

ORDINANCE NUMBER: 2004 - 88

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

P.U.D. OFF. REC.
BOOK 5 PAGE 541

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 29, 2004, in addition to supporting documents and statements from the applicant which are a part of Zoning File PUD 2004-13 Marina Club PV 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 Marina Club PV 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 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.
3. 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.
4. The request 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.
5. The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02(G) of the Land Development Code.
6. The proposed PUD meets all applicable Specific Standards of Section 5.03.03 of the St. Johns County Land Development Code.

7. The zoning district designation of Planned Unit Development (PUD) is consistent with the land uses allowed in the land use designation of Commercial (CM) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number PUD 2004-13 Marina Club PV, the zoning classification of the lands described within the legal description, Exhibit "A",

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 3rd DAY OF November 2004.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

RENDITION DATE 11/06/04

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 11/09/04

EXHIBIT A
Legal Description

P. U. D. OFF. REC.
BOOK S PAGE 543

A PART OF THE UNSURVEYED SECTION 28, AND SECTION 54, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF THE 500 FOOT U.S. GOVERNMENT INTRACOASTAL WATERWAY RIGHT OF WAY, AS RECORDED IN MAP BOOK 4, PAGE 73 OF THE PUBLIC RECORDS OF SAID COUNTY, WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF PALM VALLEY ROAD, COUNTY ROAD NO. C-210, AS NOW ESTABLISHED AS A 66 FOOT RIGHT OF WAY; THENCE NORTH 26°22'40" WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF INTRACOASTAL WATERWAY, A DISTANCE OF 493.67 FEET; THENCE NORTH 63°30'15" EAST, A DISTANCE OF 279.67 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF ROSCOE BOULEVARD SOUTH, COUNTY ROAD NO. C-210A, AS NOW ESTABLISHED AS A 66 FOOT RIGHT OF WAY, SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2897.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 178.65 FEET, MAKING A CENTRAL ANGLE OF 08°31'56" AND HAVING A CHORD BEARING OF SOUTH 37°34'13" EAST, AND A CHORD DISTANCE OF 178.62 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 39°20'10" EAST, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF ROSCOE BOULEVARD SOUTH, A DISTANCE OF 146.35 FEET; THENCE SOUTH 50°39'50" WEST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 39°20'10" EAST, A DISTANCE OF 125.00 FEET TO A POINT ON THE AFOREMENTIONED NORTHWESTERLY RIGHT OF WAY LINE OF PALM VALLEY ROAD, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 987.30 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 115.80 FEET, MAKING A CENTRAL ANGLE OF 06°43'12" AND HAVING A CHORD BEARING OF SOUTH 59°24'56" WEST AND A CHORD DISTANCE OF 115.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 56°03'20" WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF PALM VALLEY ROAD, A DISTANCE OF 137.15 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION DESCRIBES THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 869, PAGE 1378 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY.

LESS AND EXCEPT THAT PORTION SHOWN AND DESCRIBED AS TRACT 105, ARMY CORPS OF ENGINEERS PALM VALLEY BRIDGE REPLACEMENT PROJECT.

MARINA CLUB PV PLANNED UNIT DEVELOPMENT APPLICATION

P.U.D. OFF. REC.
BOOK S PAGE 544

SUBMITTAL DATE:

Application: April 29, 2004
Re-submittal: June 11, 2004
Re-submittal: August 3, 2004
Re-submittal: August 24, 2004

RECEIVED

AUG 25 2004

ST. JOHNS COUNTY
PLANNING DEPARTMENT

SUBMITTED ON BEHALF OF:

J.R. Randy McNeal, PMC Properties, Inc.
377 Roscoe Boulevard, Ponte Vedra Beach, FL 32082
(904) 861-1114 / (904) 353-4949 fax

AUTHORIZED AGENTS FOR THE APPLICANT:

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

Henry Vorpe, Agee, Vorpe & Associates, Inc.
9283 San Jose Boulevard, Jacksonville, FL 32257
(904) 730-3223 / (904) 730-3226

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EXHIBIT H	Adjacent Property Owners (attached)
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PARCEL IDENTIFICATION NUMBER: 069570-0000

EXHIBIT A
Legal Description

P. U. D. OFF. REC.
BOOK 5 PAGE 545

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LESS AND EXCEPT THAT PORTION SHOWN AND DESCRIBED AS TRACT 105, ARMY CORPS OF ENGINEERS PALM VALLEY BRIDGE REPLACEMENT PROJECT.

EXHIBIT B

St. Johns County Growth Management Services Department
Planning Division

P.O. Drawer 349, 4020 Lewis Speedway
St. Augustine, Florida 32095

Phone: 904 823-2480 Fax: 904 823-2498 E-mail: plandept@co.st-johns.fl.us

P.U.D. OFF. REC.
BOOK 5 PAGE 546

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Date April 29, 2004 PUD File Number _____ Receipt Number _____

- 1. Project Name Marina Club PV Planned Unit Development
- 2. Applicant's Name, Address, and Phone No. Randy McNeal, PMC Properties, Inc. 377 Roscoe Boulevard, Ponte Vedra Beach, FL 32082 (904) 861-1114
- 3. Owner's Name, Address, and Phone No. Same
- 4. Property Location: East bank of Intracoastal, immediately north of Palm Valley bridge
- 5. Legal Description See Exhibit A
- 6. Present Use of Property Vacant
- 7. Parcel ID Number 069570-0000 8. Current Zoning CG & CHT 9. 2015FLUM Designation Commercial
- 10. Section 54 11. Township 4S 12. Range R29E
- 13. Requested Change Applicant is requesting a zoning change to Planned Unit Development to allow for the construction of a marina with dry storage
- 14. Is Concurrency review required? No 15. Zoning Map Page # 4 B/S 16. Size of Property 2.68 Acres
- 17. Utility Provider Jacksonville Electric Authority (JEA), but initially - existing septic tanks and well

- 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 APPLICATION Name: Karen M. Taylor, Land Planner

Mailing Address: Karen M. Taylor, Land Planner, 3070 Harbor Drive, St. Augustine, Florida 32084

Phone: 904/826-0600 FAX: 904/825-4180 E-mail: 4taylor@aug.com

Updated: 06/20/00

Exhibit C
Master Development Plan Text

P. U. D. OFF. REC.
BOOK 3 PAGE 547

PART 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 Zoning Ordinance. The application form is attached as Exhibit A. This petition is filed on behalf of the applicant: J. R. (Randy) McNeal, President of PMC Properties, Inc., the property owner, 117 Old Ponte Vedra Drive.

