

ORDINANCE NUMBER: 2003 - 62

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

PUD. OFF, REC.  
BOOK R PAGE 301

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated April 11, 2003, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2003-11 Samara Lakes PUD and incorporated by reference into and made part hereof 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 1. Findings of Fact: that the need and justification for approval of the Samara Lakes PUD 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 request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan, specifically including but not limited to, Goal A.1 and Objective A.1.9.
3. The proposed project is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
4. The proposed project 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.
5. The proposed project meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F) of the Land Development Code.
6. The proposed project would not adversely affect the orderly development of St. Johns County.

SECTION 2. Pursuant to this application File Number PUD 2003-08 B&W Enterprises of Jacksonville, Inc. the zoning classification of the lands described within the legal description, Exhibit "A",

Ordinance Book 32 Page 119

*Jarrett G. King*

P.U.D. OFF. REC.  
BOOK K PAGE 302

is hereby changed to PUD.

**SECTION 3.** 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 except where allowed by the Land Development Code; 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 4.** This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

**SECTION 5.** This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

**SECTION 6.** 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 12<sup>th</sup> DAY OF AUGUST 2003.**

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

BY: James E. Bryant  
James E. Bryant  
Chairman

**RENDITION DATE** 08-19-03

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

**EFFECTIVE DATE:** 08-21-03

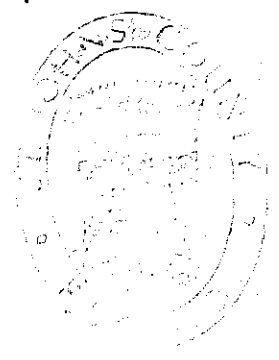


EXHIBIT "A"

O.R. 1145 PG 1171

A part of Section 15 lying within Section 38 of the Antonia Huertas Grant and a part of the Pacetti Donation, Section 37, all in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows: COMMENCE at the intersection of the Southeasterly right of way line of State Road No. 13A, as established for a width of 100 feet with the Southerly right of way line of State Road No. 16 as established for a width of 200 feet; thence South  $81^{\circ}10'44''$  East along said Southerly right of way line, 4,700.80 feet to the Point of Curve of a curve to the right, said curve having a radius of 17,118.80 feet; thence along and around said curve an arc distance of 2,768.69 feet to the Point of Tangency of said curve; thence continue along said right of way line, South  $71^{\circ}54'44''$  East, 477.20 feet to an intersection with the Easterly line of the Southwest 1/4 of Section 8; thence South  $19^{\circ}20'34''$  West along said Easterly line, 375.93 feet to the Southeast corner of said Southwest 1/4 of Section 8; thence North  $72^{\circ}31'10''$  West along the Southerly line of said Section 8, 2667.18 feet to the Southwest corner of said Section 8; thence South  $18^{\circ}37'37''$  West along the Easterly line of said Section 10, 5,289.96 feet to the Southeast corner of said Section 10; thence North  $71^{\circ}41'07''$  West along the Southerly line of said Section 10, 1,060.57 feet to an intersection with the Easterly line of said Section 37; thence South  $00^{\circ}59'20''$  East along the Easterly line of said Section 37, 10.56 feet to the Point of Beginning; thence continue along the said Easterly line of Section 37, 5,063.06 feet to the Southeast corner of said Section 37; thence South  $88^{\circ}10'56''$  West along the Southerly line of said Section 37, 1,343.58 feet to the Southeast corner of lands now or formally owned by Thomas Scaff; thence North  $01^{\circ}45'51''$  West along the Easterly line of said lands, 1,051.41 feet to the Northeast corner of said lands, the same being the Southeast corner of lands now or formally of Trueman Pacetti; thence North  $01^{\circ}37'09''$  West along the Easterly line of said lands, 833.91 feet to the Northeast corner of said lands, the same being the Southeast corner of lands now or formally of Everett Pacetti; thence North  $02^{\circ}30'00''$  West, 1,316.12 feet to the Northeast corner of said lands; thence South  $89^{\circ}59'34''$  West along the Northerly line of lands now or formally of Everett Pacetti, 1,870.20 feet to the Southeast corner of lands now or formally of Emmett Pacetti; thence North  $01^{\circ}34'46''$  West, 417.57 feet to the Northeast corner of said lands; thence South  $89^{\circ}53'21''$  West along the Northerly line of said Emmett Pacetti and James Manning's land, 1,400.28 feet to an intersection with the Easterly right of way line of said State Road 13A; thence North  $02^{\circ}33'45''$  West along said Easterly right of way line, 719.97 feet to the Point of Curve of a curve to the right, said curve having a radius of 666.20 feet; thence along and around said curve an arc distance of 256.58 feet to the Point of Tangency of said curve; thence continue along said right of way line, North  $19^{\circ}30'15''$  East, 766.65 feet; thence North  $89^{\circ}57'30''$  East, 1,385.36 feet; thence South  $88^{\circ}43'37''$  East, 45.01 feet; thence South  $56^{\circ}18'36''$  East, 36.06 feet; thence South  $51^{\circ}09'53''$  East, 204.12 feet; thence South  $59^{\circ}02'10''$  East, 46.65 feet; thence South  $77^{\circ}37'09''$  East, 41.98 feet; thence South  $83^{\circ}26'54''$  East, 508.32 feet; thence North  $80^{\circ}54'35''$  East, 50.64 feet; thence North  $26^{\circ}33'54''$  East, 125.22 feet; thence North  $08^{\circ}02'38''$  East, 544.43 feet; thence South  $72^{\circ}21'44''$  East, 2,099.35 feet to the Point of Beginning.



ST. JOHNS COUNTY  
Application For Rezoning

FROM \_\_\_\_\_ OR \_\_\_\_\_ TO PUD \_\_\_\_\_

P.U.D. OFF. REC.  
BOOK R PAGE 304

DATE \_\_\_\_\_

PROJECT NAME: MALTBY FARMS PUD

OWNER/APPLICANT: Stokes & Company/Applicant John Maltby, Owner

ADDRESS: c/o Pablo Oaks Court, Suite 1  
Jacksonville, FL 32224

PHONE: 904-482-1110 FAX: \_\_\_\_\_

E-MAIL ADDRESS: N/A

CONTACT PERSON: Gary Davenport, Esq., Chiumento & Associates, P.A.

