



MARION COUNTY BOARD OF COUNTY COMMISSIONERS



PLANNING DEPARTMENT/ PROPERTY MANAGEMENT
2631 SE 3rd STREET, OCALA, FL 34471

INTERDEPARTMENTAL CORRESPONDENCE

PH 620-3394 FAX 620-7682

To: Distribution Date: December 23, 2003

From: Christopher D. Rison, AICP, Senior Planner *CDR*

Subject: Stonecrest Development of Regional Impact (DRI)
Fourth Notice of Proposed Change (4th NOPC)
Recorded Notice of Adoption (NOA) and
Approved Development Order Amendment (DOA)

Please find enclosed for your files a copy of the Stonecrest DRI 4th NOPC recorded NOA and final Development Order Amendment as approved by the Board of County Commissioners.

The NOA/DOA represent the completion of the 4th NOPC review and approval process for the Stonecrest DRI.

If you have any questions, please do not hesitate to contact me at SUNCOM 667-3394 or (352) 620-3394.

Distribution:

Receiving copy of Full Materials:

Gayle Davidson-Austin, Engineering
Mike May, Zoning Director
Vincent Riccobonno, Utilities Director
Julie Sieg, Library Director
Gordon Johnston, County Attorney
Greg Slay, Ocala/Marion MPO Director

Tait Carlson, Traffic Engineer
Stuart McElhaney, Fire Chief
Allen Ellison, Solid Waste Director
Lee Niblock, Parks & Recreation Director
Lt. Chip Wildy, MCSO Emg. Mgt. Director

Receiving copy of notice with NOA only {if a full copy of the DOA is preferred, please contact me at Christopher.Rison@MarionCountyFl.org or call me at (352) 630-3394}:

Janet Tutt, Assistant County Administrator
Gail Cross, MC Senior Services
Ron Crawford, MCSB Chairman
Tye Chicazola, Ocala Planning Director
Roberta Rogers, Sumter County Planning Dept.
Lake County Growth Management Department
Bruce Day, WRPC Planning Director

Mounir Bouyounes, County Engineer
Jim Yancy, MCSB Superintendent
Tony Burke, MC School Board
Sandi McKamey, Belleview City Clerk
Lanny Harker, Lady Lake Comm. Dev. Director
Marion County Public Affairs
Scott Rogers, Florida DCA

ATTACHMENT K
STONECREST MANAGEMENT INC
11560 SE 176TH PLACE RD
SUMMERFIELD, FL 34491



DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 11/26/2003 01:56:37 PM
FILE #. 2003157421 OR BK/PG 03585/1716

RECORDING FEES 15.00

NOTICE OF AMENDMENT TO DEVELOPMENT ORDER
FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS
THE STONECREST DEVELOPMENT OF REGIONAL IMPACT,
FORMERLY KNOWN AS FLORIDIAN CLUB ESTATES

NOTICE IS HEREBY GIVEN in accordance with subsection 380.06(15)(f), Florida Statutes, that Marion County, Florida, by and through its Board of County Commissioners, on November 18, 2003, did adopt an Amendment to the Development Order for the Stonecrest Development of Regional Impact, formerly known as Floridian Club Estates (hereinafter referred to as the "Development Order"). The Development Order constitutes a land development regulation applicable to the property legally described in Exhibit A attached hereto, which legal description is incorporated herein by reference. The Development Order may be examined in the offices of the Marion County Planning Department, 2631 SE 3rd Street, Ocala, FL 34471.

Pursuant to subsection 380.06(15)(f), Florida Statutes, the recording of this Notice of Amendment to Development Order shall not constitute a lien, cloud or encumbrance on real property, or actual or constructive notice of any such lien, cloud or encumbrance.

IN WITNESS WHEREOF, the undersigned has caused this Notice of Amendment to Development Order to be executed in its name the 26 day of Nov, 2003.

STONECREST OF MARION COUNTY,
LTD.

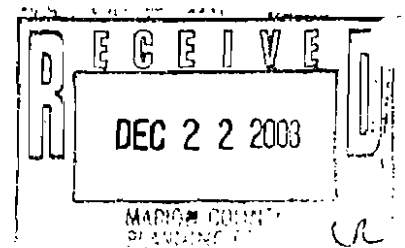
By STONECREST MANAGEMENT, INC.,

Its General Partner

By: 

L. Hall Robertson, Jr.

Its President of General Partner



STATE OF FLORIDA

COUNTY OF MARION

The foregoing instrument was acknowledged before me this 26 day of Nov, 2003, by L. Hall Robertson Jr as President of STONECREST OF MARION COUNTY, LTD, a limited partnership, on behalf of the partnership. Said person did not take an oath and is personally known to me or has produced _____ as identification and did (did not) take an oath.