A. Location / Surrounding Uses: The property to be rezoned consists of 2.45 acres, described by the Legal Description - Exhibit B. It is situated in east St. Johns County, on the west side of Roscoe Blvd. at its intersection with the County Road 210 Bridge in Palm Valley, as indicated by the Location Map, Exhibit E. There is an existing access driveway to the property from Roscoe Blvd.

B. Ownership: The subject property is owned by PMC Properties, Inc., a Florida Corporation as shown by the Proof of Ownership (deeds) attached as Exhibit F. Said property owner has authorized Randy McNeal and Karen M. Taylor, Land Planner to act on its behalf and file the application for seeking the rezoning change indicated. Authorizations are attached as Exhibit G. Adjacent property owners for notification purposes are included as Exhibit H.

PART II - SITE DEVELOPMENT CRITERIA

A. Project Description: The real property to be considered for rezoning consists of approximately 2.45 acres located at 377 S. Roscoe Blvd. The applicant is requesting the zoning change for approximately 1 acre from Commercial Highway Tourist (CHT) and approximately 1.45 acres from Commercial General (CG) to Planned Unit Development (PUD) to allow for the construction of a Marina consisting of a single story 156 boat dry storage facility (with interior racks), a retail building (ships store), a two (2) story dock masters office, a deli-cafe or dock-master's residence and various docking facilities along the Intracoastal for temporary mooring. The development will be known as the **Marina Club PV Planned Unit Development** (Marina Club PV PUD).

The property currently has a 6,500 square feet vacant restaurant building, a 650 square foot bait & tackle shop, a 35 boat fenced storage yard and approximately 150 feet of stationery docking along the Intracoastal Waterway. The applicant is requesting the continuation of the existing uses on the property, including the restaurant and boat storage operation, until construction begins on the redevelopment.

The Master Development Plan Map, Exhibit D, for the property indicates the general layout of the site for a total of 22,100 square feet of space for one (1) 17,400 square foot Boat Storage facility (with up to 1800 square feet of office and/or retail space), one (1) 3,500 square foot two-story retail building to be used for a ship supply store with a deli-

cafe and/or a dock-master's residence, one (1) 1,200 square foot dock-master's office, and stationary docking space along the Intracoastal Waterway. The property will be accessed from one (1) driveway/entrance on Roscoe Boulevard in the general location shown on the Master Development Plan, Exhibit D. This plan also indicates parking areas, loading and unloading zones, as well as landscape and buffer areas. Retention/detention will be accommodated in underground storage. The project will be served with central sewer and water from JEA Utilities and supplied with fire fighting capabilities. The project is planned for development in one (1) phase.

B. Development Size: The site contains 2.45 acres.

C. Wetlands: There are approximately 5,200 square feet of man made jurisdictional wetlands "lagoon" and rip-rap on the property created from dredging by a previous owner. No permits for this dredging can be found as it is believed the activity took place prior to current permitting requirements.

D. Development Area: The project will use 2.45 acres for development, including drainage facilities, buffers, open space, buildings and associated parking and drives.

E. Residential Use: A portion of the 3500 square foot two-story building, which may include a dock-masters residence is proposed as an accessory use to the Marina.

F. Non-Residential Use: One (1) 17,400 square foot Boat Storage facility, one (1) 3,500 square foot two-story retail building to be used as a ship supply store, and/or bait and tackle shop or other similar uses, with a deli-cafe and/or dockmaster's residence and one (1) 1,200 square foot dock-master's office. In addition, up to 1800 square feet of the boat storage facility may also be converted to retail or office use.

G. Site Development Criteria:

1. Building Area: The total ground area to be occupied by buildings and structures shall not exceed thirty-five percent (35%), with the total building area not exceeding 35,000 square feet. The total impervious surface area shall not exceed sixty-five percent (65%).

2. Permitted Uses: The development will be constructed in an orderly manner, and allow the following "Marina" uses as defined within the definition of marina found within the St. Johns County Land Development Code: Marinas with wet and dry storage facilities with minor repair within the facility, restaurants limited to no more than 52 seats, retail sales of ship supplies and convenience items, including gasoline and bait & tackle, as well as general office and business and service uses. Sales of Beer and Wine will be an allowed use within the ships store and/or deli-cafe, as will the ability to serve alcoholic beverages within the restaurant, in compliance with the provisions of the LDC Part 2.03.02. In addition, Automatic Teller Machines (ATM's) and outside display and sales, including outdoor seating, particularly for the café/deli, will be allowed as an accessory use to a primary allowable use.

3. Setbacks: In accordance with the Ponte Vedra Palm Valley Overlay District, buildings shall be setback a minimum of thirty (30) feet from Roscoe Boulevard, thirty (30) feet from the residential property to the north for single story buildings and fifty (50) feet from that boundary for two story buildings, ten (10) feet from the southern boundary and zero (0) feet from the rear property line along the Intracoastal waterway. Waivers are included in Section T. for the south side and rear property setbacks.

4. Building Height: Buildings shall not exceed two (2) stories and thirty-five (35) feet in height, measured as indicated within the Land Development Code.

5. Parking: Parking spaces will be provided in conformance with the St. Johns County Land Development Code as indicated on the Master Development Plan Map, Exhibit D, based upon a 156 boat dry storage facility at one space per 4 dry storage "slips" (39 spaces), 3,500 square feet of business, commercial or personal service establishment (ships store and other business) calculated at one (1) space per 500 square feet (7 spaces), a 1200 square foot dock-master's office with 4 employees at one space per 500 square feet plus one space/2 employees (5 spaces), a deli-cafe (restaurant) with 52 seats and 6 employees at one space provided per every 4 seats and one space/2 employees (16 spaces), for a total of at least 66 parking spaces, as indicated on the Master Development Plan Map, Exhibit D.

Parking lots and parking space layout will conform to the current applicable County standards and regulations and handicapped spaces will be provided and appropriately marked. Parking is included for the deli-cafe as the more intense of the allowable uses (deli-cafe or dock-masters residence) for the 1500 square foot building.

6. Signage: Signs will conform to the current St. Johns County Land Development Code Ponte Vedra Palm Valley Overlay requirements, per Section 3.06.09 Signage.

a. Project Identification Sign. The size and design of the monument sign shall be consistent with Section 3.06.09 of the LDC (Overlay requirements) and shall be located along Roscoe Boulevard in the general location shown on the Master Development Plan Map, Exhibit D. Such sign may be installed within the buffer consistent with the restrictions in Part 3.06.09. Dimensions shall be consistent with those allowable within the Land Development Code. The signs may be single or double faced and may be illuminated and landscaped consistent with the restrictions in Section 3.06.09. A secondary sign location is shown on the MDP Map, Exhibit D to provide for an alternative location if the reserved right-of-way is removed from the property.

b Intracoastal Identification Sign. The applicant is requesting the option of installing a sign near the boat storage building, as shown on the MDP Map, Exhibit D, relating to the Intracoastal Waterway. Such sign shall be a maximum

of thirty-two (32) square feet in size and a maximum of twelve (12) feet in height or eight (8) feet above the site grade.

c. **Building Signs:** Buildings signs shall be designed in accordance with the Overlay requirements of the LDC providing for one (1) sign per business per building frontage, each of which will not exceed twenty-four (24) square feet.

d. **Temporary Signs:** Temporary signage may be provided for "for sale" or "lease" and information signs in compliance with Part 3.06.09 of the LDC.

e. **Directional Signs:** Various directional and information signs shall be allowed in accordance with the requirements of the LDC.

