ORDINANCE NUMBER: 2004-53

P.U.D. OFF. REC.
BOOK 5 PAGE 5

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

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

SECTION 1. That, as requested by Bruce Vaughan, Vaughan and Associates LLC, on behalf of Charles R and Gabye Lee Usina, the record title owner(s) in the application with supporting documents for zoning change dated October 14, 2003 (hereinafter the 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 2. That development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated October 14, 2003 and other supporting documents which are a part of zoning file number PUD 2003-28 (Terra Pines Reserve I PUD) and which are incorporated by reference into and made a 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 3. That construction of the development shall commence within five years of approval of this Ordinance, as stipulated within the application.

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

a. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.

b. The proposed project is consistent with the St. Johns County Comprehensive Plan specifically, Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.

c. The request 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.

d. The request 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.

e. The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02(G) of the Land Development Code.

f. The proposed PUD meets all applicable Specific Standards of Section 5.03.03 of the St. Johns County Land Development Code.

g. The zoning district designation of Planned Unit Development (PUD) is consistent with the land uses allowed in the land use designation of Residential B (RES-B) as depicted on the 2015 Future Land Use Map.

SECTION 5. 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.

SECTION 6. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 7. This Ordinance must be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners, in accordance with Section 125.68, Florida Statutes.

SECTION 8. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed in the office of Planning, by the Planning Director or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 13th DAY OF July 2004.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Karen R. Stern
Karen R. Stern, Its Chair

RENDITION DATE 07/19/04

ATTEST: CHERLY STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: 07-21-04

Orig

P.U.D. OFF. REC.
BOOK 5 PAGE 7

Terra Pines Reserve I

Planned Unit Development Application

SUBMITTAL DATE:

Preapplication: September 30, 2003
October 14, 2003

SUBMITTED ON BEHALF OF:

Bruce Vaughan, Vaughan & Associates, L.L.C.
16134 Armistead Lane, Odessa, FL 33556
813-810-5135 / 813-926-5118 Fax

AUTHORIZED AGENT FOR THE APPLICANT

Karen M. Taylor, Land Planner
3070 Harbor Drive, St. Augustine, Florida 32084
(904) 826-0600 / (904) 825-4180 Fax

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EXHIBIT A	Legal Description
EXHIBIT B	Application Form
EXHIBIT C	Master Development Plan Text
EXHIBIT D	Master Development Plan Map
EXHIBIT E	Location Map
EXHIBIT F	Authorization
EXHIBIT G	Proof of Ownership (Deeds attached)
EXHIBIT H	Adjacent Property Owners
EXHIBIT I	FLUCCS Map

RECEIVED
OCT 14 2003

EXHIBIT C
MASTER DEVELOPMENT PLAN TEXT

SECTION I - INTRODUCTION

Enclosed herein, please find an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Ordinance. The application form is attached as Exhibit B. This petition is filed on behalf of the applicant: Bruce Vaughan, Vaughan & Associates, L.L.C., 16134 Armistead Lane, Odessa, FL 33556.

A. Location: The property sought to be rezoned consists of 323.43 acres, described by the Legal Description, Exhibit A. It is situated in St. Johns County, on the south side of County Road 208, just west of the Interstate 95/State Road 16 intersection and immediately west of the Usina Industrial Park.

B. Surrounding Uses: The site is shown on the Location Map, Exhibit E. To the north and east of the site are the Whisper Ridge PUD (residential development) and the Anderson Park PUD (planned commercial and industrial development). The St. Augustine Outlet Mall and other commercial activities are further to the east, adjacent to the interstate. The Usina Industrial Park and campground is the immediate easterly neighbor and there are various sizes of single-family lots to the west along Pellicer Road, Monument Bay Road and County Road 208. Properties further to the west are basically undeveloped farm and timber properties.

C. Ownership: The subject property is owned by Charles and Gabye Usina as shown by the Proof of Ownership (deeds) attached as Exhibit G. Said property owners have authorized Bruce Vaughan and subsequently Karen M. Taylor, Land Planner, to act on their behalf and file the application for seeking the rezoning change indicated. Authorizations are attached as Exhibit F. Adjacent property owners for notification purposes are included as Exhibit H.

SECTION II - SITE DEVELOPMENT CRITERIA

A. Project Description: The applicant is requesting the zoning change from Open Rural to Planned Unit Development (PUD) to allow for the construction of a single family residential development.

The project will be known as **Terra Pines Reserve I Planned Unit Development (Terra Pines Reserve I PUD).** The property is located within the Residential "B" Area on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan. As a note, there is an additional parcel to the south that is located within the Rural/Silvicultural Area and will be developed as a companion development as a Planned Rural Development (PRD) for single-family lots that has been planned to be accessed through this PUD. This Planned Rural Development will be the Terra Pines II Planned Rural Development (Terra Pines II PRD). The "B" category allows for residential development of two (2) units per acre and associated community facilities as provided within the development plan.

The Master Development Plan, Exhibit D, indicates the general layout for the site for construction of sixty-eight (68) single-family residential homes and indicates the location of the proposed

development areas, general lot configurations, roadways, open space, and drainage and retention areas. The site will be accessed from County Road 208 and served with central water and sewer. The property will be developed within one phase, with the access to Foal Ridge Drive dependant upon the approval of the PRD (Planned Rural Development) to the South and the improvement of the roadways within that PRD.

The project is planned to integrate into the rural character of the area, with large somewhat isolated lots, considerably larger than most of the lots currently offered within subdivisions within the general St. Augustine area. The design incorporates an existing farming/timbering road, into a central drive that meanders throughout the property, through the heavily forested property, which is primarily jurisdictional wetlands and incorporates two (2) upland "causeways" between the upland areas to allow for access. The lots have been clustered within the upland "islands" and "peninsula's" within the wetlands. These expansive wetland areas provide significant open space that will be preserved and remain natural.

B. Development Size: There is a total of 323.43 acres of property, of which 68.27 acres are uplands. The applicant is proposing to develop the total 68.27 acres of upland developable property and fill 4.19 acres of wetlands to expand the existing roadway "causeways" for access between the upland portions of the site. Any wetland impacts will be pursuant to the appropriate permitting authorities.

C. Wetlands: The 323.43 acre site contains 255.16 acres of jurisdictional wetlands. Vegetation within the wetland areas is described in Section K. Site Vegetation and Habitat. The wetlands cover a majority of the site. There are 68.27 acres of existing uplands and the Applicant is proposing to fill 4.19 acres, which are those wetland areas associated with the roadway (including the appropriate buffers) and anticipates a resulting overall preservation of 250.97 acres of jurisdictional wetlands. The areas not preserved, will only be filled in accordance with all appropriate permits. A Site Plan which depicts the State jurisdictional wetland line and signed by the SJRWMD Environmental Manager, will be provided to the County once the jurisdictional wetland lines are set.

D. Development Area: The overall site includes 317.26 acres, with 72.46 acres of developable property and 250.97 acres of jurisdictional wetlands.

E. Dwelling Units: The site is planned for sixty-eight (68) single family residential homes on 72.46 acres, which provides for a net density of 1.07 units per acre, which is well under the one hundred and forty-four (144) units which would be allowed under Residential B at two (2) units per acre. Population for the development, based upon 2.44 residents per household, will equal one hundred and sixty-six (166) residents at build-out. At a ratio of 0.46 children per household, the project will generate approximately thirty-two (32) school age children.

F. Non-Residential Development: All development will be for residential purposes.

G. Site Development Criteria:

1. Lot Sizes and Building Area: The total ground area to be occupied by buildings and structures shall not exceed a thirty-five percent (35%) building coverage of the overall lot area and a maximum impervious surface ration of seventy percent (70%). Lot sizes, for

the entire lot, shall be a minimum of one-half (0.5) acre in size, with an average one hundred and twenty-five (125) foot frontage and an average two hundred and fifty (250) foot depth. Lot sizes will include the upland buffers and portion of the jurisdictional wetlands (which will remain undisturbed and in their natural state).

2. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include residential uses as defined within the Land Development Code, allowing for conventional single family residential dwellings, as well as active and passive recreational facilities associated with the homes. In addition, all typical residential accessory and ancillary uses will be allowed as outlined within the Land Development Code.

3. Setbacks: Setbacks shall be measured in accordance with the Land Development Code) (LDC) and shall be as follows:

a. Front yard: twenty-five (25) feet.

b. Side yard: ten (10) feet.

c. Rear yard: ten (10) feet, except that those lots with contiguous wetland buffers will be required to provide the twenty-five (25) foot undisturbed upland buffer as well as the twenty-five (25) foot upland buffer setback and such setback shall function as the rear yard.

4. Building Height: Buildings shall not exceed thirty-five (35) feet in height.

5. Parking: Each residential unit will have a garage or carport with an associated driveway apron to provide the required two (2) parking spaces per residential unit, which will be accomplished outside of the right-of-way.

