dept. #114
Cheryl Dukes

Section 1. FINDINGS

The Notice of Proposed Change filed by Rogers, Towers, Bailey, Jones & Gay, P.A. on behalf of Admiral Corporation on December 10, 2002 does not constitute a substantial deviation pursuant to Chap. 380.06(19), F.S. and does not require further development of regional impact review.

Section 2. FOURTH AMENDMENT TO DEVELOPMENT ORDER

Section 9 of the Development Order is hereby amended to read as follows:

This development order shall take effect upon adoption and shall remain in effect for the duration of the development as described in the ADA. The effectiveness of this development order may be extended by the Board upon a showing by Applicant or excusable delay and a showing that the completed portions of the development substantially comply with the conditions of this development order. The period of effectiveness of this development order shall be tolled during any period of time during which there is any building permit moratorium affecting the property within the Hammock Dunes DRI boundary imposed by Flagler County or other governmental agency having authority to do so. The projected buildout date for all development is February 28, 2009. The DRI termination and DRI development order expiration dates are also established as February 28, 2009. Any extensions of the DRI buildout termination or expiration dates shall be governed by the provisions of Section. 380.06 (19) (c), F.S.

Except as specifically amended by this Section, all other terms and conditions of the Development Order and any amendments thereto shall remain in full force and effect.

UNOFFICIAL DOCUMENT

Section 3. TRANSMITTAL

Within ten (10) days of the date of adoption of this Resolution, Flagler County will send certified copies of this Resolution and all related exhibits by certified mail, return receipt requested, to:

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
Bureau of State Planning
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100

CODING: Words in ~~strike through~~ type are deletions from existing law; words in underscored type are additions.

NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL
6850 Belfort Oaks Place
Jacksonville, Florida 32216

Section 4. RECORDATION

This Resolution shall be recorded in accordance with Section 380.06(15)(f), Florida Statutes and file a Certification of Compliance with the Clerk of the Board of County Commissioners.

Section 5. EFFECTIVE DATE

This Resolution shall become effective upon adoption.

ADOPTED THIS 17th DAY OF FEBRUARY, 2003.

BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA

ATTEST:

2.20.03

Gail Wadsworth, Clerk and
Ex Officio Clerk to the Board

James A. Darby,
Chairman

APPROVED AS TO FORM:

Carl E. Kern III, County Attorney

UNOFFICIAL DOCUMENT

CODING: Words in ~~strike through~~ type are deletions from existing law; words in underscored type are additions.