7. **Fencing:** Fencing may be installed along the perimeter of the site consistent with the screening requirements provided for within the LDC.

8. **Lighting:** The applicant will provide lighting in accordance with Section 5.03.06 of the LDC that minimizes impacts to the surrounding community and is shielded from the adjacent residential properties, while providing for recognition of the businesses and the safety of their customers. The lighting levels will not exceed the requirements of the Land Development Code.

9. **Hours of Operation:** The dry storage facility will be open seven (7) days per week, with operation hours from sun-up to one (1) hour after sun-down.

10. **Noise:** All activities on site will conform to the County noise ordinance.

H. Infrastructure:

1. **Stormwater:** Stormwater will be retained on site and is planned primarily for underground retention areas, indicated by note on the Master Development Plan Map, Exhibit D, but also in depressional "swale" area of the site if needed. The drainage structures and facilities will be designed and constructed in compliance with the St. Johns County Land Development Code in effect at the time of submittal, with the retention area in combination with the swales sized to accommodate the retention requirements for the entire site. Portions of the perimeter of the retention pond may include bulkhead or stemwall construction with the required fencing. All stormwater facilities will be constructed and maintained in compliance with all appropriate state and federal permits, including the St. Johns River Water Management District (SJRWMD), the Florida Department of Environmental Protection (DEP), the U.S. Army Corps of Engineers (ACOE) and St. Johns County.

2. **Vehicular Access/Interconnectivity:** The project will utilize one (1) entrance/exit driveway on Roscoe Blvd. at the driveway cut, as shown on the Master Development Plan Map, Exhibit D. This driveway will be designed and

permitted in accordance with current County standards and requirements and the applicant will provide any required improvements. In addition, the applicant is reserving a seventeen (17) foot strip of property along Roscoe Boulevard for future right-of-way expansion of the roadway.

3. Pedestrian Access/Sidewalks and Pathways: Sidewalks (a minimum of 5' in width) will be provided within the development along the building fronts and parking areas and between buildings. Sidewalks will also be provided along Roscoe Boulevard along the frontage of the site in accordance with the LDC requirements.

4. Open Space: Open space and green space will be provided throughout the development in those areas generally indicated on the Master Development Plan Map, Exhibit D. Buffers along the property boundaries, which will be used to maintain the scenic qualities desired for Roscoe Boulevard and provide visual privacy and separation from the adjacent uses.

5. Fire Protection: Fire protection will be afforded in accordance with the Part 6.03.00 of the Land Development Code and requirements of the applicable Florida State Fire Prevention Code, Par 5 Fire Protection, NFPA standard 303 "Fire Protection Standard for Marinas and Boatyards."

6. Solid Waste: Solid waste will be handled by the licensed franchisee in the area. All trash and solid waste will be collected at central dumpster locations as indicated on the Master Development Plan Map, Exhibit D. All dumpsters will be placed upon an accessible concrete pad and will be screened from view in accordance with Section 6.06.04.C.8. of the LDC.

7. Utilities: All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by The City of Jacksonville Beach and the Water and Sewer will be provided by The Jacksonville Electric Authority (JEA).

I. Potable Water/Sanitary Sewer Service: Both potable water service and sanitary sewer service will be provided by the franchised utility in the area, Jacksonville Electric Authority Utilities (JEA), via connections located along Roscoe Blvd. All extensions or connections to existing facilities shall be in accordance with the utilities requirements and construction will be in accordance with current permit standards and requirements. When complete, based upon a 1,200 square foot dockmaster's office at 15 gpd/100 sq. ft., a three (3) bedroom 1,500 square foot residence at 300 gpd, a 2,000 square foot store with deli, with two (2) bathrooms, and up to 1,800 square feet of business and office use at 15 gpd/100 square feet, the project will utilize approximately 1186 gpd of potable water and require the treatment of approximately 1,186 gpd of sanitary sewer.

J. Topography and Soils: The property is located on the west side of Roscoe Blvd. and has an average elevation of 6 feet msl feet, which generally slopes from east to west. The property is located in Flood Zone A5 (El 6).

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service in 1983, identifies two (2) soil types on the site: 27 St. Augustine fine sand along the Intracoastal Waterway and the majority of the site, and 58 Eau Gallie fine sand along Roscoe Boulevard.

27 St. Augustine fine sand, is a somewhat poorly drained, nearly level soil on narrow to broad flat areas and low knolls adjacent to tidal marshes and estuaries along the Atlantic Coast and Intracoastal Waterway. In most years, the water table is at a depth of 20 to 30 inches for 2 to 6 months. It rises to a depth of less than 20 inches during heavy rains. Permeability is rapid in the surface layer and upper underlying layers and moderate to rapid in the lower layers. The natural vegetation varies widely and in most areas vegetative growth is sparse, but in some, there is a good growth of trees, shrubs and grasses. The vegetation can include wax myrtle, southern red cedar, pricklypear, and sawpalmetto. Grasses include creeping bluestem, bushybeard bluestem, panicum and pineland threeawn. Potential for community development is high.

58 Eau Gallie fine sand, is a poorly drained, nearly level soil on low knolls and ridges, adjacent to depressions and drainageways. The seasonal high water table is within 10 inches of the surface for a period of 1 to 4 months and at a depth of 40 inches for more than 6 months. Available water capacity is very low. Permeability is rapid or very rapid in the surface and subsurface layers, slow to moderate in the upper and lower parts of the subsoil. The natural vegetation includes a few slash pines, cabbage palms, southern bayberry, pineland, threeawn, and greenbriar. Potential for community development is medium.

K. Site Vegetation and Habitat: The property was evaluated by Environmental Services, Inc, who found that the site is currently developed with a restaurant and associated parking (FLUCFCS 1415). The northwest corner is identified as a tidal flat community (FLUCFCS 651) and is located water-ward of the existing rip-rap. The attached FLUCFCS Map, Exhibit I, shows the type and extent of vegetation on-site as it currently exists.