6. Signage: The applicant is requesting the following signs, with construction of the signs conforming to the Land Development Code requirements in effect at the time of permitting.

a. Master Overall Project: One (1) or two (2) development identification monument-type signs will be allowed, at the main entrance on County Road 208, located within a central island or on either side of the entrance within a designated sign easement. These signs may be either one (1) or two (2) sided with each face limited to a maximum size of thirty-two (32) square feet and a maximum height of fifteen (15) feet, unless constructed as a part of a wall, whereas the sign cannot exceed four (4) feet in height, within the wall. These signs may be lighted or illuminated. The applicant may construct a fence, masonry wall, berm or install vegetation (or provide a combination thereof) to compliment the entrance feature, which will not be computed as a part of the square footage for the sign.

b. Project Construction Signs: One (1) on-site project construction sign will be allowed near the entrance to the property along County Road 208, which must be

removed within thirty (30) days after the "as-built" plans have been approved by the County. The sign may be two (2) sided with each face limited to thirty-two (32) square feet and will conform to the requirements of the Land Development Code.

c. Miscellaneous Signs: Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of a sales office, recreation areas, etc. Such signs will be a maximum of three (3) square feet in size.

7. Fencing: Upland fencing, a maximum six (6) foot high fence will be allowed in the side and rear yards in accordance with the requirements of the LDC. Fencing, a maximum of four (4) feet high, will be allowed in the front yards. Fences may be constructed of wood, aluminum or similar material, and vinyl or woven vinyl chainlink, or traditional chainlink. Wetland Fencing may be allowed in accordance with 62-341 Florida Administrative Code.

8. Security Gate/Guard House: The applicant may install either a security gate and/or guard house within a median at the entrance to the development in the location indicated on the Master Development Plan, Exhibit D, Such gate or guard house will provide a turn-around accessible to persons not cleared to enter the subdivision and providing access back to County Road 208.

H. Infrastructure:

1. Stormwater: Stormwater will be handled on site within the swales associated with the roadways, with conveyance and storage within retention ponds if necessary. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirement of the St. Johns River Water Management District.

2. Vehicular Access / Interconnectivity: Main access to the property will be provided via a single main access on County Road 208 and no access will be allowed from Monument Bay Road. The roadway will meander throughout the property and will be constructed with a sixty (60) foot right-of-way, in accordance with the standards for using both curb and gutter (in the areas with lots) and swales, (in the areas without lots) as stipulated within the St. Johns County Land Development Code. A waiver to allow roadside swales within the undeveloped areas along the roadways is included in Section T. These roads are indicated on the Master Development Plan, Exhibit D, and the sixty (60) foot right-of-way is being used in order to provide for lots and roads across the wetlands and in narrow areas. These right-of-ways will provide for buffers to the jurisdictional wetlands.

Roadways will remain private and the applicant may provide a security gate, with appropriate turn-around at the entrance to the development. The Applicant will provide a left turn lane from County Road 208, which is actually required because of the aggregate traffic from the Terra Pines Reserve II PRD to the south. This turn lane will

accommodate the bulk of the traffic, which is anticipated traffic to access the property from the east.

In addition, for interconnectivity, the applicant will provide access to the roads within the proposed Terra Pines Reserve II PRD to the south and a portion of this PUD will be accessed from the roadways within the Terra Pines Reserve II PRD.

3. Pedestrian Access / Sidewalks: The applicant will provide a sidewalk along County Road 208 or pay into the sidewalk fund in accordance with the Land Development Code, as is deemed appropriate at the time. However, the applicant is requesting a waiver to the requirement for portions of the sidewalks within the development, due to the low density, rural character of the development and the extremely low traffic volume. See Section T. Waivers, Variances and Deviations. The applicant will provide standard sidewalks within the lot areas, along one side of the road and will provide defined mulched "pathways" along the right of ways connecting to the sidewalks to provide for pedestrians and horseback riders (from the PRD portion of the development). It should be noted that there will be only sixty-eight (68) single-family residences on the internal roadway, which measures over 9,000 linear feet, with another thirty-four (34) additional residences on another mile of interior roadway, planned from the Planned Rural Development.

4. Parks / Recreation: The applicant is providing a number of common areas, which will be used for passive recreation. Improvements will be made to an active "Park" Common Area in the center of the site, which will include a children's play area, a multi-purpose field, and benches and picnic tables.

5. Open Space: Approximately seventy-nine percent (79 %) of the site, or 250.59 acres, of open space and green space will be provided. This includes the jurisdictional wetlands (that will be maintained in their original state), but does not include the acres of upland buffers. This significant amount of open space and greenspace is provided throughout the development in those areas indicated on the Master Development Plan, Exhibit D, and will provide visual interest, privacy, and separation between the various residential lot clusters. The open space areas will be left in their natural state, however, these areas may be augmented with native vegetation, if desired.

6. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department. Plans are to access the County lines from County Road 208 or the applicant may tie directly into the water main, that runs through the site, whichever is determined by the Utility department.

7. Fire Protection: The applicant will comply with the requirements of the St. Johns County Fire Services, Land Development Code, including installation of fire hydrants meeting the 660 foot vehicle travel feet apart installation requirement in the lot areas and the 500 gpm flow requirement.

8. Solid Waste: Solid waste will be handled by the licensed franchisee in the area.

9. Utilities: All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department, connecting to lines along County Road 208 or connecting directly to the main that runs through the site. Water distribution and wastewater collection/transmission facilities will be dedicated to St. Johns County. For calculation purposes, it is assumed that thirty (30) of the homes will have three (3) bedrooms and forty (40) of the homes will have four (4) bedrooms. Therefore, when complete, the project will utilize approximately 25,000 gpd of potable water and require the treatment of approximately 25,000 gpd of sanitary sewer.

J. Topography and Soils: The property is located south of County Road 208, west of Interstate 95. Elevations average around thirty (30) feet msl. The property is located in an area designated by the Federal Emergency Management Association (FEMA) as Zone "C", within the 100 year floodplain.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies the following six (6) soil types on the site

13 St. Johns fine sand: The central northerly upland parcel and portions of the south central part of the property contains St. Johns fine sand. This is a poorly drained nearly level soil in broad flatwoods and landscapes adjacent to drainageways. The seasonal high water table is at a depth of 0 to 15 inches for two (2) to six (6) months and at 15 to 30 inches for one (1) to four (4) months. The natural vegetation consists of slash pine, loblolly bay, sawpalmetto, waxmyrtle, American Holly, and inkberry. It has a medium community development potential with the excessive wetness being the main limitation. The potential for septic tank use is medium, but could require up to four (4) feet of fill for the drainfield.

11 Smyrna fine sand: The south central upland area and southeasterly uplands contain this soil type, which is a poorly drained nearly level soil on broad areas in the flatwoods. The seasonal high water table is at a depth of less than 10 inches for 1 to 4 months, and it recedes to a depth of 10 to 40 inches for more than 6 months in most years. Permeability is rapid. Available water capacity is very low to low. The natural vegetation includes longleaf and slash pine, sawpalmetto, inkberry, waxmyrtle, running oak, pineland three awn, dwarf huckleberry, and panic. Potential for community development is medium.

3 Myakka fine sand: There are a few isolated "pockets" of this soil type throughout the wetland areas and along the northerly portion of the trail road. This soil type occurs in the flatwoods and was formed by marine deposits of sandy material. The seasonal high water table is at a depth of less than 10 inches for 1 to 4 months of the year and at a depth of more than 40 inches during the drier seasons. Permeability is rapid. Vegetation includes longleaf pine, slash pine, sawpalmetto, running oak, inkberry, and waxmyrtle. Native grasses include pineland threeawn, bottlebrush threeawn, chalky bluestem, creeping bluestemk lopsided indiangrass, and low panicum. The community development potential is medium.

30 Wesconnet fine sand, frequently flooded: There are also areas of this soil type associated with the wetland areas located on the westerly portion of the site and between the upland areas to be used for development. This soil type is a very poorly drained,

nearly level soil in natural drainageways. The seasonal high water table is at a depth of less than 10 inches for 10 to 12 months of the year and the property is subject to flooding. The community development potential is very low.

26 Samsula Muck. There are also isolated "pockets" of this soil type in small areas central to the site within the wetland areas. This is a very poorly drained soil in narrow to broad swamps and depressional areas in the flatwoods. Areas are irregular in shape and can be from 8 to 60 acres. Under natural conditions, in most years, the seasonal high water table is at or above the surface, except during extended dry periods. Permeability is rapid throughout. Available water capacity is very high in the surface layer. Natural vegetation includes blackgum, cypress, loblolly bay, waxmyrtle, greenbriar, and cinnamon fern. Potential for community development is very low.

12 Ona fine sand: This soil type is located in the central portion of the site. This is a nearly level, poorly drained sandy soil with a seasonal high water table a depth of 10 to 40 inches for 4 to 6 months which rises to a depth of less than 10 inches for 1 to 4 months during rainy seasons and recedes to a depth of more than 40 inches during very dry seasons. The community development potential is medium.