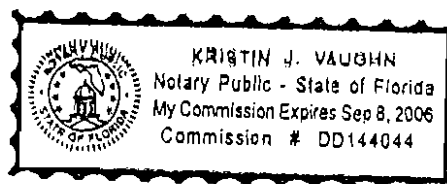
Print Name: Kristin J. Vaughn

Notary public, State of Florida

(NOTARIAL SEAL)

Commission No.: _____

My Commission expires: _____



LEGAL DESCRIPTION

South 1650 feet of the West 660 feet, Section 25, Township 17 South, Range 23 East; AND South 1683 feet of the East 412.5 feet of Section 26, Township 17 South, Range 23 East; AND East 1/2 of Section 35, Township 17 South, Range 23 East, LESS that portion lying South and West of U.S. Highways 27 and 441 in Marion County; AND ALL of Section 36, Township 17 South, Range 23 East, LESS East 880 feet of North 1980 feet of NW 1/4 AND LESS East 264 feet of North 594 feet of SE 1/4 of NE 1/4, AND LESS all of that portion lying South and West of U.S. Highways 27 and 441 in Marion County; AND South 3/4 of SW 1/4 and West 1/4 of SW 1/4 of SE 1/4, Section 31, Township 17 South, Range 24 East, Marion County; AND South 1/2 of the NW 1/4 and the North 1/2 of the North 1/2 of the SW 1/4 of Section 31, Township 17 South, Range 24 East, Marion County; AND East 3/4 of the SW 1/4 of the SE 1/4 of Section 31, Township 17 South, Range 24 East, All lying and being in Marion County, Florida.

SUBJECT TO the following:

1. Right of Way easement to Florida Power Corporation, recorded in Official Records Book 405, page 120, Public Records of Marion County, Florida.
2. Mortgage recorded in Official Records Book 957, page 421, as Modified in Official Records Book 1485, page 1942, Public Records of Marion County, Florida.
3. Mortgage in favor of C.W. Bailey and Joyce Bailey, his wife, recorded in Official Records Book 1485, page 1967, assigned by Assignment of Mortgage to South Atlantic Production Credit Association, recorded in Official Records Book 1485, page 1979, Public Records of Marion County, Florida.
4. Easements of Record.

RESOLUTION NO. 03-R- 336

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, ADOPTING AMENDMENTS TO THE DEVELOPMENT ORDER FOR FLORIDIAN CLUB ESTATES, NOW KNOWN AS STONECREST, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 14, 1991, after a public hearing, the Marion County Board of County Commissioners (Board) adopted Resolution 91-R-110, a Development Order issued under Chapter 380, Florida Statutes, (F.S.), for a Development of Regional Impact (DRI) known as Floridian Club Estates, now known as Stonecrest DRI; and

WHEREAS, on November 15, 1994, the Board in Resolution No. 94-R-264 adopted the first amendment to the original Development Order and extended the phase end and buildout dates for the DRI; and

WHEREAS, on March 7, 1995, the Board in Resolution No. 95-R-49 adopted the second amendment to the original Development Order and revised certain traffic mitigation conditions to reflect the extension of phase end and buildout dates for the DRI; and

WHEREAS, on June 1, 1999, the Board in Resolution No. 99-R-113 adopted the third amendment to the original Development Order and revised the types of approved land uses and made related changes in traffic mitigation; and

WHEREAS, on June 11, 2003, Stonecrest of Marion County, Ltd. (Developer), the successor in interest to the original Developer, Leisure Living for the Active Retiree Joint Venture, proposed further changes to the Development Order, as amended, by filing a Notification of a Proposed Change (Notification) to a previously approved DRI with Marion County, the

CERTIFIED A TRUE COPY
DAVID R. ELLSPERMAN
BY: *David R. Ellspermann* **DC**

Withlacoochee Regional Planning Council, and the Department of Community Affairs in accordance with Section 380.06(19)(f), F.S. (2003); and

WHEREAS, the Notification proposes to 1) add approximately 152.6 acres of land to the DRI and internally reconfigure the previously approved types of development, without any increase in previously approved development amounts by land use type, 2) revise the Amended Development Order and Composite Exhibit "B" reflecting the additional acreage, 3) revise Master Plan Map "H" reflecting the additional acreage, and 4) modify the Project's Development Report filing from an annual report to biennial report; and

WHEREAS, the Marion County Board of County Commissioners is the local governing body having jurisdiction over the review and approval of the Floridian Club Estates DRI, now known as Stonecrest, in accordance with Section 380.06, F.S. (2003); and