ADDRESS: 4B Old Kings Road North  
Palm Coast, FL 32137

PHONE: 386-445-8900 FAX: 386-447-1336

E-MAIL ADDRESS: gary@palmcoastlaw.com

PROPERTY APPRAISERS PARCELNO. 027500-0000, 027500-0010, 028850-0010

SECTION: 37 TOWNSHIP: 6S RANGE: 28E

CENSUS TRACT: \_\_\_\_\_ PROPERTY APPRAISERS MAP SHEET: 3D/37NX and 3D/37SX

LOCATION: East of Pacetti Road, 1 mile South of SR 16

911 ADDRESS (IF KNOWN) 3600 Pacetti Road

CITY St. Augustine STATE FL ZIP CODE 32092

TAZ \_\_\_\_\_ MAJOR ACCESS Pacetti Road

OVERLAY DISTRICT? Northwest Sector Plan IF YES, WHICH ONE \_\_\_\_\_

ZONE CLASS \_\_\_\_\_ OR \_\_\_\_\_ COMP. PLAN DSGN Residential B

PRESENT USE OF PROPERTY: Sod farm

WATER/SEWER: St. Johns County

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) Country or HOA

WHO WILL MAINTAIN DRAINAGE: HOA

TYPE OF DEVELOPMENT: Single family residential detached and townhome

ACRES: 300± NUMBER OF LOTS/ UNITS: \_\_\_\_\_ SQ. FOOTAGE \_\_\_\_\_  
(SIZE OF PROPERTY) (IF SUBDIVISION) (OF EACH BUILDING)

ACRES TO BE CLEARED: \_\_\_\_\_ 1/4 MILE INCREMENTS OF ROADWAY: \_\_\_\_\_

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES \_\_\_\_\_ NO X

IS THE PROJECT SEAWARD OF CCCL? YES \_\_\_\_\_ NO X

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

See attached text and application letter

Please list below any applications currently under review or recently approved which may assist in the review of this application: concurrency

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:  
Signature of owner or person authorized to represent this application:

Signature: 

Printed or typed name(s): Gary B. Davenport

### OWNER'S AUTHORIZATION FOR AGENT

GARY B. DAVENPORT is hereby authorized TO ACT ON BEHALF OF  
John Maltby & Dan Maltby  
MALTBY PROPERTIES, INC. A, the owner of those lands described within the  
foregoing application, and as described in the attached deed or other proof of  
ownership as may be required, in applying to St. Johns County, Florida for action  
pursuant to a Planned Unit Development.

BY: John F Maltby  
Daniel F Maltby  
Signature of Owner  
John F. Maltby  
DAVID E. MALTBY  
Print Name

475 Poa Boy Farm Road  
St. Augustine, FL 32092  
Address  
904 829 8101  
Telephone Number

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

Signed and sworn before me on 5<sup>th</sup> day of April, 2003.  
BY: John Maltby & Dan Maltby

Identification Presented: FL Driver's License  
Oath taken:  Yes  No

Sally H. Wilcott  
Notary Signature

My Commission Expires: \_\_\_\_\_



Sally H. Wilcott  
MY COMMISSION # DD158447 EXPIRES  
February 16, 2005  
BONDED THRU TROY FABR INSURANCE, INC.

SAMARA LAKES MASTER DEVELOPMENT PLAN TOTAL UNITS NOT TO EXCEED 872

APPROVED: DATE: ORDINANCE NUMBER: FILE NUMBER:

