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ORDINANCE NUMBER: 2002 - 51

AN ORDINANCE OF THE COUNTY OF ST. JOHNS COUNTY, STATE OF FLORIDA, RESCINDING ORDINANCE 1999-01, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

**SECTION 1.** That St. Johns County Ordinance 1999-01 hereby be rescinded for reasons that the legal description Exhibit A for its approval incorrect at the time of this ordinance.

**SECTION 2.** That, as requested by the St. Joe Company, the title owner of record in the application (File number R-PUD-98-030) with supporting documents for the zoning change dated September 2, 1998, hereinafter, known as the **WINGFIELD GLEN PLANNED UNIT DEVELOPMENT (PUD)** application, the zoning classification of lands described on attached **Exhibit A** is hereby changed from Open Rural (OR) to Planned Unit Development (PUD).

**SECTION 3.** That development of the lands within this Planned Rural Development shall proceed in accordance with the PRD application, dated September 2, 1998, and other supporting documents, which are a part of File Number R-PUD-98-030, and incorporated by reference into and made part hereof of this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

**SECTION 4.** Findings of Fact: that the need and justification for approval of the **WINGFIELD GLEN PLANNED UNIT DEVELOPMENT** has been considered in accordance with the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code and, whereby, it is found that:

1. The **WINGFIELD GLEN PUD** rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The **WINGFIELD GLEN PUD** is consistent with the St. Johns County Comprehensive Plan, specifically, Goal A.1 of the Land Use Element related to effectively managed growth and the provision of diverse living opportunities.
3. The **WINGFIELD GLEN PUD** meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
4. The **WINGFIELD GLEN PUD** meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Subsection 5.03.02(G)1.t and Subsection 5.03.02(F) of the Land Development Code.

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- 5. The **WINGFIELD GLEN PUD** Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02(G) of the Land Development Code.
- 6. The **WINGFIELD GLEN PUD** meets all applicable Specific Standards of Section 5.03.03 of the St. Johns County Land Development Code.

**SECTION 4.** To the extent they do not conflict with the specific provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, Comprehensive Plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

**SECTION 5.** This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

**SECTION 6.** This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

**SECTION 7.** Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas maintained in the Zoning Division of the St. Johns County Growth Management Services Department by the Director of Growth Management Services, or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 24<sup>th</sup> DAY OF September 2002.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant  
James E. Bryant, Chairman

REVISION DATE 09-25-02

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: October 2, 2002

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## WINGFIELD GLEN

A portion of Sections 20, 21 and 17, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: BEGINNING at the Southwest corner of the F. J. Fatio Grant, Section 40, said Township and Range, said point also being common to a corner of said Section 20; thence North 88°34'24" East, along the South line of said Section 40 and along the North line of said Sections 20 and 21, a distance of 861.65 feet to a point situate on the Westerly right of way line of State Road No. 9 and/or Interstate Highway I-95 (a 300 foot limited access right of way as shown on the State of Florida Department of Transportation Right of Way Map Section No. 78080-2403, said Right of Way Map also recorded in Road Plat Book 1, Page 1 of the Public Records of said St. Johns County); thence South 03°08'06" East, along said Westerly right of way line, a distance of 4,253.34 feet to a point of curvature of a curve to the left, concave Easterly and having a radius of 3,925.72 feet; thence Southerly around and along the arc of said curve and continuing along said Westerly right of way line, through a central angle of 04°05'20", a distance of 280.15 feet, said arc being subtended by a chord bearing and distance of South 05°10'46" East, 280.09 feet to a point situate on the South line of said Section 21; thence South 89°57'30" West, along said South line of Section 21 and along the South line of said Section 20, a distance of 1,031.26 feet; thence North 15°57'21" West, a distance of 2,233.98 feet; thence North 38°14'40" West, a distance of 2,484.08 feet to a point situate in the Westerly line of that certain 120 foot Easement for Ingress and Egress, described in deed recorded in Official Records Book 955, Page 1147 (Exhibit "C") of the Public Records of said County; thence North 23°06'27" East, along said last mentioned line, a distance of 1,530.66 feet to a point situate in the Southerly line of those certain lands described in deed recorded in Official Records Book 1096, Page 310 (Parcel 1) of said Public Records; thence South 78°39'46" East, along said last mentioned line, and along the Northerly terminus of said 120 foot Easement for Ingress and Egress, a distance of 66.57 feet; thence Northerly around and along the arc of a curve concave Westerly and having a radius of 918.20 feet, a distance of 95.82 feet, said arc being subtended by a chord bearing and distance of North 19°38'14" East, 95.81 feet to the point of compound curvature of a curve concave Westerly and having a radius of 3,192.25 feet; thence Northerly around and along the arc of said curve, a distance of 305.38 feet, said arc being subtended by a chord bearing and distance of North 16°02'13" East, 305.26 feet to the point of reverse curvature of a curve concave Easterly and having a radius of 9,190.01 feet; thence Northerly around and along the arc of said curve, a distance of 269.77 feet, said arc being subtended by a chord bearing and distance of North 14°08'14" East, 269.76 feet to the point of tangency of said curve; thence North 14°58'42" East, a distance of 314.54 feet to a point situate in the present Southeasterly right of way line of County Road No. 210 (formerly State Road No. 210) said point being situate South 14°58'42" West, 27.61 feet from the former 100 foot Southeasterly right of way line of said County Road No. 210; thence North 57°49'33" East, along said Southeasterly right of way line of County Road No. 210, a distance of 117.64 feet to a point situate South 14°58'42" West, 34.60 feet from said former 100 foot Southeasterly right of way line of County Road No. 210; thence South 14°58'42" West, a distance of 400.79 feet to the point of curvature of a curve to the left, concave Easterly and having a radius of 9,110.01 feet; thence Southerly around and along the arc of said curve, a