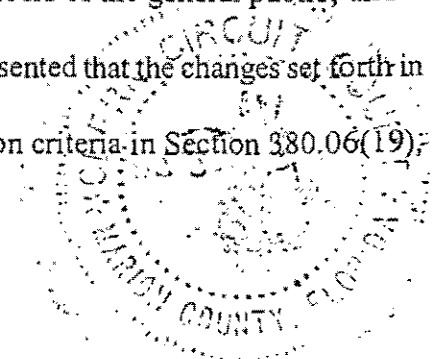
WHEREAS, the public notice requirements for consideration of the proposed changes of Marion County and Section 380.06(19), F.S. (2003), have been met; and

WHEREAS, on November 18, 2003, Marion County held a duly noticed public hearing on the Notification and has heard and considered the testimony and documents received therein; and

WHEREAS, the public was afforded an opportunity to participate in the public hearing and all parties were afforded the opportunity to present evidence and argument on all issues and submit rebuttal evidence on the subject Notification before Marion County; and

WHEREAS, Marion County has reviewed the above referenced documents as well as all related testimony and evidence submitted by the parties and members of the general public; and

WHEREAS, there was competent substantial evidence presented that the changes set forth in the proposal do not meet or exceed any of the substantial deviation criteria in Section 380.06(19), F.S. (2003).



NOW, THEREFORE, BE IT RESOLVED BY THE MARION COUNTY BOARD OF
COUNTY COMMISSIONERS, MARION COUNTY, FLORIDA:

Section 1. The changes proposed by the Developer in its June 13, 2003, Notification do not constitute a substantial deviation pursuant to Section 380.06(19), F.S. (2003).

Section 2. The 1991 Development Order for Floridian Club Estates, now known as Stonecrest, shall be further amended as follows (words stricken are deletions; words underlined are additions):

- a. Revise the third WHEREAS clause, Finding of Fact E., Conclusions of Law

G. and General Condition A.2. to provide for the following development:

... 2,500 single family residential units on ~~517.9~~ 638.6 acres;
a 449 ~~unit~~ beds for Adult Congregate Living Facility and a ~~150~~ bed
Skilled Nursing Facility (Nursing Home) on 25 acres; 216,592 gross
square feet of professional office space on 20.2 acres; 302,805 gross
square feet of retail commercial use on 28.5 acres with 1,515 parking
spaces; 220,000 gross square feet of shopping center on 24.7 acres
with 1,100 parking spaces; ~~200.2~~ 232.1 acres of recreation; a total of
~~498.9~~ 588.9 acres of non-impervious surface and open space; and 16
acres for related roads and utilities on an approximately ~~832.5~~ 985.1
acre site. . . .

- b. Substitute the attached revised Legal Description (~~Exhibit "A"~~) for Exhibit

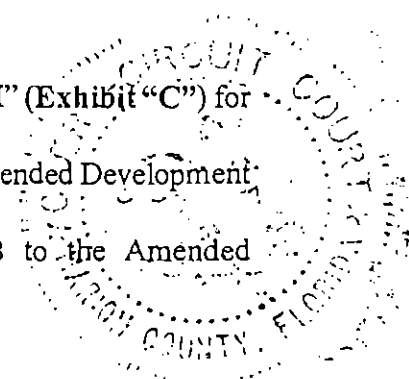
A to the original development order to reflect the land added to the DRI.

- c. Substitute the attached Revised Composite Exhibit B – *Table 12-1, Land*

Uses by Phase (~~Exhibit "B"~~) for Composite Exhibit B in the current
Amended Development Order to reflect changes in approved acreages for
residential and recreation/open space uses.

- d. Substitute the revised Master Development Plan Map "H" (~~Exhibit "C"~~) for

the Master Development Plan Map "H" in the current Amended Development
Order (which plan is part of Composite Exhibit B to the Amended



Development Order) to reflect changes in approved acreages for residential and recreation/open space uses.

- e. Revise Condition D. Annual Report as follows (new language underlined; deleted language stricken through):

D. ~~ANNUAL~~ BIENNIAL REPORT

By each ~~annual~~ biennial anniversary date of the effective date of this development order and, until such time as 100% of the Development has been completed or the development order expires, the Developer shall provide an ~~Annual~~ Report as required in F.S. Chapter 380.06(18), F.S., and Rule 9J-2.025(7), Florida Administrative Code. The next biennial report after the May 2003 report shall be due in May 2005. Requirements for the content and dissemination of this report shall be as follows:

1. Dissemination:

- a. The ~~Annual~~ Report, on Form RPM-BSP-ANNUAL REPORT 1, shall be sent to the following agencies: Marion County Department of Community Development, or any successor thereto; Withlacoochee Regional Planning Council; Department of Community Affairs; Florida Department of Transportation; and all affected permit agencies.
- b. By each ~~annual~~ biennial anniversary date of the effective date of this development order, the Developer shall provide Marion County with a statement that all persons/agencies listed in 1.a. above, have been sent copies of the ~~Annual~~ Report.