L. Significant Natural Communities Habitat and Listed Species: The property was evaluated for the potential presence of Significant Natural Community Habitat pursuant to Section 4.01.07 of the St. Johns County Land Development Code. Based upon our site inspection, the property contains no communities designated as Significant Natural Communities Habitat, per the descriptions in the Code. The property was further evaluated for the potential presence of listed wildlife species subject to the regulatory programs of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC). ESI evaluated the published lists/maps as prepared by FFWCC for the presence of bald eagles in the vicinity of the project. Based

upon available information, the closest documented eagle nest is SJ017 (Nocatee), which is located approximately 2.3 miles southwest of the project site. Based upon our site visit, no listed species or potential habitat to support listed species were found on the site.

M. Historic Resources: No Archeological sites were identified on the County Archeological Site Inventory and no evidence has been found of any historic sites on the property. In addition, the St. Johns County Historical Structures Inventory does not identify this area as having any historical structures. An Archeological Reconnaissance Study has been performed on site and a copy of this Study provided (when available).

N. Buffers/Landscaping: Perimeter buffers shall be as shown on the Master Development Plan Map, Exhibit D, as further defined below. These buffers may include driveways and identification signs and non-fenced retention areas, but may not include fencing. A tree survey will be prepared in accordance with County regulations. Since much of the site has been cleared, landscaping will be installed within the buffers, either in accordance with County requirements or the more stringent standards outlined below:

1. A minimum ten (10) foot landscaped buffer shall be provided along the north property line, adjacent to the residential parcel in conformance with the requirements of the Ponte Vedra/Palm Valley Overlay District, with a landscape berm and/or wall, with the vegetation or wall reaching eight (8) feet in height.
2. A minimum twenty (20) feet buffer shall be provided along Roscoe Boulevard, in addition to the reserved right-of-way, in conformance with the requirements of the Ponte Vedra/Palm Valley Overlay District, with allowance for the monument signage.
3. A ten (10) foot landscape buffer will be provided along the south property line adjacent to the County boat ramp facility, with fencing allowed within the buffer.
4. A twenty-five (25) foot averaged upland buffer along the man-made rip-rapped "lagoon". Such buffer may be averaged to a minimum of ten (10) feet with the resultant overall buffer area exceeding the square footage required by the strict twenty-five (25) foot calculation.

Note: Although the property along the Intracoastal Waterway is not a part of this application, but will be a part of the development, the applicant understands that he must provide for the boat launching area, the boat stacking "retrieval" area, and a walkway to the boat slips within the water, in accordance with all State, County and Federal permits and either through buffer averaging, a vesting, a non-zoning variance, or a combination thereof.

All common areas and open space will be grassed or landscaped. Landscape plans will be submitted with the Construction Plans and the development will conform to all land clearing and the tree credit/replacement requirements established within the Land Development Code.

O. Special Districts: This project is located within the Ponte Vedra/Palm Valley Overlay District and governed by special requirements of the Land Development Code within Part 3.06.00.

P. Temporary Uses: There may be a temporary construction trailer located on the property until construction is complete in the location shown on the Construction Plans. Parking shall be provided for within temporary, but defined unpaved lots, within the area nearby per the requirements of the Land Development Code Part 2.02.04(10). Temporary construction trailers shall be removed within thirty (30) days of the issuance of a final certificate of occupancy for the final building on the site.

On-Site Construction signage may be provided in accordance with Part 3.06.09 of the Land Development Code, including temporary signage relative to the future project. In addition, temporary sales, lease, contractor signs, etc. with each sign not exceeding six (6) square feet.

The existing uses of the property including the restaurant and boat storage operation may be used until construction begins on the redevelopment.

Q. Accessory Uses: Standard commercial and office/professional accessory uses will be allowed per the 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 and shall include sales and service of alcoholic beverages (beer & wine), subject to the provisions of LDC Part 2.03.02, automatic teller machines (ATM's) and outside display and sales in association with a primary allowable use. No accessory uses will be allowable within any of the proposed buffers.

R. Phasing: The Marina Club PV PUD is to be permitted in one (1) phase, with horizontal construction taking place within five (5) years of approval of the PUD. The applicant intends to construct the one (1) driveway on Roscoe Blvd. providing access to the site, the full stormwater treatment facility (underground retention) and provide for construction of the 17,400 square foot boat storage facility, with the associated 1,800 square feet of business and office use, the 1,200 square foot dockmaster's office and the 3,500 square foot ships store retail building, as well as all of the required parking and infrastructure. Commencement shall be defined as approval of construction plans for the horizontal improvements and completion shall be defined as the installation of all infrastructure and the approval of "as-builts" for the phase. Completion shall be within five (5) years of approval of the construction plans.

S. Project Impact: The property is located within a Commercial district of the St. Johns County Comprehensive Plan and the property is currently zoned Commercial Highway Tourist (CHT) along the Intracoastal Waterway side and Commercial General (CG) along Roscoe Boulevard side, both of which allow for a variety of commercial uses and has provided for a restaurant and out-of-water boat storage for a number of years. The PUD is being requested in order to extend the marina use,

which is currently allowable within the CHT zoning category, to the CG portion of the site. Recognizing the need for commercial services and boating facilities within a limited area, this property, within the community commercial district establishes the logical boundaries of the commercial district and is a natural limit for the commercially designated lands, which include the County boat ramp to the south. In addition, it should be noted that the new 65 foot high Intracoastal Bridge is immediately south of the County boat ramp. The project has been designed with the related land uses in mind and provides additional buffering to the north (to the adjacent residential property) and is requesting a reduction in the buffer to the south adjacent to the boat ramp which is a similar activity. The *St. Johns County Marina Siting Study* prepared in 2002, indicated a drastic need for marinas and outlined areas that were suitable for development. The subject property of the Marina Club PV PUD is one of the few areas that were indicated as appropriate.

The Marina Club PV PUD project will provide world class, sun up to sun down service for its members with boats up to 40 feet in length. Minor repairs and fueling services will be available at the storage facility, but not on the water's edge. There will be a separate building on the property, which will include a small deli, a ships store, and a bait and tackle shop. There will also be a dock masters office and residence on the premises. The boat storage building will only be 35 feet high, no higher than permitted for homes on Roscoe Blvd. In perspective, Palm Cove Marina on Beach Blvd., in the West Jacksonville Beaches area, has 500 dry slips, 200 wet slips, and is 55 feet high.

The property has excellent access to major roadways and transportation corridors and is located directly on Roscoe Boulevard, which provides access to the County Road 210 and activities to the east and west, as well as to the north and northeast. The project will offer the only boat storage and boat related activity center in the area and is central to a larger area that is developing with a significant number of residences that will need and use the facilities and services to be offered

The applicant believes that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan to provide goods and services at a size and scale appropriate to serve the surrounding community and conform to the requirements of the Ponte Vedra/Palm Valley Overlay, which has established the rules to implement the vision of the area residents for their community. The PUD will allow for County control of the quality, scale and type of the development and provide for a more desirable environment than could be accomplished through traditional zoning.