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distance of 267.42 feet, said arc being subtended by a chord bearing and distance of South 14°08'14" West, 267.41 feet to the point of reverse curvature of a curve concave Westerly and having a radius of 3,272.25 feet; thence Southerly around and along the arc of said curve, a distance of 313.03 feet, said arc being subtended by a chord bearing and distance of South 16°02'13" West, 312.91 feet to the point of compound curvature of a curve concave Northwesterly and having a radius of 998.20 feet; thence Southwesterly around and along the arc of said curve a distance of 227.30 feet, said arc being subtended by a chord bearing and distance of South 25°18'03" West, 226.80 feet to a point situate in the Northerly line of said Section 20, the same being the Southerly line of said Section 17; thence South 89°22'33" East, along said last mentioned line, a distance of 1,363.67 feet to the dividing line said Sections 40 and 20; thence South 01°21'01" East, along last said line, a distance of 832.49 feet to the POINT OF BEGINNING.

*Both Boundaries*

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## Wingfield Glen PUD

C. Atkerson, Inc. and  
Silverfield Development Co.  
7865 Southside Boulevard  
Jacksonville, FL 32256  
(904) 642-1720

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PLANNED UNIT DEVELOPMENT  
Wingfield Glen PUD RESIDENTIAL DEVELOPMENT

January 13, 1999

I. INTENT OF APPLICANT

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Wingfield Glen PUD is designed as a residential single-family Planned Unit Development to be developed on approximately 218.8 acres of land located approximately 1/2 mile west of I-95, fronting on the south side of CR210W, St. Johns County. Not more than one hundred fifty (150) single-family dwelling units and not more than two hundred forty (240) multi-family units are planned for Phase I OR any combination thereof not to exceed three hundred ninety (390) residential units; and not more than three hundred sixty (360) single family units are planned for Phase II OR not more than two hundred sixty (260) multi-family units or any combination thereof not to exceed three hundred sixty (360) units.

A total not to exceed six hundred thirty-five (635) residential units are proposed. Not more than five hundred (500) multi-family units will be built and not less than two hundred (200) multi-family units will be built and not more than three hundred ten (310) residential single family units will be built. Two (2) entrances are proposed into the development from Wingfield Glen Road.

The vegetation consists of planted pine plantation, cut to approximately 20 trees per acre, interspersed with palmettos.

The topography of the land gently slopes to the south and east.

The soils on site consist of four types. Type 1: #8 Zolpo, C soil group, Type 2: #11 Smyrna, A/D soils group, Type 3: #34 Tocoli, B/D soils group and Type 4: #47 Holopaw, D soil group.

Storm drainage is to be in compliance with St. Johns County standards and the St. Johns River Water Management District permit. These lakes will be maintained by the Homeowner's Association, it's successors and assigns.

The development will contain lakes for the use of persons residing within the subdivision. The applicant believes that the project will be consistent with the districts of the Comprehensive Plan within which it falls, and will further assist in implementing other goals of the County (including the creation of residential units which can be acquired by residents at an affordable cost). Our proposed Wingfield Glen PUD residential community is compatible with adjacent properties.

The planning and design of the Wingfield Glen PUD will further accomplish the following:

Permit a creative approach to the development of the land and accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the Zoning Ordinance by adding lakes and having a curvilinear loop road winding throughout the subdivision because this property is currently used as a planted pine plantation with trees existing in straight rows. We have created an attractive entrance feature on CR 210 West.

Provide for an efficient use of the land, resulting in smaller networks of utilities and streets, and thereby lowering development costs. The drainage plan will allow proper transition throughout the property whereas now its silvaculture drainage is often impeded.