K. Site Vegetation and Habitat: The vegetation on site consists of (441) Coniferous Plantation and (630) Wetland Forested Mixed as classified utilizing the Florida Land Use, Cover and Forms Classification System (FLUCCS) code and is delineated on Exhibit I, Site Vegetation. The predominate vegetative type across most of the upland portions of the site is (441) Coniferous Plantation which consists of planted slash pine with an understory of naturally recruited shrubs and ground cover vegetation. The predominate wetland type on the site is (630) Wetland Forested Mixed which accounts for the majority of the wetlands along the borders of the site and "scattered" throughout the remainder of the site. This cover consists of a canopy of mostly loblolly bay, swamp bay, slash pine, and water oak, with an understory consisting of titi, American holly, wax myrtle and gallberry. Wetlands on site consist a total of approximately 255.16 acres, which cover a majority of the site and are a part of the Trestle Bay Swamp to the east and the Monument Bay Swamp to the west. There are only 68.27 acres of existing uplands. The applicant is proposing to fill only those wetland areas associated with the roadway of 4.19 acres and anticipates a resulting overall preservation of 250.97 acres of jurisdictional wetlands.

L. Significant Natural Communities Habitat: Environmental Resources Solutions, Inc. was retained to establish the limits of the jurisdictional wetlands and determine the probability of any significant natural communities habitat. As determined, none of the land use cover classifications are considered "Significant Natural Communities" as defined by the St. Johns County Land Development Code. In addition, the latest Geographic Information System (GIS) data documenting the occurrences of federal and state listed species were reviewed for the site and vicinity. The data was obtained from the Florida Fish and Wildlife Conservation Commission. No listed species observations within the site or vicinity were shown in this data.

M. Historic Resources: The site is located in a medium predictive area on the St. Johns County Final Archeological Predictive Model, so the applicant had an Archeological Reconnaissance Study performed. The study indicated that no significant historical cultural materials were present and recommended to the Florida Division of Historical Resources that no further research be required. A copy of this study has been provided to the Planning Department.

N. Buffers: Buffer areas will be provided as shown on the Master Development Plan Map and further defined below:

1. A natural buffer shall be provided along the exterior boundaries of the site by the natural wetland systems, as shown on the Master Development Plan, Exhibit D. These wetland areas will fulfill the minimum of ten (10) feet in width required by Section 5.03.03 the LDC. In addition, the ten (10) foot buffer will be provided along the edges of Lots One (1) and Two (2) and along the entrance road.

2. A twenty-five (25) foot natural vegetated upland buffer will be established adjacent to the contiguous wetland areas and a twenty-five (25) foot building setback will be provided in addition to the buffer. These buffers will be measured from the State jurisdictional wetland line. The buffers will remain natural and may be averaged with a minimum width of ten (10) feet, provided the averaging achieves a greater overall upland buffer width. The natural vegetated upland buffer and additional building setback shall be depicted on all construction plans and shall be recorded on the plat.

Land clearing plans will be submitted for the roads, recreation areas and drainage facilities with the Construction Plans. Lot clearing will be allowed individually by permit through the County. The development will conform to all land clearing and tree credit/replacement requirements outlined within the Land Development Code, effective at the time of permitting. Note: all upland buffers will be identified and staked with a silt fence/protective barrier prior to any land clearing for temporary uses.

O. Special Districts: The project is not located within any Special District.

P. Temporary Uses:

1. **Construction/Sales Trailers:** Temporary construction/sales trailers may be utilized and placed on the site upon approval of the construction plans. The initial construction/sales trailer will be located at the County Road 208 entrance to the development on the first lot and then may be relocated within the individual development areas as the construction stages proceed, with the location(s) shown on the Construction Plans for each Phase. Temporary sales trailers will be allowed to remain until completion of the development, but temporary construction trailers must be removed no later than thirty (30) days of approval of the horizontal construction "as-builts". A temporary construction/development sign will be allowed at the entrance and may also remain until thirty days after approval of the horizontal construction "as-builts".

2. **Model Homes:** Model homes may be constructed within each of the development phases, provided the number does not exceed ten (10) percent of the number of units in the Phase. The model homes may be constructed during construction of the infrastructure of each phase and may include sales, administration and construction offices, with parking located within the driveway. The model homes may be constructed during construction of the infrastructure and may be used for sales, administration and construction offices, after receipt of a Certificate of Occupancy. Parking for the model homes and sales offices will be located within the driveway or adjacent lot. The applicant will provide terminating easements to St. Johns County for ingress and egress

to all of the model homes under construction, prior to initiation of construction. The applicant understands that no Certificate of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional agencies and the subdivision plat has been recorded with St. Johns County.

3. Wetland Identification: All upland buffers will be identified and staked with a silt fence/protective barrier prior to any land clearing for temporary uses.

Q. Accessory Uses: Accessory uses and structures will be allowed as per the St. Johns County Land Development Code provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Specifically:

1. Standard residential accessory uses will be allowed within the building area of the lots, including, but not limited to: decks, patios, pools, pool enclosures, storage sheds, garages, workshops, and guest houses.

2. Accessory structures attached to the residence will be subject to the same setbacks as the residence except for accessory uses, such as patios, pools and pool enclosures including the pool decking, which may be constructed within the rear or side yard setbacks, provided a minimum of five (5) feet is maintained from the property boundary.

3. Driveways may be allowed within the front and side yard setbacks.

4. Accessory uses, such as Home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code.

R. Phasing: Terra Pines Reserve I PUD shall be developed in one (1) phase, which will commence within five (5) years of approval of the PUD. Commencement shall be defined as the approval of construction plans by the St. Johns County Development Services Department and completion shall be defined as the installation of all infrastructure and approval of "as-builts" surveys for the phase. Completion shall be within five (5) years of commencement.

S. Project Impact: The property is located within the Residential "B" District of the St. Johns County Comprehensive Plan, which allows the types of uses included within the application. The property has excellent access to major roadways and transportation corridors (County Road 208 and Interstate 95). The site is in close proximity to community facilities and shopping and is served by three (3) public schools (Mill Creek Elementary, Sebastian Middle School and St. Augustine High School). The large estate size lots will target both families and retirees, providing for an integrated community. The somewhat meandering roadway design and clustered development areas will provide a unique development with interior small neighborhoods nestled within a thickly vegetated site, ensuring privacy and interaction with nature.

Due to the large amount of jurisdictional wetlands, the overall design incorporates generous open space. Although the lots are large, the three (3) clustered lot areas will help to foster small neighborhoods within the large overall property. The design standards and amenities offered,

particularly the large size of the lots and expansive undeveloped open space, are unique to this area, both in location and in design. As there are a small number of lots, which are large enough to accommodate individual outdoor activities, the applicant is requesting a waiver to the provision for a neighborhood park. The significant jurisdictional wetlands will provide privacy from surrounding residential development and the commercial and industrial development to the east. This preservation of this significant wetland system will maintain the integrity of the north south wetland system (part of Trestle Bay Swamp) and protect it from future tree harvesting or other alteration. Through this wetland system and the configuration of the uplands interior to the site, future residents will also provided with a natural separation from the agricultural activities that may be maintained on the adjacent property.

The applicant believes that the proposed Planned Unit Development will have a positive benefit and impact both to the future occupants of the project, as well as to the residents of St. Johns County. It will further the stated goals and objectives of the County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

T. Waivers / Variances / Deviations: The applicant requests the following deviation to specific requirements of the Land Development Code as follows:.

1. **Internal Sidewalks:** A Waiver is requested from the requirement for sidewalks within portions of the development as outlined within Section 5.03.03C of the Land Development Code. It should be noted that the applicant will provide sidewalks along County Road 208 or contribute to the sidewalk fund if desired. For the same reasons as stated in the request to not provide specific active recreation, the project has minimal development impact with sixty-eight (68) lots along an expansive roadway which will have minimal traffic from the sixty-eight (68) homes within the development and the thirty-four (34) additional homes within the adjacent Planned Rural Development. The Applicant will provide sidewalks within the upland developed lot areas along one side of the road, and provide a stabilized "mulched" pathway along the road right-of-way between these areas to provide for off pavement access for both pedestrians and horseback riders.

2. **Roadside Swales Sections.** The Applicant is requesting a waiver to the Land Development Code, Section 6.04.07 Roadway Design, specifically subsection C.2. that provides for swales for subdivisions with lots of one (1) acre or more in size. The Applicant plans to install a curb and gutter roadway design system within the areas that include lots, which are adjacent to the roadway. This includes the entrance to the development, the area for lots 1 and 2, the "island" for lots 3 through 6, and the areas for lots 7 through 32 and 33 through 68. However, there are approximately 3300 linear feet of roadway that are connections between the lot areas, which run within a substantial wetland system and have no lots accessing them. The applicant would like to use roadside swales in these sections to provide for stormwater treatment adjacent to the source a more linear fashion. This configuration eliminates the need for additional wetland impacts, upland areas that would have to be created to accommodate the run-off, beyond those needed to provide the required road right-of-way. As an aside, it should be noted that the companion PRD to the south of this PUD, would also use swale section road construction, which would be allowed by the code, and will be a part of the overall

road network of curb and gutter and swale section roadways throughout the two developments.