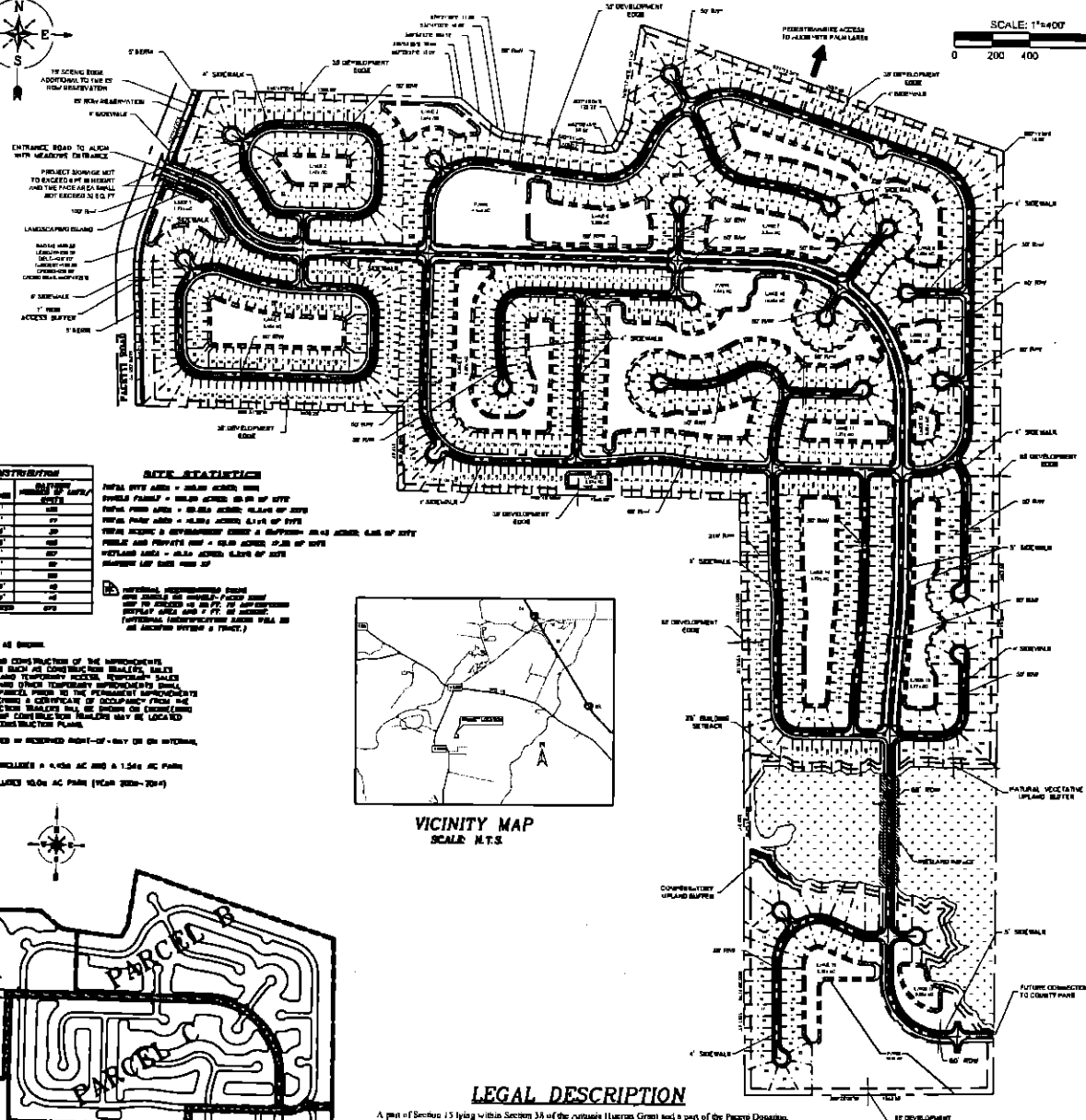
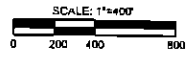
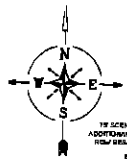
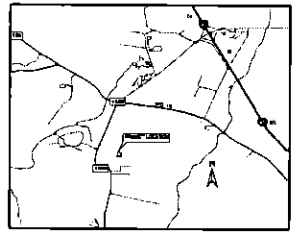
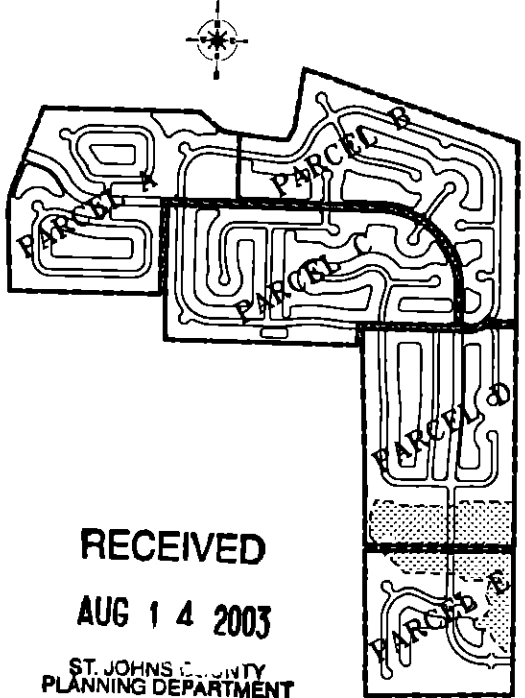


Table with 4 columns: PHASE, PARCEL, AREA (SQ FT), and PERCENT OF TOTAL AREA. Lists parcels A through G and their respective areas and percentages.

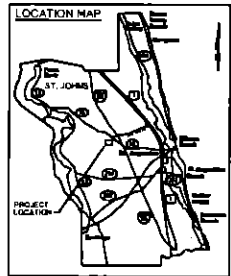
SITE STATISTICS: TOTAL SITE AREA = 1,268,693 SQ FT. TOTAL PARCEL AREA = 1,268,693 SQ FT. TOTAL OPEN SPACE = 1,268,693 SQ FT. TOTAL IMPROVED AREA = 1,268,693 SQ FT.



- NOTES: 1) SEWERAGE SHALL BE PROVIDED AS SHOWN. 2) DEVELOPMENT OF THIS SITE AND CONSTRUCTION OF THE IMPROVEMENTS... 3) SEWERAGE SHALL NOT BE LOCATED IN RESERVED RIGHT-OF-WAY OR ON INTERNAL ROADS... 4) PHASE 1 - PARCELS A, B, C... PHASE 2 - PARCELS D, E, F...



LEGAL DESCRIPTION: A part of Section 15 lying within Section 38 of the outside Ilwaco Grant and a part of the Peters Donation, Section 37, all in Township 6 South, Range 20 East, St. Johns County, Florida, more particularly described as follows: COMMENCE at the intersection of the Southeastern right-of-way line of State Road No. 13A, as established for a width of 100 feet with the Southerly right-of-way line of State Road No. 16 as established for a width of 200 feet, thence South 81° 10' 44" East along said Southerly right-of-way line, 4,730.80 feet to the Point of Curve of a curve to the right, said curve having a radius of 17,118.80 feet, thence along said arc and said curve an arc distance of 2,768.69 feet to the Point of Tangency of said curve; thence continue along said right-of-way line, South 71° 54' 44" East, 177.20 feet to an intersection with the Easterly line of the Southeastern 1/4 of Section 8; thence South 19° 29' 34" West along said Easterly line, 335.93 feet to the Southeast corner of said Southeastern 1/4 of Section 8; thence North 72° 31' 10" West along the Southerly line of said Section 8, 2667.18 feet to the Southwest corner of said Section 8; thence South 18° 37' 37" West along the Easterly line of said Section 10, 5,289.96 feet to the Southwest corner of said Section 10; thence North 71° 41' 07" West along the Southerly line of said Section 10, 1,060.57 feet to an intersection with the Easterly line of said Section 37; thence South 00° 39' 20" East along the Easterly line of said Section 37, 10.34 feet to the Point of Beginning; thence continue along the said Easterly line of Section 37, South 00° 59' 20" East, 5063.06 feet to the Southwest corner of said lands; thence South 89° 18' 54" West along the Southerly line of said lands, 1,243.58 feet to the Southeast corner of lands now or formerly owned by Thomas Scott; thence North 01° 18' 51" West along the Easterly line of said lands, 1,051.41 feet to the Northeast corner of said lands, the same being the Southwest corner of lands now or formerly of Truman Pacific; thence North 01° 37' 09" West along the Easterly line of said lands, 213.91 feet to the Northwest corner of said lands; thence South 89° 57' 21" West along the Northerly line of said Eversen Parcel and James Minkering's land, 1,400.28 feet to an intersection with the Easterly right-of-way line of said State Road 13A; thence North 02° 31' 45" West along said Easterly right-of-way line, 719.37 feet to the Point of Curve of a curve to the right, said curve having a radius of 660.70 feet; thence along said arc and said curve an arc distance of 156.23 feet to the Point of Tangency of said curve; thence continue along said right-of-way line, North 19° 10' 15" East, 766.65 feet; thence North 89° 37' 30" East, 1,183.36 feet; thence South 88° 43' 37" East, 450.01 feet; thence South 56° 18' 35" East, 36.66 feet; thence South 01° 09' 33" East, 204.12 feet; thence South 59° 08' 10" East, 46.65 feet; thence South 77° 37' 09" East, 41.98 feet; thence South 87° 10' 57" East, 308.72 feet; thence North 89° 54' 35" East, 50.64 feet; thence North 26° 33' 54" East, 123.32 feet; thence North 08° 02' 38" East, 344.43 feet; thence South 72° 21' 44" East, 2,099.70 feet to the Point of Beginning.