Enhance the appearance of neighborhoods through preservation of natural features, the provision of underground utilities and the provision of open space in excess of existing zoning and subdivision requirements. The natural features of this subdivision are planted pines interspersed with palmettos on a timbered site. Approximately 20 pines per acre now exist. Underground utilities will be utilized.

Provide an environment of stable character compatible with surrounding residential areas due to the covenants and restrictions which will be in place upon recording of the plat. A Homeowner's Association will be formed to manage the subdivision and will own, manage and maintain common areas (lakes, landscaped entry, etc.).

Achieve 100% conformity with the County Comprehensive Plan, Zoning Code, and other applicable County Ordinances. This will achieve conformance with existing subdivision developments along CR 210 West.

The applicant agrees to proceed with the proposed development in accordance with the PUD and such conditions and safeguards as may be established by the Board of County Commissioners. We further agree to bind any successors in title to commitments contained within the PUD. All homeowners will be bound by the covenants and restrictions.

A PUD zoning classification was selected by the developer to portray a single unified development plan which is cohesive in it's architectural design, landscaping, and site planning. The unified plan relates closely with the existing residential uses. The PUD is beneficial to St. Johns County since it provides additional controls in development review which otherwise do not currently exist. Proposed uniform development program will



prevent the piecemeal development of the property. BOOK M PAGE 761

The Wingfield Glen PUD will enhance the quality of life in this area by providing a variety of lot sizes in the residential villages and recreational activities for the overall development. By using the PUD, the developer can limit the overall density in the development, and preserve natural areas.

Covenants and Restrictions: Covenants and Restrictions for single family units will be enforced by the Homeowner's Association and the ARB.

Dues: Each single family lot owner will pay a capital contribution fee and will pay annual dues to the Homeowner's Association.

II. CURRENT ZONING

The subject property is currently zoned OR and has a Residential Land Use Designation of Mixed Use on the 2005 Comprehensive Plan Future Land Use Element. This P.U.D. application is consistent with the 2005 Comprehensive Plan and the land use designation.

We agree to comply with Objective A.1.9. Mixed Use Development as defined in the Land Comprehensive Plan. We meet the requirements of the Land Comprehensive Plan as defined for Mixed Use Centroids and Mixed Use Districts in the Implementation Materials as Adopted 9/14/90 and Amended Exhibit "A" to Ordinance No. 90-53.

A total of approximately 105.5 acres are upland areas. A total of approximately 113.3 acres are designated Wetland areas. Impacts to jurisdictional wetlands will be permitted through those regulatory agencies having jurisdiction. All wetland areas are to be preserved as indicated on our site plan attached herein, A Homeowner's Association will be formed to maintain and perpetuate single family common areas and/or stormwater retention areas. Wetland areas are to be used for mitigation.

It also should be noted that a Concurrency Determination Application (File Number ) has been applied for. The density for this project is approximately 6.02 units per upland acre.

III. OVERVIEW DEVELOPMENT DESCRIPTION

The subject property consisting of approximately 218 gross acres of land will be developed/constructed in an orderly manner, and allow the following uses:

The number of single family dwellings in the PUD shall not exceed 395. The PUD will be developed as Villages. Each of the Villages can be developed with a variety of lot sizes, which will be determined on each Final Development Plan.

Any portion of Village which is not developed for single family purposes, may be developed as multi-family residential, consistent with the development standards setforth in multi-family standards. The maximum number of multi-family dwellings in the PUD shall be increased to 500, in the event that a portion of a single family village is not developed.

An Architectural Review Board will review single family residential plans and multi-family plans. There is not to be a requirement of ARB approval before issuance of a building permit.

The setbacks and lot sizes in each village must meet or exceed the following development standards for single family residential:

- Minimum lot width 45 feet - except in cul-de-sac lots which shall be 45 feet at Building Restriction Line
- Minimum lot depth 100 feet
- Minimum lot area 4,500 square feet
- Maximum lot coverage building 45%
- Maximum lot coverage 60%
- Minimum front yard setback 20 feet
- Minimum side yard setback 5 feet per side, Total 10 feet
- Minimum corner yard setback 10 feet
- Maximum height of structure 35 feet
- Minimum Rear Setbacks: 10 feet from property line or 5' from wetland buffer, whichever is greater.

The proposed setbacks will allow flexibility in housing design to encourage a more custom neighborhood.

Not more than 30 % of the lots will be smaller than 5000 square feet in size.

Individual site plans at time of building permit will show required and proposed percentages for both maximum lot coverage of building and maximum lot coverage.

**Multi-family Criteria:**

Minimum Lot Requirements.

Multiple Family Dwellings:

- (1) Minimum lot width: 75 feet
- (2) Minimum lot area: 6,000 square feet, plus 2,900 square feet for each dwelling unit in excess of 2.