3. **Roadway Layout:** A Waiver is requested to Section 6.02.05 A.1. requiring a maximum roadway length of 1000 feet and 6.02.05 C.5. requiring a maximum length for a dead end street of 1800 feet. The applicant is requesting the waiver due to the configuration of the property. It has a relatively narrow central uplands and "long" wetland strands that run the length of the property from north to south, with an insufficient width to provide for side streets. Therefore, the are no options to exceeding the roadway lengths provided for within the code. However, in order to compensate for this, the applicant has provided for short side streets and cul-de-sacs (constructed to County standards) to provide for vehicular turn-arounds to compensate for the long stretch of road and provide for public safety.

No other waivers, variances or deviations from the Land Development Code or other land development regulation within this PUD, however, the applicant may request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.

U. Ownership/Agreement: The applicant, its successors and/or assigns, hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant, its successors and/or assigns, also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows:

> To the extent that they do not conflict with the unique specific and detailed provisions of this approved 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 ordinance, building code, comprehensive plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

All roads, stormwater and drainage facilities and common areas, located within Terra Pines Reserve I PUD are for the common use and benefit of all property owners within both Terra Pines Reserve I PUD and Terra Pines Reserve II PRD. They shall initially be constructed, owned and maintained by the Applicant, his successors and/or assigns. Upon completion of construction of the roads, common areas and facilities, as well as the stormwater and drainage facilities, at the time established by the Homeowners Association documents, the Applicant will transfer ownership and maintenance responsibilities to the Terra Pines Reserve Homeowners Association, a non-profit corporation established under the laws of the State of Florida, covering both developments.

The site shall be maintained in a clean and orderly manner in accordance with all provisions of this PUD and conditions included within the adopting Ordinance. Legal documents and

agreements for common ownership by property owners and/or a property association, shall meet the requirements of the St. Johns County Land Development Code in effect at the time of establishment.

V. Future Land Use Designation: The property is located within the Residential B Land Use Area on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan.

SECTION III. SUMMARY AND CONCLUSIONS

The need and justification for approval of the **Terra Pines Reserve I PUD** has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby, it is found that:

A. Consistency with Comprehensive Plan: Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including Goal A.1 "To effectively manage growth", Objective A.1.2 Control of Urban Sprawl (specifically A.1.2.2), Objective A.1.3 Surrounding Land Use (it is compatible, per Policy A.1.3.12 with the adjacent existing residential development to the south and is consistent with Objectives A.1.9 (A.1.9.2, A.1.9.5, A 1.9.6, A 1.9.7, and A 1.9.8.) area wide. The project additionally satisfies Objective A.1.13 Community and Neighborhood Creation and Preservation. The development portion of the project is located within the Residential "B" Area category of the St. Johns County Comprehensive Plan making the proposed rezoning consistent with the Comprehensive Plan as defined within the Textual Appendix to the Future Land Use Element, Section 1 (a)(I) Residential Uses - Variable and Optional Density Systems for the "B" Zone and (iii) Residential Permitted Uses and is not incompatible with present or future land uses.

B. Location: The project is located within a Residential B District on the FLUM which district allows the type of development envisioned within the PUD. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

C. Minimum Size: The area encompassed by this project is greater than the minimum size criteria for development of a typical single-family residential development under the criteria established within Section 6 of the Land Development Code.

D. Compatibility: The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood. As a result of the conditions and safeguards included in the application, this development will be beneficial to the area as a whole.

This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. The project has received a Certificate of Concurrency, which assures that available and adequate public facilities and services are available to support the proposed PUD. When developed in accordance with the conditions

stipulated in the PUD application, the PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

E. Adequacy of Public Facilities: The subject property and future project is served by a major transportation system, central water and sewer and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The project has been issued a Certificate of Concurrency, indicating that there are adequate public facilities to accommodate the development.

F. Relation to PUD Regulations: The subject project meets all applicable requirements of general zoning, subdivision and other regulations except as may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

G. Master Development Plan: The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.

Therefore, we feel that the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area, and hereby request approval.

EXHIBIT A
LEGAL DESCRIPTION

P.U.D. OFF. REC.
BOOK 5 PAGE 21

LEGAL DESCRIPTION: USINA PROPERTY – NORTH PARCEL

A tract of land lying within Sections 6 and 7, Township 7 South, Range 29 East and Section 12, Township 7 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Point of Tangency on the centerline of State Road 208, at Station 215+59.49, according to the State of Florida State Road Department right-of-way map, section number 7859-150, St. Johns County, Florida (a 66 foot right-of-way); thence S16°03'25"W, leaving said centerline, for 33.00 feet to the South right-of-way line of said State Road 208; thence S73°56'35"E, along said South right-of-way line, for 918.22 feet to the Northeast corner of Lot 14, according to the plat of Stagecoach Manor, as recorded in Map Book 14, page 89 of the Public Records of St. Johns County, Florida; thence S16°03'25"W, along the East boundary line of said Lot 14, for 561.50 feet to the Southeast corner of said Lot 14, said point also being the POINT OF BEGINNING; Thence S73°56'35E, along the South boundary line of aforesaid Stagecoach Manor, for 1060.00 feet; thence S02°48'09"E, for 1358.15 feet; thence S12°44'04"E, for 2301.31 feet; thence N86°53'30"E, for 599.93 feet; thence S06°01'38"E, for 2361.92 feet to the point of intersection with the South line of Section 7, Township 7 South, Range 29 East, St. Johns County, Florida; Thence S84°41'54"W, along the South line of said Section 7, for 2145.63 feet; thence N17°00'00"W, for 1010.00 feet; thence N89°50'17"W, for 165.54 feet to the point of intersection with the easterly right-of-way line of Monument Bay Road (a 60 foot right-of-way); thence N00°09'43"E, along said easterly right-of-way line, for 244.42 feet to the point of intersection with the northerly right-of-way line of said Monument Bay Road; thence along said northerly right-of-way line, the following five (5) courses; (1) thence N84°01'36"W, for 60.31 feet to the point of intersection with the West line of aforesaid Section 7; (2) thence continue N84°01'36"W, for 432.47 feet; (3) thence N57°17'33"W, for 343.40 feet; (4) thence N34°31'14"W, for 230.27 feet; (5) thence N88°03'47"W, for 58.76 feet; thence leaving said northerly right-of-way line, N10°06'01"W, for 2987.75 feet; thence N18°46'05"W, for 170.06 feet; thence N89°38'25"E, for 2476.03 feet; thence N02°48'09"W, for 734.51 feet; thence N14°48'49"W, for 528.98 feet; thence N55°54'06"W, for 725.36 feet to the POINT OF BEGINNING and containing 317.26 acres, more or less.

EXHIBIT B

St. Johns County Growth Management Services Department
Planning Division
P.O. Drawer 349, 4020 Lewis Speedway
St. Augustine, Florida 32084
Phone: 904 823-2480 Fax: 904 823-2498 E-mail: plandept@co.st-johns.fl.us

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Date October 14, 2003 **PUD File Number** _____ **Receipt Number** _____

1. **Project Name** Terra Pines Reserve I Planned Unit Development
2. **Applicant's Name, Address, and Phone No.:** Bruce A Vaughan, 16134 Armistead Lane, Odessa FL 33556 (813) 810-5135
3. **Owner's Name, Address, and Phone No.** Charles R & Gabye Lee Usina, 2595 CR 208, St. Augustine, FL 32095 (904) 824-2340
4. **Property Location:** County Road 208
5. **Legal Description:** See Exhibit A
6. **Present Use of Property:** vacant (undeveloped)
7. **Parcel ID Number:** see below **8. Current Zoning** OR **9. 2015 FLUM designation:** Residential B
10. **Section** 6 & 7 **11. Township** 7 South **12. Range** 29 East
13. **Requested Change:** Property developed for 37 single family lots within a PUD (to be combined with Terra Pines Reserve II PRD) for a total of 70 single family lots
14. **Is Concurrency review required?** Yes **15. Zoning Map Page #** 3E/N
16. **Size of Property** 317.26 acres
17. **Utility Provide:** St. Johns County Utilities

18. **Provide all of the following:**

a. List of adjacent property owners within 300 feet of the parcel to be rezoned showing name, address and brief legal description from current tax rolls. Address two legal size envelopes to each property owner on the list. Do not include a return address. Each envelope must contain proper postage. The order of the envelopes must match the order in which the names appear on the list.

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 must be provided.

c. Legal description (attach as Exhibit A)

d. Master Development Plan Map (attach as Exhibit C and provide as specified in attached guidelines) and Text (attach as Exhibit D) as required by Section 5.03.02.G of the Land Development Code.

e. Eighteen (18) copies of the complete application.

f. Application Fee. (A pre-application review fee may also be required.)