RECEIVED AUG 14 2003 ST. JOHNS COUNTY PLANNING DEPARTMENT

EXHIBIT D

SAMARA LAKES PUD

P. U. D. OFF. REC.  
BOOK R PAGE 308

MASTER DEVELOPMENT PLAN TEXT

This Master Development Plan Text is part of an application for rezoning to Planned Unit Development ("PUD") as required by the St. Johns County Land Development Code, Section 5.03.02.G.1. The application is filed on behalf of **STOKES & COMPANY** (the Applicant) and owner, **MALTBY PROPERTIES, INC.**, John F. Maltby, Daniel F. Maltby and Lee A. Maltby ("Owner").

- A. The SAMARA LAKES PUD proposed by this Development Plan is adjacent to several significant developments in the northwest portion of St. Johns County. This development will fill housing demand in this portion of the county where the urban infrastructure is already in place. The project will be accessed by connection to Pacetti Road. The project will therefore not contribute to urban sprawl. The project is located adjacent to the Meadows, The King & the Bear, Palm Lakes and several other single family residential developments.
- B. The total number of acres within the project as requested in the application is approximately 310.6 ± acres.
- C. There is approximately 19.5 acres of wetlands, which will remain within the project at buildout.
- D. Residential development (including Lots and right-of-ways) will encompass approximately 210 acres as shown on the Master Development Plan. Buffers consist of a minimum of 6.6% of the entire site. Open space is provided within the drainage and utility easement areas, buffers and retention ponds. Total open space includes a minimum of 95 acres.
- E. Residential development and scenic edges shall be limited to 872 residential units (as shown on the Master Development Plan Map). Thirty-three (33%) percent of the units will be affordable as defined by the St. Johns County Land Development Code. The affordable housing units may be located anywhere within the project.

A minimum of thirty-three (33%) percent of the Lots approved within shall be affordable to at least moderate income buyers (except that a minimum of 20% of the "bonus" units shall be designated for low income households). Assurances of affordability shall be provided for a period of 10 years. This project is providing the only new affordable ownership units in a part of the County, which is quickly developing as a high end residential.



The Applicant shall work with County Staff, the Utility Department and the SHIP program to provide deferred utility connection fees for designated affordable units.

The Applicant shall also work with County Staff and the SHIP program to obtain deferred or partial payment of impact fees on the designated affordable units.

The project shall be eligible for any other incentives permitted by the St. Johns County Land Development Code and Development Review Manual.

The sales price of the designated affordable houses shall not exceed the maximum adopted by the St. Johns County SHIP Home Buyers Program, as revised. The current maximum is set at \$125,000.00.

The project utilizes the wetland preservation and affordable housing density buffers to achieve the projected density. The density of the project is 2.8 units per acre based upon 872 residential units on a total of 310.6 acres. The projected population within the project is 2,128 persons based upon 2.44 persons per household, the County concurrency standard. The estimated number of school age children within the project is 620.

- F. There is no non-residential development within this PUD.
- G. The residential areas may be developed with detached single family homes (including zero lot setbacks) and attached townhomes. The minimum lot width for detached single family homes shall be 43 ft. and minimum lot size shall be 4,500 sq. ft.

#### Single Family Setbacks

The following setback requirements shall apply to each single family residence. The front setback shall be 25' for front entry garages. The rear setback shall be 10'. The side setback shall be 7.5' measured as specified in the Land Development Code with eaves permitted to encroach 2.5 ft. into all setbacks. Corner lots shall be considered to have two front yards and 2 side yards with no rear yard. The primary front yard, where the driveway intersects the road, shall comply with the front yard setback stated above and the other front yard shall have a minimum 15 ft. setback. The minimum distance between buildings (eave to eave) shall be 10 ft. Maximum lot coverage by buildings shall be 40%. Maximum building height for all structures shall be 35 ft.

Zero Lot Line Setbacks

Zero lot line lot development criteria shall be as provided in Section 6.01.04 of the St. Johns County LDC, except that the minimum lot area for zero lot line is 4,500 square feet.

Townhome Setbacks

Attached Townhome Lot development criteria shall be the same as zero lot line lots, except that no building separation or side setbacks shall be required where units are attached.

Accessory Uses

Accessory structures for all lot types shall be permitted in rear yards (or side yards of corner lots) so long as they are set back 5 ft. from the property line. Covered pools and covered patios may intrude up to 5 ft. into the required rear yard setback. Notwithstanding this provision, no accessory uses including covered pools and patios may intrude into the Development or Scenic Edges shown on the MDP. Parking for two vehicles per lot shall be provided either within the driveways (outside of the adjacent right-of-way) or within a garage for each residential unit.

Recreation

A minimum 15 acres of recreation will be provided. The approximate 4.45 and 1.54 acre parks will be constructed by Developer as a part of Phase I and shall include, but is not limited to children's play areas. The 4.45 and 1.54 acre parks shall be maintained by the Property Owners' Association. The 10 acre ballfields park will be constructed as a part of Phase 2 and shall include but is not limited to multi-use ballfields and a children's play area. It is intended that the 10 acre park may be dedicated by Developer to St. Johns County for public use after construction of the park improvements is complete. The park improvements shall be constructed by the Developer. If the park dedication to the county is accepted, the County shall thereafter be responsible for maintenance of this park. Otherwise, the Developer shall maintain the park until it is turned over to the responsible homeowners' association.