Minimum Yard Requirements.

Multiple Family Dwellings:

- (1) Front: 20 feet
- (2) Side: 10 feet
- (3) Rear: 10 feet

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Provided that for structures exceeding 35 feet in height, side and rear yards shall be increased by 1 foot for each 3 feet of building height exceeding 35 feet.

Maximum Height of Structures.

Multiple Family Dwellings and other permissible structures: 45 feet.

Anything over 35' in height must be sprinklered in accordance with Fire Code NFPA 13.

Maximum Lot Coverage.

Multiple Family Dwellings and other permitted or permissible structures not exceeding in height:

- (1) 35 feet - 27%
- (2) 45 feet - 26%

**Accessory Building Setbacks:**

The setbacks shall be as outlined above for buildings except that the rear setback shall be 5' and shall apply to gazebos and other similar structures. The ARB cannot grant variances in conflict with the PUD zoning.

**Pools decks and screened enclosures setbacks shall be as follows:**

- Minimum front setback: 20 feet
- Minimum side setback: 5 foot
- Minimum rear setback: 5 foot or upland buffer whichever is greater.

Side and rear setbacks for pool decks and screened enclosures may be decreased to 3' if at time of permitting of pool, gutters and/or underdrain and/or swale will be designed by an engineer to adequately handle drainage of the Lot and must be satisfactory to Development Services of St. Johns County at time of permitting.

**Pool Setbacks:**

Minimum front setback: 20 feet  
Minimum side setback: 5 feet  
Minimum rear setback: 5 feet or upland buffer whichever is greater.

**Setbacks:**

① Setbacks are measured from the property line to the exterior wall of the building with a maximum of 30" overhang

OR

② setbacks will be measured from the property line to the eave of the building. This will be determined at filing of development plan.

Multi-family residential, single or two family with less than 10' between structures, and commercial type developments:

1500 gpm needed fire flow at 20 psi residual pressure, for a two hour duration of flow. 2000 gpm if non fire retardent wooden shingle roofs will be used.

These Setbacks are adopted to provide for uniform development and are further designed to comply to NFPA Code relating to fire protection. The developer will supply all fire hydrants and fire protection service requirements as reasonably required by the County Fire Service Director.

**Amenity Area:**

The developer will provide amenity area(s) for the residential community totalling not less than ten (10) acres consisting of, but not limited to, swimming facilities, recreational building, tot lot, multi-purpose open area and a cabana, and nature/jogging trails. The amenity area(s) will be located in one or more of the Villages, as depicted on the Final Development Plan.

Three of these acres may be substituted for available Country Club Memberships in the adjacent Development. If said substitution is implemented, the amenity package will be decreased proportionately.

IV. DEVELOPMENT SPECIFICATIONS

VEHICULAR ACCESS/ROADWAY

There are two (2) proposed ingress/egress points on Leo Maguire Road. The location is shown on the accompanying site plan. These access points can be moved to accomodate and meet the requirements of the permitting agencies. A Land Development Traffic Assessment prepared by Ward Koutnik and dated June 30, 1998 is made a part of this application. Sidewalk locations shall be determined at time of final Development Plan approval. All roads will be built to County standards. After construction all common property in the single family villages shall be maintained by the Homeowner's Association. The engineering design will be in accordance with County specifications and subject to approval by the County. All single family roads and right-of-ways are to be dedicated to St. Johns County. Leo Maguire Road will be dedicated to St. Johns County with a right-of-way of 80 feet.

Both left and right turn lanes will be provided on CR 210 West to access Leo Maguire Road. These turn lanes will be constructed per the Developers Agreement between Arvida, St. Johns County, and A&S Land Development Co. If no such Developers Agreement is in place before construction commences then the turn lanes will be constructed when the units meet the threshold as required in Ordinance 96-40. A traffic study will be performed at the build out of Phase I t determine if a traffic signal is required and a study will be performed once a year until build out of entire project. If a signal is warranted, the developer will be responsible for design and construction of the signal within 1 year of the study that determines the need of such signal.

During maintenance and construction of Leo Maguire Road, continuous access shall be maintained to the public in a manner at the same level or better than that existing at the time of the approval of this Ordinance. Notwithstanding any other provision of this Ordinance, any change of the location, alignment or closing of Leo Maguire Road must, by the applicant or his successors, have prior County approval and must comply with the applicable State Statutes and County Ordinances. The applicant shall be responsible for making all construction and performing all improvements of Leo Maguire Road.

SIGNAGE

Two double faced indirect - illuminated front entrance signs, which the face shall not exceed 32 square feet each side, are to be located within tracts in the right-of-way on Leo Maguire at CR210 West. At each entrance to the subdivision there will be

one (1) single front entrance sign which the face shall not exceed 32 square feet which is to be located within a tract. The maximum height of entry signage is 6' above finished grade.