It should be noted that the present zoning of the property (CHT and CG) allows other uses with more intense impacts. The owner developed an alternative plan for a marina that would conform to the present zoning and construction plan standards of the Land Development Code. It included a 50 boat dry slip facility, a 150 seat quality restaurant, a convenience store with gasoline on Roscoe Blvd., and 13,800 square feet

of specialty retail and office space, with the option of having gasoline sales at the water's edge. A professional traffic study was prepared based upon this plan, which indicated that it would create 600% more traffic than would be created by the Marina Club PV PUD. The larger boat storage facility of the Marina Club PV PUD encompasses all of the land area necessary for the parking required for a quality 150 seat restaurant, shops and gasoline island areas. Dry storage facilities like the Marina Club PV PUD historically only have 10% of the boats in use on an average day and 20% to 25% in use on weekends and holidays. Therefore, this plan actually drastically reduces traffic over both the existing use and this possible alternative and provides a less intense and more beneficial use for the community.

The planning and design of this property will allow for an integrated development plan, affording better compatibility with the surrounding land uses than the existing commercial development, but providing for needed commercial and boating facilities for the area, as well as providing all necessary improvements to offset its impacts. The project will generate increased revenues without the demands that are commonly associated with residential development and will provide additional employment opportunities, as well as retail and service opportunities for the surrounding residential communities. A consistent and consolidated development plan will improve the appearance of the area, and provide a location for marina uses consistent with the County Marina Siting Study.

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

1. South and West Buffer and Setback. A waiver to Section 3.06.06 Buffers A. 2. and 3. to reduce the buffer along the south border from twenty (20) to ten (10) feet to allow for a larger buffer on the north (residential) side and from ten (10) feet to zero (0) feet on the rear (west) property boundary, and from Section 3.06.05.A.2. and 4 Setbacks to reduce the setback along the south property line from thirty (30) feet to ten (10) feet and the rear property line from ten (10) to zero (0) feet. The south side, although adjacent to the Palm Valley Bridge Right-of-Way is actually adjacent to the County boat ramp. Since the property does not serve as a roadway (the bridge in this location is elevated and the property is used for a similar purpose for recreational activities, the more extensive buffers serve no purpose. In addition, the portion of property which is the man-made lagoon, significantly effects development of the water-ward portion of the site with regard to the width needed to provide for the dry storage facility with additional architectural features suggested by the Architectural Review Committee and parking which is convenient to the customers loading and unloading their boats. Secondly, the rear portion of the site, which fronts on the Intracoastal Waterway is already zoned for a marina (zoned CHT) and will be developed, in accordance with all appropriate permits, as a part of this site. This continuation of the site development negates the need for a setback or buffer to the site. It should be noted that the applicant has agreed to limit the commercial "exposure" directly on the Intracoastal Waterway to reduce any impacts to adjacent owners across the

waterway. Therefore the more intense site development will occur on this PUD property.

2. Separation Between Buildings: A waiver to Section 3.06.05.A.6 to eliminate the twenty (20) foot separation required between buildings. The applicant has located the dockmaster's building adjacent to the boat storage facility for operational purposes. The building in question could have been made a part of the overall dry storage facility, however the applicant felt that a separate building in close proximity would be more visually pleasing and keep the storage facility from being any larger than it already is. In addition, the location of the dockmaster's building allows for oversight of the activities along the waterfront, which is critical to the operation.

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

U. Ownership/Agreement: The **Marina Club PV PUD** will be owned and operated by the applicant. The applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to St. Johns County. The applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements stipulated herein.

The applicant 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 as follows: To the extent that they do not conflict with the 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.

V. Future Land Use Designation: The property is located within Commercial designation on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan, as amended.

PART III - SUMMARY AND CONCLUSIONS

P.U.D. OFF. REC.
BOOK 5 PAGE 558

The need and justification for approval of the **Marina Club PV PUD** has been considered in accordance with the St. Johns County Land Development Code (LDC) 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 as it is located within a Commercial designation on the Future Land Use Map (FLUM) which allows the type of development envisioned within the PUD and further described within the text under Goal A.1 as follows: "To effectively manage growth and development by designating areas of anticipated future development which satisfy demand where feasible, in a cost-efficient and environmentally acceptable manner. Encourage / accommodate land uses which make St. Johns County a viable community. Creating a sound economic base and offering diverse opportunities for a wide variety of living, working, shopping and leisure activities, while minimizing adverse impact on the natural environment."

It is consistent with Objective A.1.2 Control of Urban Sprawl, in that the project does not constitute leapfrog development, as it is within a Commercial district, is not strip development and has a natural limit for future commercial requests along Roscoe Boulevard. In addition, the development is consistent with the Comprehensive Plan as embodied in Objective A.1.3. Surrounding Land Use as the project includes uses allowable within the County Comprehensive Plan and land development regulations and Policy A.1.3.12 Compatibility, whereas the property provides generous buffers to adjacent land uses and along the major roadways. In addition, the application is in conformance to Objective A.1.11 Provision of Efficient, Compact Development and subsequent Policy A.1.11.1 (c) Commercial and Policy A.1.11.3 as to control of the intensity of development. The project also conforms to Goal A.1 and Objective A.1.1, which will ensure that the site is permitted in accordance with all State, Federal and local standards to ensure protection of the estuaries and related natural resources. Therefore, the request is consistent with and furthers the objectives and policies of the Comprehensive Plan.

B. Location: The project is located within a Commercial area on the FLUM, which allows for all types of commercial uses, including 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 commercial development under the criteria established within Part V 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 provide for a needed facility and will be beneficial to the area as a whole.

It will be compatible, per Policy A.1.3.12 with the adjacent properties, through the site design and the provision of buffers and screening. It has been designed with the buildings and parking near the southern portion of the site, with buffers and screening to reduce the impact of activities on the any the adjacent land uses or neighborhoods.

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 for any increased development activities that would mitigate any off-site drainage impacts. The development will proceed only upon receipt of a Certificate of Concurrence, indicative that there are adequate public facilities to accommodate the development.

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

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

This project, as previously mentioned, does represent the use of an existing commercial site, providing a needed commercial (marina) development to serve the large number of single family residences in the area. 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.