Buffers

A minimum 35 ft. Development Edge shall be provided along side and rear boundary lines of the PUD. A minimum 75' Scenic Edge shall be provided along Pacetti Road, east of the 25' reserved right-of-way.

### Signs

Project identification signs shall be permitted near the main residential entrance to the project on Pacetti Road as shown on the Master Development Plan Map as well as the entrances to individual subdivisions within the project. All signs shall be located outside of the road right-of-way. Permitted project signage may be located on an entry wall, or freestanding monument signs. The signs may be either two single faced signs flanking each entrance or one double faced sign in either location. The sign shall not exceed 6 ft. in height. Regardless of the type of entry sign, the face area shall not exceed 32 sq. ft. of advertising area. Additional internal parcel identification signs shall be permitted as shown on the MDP. The Internal parcel identification signs shall be a single or double faced monument sign not exceeding 4' in height and 12 sq. ft. of advertising display area, and shall be located in a separate tract.

### Model Homes

Model Homes may be provided consistent with the terms of the Land Development Code.

- H. All roads, streets, parking (turn lanes if required in accordance with Land Development Code) and drainage areas shall conform to the design standards specified in the St. Johns County Land Development Code. The internal roadways may be dedicated to the County, subject to acceptance by the Board of County Commissioners.

The Master Development Plan Map depicts a preliminary vehicular circulation system that shows all proposed points of connection with public rights-of-way. Internal roads may be dedicated to St. Johns County, subject to acceptance by the St. Johns County Board of County Commissioners. A 6' wide sidewalk shall be provided along Pacetti Road in front of the PUD property. Five foot (5') wide sidewalks shall be provided on both sides of the main internal collector road. From the point where the main road crosses the wetland to future connection to the County Park, this road shall be a 60' right-of-way with a 5' sidewalk on one side of the road. A 4' sidewalk shall be provided on one side of other internal roads except cul de sacs with less than 15 Lots where no sidewalk is required. The sidewalk along Pacetti Road shall be constructed as a part of Phase 2 construction. Internal sidewalk construction shall correspond with adjacent road construction, except that sidewalks in front of homes may be installed as a condition of issuance of a certificate of occupancy. The exact location and configuration of the internal roads shall be depicted on construction plans submitted for approval. As shown on the MDP, the internal collector road shall be connected to the County park on the Southeast corner of the property. Interconnectivity to the East is not feasible as this area is under a conservation easement. Interconnectivity to the South and West is not feasible as this area is

developed with rural single family homes with no area for connection. A bicycle and pedestrian connection shall be made to the North consistent with the adjacent development and as shown on the MDP. Part of the North boundary is also an existing single family home. Twenty five (25) ft. along the East side of Pacetti Road within the project shall be reserved for future right-of-way. The reserved right-of-way may be deeded to St. Johns County at which time the applicant will request transportation impact fee credits in accordance with Ordinance 87-57 as amended. The value of the deeded right-of-way shall be determined by a qualified appraiser or as contained in the official records of the St. Johns County Property Appraiser's Office. All common areas including roads (unless dedicated to the County) shall be maintained by one or more responsible Property Owners' Associations for this project.

Water and sewer facilities shall be provided by St. Johns County, including fire protection. Fire protection shall be in compliance with the St. Johns County Land Development Code. Solid waste collection shall be provided by the County-contracted waste collection company.

- I. Based upon an estimated use of 350 gallons per day per residence, water and sewer use for 872 residential units results in an estimated 305,200 gallons per day for water and an estimated 305,200 gallons per day for sewer.
- J. The soil survey for St. Johns County Florida identifies 4 types of soil on the site: Pomona fine sand, Riviera fine sand, placid fine sand and Bakersville muck.
- K. The site vegetation includes planted sod, potatoes and mixed hardwoods and pines.
- L. There are no Significant Natural Communities Habitats or listed species (as defined by the St. Johns County Land Development Code) within this project.
- M. There are no known or observed Historic Resources (as defined by the St. Johns County Land Development Code) within this project.
- N. Scenic and Development Edges are addressed in Paragraph G above. Major collector screening on Pacetti Road shall be provided adjacent to Pacetti Road, consistent with Section 6.06.04.B.6 of the Land Development Code. A 25' Natural Vegetative Upland Buffer plus a 25' Building Setback shall be maintained between developed areas and contiguous wetlands. This buffer is to be measured landward from the State jurisdictional wetland line, and is to remain in a natural undisturbed, vegetative state. Removal or alteration of native vegetation and soils within the upland buffer is prohibited.

Upland Buffers and Building Setback associated with wetlands shall be depicted on all construction plans and shall be recorded on the plat.

- O. This PUD is not located in an Overlay District as defined by Article III of the St. Johns County Land Development Code. The PUD is within the Northwest Section Plan Area.
- P. Development of this site and construction of the improvements may require temporary uses such as construction trailers, sales offices, temporary signage and temporary access. Temporary sales and construction trailers and other temporary improvements shall be removed from a lot or parcel prior to the permanent improvements of such parcel or lot receive a certificate of occupancy from the County. Temporary construction trailers will be shown on engineering and construction plans.
- Q. The accessory uses are addressed in subparagraph G above.
- R. The development will be built in 2 five year phases. Phase I of the development shall commence within 3 years of the date of approval of this PUD. Commencement is defined as the approval of engineering plans by St. Johns County. The development shall be completed within 10 years after commencement. Completion of development shall be defined as County approval of the as-built plans.

The projected development of each Phase shall be as follows:

Projected Phasing Schedule

Phase 1	2003-2008 (projected)
Parcel A	212 units
Parcel B	195 units
Parcel C	264 units
4.45 ac. Park and 1.54 ac. Park	
 Phase 2	 2009-2014 (projected)
Parcel D	156 units
Parcel E	45 units
10 ac. Park	

Notwithstanding the projected phasing schedule, future phases (or portion thereof) may be combined with current phases so long as a phase is 50% complete before moving to the next phase. Notwithstanding the projected phasing schedule, all development will be completed, as defined above within 10 years of commencement.