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of owner(s) or authorized person if owner's authorization form is attached:

Printed or typed name(s): Karen M. Taylor
Signature(s): _____

ADDRESS AND CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS REGARDING THIS APPLICATION

Name: Karen M. Taylor, Land Planner
Mailing Address: 3070 Harbor Drive St. Augustine, FL 32084 **Phone:** (904) 826-0600 **Fax:** (904) 825-4180

Parcel Numbers: portion of 087550-0000, 087440-0000, 087450-0000 and 029330-0000

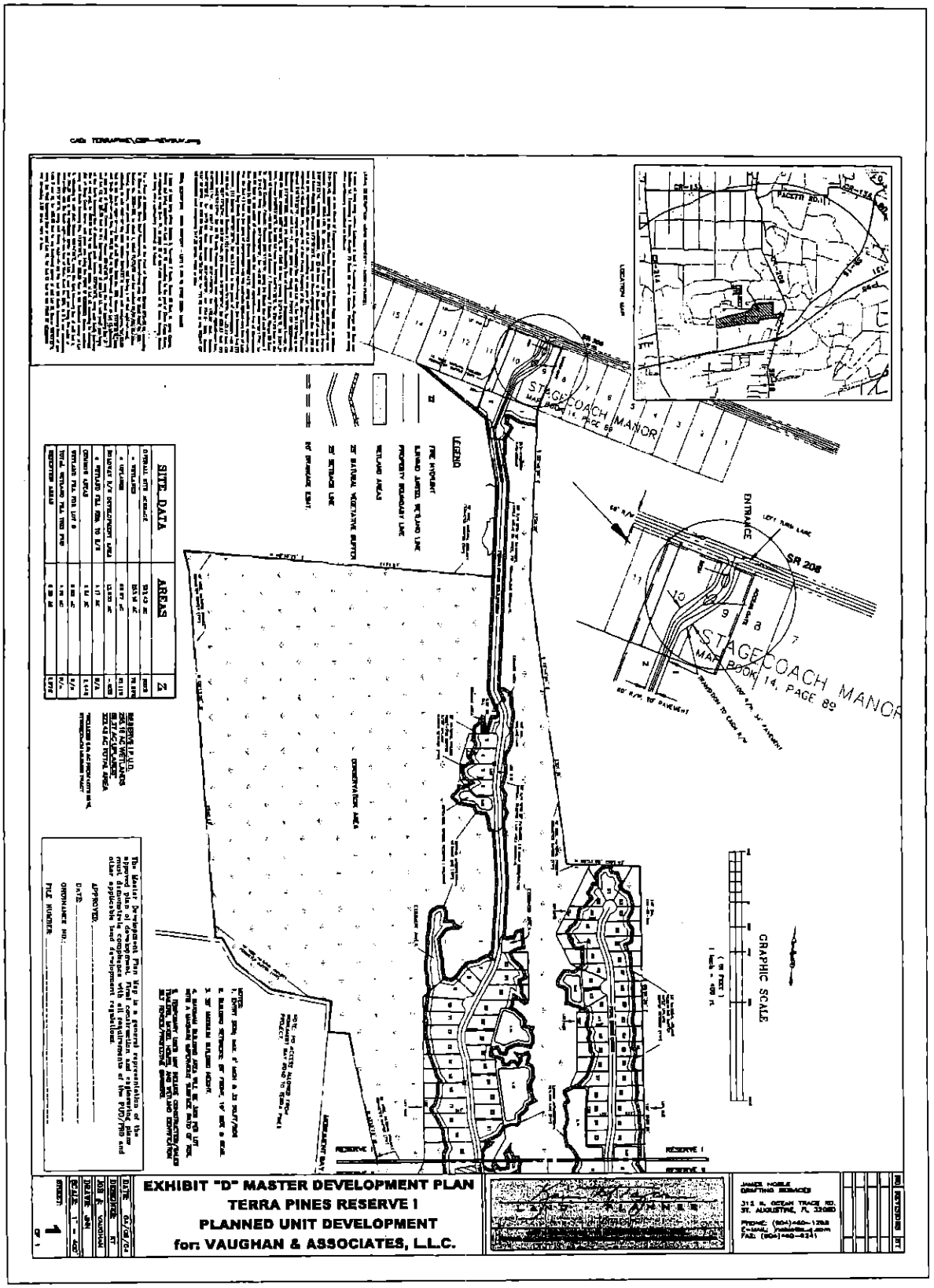
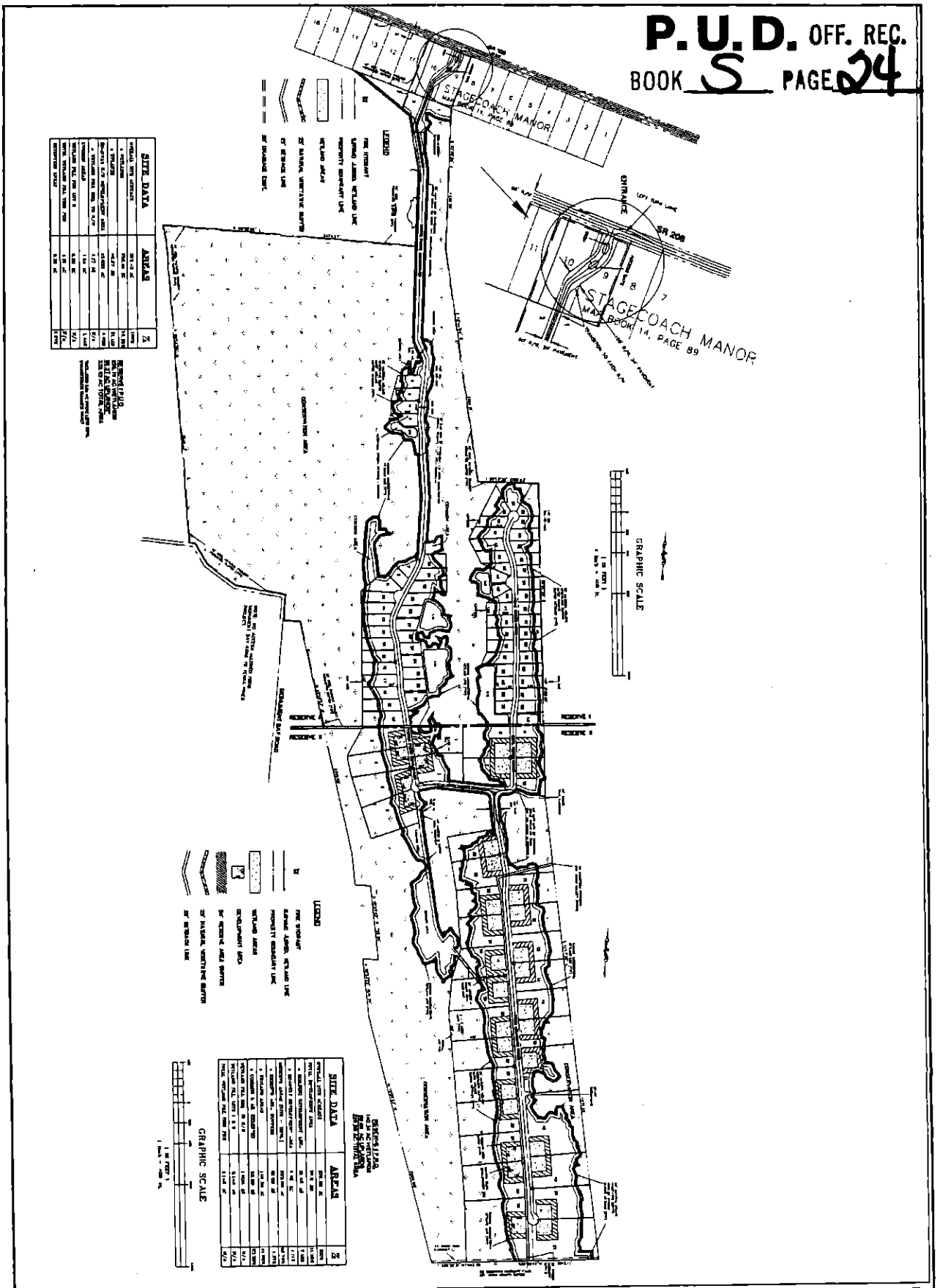


EXHIBIT "D" MASTER DEVELOPMENT PLAN
TERRA PINES RESERVE 1
PLANNED UNIT DEVELOPMENT
for: VAUGHAN & ASSOCIATES, L.L.C.
SITE DATA
AREAS
LEGEND
GRAPHIC SCALE
STAGECOACH MANOR
MAP BOOK 14, PAGE 89
ENTRANCE
SR 208
RESERVE 1
RESERVE 2
CONSERVATION AREA
LOCATION MAP
APPROVED:
DATE:
ORDINANCE NO.:
FILE NUMBER:

CAD: TERRA PINES\CSP-NEWSUV.jnn.dwg

P.U.D. OFF. REC.
BOOK S PAGE 24



MASTER SITE PLAN; TERRA PINES
RESERVE I PUD & RESERVE II PRD
for: VAUGHAN & ASSOCIATES, L.L.C.