2. Content:

The Developer shall include the following information in the ~~Annual~~ Report:

- a. Changes in the plan of development or in the representations contained in the Application for Development Approval (ADA), or in the phasing for the reporting ~~year~~ period and for the next ~~year~~ reporting period;
- b. A summary comparison of development activity proposed and actually conducted for the ~~year~~ reporting period;

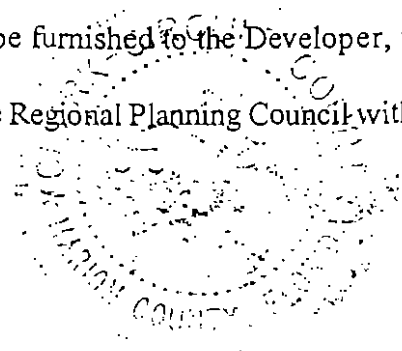
- c. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;
- d. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the Development Order was issued;
- e. A specific assessment of the Developer's and local government's compliance with each condition of approval contained in the DRI Development Order and the commitments which are contained in the ADA and which have been identified by the local government, the WRPC, or DCA as being significant;
- f. Any known incremental DRI applications for development approval or requests for substantial deviation determination that were filed in the reporting ~~year~~ period and to be filed during the next ~~year~~ reporting period;
- g. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;
- h. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
- i. A statement that all persons have been sent copies of the ~~Annual~~ Report in conformance with Subsections 380.06(15) and (18), Florida Statutes;

* * *

[Further provisions of Section D are unchanged.]

Section 3. Those provisions of the Development Order, as amended, which are not further amended by this Resolution shall remain in full force and effect.

Section 4. A certified copy of this Resolution shall be furnished to the Developer, the Florida Department of Community Affairs and the Withlacoochee Regional Planning Council within 10 days of its adoption by the Planning Department.



Section 5. The Developer shall record a notice of this Resolution pursuant to Section 380.06(15), F.S. (2003).

Section 6. This Resolution shall take effect upon its adoption.


DULY ADOPTED in Regular Session this 18th day of November, 2003.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

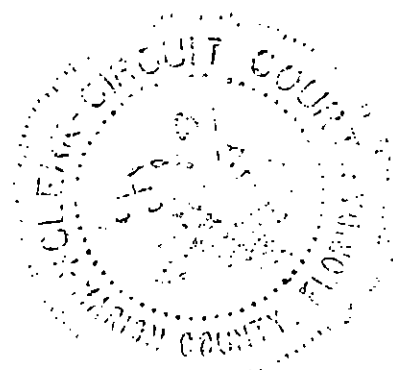


ANDY KESSELRING, CHAIRMAN

ATTEST:



DAVID R. ELLSPERMAN, CLERK OF COURT



LEGAL DESCRIPTION

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4. Easements of Record.



TABLE 12-1 LAND USES BY PHASE

KEY	Land Use	Phase IA (1991-12/15/2000) Units/SF Acres		Phase IB (1991-12/15/2000) Units/SF Acres		Phase II (12/16/2000-12/15/2004) Units/SF Acres		Phase III (12/16/2004-12/15/2008) Units/SF Acres		Totals	
RESIDENTIAL USES:											
		units	acres	units	acres	units	acres	units	acres	units	acres
RES	Single-Family Residential*	1,250 DU	258.5	0	0.0	1,000 DU	327.7	250 DU	52.4	2,500 DU	638.6
	Life Care Services/ ACLF/Skilled Nursing	201 Beds	11.2	0	0.0	113 Beds	6.3	135 Beds	7.5	449 Beds	25.0
OTHER USES:											
RC/PO	Professional Office **	68,400 sf	7.6	0 sf	0.0	94,090 sf	8.0	54,102 sf	4.6	216,592 sf	20.2
	Retail Commercial**	5,000 sf 25 parking spaces	1.7	56,700 sf 284 parking spaces	6.3	50,573 sf 253 parking spaces	4.3	190,532 sf 953 parking spaces	16.2	302,805 sf 1,515 parking spaces	28.5
SC	Shopping Center (Retail Use)	0 0 parking spaces	0.0	220,000 sf 1,100 parking spaces	24.7	0 0 parking spaces	0.0	0 0 parking spaces	0.0	220,000 sf 1,100 parking spaces	24.7
R/OS	Recreation/ Open Space		189.0		1.5		37.6		4.0		232.1
S/U	Service/Utilities		16.0		0.0		0.0		0.0		16.0
Total:			484.0		32.5		383.9		84.7		985.1***

* Single-Family Residential units shall be a mix of detached homes on lots and attached villa units.
 ** Square footages represent Gross Floor Area calculated at 27% building coverage of total acreage.
 *** Includes 588.9 acres of non-impervious surface open space.

Stonecrest DP* 4th NOPC
Development Ordinance Amendment
Resolution Exhibit C