WARRANTY DEED
(Corporate)

EXHIBIT F
Proof of Ownership

THIS WARRANTY DEED made and executed the 26th day of November, 2003 by ERVIN ENTERPRISES, INC., a corporation existing under the laws of the State of Florida, and having its principal place of business at 3020 Palm Valley Road, Ponte Vedra Beach, Florida 32082, hereinafter called the grantor, to PMC PROPERTIES, INC., a corporation existing under the laws of the State of Florida, with its permanent postoffice address at P.O. Drawer 3027, Ponte Vedra Beach, Florida 32004, hereinafter called the grantee:

WITNESSETH: That the grantor, for an in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged, but these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

Parcel Id: 069570-0000

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A part of the unsurveyed Section 28, and a part of the Pedro Mestre Grant, Section 34, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows:

For a point of beginning, commence at the intersection of the Northeasterly right of way line of the 500 foot U. S. Government Intracoastal Waterway, right of way, as recorded in Map Book 4, Page 73, of the public records of said County, with the Northwesterly right of way line of Palm Valley Road, County Road No. C-210, as now established as a 66 foot right of way; thence North 26 deg 22 min 40 sec West; along said Northeasterly right of way line of Intracoastal Waterway, a distance of 493.67 feet; thence North 63 deg 30 min 15 sec East, a distance of 277.67 feet to a point on the Northwesterly right of way line of Roscoe Boulevard South, County Road No. C-210-A, as now established as a 66 foot right of way, said right of way line being a curve concave Northeasterly having a radius of 2897.93 feet; thence Southeasterly along the arc of said curve, a chord bearing of South 37 deg 34 min 13 sec East, a chord distance of 178.02 feet to the Point of Tangency of said curve; thence south 39 deg 20 min 10 sec East, continuing along said Southwesterly right of way line of Roscoe Boulevard South a distance of 146.35 feet; thence South 50 deg 39 min 50 sec West, a distance of 125.00 feet; thence South 39 deg 20 min 10 sec East, a distance of 125.00 feet to a point on the aforementioned Northwesterly right of way line of Palm Valley Road, said point being on a curve concave Southeasterly having a radius of 987.30 feet on a curve concave Southeasterly having a radius of 987.30 feet; thence Southwesterly along the arc of said curve a chord bearing of South 59 deg 24 min 56 sec West, and a chord distance of 115.73 feet to the point of tangency of said curve; thence South 56 deg 03 min 20 sec West, continuing along said Northwesterly right of way line of Palm Valley Road, a distance of 137.13 feet to the Point of Beginning.

Less and Except:

Legal Description of Tract Number 105:

That certain tract or parcel of land being a part of Section 34 (The Pedro Mestre Grant), Township 4 South, Range 29 East and being a portion of the lands described in Official Records Book 1113, Page 1416 of the current Public Records of St. Johns County, Florida; and being more particularly described as follows:

Begin at the intersection of the Northerly right-of-way line of County Road 210, (Palm Valley Road, a variable width right of way as now established) with the Easterly right of way line of the Intracoastal Waterway (A 500-foot right-of-way as now established); thence North 26 degrees 27 minutes 26 seconds West along said Easterly right-of-way line of the Intracoastal Waterway and the Westerly line of the lands described in Official Records Book 1113, page 1416, a distance of 121.81 feet; thence North 53 degrees 54 minutes 24 seconds East, departing said Westerly line of the lands described in Official Records Book 1113, Page 1416, a distance of 350.08 feet to an intersection with the Westerly right-of-way line of State Road 210-A (Roscoe Boulevard, a 66 Foot right-of-way as now established); thence South 39 degrees 22 minutes 40 seconds East, along said Westerly right-of-way line of State Road 210-A, a distance of 4.59 feet; thence South 50 degrees 42 minutes 41 seconds West, departing said Westerly right-of-way line of State Road 210-A, a distance of 125.00; thence South 39 degrees 09 minutes 44 seconds East, a distance of 125.00 feet to an intersection with the Northerly right-of-way line of said County Road 210 and a point on a curve, said curve being concave Southeasterly, having a central angle of 06 degrees 43 minutes 12 seconds, a radius of 987.30, a chord bearing and distance South 59 degrees 24 minutes 38 seconds West, 115.73 feet; thence Southwesterly along the arc of said curve and the said Northerly right-of-way line of County Road 210 an arc distance of 115.80 feet to the point of tangency of said curve; thence South 56 degrees 03 minutes 50 second West continuing along said Northerly right-of-way line of County Road 210, a distance of 137.53 feet to an intersection with said Easterly Right of Way line of the Intracoastal Waterway and the Point of Beginning.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

P. U. D. OFF. REC.
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AND the grantor hereby covenants with said grantee that it is the lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all person whomsoever; and that said land is free of all encumbrances.

THIS DEED is given pursuant to Florida Statute 607.1405 for the purpose of winding up and liquidating grantor's business and affairs.

IN WITNESS WHEREOF the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

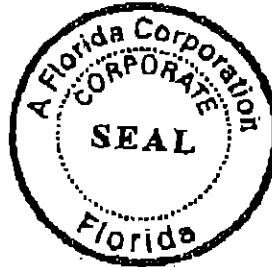
ATTEST: _____
Secretary

ERVIN ENTERPRISES, INC., a Florida corporation
By: [Signature]
Its President

Signed, sealed and delivered in the presence of:

[Signature]
[Signature]
Terry W. Cox

STATE OF FLORIDA
COUNTY OF DUVAL



I HEREBY CERTIFY that on this day, before me, personally appeared Eddie L. Ervin, Jr., and _____ respectively the President and Secretary of Ervin Enterprises, Inc., a corporation under the laws of the State of Florida, to me well known to be the individuals and officers described in and who executed the foregoing, instrument, and acknowledged to and before me that they executed the same for purposes therein expressed.

WITNESS my hand and official seal this 16th day of November, 2003.

[Signature]
NOTARY PUBLIC-STATE OF FLORIDA

My Commission Expires:



SIMON D. ROTHSTEIN
Notary Public, State of Florida
My Comm. expires July 4, 2004
Comm. No. CC 946995

EXHIBIT G
Authorization

P.U.D. OFF. REC.
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KAREN M. TAYLOR is hereby authorized TO ACT ON BEHALF OF
PMC PROPERTIES, INC., the owner(s) of those lands described within the
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:

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit |
| <input type="checkbox"/> | Zoning Variance | <input type="checkbox"/> | Non-Zoning Variance |
| <input type="checkbox"/> | Appeal | <input type="checkbox"/> | Overlay District Review |
| <input type="checkbox"/> | Concurrency | <input type="checkbox"/> | Other |

BY: [Signature]
Signature of Owner
PMC PROPERTIES, INC BY J. R. McNEAL, IT'S PRESIDENT
Print Name