- S. The project will provide on-site stormwater drainage facilities. The Applicant may interconnect onsite stormwater systems with those on the adjacent Turnbull Park owned by St. Johns County, subject to applicable State and Federal permitting. The Applicant may also use soil removed from lakes on the County Property as fill on the PUD property. St. Johns County has capacity and will provide all of the water and sewer facilities for the project through existing facilities. The project will therefore have minimal impact on the facilities and infrastructure of St. Johns County. The project is located within an area designated for residential development in the St. Johns County Comprehensive Plan. The project is also located within an area which is experiencing strong demand for housing in this part of St. Johns County. The project will therefore meet the demand for housing by residents of St. Johns County. The existing zoning district would not permit the property to meet the housing demand. The PUD zoning, rather than conventional residential zoning, allows the Owner and the County greater control over development within this project and permits some of the lots to be sold as affordable.
- T. The project requests the following any waivers:
- 1) Waiver of Section 6.01.04 of the St. Johns County Land Development Code regarding minimum lot size of 5,000 sq. ft. This waiver is justified to provide for affordable zero lot line lots.
  - 2) Waiver of Section 6.01.03E.3 of the St. Johns County Land Development Code regarding reduction of the second front yard on corner lots by 20%. Second front yards on corner lots may be reduced by 40%. This waiver is justified to provide developable lots while maintaining their affordability.
  - 3) Waiver of Section 5.07.03.C of the St. Johns County Land Development Code requiring assurances of affordability for 15 years. Assurances of affordability shall be provided for the lesser of 10 years or as provided in the Land Development Code. This waiver is justified as the current SHIP downpayment liens are written off at 10%/yr.
  - 4) Waiver of Section 5.03.031.B.b of the St. Johns County Land Development Code requiring 7.5 side yard setbacks for all residential lots in a PUD. The setback shall be as provided in Paragraph G above. This waiver is justified to provide a lot size mix including zero lot line, townhomes, and affordable lots.
- U. All successors in title to the Property shall be bound to the conditions of the approved PUD.

V. Not Applicable.

W. The project has complied with the Comprehensive Plan Policy A.2.1.7.  
Community Planning Public Participation.

C:\WINDOWS\TEMP\8-13-03 PUD Clean Text.wpd

Recorded in Public Records St. Johns County, FL  
Clerk# 95039585 O.R. 1145 PG 1170 09:07AM 12/20/95  
Recording \$9.00 Surchage \$1.50 Doc Stamps \$824.60

*Handwritten initials in a circle*

This Instrument was prepared by:  
Record and Return to:

H. LEON HOLBROOK, Attorney  
HOLBROOK, AKEL, COLD,  
STIEFEL & RAY, P.A.  
One Independent Drive, Suite 2301  
Jacksonville, FL 32202

P. H. D. OFF. REC.  
BOOK R PAGE 316

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 6th day of December, A.D. 1995, by and between MARY JANE MALTBY, an unmarried person, whose address is 3502 Harbor Drive, St. Augustine, Florida 32095, hereinafter called "Grantor", and MALTBY PROPERTIES, INC., a Florida corporation, said Grantee's mailing address being 475 Poa Boy Farm Road, St. Augustine, Florida 32092, hereinafter called "Grantee".

WITNESSETH: that Grantor, for and in consideration of Ten and No/100 Dollars, in hand paid by the said Grantee the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and its successors and assigns forever, an undivided one-sixth (1/6) interest in the following described land, situate, lying and being in the County of St. Johns, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel ID No.: 028850-0010 and 027500--0000

And said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor but not otherwise. "Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered  
in presence of:

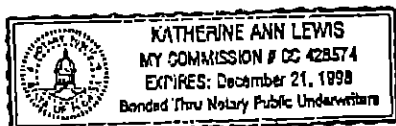
Sign: *Thomas C. Lewis*  
Print Name: THOMAS C. LEWIS

*Mary Jane Maltby*  
MARY JANE MALTBY

Sign: *F. Hanner Taylor*  
Print Name: F. HANNER TAYLOR

STATE OF FLORIDA )  
COUNTY OF St. Johns )

The foregoing instrument was acknowledged before me this 6th day of December, 1995, by Mary Jane Maltby, who is personally known to me or who has produced a driver's license as identification.



*Katherine Ann Lewis*  
Printed Name:  
Notary Public State of Florida  
Commission Number: CC 428574  
*Katherine Ann Lewis*