Also, there will be temporary signage relative to lot and home sales i.e.- for sale signs, informative contractor signs, model home signs, rentals, etc.

**FENCING**

A fence at a height not to exceed 6' may be erected along the most westerly property line. If a fence is installed, Trees will be along the fence and will be an average of 1 per 10 linear feet, and will be allowed to be clustered for aesthetics. A natural buffer of plants and sapling pines native to this site will be between the fence and Leo Maguire Road. Other fences may be erected at Developer's option on boundary lines by Developer or future property owners subject to Homeowner's Association approval. No fencing to exceed 6' in height. Approval may not be given in opposition to St. Johns County Regulations. All maintenance of fence along Leo Maguire shall be the responsibility of the Homeowner's Association.

**LANDSCAPING**

All landscaping will be provided in accordance with St. Johns County Landscape Ordinance. Landscaping standards are intended to provide for a neat and well maintained appearance and will comply with St. Johns County Land Clearing Ordinance.

**ROADWAYS, WALKWAYS AND PEDESTRIAN PATHS:**

Sidewalks will be provided at a minimum of one side of the main road throughout the subdivision and will be provided to access amenities. All roadways, walkways, and pedestrian paths will be constructed to St. Johns County Standards. It is our intention to save as many trees as possible within the subdivision. Roadways and sidewalks may be moved slightly in the interest of tree preservation provided clear zone is met, and minimum distance between edge of pavement and right-of-way is adequate to accomodate both drainage and utility purposes.

**NATURAL BUFFERS:**

An average 25' upland buffer will be provided from all jurisdictional wetlands. The upland buffer will be no less than 10'.

There will be a 25' buffer between single family and multi-family property. There will be an average of a 15' buffer along Leo Maguire. There will be a 40' buffer along I-95. Billboards will be located within this buffer or the buffer will be increased such that no less than a 20 foot buffer will surround each billboard.

**BILLBOARDS:**

There are three existing billboards on this site. These billboards are located along I-95 and will remain in place. They may be repaired or replaced as needed. Repairs and replacements of billboards will comply with codes in place at time of said repairs/replacement as long as codes allow us to maintain 2 billboards on site. Perpetual access will be reserved to the developer. A 20 foot buffer will be allowed around each billboard. One billboard with the earliest expiration date will be removed at lease expiration.

**OPEN SPACE AND RECREATION:**

The retention lakes and surrounding wetlands will allow open space. In addition, there are amenity areas as outlined above.

**OTHER PERMITTED USES:**

During initial construction of the development, an air curtain burning operation shall be permitted on site. The exact location shall be depicted on the Final Development Plan(s). Said air curtain burning operation will be removed when construction is complete.

Silvaculture: Pursuant to Section 7-13, St. Johns County Code, with respect to any portion of the PUD, these lands may continue to be used for agriculture/silvaculture activity until such time as a Land Clearing Permit is issued for a specific portion of the same, and any portions not then subject to a Land Clearing permit may continue to be used as a agriculture/silvaculture.

**OWNERSHIP AND MAINTENANCE OF COMMON AREAS:**

Common Areas: In the single family and signage areas ownership, management and maintenance will be the responsibility of the Homeowner's Association, its successors and assigns. The roads serving the single family areas are proposed to be dedicated to St. Johns County and the roads serving the multi-family areas will remain private, and the utilities will be dedicated to the appropriate utility companies. Common Areas are for the use of residents, their guests, and invitees only.

Title: Title of common property will be in form of common ownership by the residents of the PUD as a Homeowner's Association.

Landscaped Entry: The entry signage and landscaping at the subdivision entrances will be placed in tracts. Ownership, management and maintenance will be the responsibility of the Homeowner's Association, it's successors and assigns for the single family entrance. The CR210 West signage and landscaping will be split 50/50 with the multi-family property owner and the Homeowner's Association.

**UTILITIES:**

All development within the PUD will be served by a central water and sewer system. The appropriate utility companies will maintain all utilities on site. All telephone, cable TV and electrical power lines will be underground. No septic tanks will be permitted. All utilities shall be underground and be provided by United Water, Southern Bell and the Jacksonville Electric Authority or successors.

**TEMPORARY USES:**

Three temporary mobile sales/rentals/construction units shall be on site until single family models (which will include sales offices ) are completed and until multi-family is completed or a maximum of 9 months. The 9 month period shall begin at the start of vertical construction. Model homes are to be used as sales offices until the last home is constructed. Construction trailers will be allowed for both single family and multi-family areas. If no vertical construction is present, the construction trailer must be removed within 120 days.

**OWNERSHIP**

All single family lots to be fee- simple.