Signature of Owner

Print Name
904-861-1114
Telephone Number

State of Florida
County of St. Johns

Signed and sworn before me on this 2nd day of March, 2004
By JR (Randy) McNeal

Identification verified: _____
Oath sworn: _____ Yes _____ No



Beth S. Wilson
Notary Signature
My Commission expires: 9/28/07

March 22, 2001

PN	OWNER	LEGAL	U.G.C.	ADDRESS	CITY	STATE	ZIP
007401 0001	SAMMILL LAKES MAINTENANCE	3782 47 SAMMILL LAKES PH 1 RD & TRACTS A B C D E F ON 146421		1604 SAWGRASS DRIVE #1	PONTE VEDRA BEACH	FL	32082
007401 0002	SAMMILL LAKES MAINTENANCE	3782 47 SAMMILL LAKES PH 1 RD & TRACTS A B C D E F OR 146421		1604 SAWGRASS DRIVE #1	PONTE VEDRA BEACH	FL	32082
007401 0003	SAMMILL LAKES MAINTENANCE	3782 47 SAMMILL LAKES PH 1 RDS & TRACTS A B C D E F OR 146421		1604 SAWGRASS DRIVE #1	PONTE VEDRA BEACH	FL	32082
007401 0004	LYLE DOUGLAS B. MILLET L.	3782 47 SAMMILL LAKES PHASE 7		500 S MILL VIEW WAY	PONTE VEDRA BEACH	FL	32082
007401 0005	WAGNER MICHAEL D LUCIA	3782 47 SAMMILL LAKES PHASE 7		213 S MILL VIEW WAY	PONTE VEDRA BEACH	FL	32082
007401 0006	WAGNER MICHAEL D LUCIA	3782 47 SAMMILL LAKES PHASE 7		213 S MILL VIEW WAY	PONTE VEDRA BEACH	FL	32082
007401 0007	MUR BENNETH EDWARD TERRA J	3782 47 SAMMILL LAKES PHASE 7		514 S MILL VIEW WAY	PONTE VEDRA BEACH	FL	32082
007401 0008	MUR BENNETH EDWARD TERRA J	3782 47 SAMMILL LAKES PHASE 7		514 S MILL VIEW WAY	PONTE VEDRA BEACH	FL	32082
007401 0009	UNITE STATES OF AMERICA	4 FT OF LOT 7 & UNSURVEYED PTS		6340 HIGHLANDS CT	PONTE VEDRA BEACH	FL	32082
007401 0010	UNITE STATES OF AMERICA	29 FT OF SEC 28 & PT OF GRANT		JANET CORPUS OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0011	UNITE STATES OF AMERICA	5 FT OF LOT 7 & UNSURVEYED PTS		12766 BEACH BLVD	JACKSONVILLE	FL	32213
007401 0012	COBB WILLIAM RUMBLE Y A	22-0 PART OF GRANT TO BEN		101 CLATTER BRIDGE RD	PONTE VEDRA BEACH	FL	32082
007401 0013	COBB WILLIAM RUMBLE Y A	22-0 PART OF GRANT TO BEN		101 CLATTER BRIDGE RD	PONTE VEDRA BEACH	FL	32082
007401 0014	ARVIDA SAMMILL LAKES PARTNERS	1 GRANT TO PEDRO MAESTRE LYNO		3808 HUNT CLUB RD	JACKSONVILLE	FL	32204
007401 0015	ARVIDA SAMMILL LAKES PARTNERS	1 GRANT TO PEDRO MAESTRE LYNO		3808 HUNT CLUB RD	JACKSONVILLE	FL	32204
007401 0016	FRAZER THOMAS S	1-1 ALL SEC 24 & SEC 27 LYING		400 S ROSCOE BOULEVARD EXT	PONTE VEDRA BEACH	FL	32082
007401 0017	FRAZER THOMAS S	2 PART OF GRANT TO PEDRO		400 S ROSCOE BOULEVARD EXT	PONTE VEDRA BEACH	FL	32082
007401 0018	FRAZER THOMAS S	2 PART OF GRANT TO PEDRO		400 S ROSCOE BOULEVARD EXT	PONTE VEDRA BEACH	FL	32082
007401 0019	ERWIN ENTERPRISES INC	4 FT OF PEDRO MAESTRE GRANT		141 LAUREL LN	PONTE VEDRA BEACH	FL	32082
007401 0020	ERWIN ENTERPRISES INC	4 FT OF PEDRO MAESTRE GRANT		141 LAUREL LN	PONTE VEDRA BEACH	FL	32082
007401 0021	UNITE STATES OF AMERICA	4-1 PART OF GRANT TO PEDRO		% U.S. ARMY CORP'S OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0022	UNITE STATES OF AMERICA	4-1 PART OF GRANT TO PEDRO		% U.S. ARMY CORP'S OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0023	HARGRETS STEPHEN L KATHLEEN A	4-3 PART OF GRANT TO PEDRO		4023 PALM VALLEY RD	JACKSONVILLE	FL	32202
007401 0024	HARGRETS STEPHEN L KATHLEEN A	4-3 PART OF GRANT TO PEDRO		4023 PALM VALLEY RD	JACKSONVILLE	FL	32202
007401 0025	RAY NANNETH J JUANCY M	4-4 PART OF GRANT TO PEDRO		361 S ROSCOE BLVD	PONTE VEDRA BEACH	FL	32082
007401 0026	RAY NANNETH J JUANCY M	4-4 PART OF GRANT TO PEDRO		361 S ROSCOE BLVD	PONTE VEDRA BEACH	FL	32082
007401 0027	UNITE STATES OF AMERICA	4-5 FT OF GRANT TO PEDRO		% U.S. ARMY CORP'S OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0028	UNITE STATES OF AMERICA	4-5 FT OF GRANT TO PEDRO		% U.S. ARMY CORP'S OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0029	UNITE STATES OF AMERICA	4-5 FT OF GRANT TO PEDRO		% U.S. ARMY CORP'S OF ENGINEERS	PONTE VEDRA BEACH	FL	32082
007401 0030	FREEDOM ROBERT R DEBORAH	4-8 FT OF GRANT TO PEDRO		311 BTH ST	HELENSTON	GA	30211
007401 0031	FREEDOM ROBERT R DEBORAH	4-8 FT OF GRANT TO PEDRO		311 BTH ST	HELENSTON	GA	30211
007401 0032	GAY ALPHA A	4-8 PART OF SEC 24 & 25 15 FT ON		PO BOX 477	PONTE VEDRA BEACH	FL	32082
007401 0033	GAY ALPHA A	4-8 PART OF SEC 24 & 25 15 FT ON		PO BOX 477	PONTE VEDRA BEACH	FL	32082
007401 0034	CASE RONALD E & GLORIA A	4-9 PART OF GRANT TO PEDRO		383 S ROSCOE BLVD	PONTE VEDRA BEACH	FL	32082
007401 0035	CASE RONALD E & GLORIA A	4-9 PART OF GRANT TO PEDRO		383 S ROSCOE BLVD	PONTE VEDRA BEACH	FL	32082