A part of Section 15 lying within Section 38 of the Antonia Huertas Grant and a part of the Pacetti Donation, Section 37, all in Township 6 South, Range 28 East, St. Johns County, Florida, more particularly described as follows: COMMENCE at the intersection of the Southeasterly right of way line of State Road No. 13A, as established for a width of 100 feet with the Southerly right of way line of State Road No. 16 as established for a width of 200 feet; thence South  $81^{\circ}10'44''$  East along said Southerly right of way line, 4,700.80 feet to the Point of Curve of a curve to the right, said curve having a radius of 17,118.80 feet; thence along and around said curve an arc distance of 2,768.69 feet to the Point of Tangency of said curve; thence continue along said right of way line, South  $71^{\circ}54'44''$  East, 477.20 feet to an intersection with the Easterly line of the Southwest 1/4 of Section 8; thence South  $19^{\circ}20'34''$  West along said Easterly line, 375.93 feet to the Southeast corner of said Southwest 1/4 of Section 8; thence North  $72^{\circ}31'10''$  West along the Southerly line of said Section 8, 2667.18 feet to the Southwest corner of said Section 8; thence South  $18^{\circ}37'37''$  West along the Easterly line of said Section 10, 5,289.96 feet to the Southeast corner of said Section 10; thence North  $71^{\circ}41'07''$  West along the Southerly line of said Section 10, 1,060.57 feet to an intersection with the Easterly line of said Section 37; thence South  $00^{\circ}59'20''$  East along the Easterly line of said Section 37, 10.56 feet to the Point of Beginning; thence continue along the said Easterly line of Section 37, 5,063.06 feet to the Southeast corner of said Section 37; thence South  $88^{\circ}18'56''$  West along the Southerly line of said Section 37, 1,343.58 feet to the Southeast corner of lands now or formally owned by Thomas Scaff; thence North  $01^{\circ}45'51''$  West along the Easterly line of said lands, 1,051.41 feet to the Northeast corner of said lands, the same being the Southeast corner of lands now or formally of Trueman Pacetti; thence North  $01^{\circ}37'09''$  West along the Easterly line of said lands, 833.91 feet to the Northeast corner of said lands, the same being the Southeast corner of lands now or formally of Everett Pacetti; thence North  $02^{\circ}30'00''$  West, 1,316.12 feet to the Northeast corner of said lands; thence South  $89^{\circ}59'34''$  West along the Northerly line of lands now or formally of Everett Pacetti, 1,870.20 feet to the Southeast corner of lands now or formally of Emmett Pacetti; thence North  $01^{\circ}34'46''$  West, 417.57 feet to the Northeast corner of said lands; thence South  $89^{\circ}53'21''$  West along the Northerly line of said Emmett Pacetti and James Manning's land, 1,400.28 feet to an intersection with the Easterly right of way line of said State Road 13A; thence North  $02^{\circ}33'45''$  West along said Easterly right of way line, 719.97 feet to the Point of Curve of a curve to the right, said curve having a radius of 666.20 feet; thence along and around said curve an arc distance of 256.58 feet to the Point of Tangency of said curve; thence continue along said right of way line, North  $19^{\circ}30'15''$  East, 766.65 feet; thence North  $89^{\circ}57'30''$  East, 1,385.36 feet; thence South  $88^{\circ}43'37''$  East, 45.01 feet; thence South  $56^{\circ}18'36''$  East, 36.06 feet; thence South  $51^{\circ}09'53''$  East, 204.12 feet; thence South  $59^{\circ}02'10''$  East, 46.65 feet; thence South  $77^{\circ}37'09''$  East, 41.98 feet; thence South  $83^{\circ}26'54''$  East, 508.32 feet; thence North  $80^{\circ}54'35''$  East, 50.64 feet; thence North  $26^{\circ}33'54''$  East, 125.22 feet; thence North  $08^{\circ}02'38''$  East, 544.43 feet; thence South  $72^{\circ}21'44''$  East, 2,099.35 feet to the Point of Beginning.

OWNER'S AUTHORIZATION  
FOR AGENT

P. U. D. OFF. REC.  
BOOK R PAGE 318

Hill, Boring, Dunn & Assoc. is hereby authorized to act on behalf of

Susan Ridd

Susan Ridd 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  Concurrence

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 John F Maltby  
Signature of Owner(s)

Daniel F. Maltby  
Signature of Owner(s)

DANIEL F. MALTBY

John F Maltby  
Print Name(s)

475. Pea Bay Farm rd  
Address

St. Augustine, FL 32092

004) 829-8101  
Telephone Number

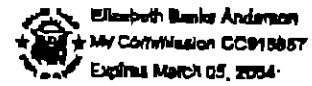
State of Florida  
County of St. Johns

Signed and sworn to before me on 17 day of July 2002  
by John F Maltby + Daniel F Maltby

Identification Presented: Personally Known  
Oath taken:  Yes  No

Elizabeth Banks Anderson  
Notary Signature

My commission expires:



KAREN\_OAGENT.V70

LIST OF OWNERS WITHIN 300'

**P. H. D. OFF. REC.**  
**R**  
BOOK      PAGE **319**

Samara Lakes Farm

<u>NO.</u>	<u>PROPERTY ADDRESS</u>	<u>PARCEL ID. NO.</u>
1	Francis G. Robinson, et al. 3970 Pacetti Rd. St. Augustine, FL 32092	028670 0000
2	Benjamin Robinson, III 3800 Pacetti Rd. St. Augustine, FL 32092	028850 0000
3	Randy L. Robinson c/o Sunshine Farms 3970 Pacetti Rd. St. Augustine, FL 32092	027500 0010
4	Charles R. Abel 3300 Pacetti Rd., Lot P St. Augustine, FL 32092	027660 0034
5	Julie Pacetti Roberts 3300 Pacetti Rd., Lot R St. Augustine, FL 32092	027660 0036
6	Jerry Lexington Barnhill, et al. 3300 Pacetti Rd., Lot T St. Augustine, FL 32092	027660 0031
7	Jimmy L. Wise 3300 Pacetti Rd., Lot S St. Augustine, FL 32092	027660 0022
8	Jimmie D. Thomas, Sr. 2731 Glimpse of Glory Rd. St. Augustine, FL 32084	027660 0000
9	James Bass 3175 Stanley Dr. St. Augustine, FL 32092	027660 0040

LIST OF OWNERS WITHIN 300'

P. U. D. OFF. REC.  
BOOK R PAGE 320

Maltby Farm

<u>NO.</u>	<u>PROPERTY ADDRESS</u>	<u>PARCEL ID NO.</u>
10	Tommy & Melissa Shealey 3185 Stanley Dr. St. Augustine, FL 32092	027660 0050
11	Michael Wayne Foster 498 McCullough St. St. Augustine, FL 32084	027660 0060
12	Ernest A. & Evelyn C. Boykin 3215 Stanley Dr. St. Augustine, FL 32092	027660 0070
13	Christine Chesley 3241 Stanley Dr. St. Augustine, FL 32092	027660 0080
14	William F. Ortagus 3340 Stanley Dr. St. Augustine, FL 32092	027660 0012
15	George A. & Tammy J. Singleton 3260 Stanley Dr. St. Augustine, FL 32092	027660 0011
16	Norma Gayle-Stone Dupont 3350 Pacetti Rd. St. Augustine, FL 32092	027660 0010
17	Jennifer L. & John H. McLaughlin 3380 Pacetti Rd. St. Augustine, FL 32092	027580 0060
18	John A. & Charlotte A. Greene 3384 Pacetti Rd. St. Augustine, FL 32092	027580 0070

LIST OF OWNERS WITHIN 300'