**SCHEDULE OF DEVELOPMENT**

Commencement (final approval of engineering/construction plans) within 3 years of obtaining PUD approval. From that point forward the developers reserve a period of 5 years to complete the horizontal improvements. The project will be developed in one (1) phase. Completion of the project shall be upon receipt of final subdivision plat approval per phase or receipt of Certificate of Occupancy for multi-family.



V. DEVELOPMENT /OWNER CERTIFICATE

The developers of Wingfield Glen PUD agree to proceed with the proposed development in accordance with approved PUD plans and per St. Johns County's Ordinances and regulations and any such conditions and safeguards as may be set by the Board of County Commissioners with respect to its approval. All detailed plans submitted for development shall be in accordance with the approved master plan for Wingfield Glen PUD. Private facilities, areas and systems not operated and maintained by St Johns County shall be the responsibility of the Wingfield Glen PUD Homeowner's Association and their successors in interest. The owners of the property agree to bind any successors in title to all commitments made and approved herein.

All building code, Zoning ordinance, and other land use and development regulations of St. Johns County, as may be amended from time to time, shall be applicable to this development, except those permitting variances and special exceptions and except to the extent that they conflict with the specific provisions of this application and the Final Planned Unit Development Ordinance.

This project shall comply with the standards, policies and requirements in effect at the time of final approval and permitting of this project for development, including any successor or new policies, financing mechanism, plans and ordinances adopted by St. Johns County after the date of the Planned Unit Development Ordinance approval including, without limitation, any Concurrency Management Programs adopted pursuant to Florida Statutes 163.3202(2)(g), as amended, the Objective J.01.05 of the St. Johns County Comprehensive Plan dated September 14, 1990, including any amendments or successor policies of Land

Development Regulations adopted to implement Florida Statutes 163.3202(2)(g).

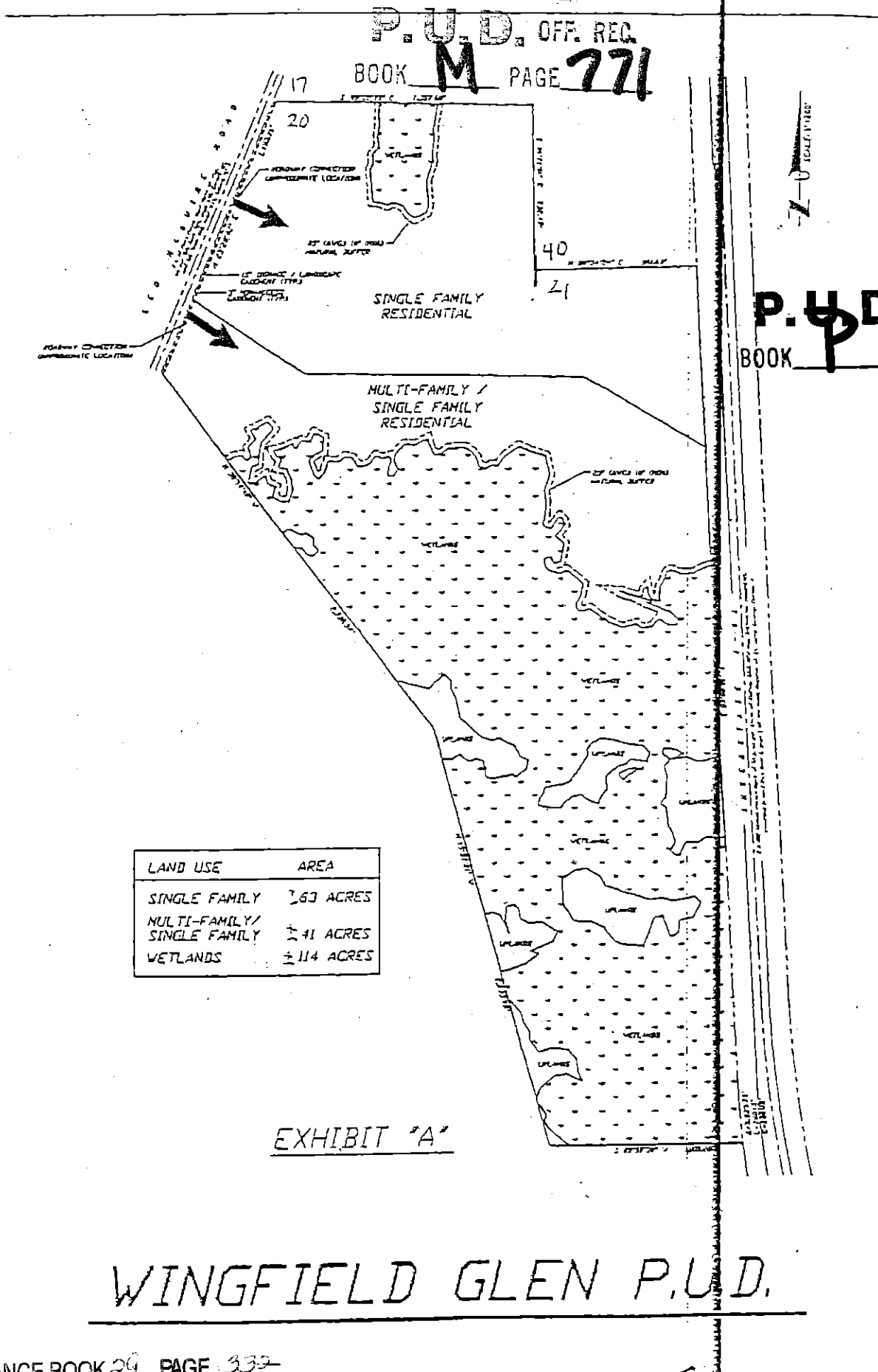
Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited. Particularly, no private land use covenant or restriction that may be incorporated into this Ordinance which is more strict than a particular Federal, State or County Statute, Ordinance, Regulation, Rule, or Resolution shall be enforced by the County under this ordinance except as is specifically provided for and described in the Ordinance or the incorporated PUD narrative.