JAMES MOBLE DRAFTING SERVICES
313 S. OCEAN TRACE RD.
ST. AUGUSTINE, FL 32080
PHONE: (904)460-1268
E-MAIL: jmoble@aug.com
FAX: (904)460-9241

NO.	REVISIONS	BY

DATE 04/06/04
DESIGNER: KT
JOB #: VAUGHAN
DRAWN: JNN
SCALE: 1"=400'
SHEET 1 OF 1

ORDINANCE BOOK 34 PAGE 759

EXHIBIT F
AUTHORIZATION

P.U.D. OFF. REC. BOOK 5 PAGE 25

Owner's Authorization For Agent

Karen Taylor is hereby authorized TO ACT ON BEHALF OF Bruce Vaughan Vaughan Associates, LLC the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- ☐ Rezoning / Modification
- ☐ Zoning Variance
- ☐ Appeal
- ☐ Concurrency
- ☐ Special Use Permit
- ☐ Non-Zoning Variance
- ☐ Overlay District Review
- ☐ Other

BY: Bruce Vaughan
Signature of Owner

Bruce Vaughan
Print Name

Signature of Owner

Print Name

Telephone Number

State of Florida
County of St. Johns

Signed and sworn before me on this 11 day of September, 2003

By

Identification verified: FL. D.L.

Oath sworn: Yes No

Mark Leimkuehler
Notary Signature

My Commission expires: 11/17/2006

Mark Leimkuehler
My Commission DD157000
Expires November 17 2006

March 22, 2001

AUTHORIZATION

Owner's Authorization For Agent

Bruce Vaughn is hereby authorized TO ACT ON BEHALF OF Charles & Gaby Usina, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- [x] Rezoning / Modification
- [ ] Zoning Variance
- [ ] Appeal
- [x] Concurrency
- [ ] Special Use Permit
- [ ] Non-Zoning Variance
- [ ] Overlay District Review
- [ ] Other

BY: x Charles R. Usina
Signature of Owner

Charles R. USINA
Print Name

Gaby Usina TTEE
Signature of Owner

GABY USINA
Print Name

904-824-2340
Telephone Number

State of Florida
County of St. Johns

Signed and sworn before me on this 12TH day of, Sept. 2003

By Charles R Usina

Identification verified: Known

Oath sworn: X Yes ____ No

Notary Signature

My Commission expires: ____

J. LARAE LONG
MY COMMISSION # DD 101774
EXPIRES: July 20, 2006
Bonded Thru Notary Public Underwriters

March 22, 2001

3-15

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT

SCHEDULE A

EXHIBIT G
PROOF OF OWNERSHIP

Commitment No.: CM-1-1493-1837

Effective Date: July 11, 2003

Our File Number: B03-2005

Effective Time: 05:00:00 PM

P.U.D. OFF. REC.
BOOK S PAGE 27

1. Policy or Policies to be issued: — Policy Amount

(a). ALTA Owner's Policy - 1992 (Owner's Form) — $1,250,000.00
Proposed Insured: VAUGHAN & ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY

(b). ALTA Loan Policy - 1992 (Lender's Form) — THE AMOUNT OF THE LOAN
Proposed Insured: LENDER MAKING LOAN, its successors and/or assigns, as their interests may appear

(c). Other (identify policy type below)

2. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES R. USINA AND GABYE LEE USINA, INDIVIDUALLY AND AS TRUSTEES OF THE CHARLES R. USINA LIVING TRUST DATED SEPTEMBER 12, 1992 AND THE GABYE LEE USINA LIVING TRUST DATED SEPTEMBER 12, 1992

3. The land referred to in this Commitment is located in the County of ST. JOHNS, State of Florida and described as follows:

A PARCEL OF LAND LYING IN SECTIONS 6, 7 AND 18, TOWNSHIP 7 SOUTH, RANGE 29 EAST AND SECTION 12, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT POINT OF TANGENCY STATION 215+59.49 ACCORDING TO STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP SECTION NUMBER 7859-150, ST. JOHNS COUNTY, FLORIDA; SAID POINT LYING ON THE RIGHT OF WAY CENTERLINE OF STATE ROAD NUMBER 208 (A 66 FOOT WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 16 DEGREES 03 MINUTES 25 SECONDS WEST DEPARTING SAID CENTERLINE 33.00 FEET TO THE SOUTH RIGHT OF

Issued Date: July 31, 2003

Independent Title of St. Johns County, Inc.

BY: _____

Authorized Signatory

AMERICAN PIONEER TITLE INSURANCE COMPANY

PROOFED BY

INITIAL

INITIAL

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT

SCHEDULE A

P.U.D. OFF. REC.
BOOK S PAGE 28

Commitment No.: CM-1-1493-1837

Effective Date: July 11, 2003

Our File Number: B03-2005

Effective Time: 05:00:00 PM

WAY LINE OF SAID STATE ROAD NUMBER 208; THENCE SOUTH 73 DEGREES 56 MINUTES 35 SECONDS EAST 918.22 FEET TO THE NORTHEASTERLY CORNER OF LOT 14, STAGECOACH MANOR, AS RECORDED IN MAP BOOK 14 , PAGE 89, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 16 DEGREES 03 MINUTES 25 SECONDS WEST, ON THE EASTERLY LINE OF SAID LOT 14, 561.50 FEET TO SOUTHEASTERLY CORNER OF SAID LOT 14 AND THE POINT OF BEGINNING AT THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 73 DEGREES 56 MINUTES 35 SECONDS EAST ON THE SOUTHERLY LINE OF SAID STAGECOACH MANOR, 1,060.00 FEET; THENCE SOUTH 02 DEGREES 48 MINUTES 09 SECONDS EAST, 1,358.15 FEET; THENCE SOUTH 12 DEGREES 44 MINUTES 04 SECONDS EAST, 2,301.31 FEET; THENCE NORTH 86 DEGREES 53 MINUTES 30 SECONDS EAST 850.00 FEET; THENCE SOUTH 08 DEGREES 01 MINUTES 38 SECONDS EAST 3,095.99 FEET; THENCE SOUTH 11 DEGREES 17 MINUTES 38 SECONDS EAST, 4,602.12 FEET TO THE SOUTHERLY LINE OF SAID SECTION 18; THENCE SOUTH 84 DEGREES 39 MINUTES 54 SECONDS WEST, ON SAID SOUTHERLY LINE OF SECTION 18 A DISTANCE OF 1,702.61 FEET TO THE SOUTHEASTERLY CORNER OF LA HACIENDA SUBDIVISION AS RECORDED IN MAP BOOK 19, PAGES 54 THROUGH 56, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 18 DEGREES 41 MINUTES 00 SECONDS WEST, ON THE EASTERLY LINE OF SAID LA HACIENDA SUBDIVISION, 2,500.00 FEET; THENCE NORTH 10 DEGREES 14 MINUTES 00 SECONDS WEST, 571.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 00 SECONDS EAST, 150.00 FEET; THENCE NORTH 10 DEGREES 14 MINUTES 00 SECONDS WEST, 727.00 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 00 SECONDS WEST, 150.00 FEET; THENCE NORTH 10 DEGREES 14 MINUTES 00 SECONDS WEST, 302.00 FEET; THENCE NORTH 17 DEGREES 00 MINUTES 00 SECONDS WEST, 2,326.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 17 SECONDS WEST 165.54 FEET TO THE WESTERLY LINE OF MONUMENT BAY ROAD (A 80 FOOT WIDTH ROAD RIGHT OF WAY); THENCE NORTH 00 DEGREES 09 MINUTES 43 SECONDS EAST, ON SAID WESTERLY LINE OF MONUMENT BAY ROAD, 244.42 FEET; THENCE NORTH 84 DEGREES 01 MINUTES 36 SECONDS WEST, ON THE NORTHERLY LINE OF SAID MONUMENT BAY ROAD, 60.31 FEET TO THE INTERSECTION OF THE WESTERLY LINE OF SAID SECTION 7 AND THE NORTHERLY LINE OF SAID MONUMENT BAY ROAD; THENCE CONTINUING NORTH 84 DEGREES 01 MINUTES 36 SECONDS WEST, 432.47 FEET; THENCE NORTH 57 DEGREES 17 MINUTES 33 SECONDS WEST 343.40 FEET; THENCE NORTH 34 DEGREES 31 MINUTES 14 SECONDS WEST 230.27 FEET; THENCE NORTH 88 DEGREES 03 MINUTES 47 SECONDS WEST 58.76 FEET; THENCE DEPARTING SAID NORTHERLY LINE OF MONUMENT BAY ROAD NORTH 10 DEGREES 06 MINUTES 01 SECONDS WEST, 2,987.75 FEET; THENCE NORTH 18 DEGREES 46 MINUTES 05 SECONDS WEST, 170.06 FEET;

Issued Date: July 31, 2003

AMERICAN PIONEER TITLE INSURANCE COMPANY

Independent Title of St. Johns County, Inc.