**P. H. D. OFF. REC.**  
**BOOK R PAGE 321**

Maltby Farm

<u>NO.</u>	<u>PROPERTY ADDRESS</u>	<u>PARCEL ID NO.</u>
19	Robert A. & Shereen M. Germain 3460 Pacetti Rd. St. Augustine, FL 32092	027580 0080
20	Robert Maxwell 3390 Pacetti Rd. St. Augustine, FL 32092	027580 0000
21	Andrew S. Geshinsky, et al. 3430 Pacetti Rd. St. Augustine, FL 32092	027580 0050
22	Andrew S. Geshinsky, et al. 3430 Pacetti Rd. St. Augustine, FL 32092	027580 0040
23	Beverly Griner 3540 Pacetti Rd. St. Augustine, FL 32092	027580 0020
24	Benjamin H. Wolfe, Jr. & Bernice 3554 Pacetti Rd. St. Augustine, FL 32092	027580 0030
25	Richard A. Horton, Jr., et al. 5405 State Rd. 16 St. Augustine, FL 32092	027578 0000
26	Kenneth M. & M. Patricia Pacetti 1560 Ricardo Ave. Ft. Myers, FL 33901	027560 0000
27	Thelma Pacetti 1947 Hawaii Ave., NE St. Petersburg, FL 33703	027540 0000

LIST OF OWNERS WITHIN 300'

P. U. D. OFF. REC.  
BOOK R PAGE 322

Maltby Farm

<u>NO.</u>	<u>PROPERTY ADDRESS</u>	<u>PARCEL ID NO.</u>
28	Clinton Schmermund 3655 Pacetti Rd. St. Augustine, FL 32092	027530 0000
29	SJ Land Associates LLC 824 Market St., Ste. 900 Wilmington, DE 19801	028820 1401
30	Richard Wiley 5800 SW 17 <sup>th</sup> St. Plantation, FL 33317	027520 0000
31	Michael N. & Patricia Ann Carroll 5680 State Rd. 16 St Augustine, FL 32092	028820 1416
32	Randy L. Robinson c/o Sunshine Farms 129 Ridge Road Pierson, FL 32180	028850 0020
33	William H. Dillow, et al. 3710 Pacetti Rd. St. Augustine, FL 32092	028850 0030
34	William H. Dillow, et al. 3710 Pacetti Rd. St. Augustine, FL 32092	028850 0032
35	William H. Dillow, et al. 3710 Pacetti Rd. St. Augustine, FL 32092	028850 0031
36	Mark A. Brown 129 Tanager Rd. St. Augustine, FL 32086	028940 0050

LIST OF OWNERS WITHIN 300'

P. U. D. OFF. REC.  
BOOK R PAGE 323

Maltby Farm

<u>NO.</u>	<u>PROPERTY ADDRESS</u>	<u>PARCEL ID NO.</u>
37	Jennie Runion 5020 Scaff Rd. St. Augustine, FL 32092	028990 0010
38	Stephanie L. & Christopher Brown 5040 Scaff Rd. St. Augustine, FL 32092	028950 0000
39	Helen Scaff Hagan & Carl Merlin Hager 5050R Scaff Rd. St. Augustine, FL 32092	027830 0000
40	Carl M. Hagan & Helen S. 5050R Scaff Rd. St. Augustine, FL 32092	027830 0010
41	Marie A. Lane, et al. 5265 Truman Pacetti Rd. St. Augustine, FL 32092	027840 0000
42	George L. & Pamela C. Lareau 3715 Pacetti Rd. St. Augustine, FL 32092	028820 1402

F:\Sally\Gary D\Stokes\300' Owners.wpd

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

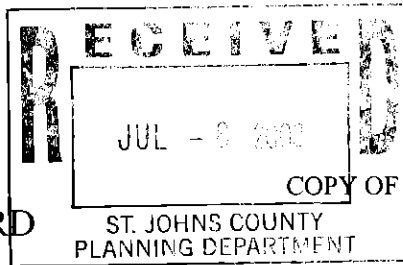
03 SEP 15 AM 10:31

CHERYL STRICKLAND  
CLERK OF COURTS

I HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY AS APPEARS  
ON RECORD IN ST. JOHNS COUNTY, FLORIDA  
WITNESS MY HAND AND OFFICIAL SEAL  
THIS 11<sup>th</sup> DAY OF September 20 03  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

BY: L. Wenne King D.C.





THE ST. AUGUSTINE RECORD

ST. JOHNS COUNTY PLANNING DEPARTMENT

COPY OF ADVERTISEMENT

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 # PUD 2003-10

SAMARA LAKES

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

JULY 2, 2003

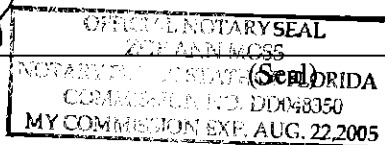
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 3<sup>RD</sup> day of JULY 2003

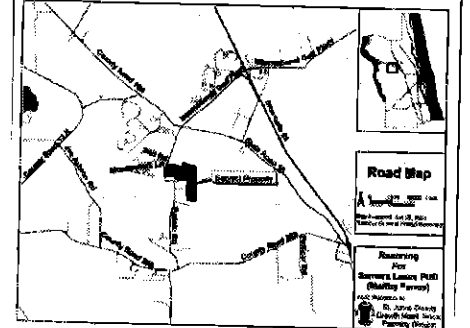
by [Signature] who is personally known to me or/who has produced PERSONALLY KNOWN as identification.

[Signature of Notary Public]

Zoe Ann Moss



NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on the Thursday, July 17, 2003 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and August 12, 2003 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a rezoning from OR (Open Rural) to PUD (Planned Unit Development). The subject property is located at 3650 Pace III Road 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. 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.

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES E. BRYANT, CHAIRMAN PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA DON HOUSE, CHAIRMAN FILE NUMBER: PUD 2003-10 Samara Lakes L1443-3 July 2, 2003





STATE OF FLORIDA  
DEPARTMENT OF STATE

JEB BUSH  
Governor

GLEND A. HOOD  
Secretary of State

August 29, 2003

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

Attention: Yvonne King  
Minutes and Records Division

03 SEP - 2 PM 2: 22  
CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

FILED

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 20, 2003 and certified copies of St. Johns County Ordinance No. 2003-62 and 2003-63, which were filed in this office on August 21, 2003.

Sincerely,

Liz Cloud  
Program Administrator

LC/mp

ORDINANCE BOOK 32 PAGE 143