Respectfully submitted,

*Beth Breeding*  
Beth Breeding, Applicant  
7865 Southside Boulevard  
Jacksonville, FL 32256  
(904) 642-1720

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St. Johns County Planning Department  
4020 Lewis Speedway  
St. Augustine, FL 32095  
(904) 823-2480

PLANNING & ZONING  
DEPARTMENT

SEP 09 1998

APPLICATION FOR PLANNING/ZONING HEARING

Date 9/2/98 File # RPLUD98030 Parent # PA98558 Receipt # 98-017270  
ST. JOHNS COUNTY  
FLORIDA

- 1. Project Name Wingfield Glen
- Also Known As Leo Maguire
- 2. Applicant's Name, Address, and Phone # Silverfield Development Co., 7865 Southside Blvd. Jacksonville, FL 32256 (904) 642-1720
- 3. Owner's Name, Address, and Phone # Rayland, 501 Centre Street, Fernandina (904) 2610833
- 4. Property Location Leo Maguire and I-95
- 5. Legal Description see attached
- 6. Present Use of Property timber
- 7. Parcel # 026440-0000 8. Zoning OR 9. Comp Plan Mixed Use
- 10. Section 20 11. Township 5S 12. Range 28E 13. TAZ 106
- 14. Requested Change Change from timber property to single/multi-family residential.
- 15. Reason Change is Requested The Comprehensive Plan requires a rezoning to PUD in the Mixed Use category.
- 16. Statement of Facts for Requested Change The requested change complies with the Comprehensive Plan.
- 17. Concurrency Required Yes 18. Map Page # 3C19A 19. Road Segment 109
- 20. Size of Property + 218 acres

NOTE: If the application is for a rezoning or major modification, please provide the name of the in the Utility Company/Companies servicing the proposed project  
United Water

- 21. Attach the following to application:
  - a. List of adjacent property owners within 300 feet showing name, address and brief legal description from current tax rolls; address one long envelope to each person on the list, no return address needed, but proper postage on each. Two envelopes are needed if the application requires two public hearings.
  - b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:  
Signature of all owners or authorized person if letter of authorization is attached:

Printed or typed name(s): Beth Breeding, Silverfield Development Co.  
Signature(s): [Signature]  
ADDRESS & TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION: Name: Beth Breeding Phone: (904) 642-1720  
Mailing Address: 7865 Southside Blvd. Fax: (904) 642-4550  
Jacksonville, FL 32256

Form #001

Ordinance Book 22 Page 26

OCT-13-1997 16:25

PLANNING AND GROWTH MGMT.

984 823 2496 P.02

OWNER'S AUTHORIZATION FOR AGENT

P. U. D. OFF. REC. BOOK M PAGE 773

Silverfield Development Co. and Beth Breeding is hereby authorized to act on behalf of

Rayland Company owner(s) of the property described in the foregoing application and as described in attached deed or other proof of ownership, in applying to St. Johns County, Florida, for a Zoning Hearing: Rezoning Variance Exception Concurrency Other

and in making representations to St. Johns County related to the application. In authorizing the agent named above to represent me, or my company, I attest the application is made in good faith and that my information contained herein is accurate and complete to the best of my knowledge and belief.