BY: _____

Authorized Signatory

ALTA Commitment Sch A
Closers Choice August 28, 2003 09:28:13 AM

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT
SCHEDULE B 1

P.U.D. OFF. REC.
BOOK 8 PAGE 29

Commitment No.: CM-1-1493-1837

Effective Date of Commitment:
July 11, 2003 @ 05:00:00 PM

Your File Number: B03-2005

Part I. The following are the requirements to be complied with:

1. **Payment to, or for the account of the grantors and/or mortgagors of the full consideration for the estate or interest to be insured.**

2. **Payment of all taxes and/or assessments, levied and assessed against property, which are due and payable.**

3. **Proper documents creating the estate or interest to be insured must be executed and duly filed for record, to wit:**

a. WARRANTY DEED from CHARLES R. USINA AND GABYE LEE USINA, INDIVIDUALLY AND AS TRUSTEES OF THE CHARLES R. USINA LIVING TRUST DATED SEPTEMBER 12, 1992 AND THE GABYE LEE USINA LIVING TRUST DATED SEPTEMBER 12, 1992, conveying property described in Schedule "A" of this commitment to VAUGHAN & ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY.

b. MORTGAGE from VAUGHAN & ASSOCIATES, LLC, A FLORIDA LIMITED LIABILITY COMPANY to LENDER MAKING LOAN, encumbering property described in Schedule "A" of this commitment, in the principal amount of THE AMOUNT OF THE LOAN.

NOTE: THE TITLE COMPANY MAY MAKE OTHER REQUIRMENTS OR TAKE FURTHER SCHEDULE B EXCEPTIONS UPON DETERMINATION OF THE AMOUNT TO BE INSURED AND UPON DETERMINATION OF LENDER TO BE INSURED.

4. SATISFACTORY PROOF that the LIMITED LIABILITY COMPANY listed in Schedule A, as Proposed Insured VAUGHAN & ASSOCIATES, LLCis in authorized to do business and in good standing in the State of Florida.

5. A survey meeting the current minimum technical standards as established by the Florida Society of Professional Land Surveyors, the Florida Land Title Association, and the State of Florida and certified to the company and/or its agent must be furnished. If said survey should disclose building setbacks, easements, encroachments, overlaps, boundary line disputes, or other adverse matters, they will appear as exceptions in Schedule B of the Owner's Policy and Schedule B, part 1 of the Loan policy to be issued.

NOTE FOR INFORMATION ONLY: 2002 TAXES ASSESSED IN THE AMOUNT OF $15,946.83; THEY ARE PAID; NO HOMESTEAD EXEMPTIONS ALLOWED; PARCEL IDENTIFICATION NUMBER

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT

SCHEDULE B 1

P.U.D. OFF. REC.
BOOK 8 PAGE 30

Commitment No.: CM-1-1493-1837

Effective Date of Commitment:
July 11, 2003 @ 05:00:00 PM

Your File Number: B03-2005

087550-0000 : ASSESSED VALUE: $954,660.00; PAID $15,308.96, NOVEMBER 26, 2002.

NOTE FOR INFORMATION ONLY: 2002 TAXES ASSESSED IN THE AMOUNT OF $353.06; THEY ARE PAID; NO HOMESTEAD EXEMPTIONS ALLOWED; PARCEL IDENTIFICATION NUMBER 029330-0000: ASSESSED VALUE: $21,230.00; PAID $338.94, NOVEMBER 26, 2002.

NOTE FOR INFORMATION ONLY: 2002 TAXES ASSESSED IN THE AMOUNT OF $1,080.95; THEY ARE PAID; HOMESTEAD EXEMPTIONS ALLOWED; PARCEL IDENTIFICATION NUMBER 087440-0000: ASSESSED VALUE: $80,612.00; PAID $1,037.71, NOVEMBER 26, 2002.

NOTE: If requested, the Florida Endorsement Form 9 will be attached to the final Loan Policy when issued without any deletions subject to compliance of all underwriting requirements of Company, receipt by Company of survey meeting the requirements of Sec. 627.7842(1)(a), and subject to the Florida Department of Insurance Rules governing its issuance. If a deletion of any provision of the Form 9 is required, no funds of the proposed insured lender will be disbursed by Company or its policy issuing agent without first notifying the proposed insured lender of the deletion and then obtaining approval of the deletion from the proposed insured lender. If the proposed insured lender does not approve the deletion, Company or its policy issuing agent shall be authorized to return the proposed insured lender's funds to the proposed insured lender and cancel this commitment.

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT

SCHEDULE B II

P.U.D. OFF. REC.
BOOK 5 PAGE 31

Commitment No.: CM-1-1493-1837

Effective Date of Commitment:
July 11, 2003 @ 05:00:00 PM

Your File Number: B03-2005

II. Schedule B of the policy or policies to be issued will contain exception to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public record of attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claim of parties in possession not shown by the public records.
3. Easements, or claim of easements, not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Any liens, or right to a lien, for services, labor or material hereto or hereafter furnished, imposed by law and not shown by the public records.
6. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously, under water.
7. Any titles or rights asserted by anyone including but not limited to persons, corporations, governments or other entities, to tide lands, or lands comprising the shores or bottoms of navigable rivers, lakes, bays, ocean or gulf, or lands beyond the line of the harbor or bulkhead lines as established or changed by the United States Government or water rights, if any.
8. Taxes or special assessment not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
9. Rights of dower, homestead or other marital rights of the spouse, if any, of any individual insured.
10. Any minerals or mineral rights leased, granted or retained by current or prior owner.

11. Special Exceptions:
    (a). Taxes for the year 2003, which are not yet due and payable.

12. SUBJECT TO GRANT OF EASEMENT recorded in Official Records Book 690, page 770 of the public records of St. Johns County, Florida.

AMERICAN PIONEER TITLE INSURANCE COMPANY

ALTA COMMITMENT

SCHEDULE B II

P.U.D. OFF. REC.
BOOK S PAGE 32

Commitment No.: CM-1-1493-1837

Effective Date of Commitment:
July 11, 2003 @ 08:00:00 PM

Your File Number: B03-2005

13. SUBJECT TO EASEMENT recorded in Official Records Book 265, page 193 of the public records of St. Johns County, Florida.

NOTE: COPIES OF EXCEPTIONS WILL BE GIVEN UPON REQUEST.

COMMITMENT
FOR
TITLE INSURANCE

COMMITMENT NO.

CM-1-1493-1837

ISSUED BY

AMERICAN PIONEER
TITLE INSURANCE COMPANY

P.U.D. OFF. REC.
BOOK 5 PAGE 33

AMERICAN PIONEER TITLE INSURANCE COMPANY, a Florida corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

The Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six (6) months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

This Commitment shall not be valid or binding until Schedule A has been countersigned by either a duly authorized agent or representative of the Company and Schedule B has been attached hereto.

IN WITNESS WHEREOF, AMERICAN PIONEER TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed and by these presents to be signed in facsimile under authority of its by-laws, effective as of the date of Commitment shown in Schedule A.

Issued by:

AMERICAN PIONEER TITLE INSURANCE COMPANY

Independent Title of St. Johns
County, Inc.
5431 A1A South
Suite 104
St. Augustine, FL 32084

AMERICAN PIONEER TITLE INSURANCE COMPANY CORPORATE SEAL 1961 FLORIDA

By: Roy W. Lassiter
President

Attest: George P. Daniels
Secretary

CM-1 2/93

ALTA COMMITMENT - 1966 - THIS FORM IS EQUIVALENT TO CLTA CM-1 COMMITMENT FORM (9-19-74)

PUD 2003-28

EXHIBIT H
ADJACENT PROPERTY OWNERS

029310 0000
Wildcat Venture LLC
4175 State Rd 16
St. Augustine, FL 32092

029335 0010
April Jeanne Strider
2385 Pellicer Rd
St. Augustine, FL 32092

029339 0000
Alvin R and Henrietta Young
2303 Pellicer Rd
St. Augustine, FL 32092

029829 0000
John W & Evelyn Burnett Sr
4522 Kohler Rd
St. Augustine, FL 32092

029829 0190
Joe D and Shirley M Driver
2780 Pellicer Rd
St. Augustine, FL 32092

029829 0340
Robert E and Mary M Tibbs
2630 Pellicer Rd
St. Augustine, FL 32092

029829 0390
David B and Jacqueline R Stanley
2480 Pellicer Rd
St. Augustine, FL 32092

029829 0540
Harry A Bishop Etal
2920 Pellicer Rd
St. Augustine, FL 32092

087420 0000
Anderson (1995) Ltd Ptnshp
P.O. 38
Old Town, FL 32680

087440 0010
Mr. B Foods Inc
1805 US Highway 1 S
St. Augustine, FL 32084

029330 0000
Gabye Lee Usina Trustee
P.O. Box 162
St. Augustine, FL 32085

029335 0020
Gwen E Pierce
2375 Pellicer Rd
St. Augustine, FL 32092

029339 0210
James W & Vicki K Young
2293 Pellicer Rd
St. Augustine, FL 32092

029829 0130
Earl and Catherine J McSwain
2652 Pellicer Rd
St. Augustine, FL 32092

029820 0200
Leonards Wholesale Nursery
902 Anastasia Blvd
St. Augustine, FL 32080

029829 0341
Dustin E Tibbs Etal
2630 Pellicer Rd
St. Augustine, FL 32092

029829 0440
Melissa S Mc Cullah
1635 Orlando Circle S
Jacksonville, FL 32207

029829 0590
Leonardi's Wholesale Nursery
902 Anastasia Blvd
St. Augustine, FL 32092

087420 0020
John J Snyder
Bishop of Diocese of St. Augustine
P.O. Box 24000
Jacksonville, FL 32241

087440 0020
Stage Coach RV Park Inc
2711 CR 208
St. Augustine, FL 32092

029335 0000
Guilda C Kersey
P.O. Box 1933
St. Augustine, FL 32085

P.U.D. OFF. REC. BOOK 5 PAGE 34

029338 0000
Sherry B Moore
2260 Pellicer Rd
St. Augustine, FL 32092

029828 0000
Ruby Mae Pierce
1750 Carlton Drive
Cummings GA 30040

029829 0131
Benjamin L Lane
Joanne McSwain
2780 Pellicer Rd
St. Augustine, FL 32092

029829 0230
Beverly Sanderlin
9 Hemlock Hvn
Hampton, NH 03842

029829 0342
Melanie H and Denton E McNair
2624 Pellicer Rd
St. Augustine, FL 32092

029829 0441
James M and Veronica L Fiolek
2840 Pellicer Rd
St. Augustine, FL 32092

029829 0600
Michael C and Jane M Lang
2570 Pellicer Rd
St. Augustine, FL 32092

087440 0000
Charles R & Gabye Lee Usina
P.O. Box 162
St. Augustine, FL 32092

087440 0030
Ramila R and Ramu S Patel
12946 Manadrin Rd
Jacksonville, FL 32223

087440 0040
Platinum Inns Inc
2535 SR 16
St. Augustine, FL 32092

087450 0070
Joseph E and Laurie U Petty
2775 County Road 208
St. Augustine, FL 32092

087530 0000
Debra J Bennett
2611 CR 208
St. Augustine, FL 32092

095771 0010
James D & Sandra H Carter
12905 Phillips Highway
Jacksonville, FL 32256

087450 0000, 087550 0000
095510 0000
Charles R and Gabye Lee Usina
P.O. Box 162
St. Augustine, FL 32092

087450 0120, 087450 0130
Charles R and Melissa A Usina
2851 CR 208
St. Augustine, FL 32092

087550 0010
St. Johns County
P.O. Drawer 349
St. Augustine, FL 32085

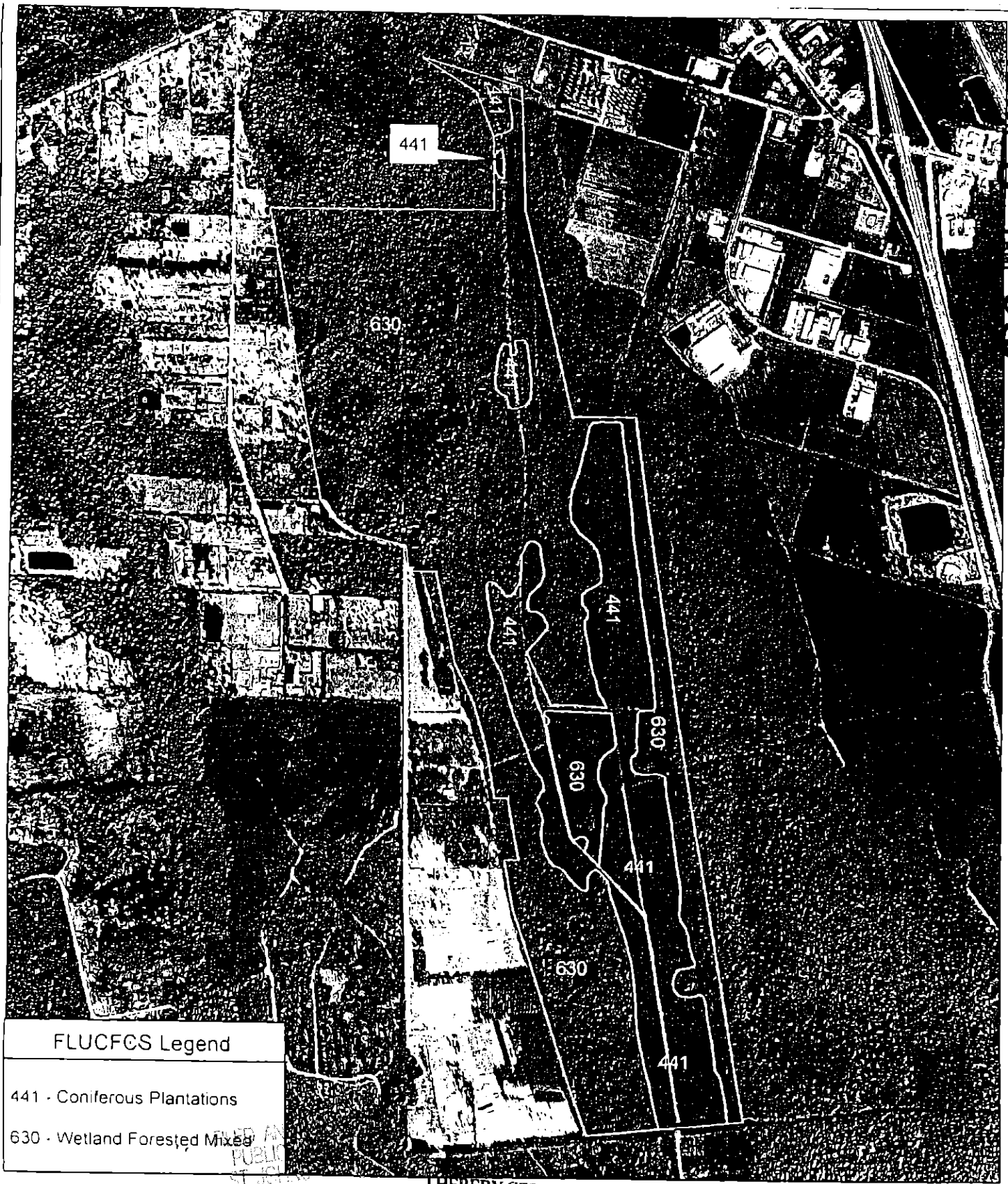
029339 0120
Norbert Wernick Revoc Trust
2303 Pellicer Rd
St. Augustine, FL 32092

087450 0030
Stage Coach Manor Sub
2711 County Road 208
St. Augustine, FL 32092

087510 0000
Denny's Realty Inc.
% Rash & Associates
P.O. Box 1600
Rowlett, TX 75030

095571 0001
La Hacienda of St. Johns Sve Cr
% Raymond A Nadeau
3130 Monument Bay Rd
St. Augustine, FL 32092

P.U.D. OFF. REC. BOOK 5 PAGE 310



FLUCFCS Legend

441 - Coniferous Plantations

630 - Wetland Forested Mixed

0 700 1,400 2,800 Feet

FILED AN
PUBLIC
ST JOHN

04 JUL 30 AM 10: 39

CHERYL STRICKLAND
CLERK OF COURTS

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY [redacted] ARS [redacted] RECORD IN ST. JOHNS COUNTY, FLORIDA
MY HAND AND OFFICIAL SEAL
DAY OF July 2004
STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

Environmental Resource Solutions Inc
1597 The Greens Way
Suite 200
Jacksonville Beach, FL 32250

Trestle 887 Site
FLUCFCS Map

Source: AerialsExpress (2002) By: PLC

Project No.:	[illegible]
Exhibit No.:	2
Date	12/18/03
Revision Date	

Joanne King D.C.

THE ST. AUGUSTINE RECORD

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 **AMANDA N. BRUNK**

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 **NOTICE OF HEARING**

In the matter of **PUD 03-28 TERRA PINES**

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

JUNE 23, 2004

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 **24TH** day of **JUNE 2004**

by Amanda N Brunk who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Brian Fike

(Signature of Notary Public)

Brian Fike
My Commission DD327588
Expires June 09, 2008

(Seal)

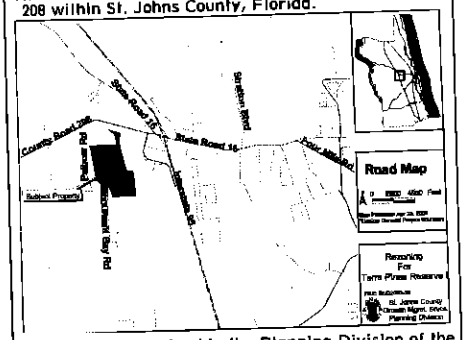
BRIAN FIKE

COPY OF ADVERTISMENT

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 13, 2004 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 rezone property from OR (Open Rural) to PUD (Planned Unit Development).

The subject property is located at 2835 County Road 208 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
KAREN STERN, CHAIR
FILE NUMBER: PUD 2003-28
Terra Pines Reserve I
L1486-4 June 23, 2004