BY: William J. Watson Signature of Owner(s)

P. U. D. OFF. REC. BOOK P PAGE 424

Signature of Owner(s)

WILLIAM J. WATSON

Print Name(s)

RAYLAND COMPANY 501 Centre Street Address

Fernandina Beach, FL 32034

404 261-0833 Telephone Number

State of Florida County of Nassau

Signed and sworn to before me on 5th day of August, 1998 by William J. Watson

Identification Presented: Personally known Oath taken: Yes No

Charlene D. Nagle Notary Signature

My commission expires:

CHARLENE D. NAGLE Notary Public, State of Florida My comm expires Feb. 15, 2001 Comm. No. CC620383

PLANNING AND GROWTH MGMT.

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY FL

02 NOV 21 AM 8:54

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

CHERYL STRICKLAND  
CLERK OF COURTS

P. U. D. OFF. REC.  
BOOK P PAGE 425

P. U. D. OFF. REC.  
BOOK M PAGE 274

I, CHERYL STRICKLAND, CLERK OF THE CIRCUIT COURT, Ex-officio, Clerk of the  
Board of County Commissioners of St. Johns County, Florida,

DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following

ORDINANCE NO. 98-43

adopted at a regular meeting of the Board of County  
Commissioners of St. Johns County, Florida on July 14,  
1998.

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY FL  
99 JAN 29 PM 4:17  
C. STRICKLAND  
CLERK OF COURTS



as the same appears of record in the office of the Clerk of the Circuit Court of St. Johns  
County, Florida, of the public records of St. Johns County, Florida.

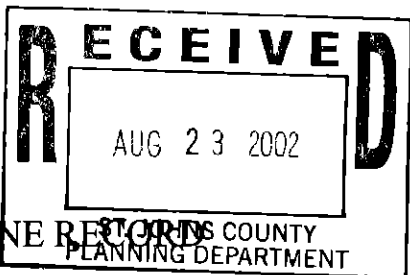
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office  
28th day of January 1999.

CHERYL STRICKLAND,  
CLERK OF THE CIRCUIT COURT  
Ex-officio Clerk of the Board of County  
Commissioners of St. Johns County, Florida

By: Patricia DeGrande  
Patricia DeGrande, Deputy Clerk



DO HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY AS APPEARS  
OF RECORD IN ST. JOHNS COUNTY, FLORIDA  
IN MY HAND AND OFFICIAL SEAL  
THIS 28th DAY OF November 20 02  
C. STRICKLAND, CLERK  
Ex-officio Clerk of the Board of County Commissioners  
BY: Wenne King DC



THE ST. AUGUSTINE RECORDS COUNTY PLANNING DEPARTMENT

PUBLISHED EVERY MORNING 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 an 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 REZONING

In the matter of FILE# R PUD 98-030

WINGFIELD GLEN PUD

in the Court, was published in said newspaper in the issues of

AUGUST 21, 2002

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, for a period of one year 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 21<sup>ST</sup> day of AUGUST 2002

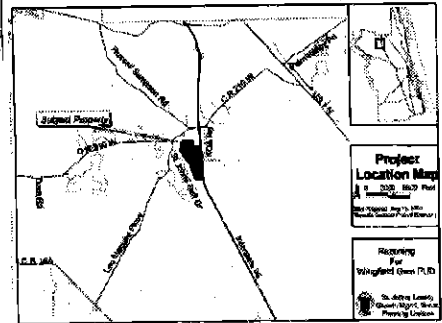
by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

(Signature of Notary Public) Zoe Ann Moss OFFICIAL NOTARY SEAL, ZOE ANN MOSS, NOTARY PUBLIC, ST. JOHNS COUNTY, FLORIDA, COMMISSION (Seal) 14439, MY COMMISSION EXPIRES 08/22/2005

Zoe Ann Moss

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on the Thursday, September 5, 2002 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, September 24, 2002 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway and US 1 North, St. Augustine, Florida, to consider rescinding Ordinance 99-1 and adoption of an ordinance to rezone of lands from OR (Open Rural) to PUD (Planned Unit Development). The subject property is located at CR 210 West within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA DAVID WILES, CHAIRMAN BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES BRYANT, CHAIRMAN FILE NUMBER: R-PUD-98-030 Wingfield Glen PUD L1808-2 Aug 21, 2002

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
Division of Administrative Services



FLORIDA DEPARTMENT OF STATE  
**Jim Smith**  
Secretary of State  
DIVISION OF ELECTIONS

MEMBER OF THE FLORIDA CABINET

State Board of Education  
Trustees of the Internal Improvement Trust Fund  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Siting Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

October 2, 2002

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande  
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 1, 2002 and certified copies of St. Johns County Ordinance Nos. 2002-51 through 2002-55, which were filed in this office on October 2, 2002.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

FILED  
02 OCT - 7 PM 2:11  
CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

BUREAU OF ADMINISTRATIVE CODE

The Collins Building • 107 West Gaines Street • Tallahassee, Florida 32399-0250 • (850) 245-6270  
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