EXHIBIT H
Adjacent Owners

P.U.D. OFF. REC.
BOOK 5 PAGE 564

ENVIRONMENTAL SERVICES, INC.
7220 FINANCIAL WAY, SUITE 100
JACKSONVILLE, FLORIDA 32256
904-470-2200 • FAX 904-470-2112

www.esinc.cc

13 May 2004

P. U. D. OFF. REC.
BOOK 5 PAGE 565

EXHIBIT I
Environmental Information

Ms. Karen Taylor
3070 Harbor Drive
St. Augustine, Florida 32084

RE: **Palm Valley Marina**
St. Johns County, Florida

Dear Ms. Taylor:

Environmental Services, Inc., (ESI) conducted a site-specific environmental assessment of the property referenced above. The property is located north of County Road 210/Palm Valley Road on South Roscoe Boulevard, Section 54, Township 4 South, and Range 29 East. The site is located on the Intracoastal Waterway. The purpose of our investigation was to identify potential jurisdictional wetlands, identify the potential presence of Significant Natural Community Habitat and to identify the potential presence of listed wildlife species.

The property was evaluated for the potential presence of Significant Natural Community Habitat, pursuant to Section 4.01.07 of the St. Johns County Land Development Code. Based upon our site inspection, the property contains no communities designated as Significant Natural Community Habitat, per the descriptions in the code. Additionally, no jurisdictional wetlands were identified on the property. The project site is currently developed containing a restaurant and associated parking (FLUCFCS 1415). The northwestern corner is identified as a tidal flat community (FLUCFCS 651) and is located waterward of existing riprap. Figure 1 shows the type and extent of vegetation on-site as it currently exists.

The property was further evaluated for the potential presence of listed wildlife species, subject to the regulatory programs of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC). ESI has also evaluated the published lists/maps as prepared by FFWCC for the presence of bald eagles in the vicinity of the project. Based upon available information, the closest documented eagle nest is SJ017 (Nocatee), which is located approximately 2.3 miles southwest of the project site. Based upon our site visit, no listed species or potential habitat to support listed species were found on site.

Should you have questions or require additional information, please call me at (904) 470-2200.

Sincerely yours,

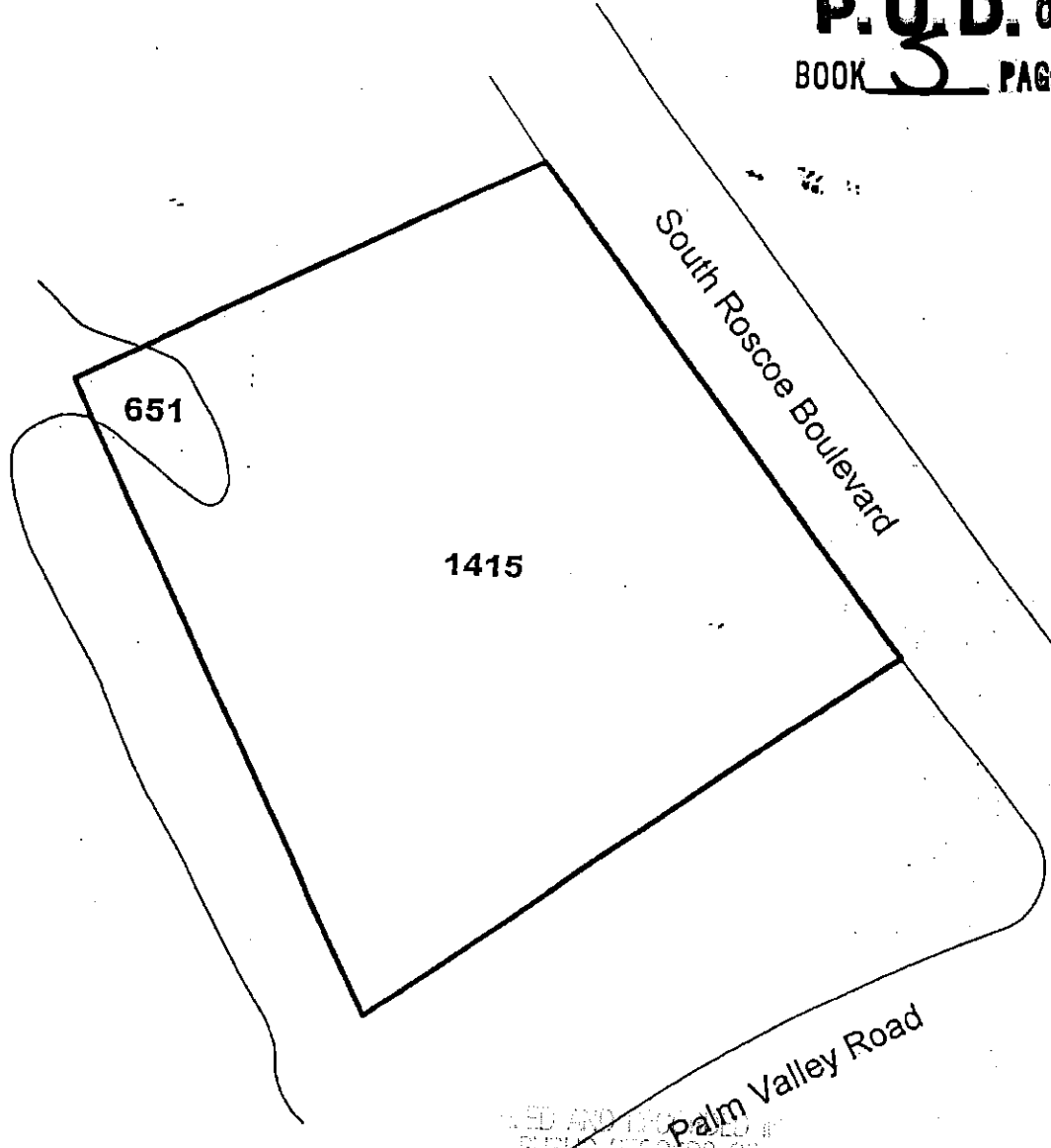
ENVIRONMENTAL SERVICES, INC.



Cara Connolly
Senior Project Manager

xc: Henry Vorpe

MPC/edh/EJ03351.00/FLUCFCS&Sig.Comm.letter.doc
S:PF051304f



FLUCFCS Codes:

- 651 - Tidal Flats
- 1415 - Restaurant

RECORDED AND INDEXED
 PUBLIC RECORDS OF
 ST. JOHN COUNTY, FL
 04 NOV 16 AM 10:54
 CHERYL S. GILBERT
 CLERK OF COUNTY

35



ENVIRONMENTAL SERVICES, INC.

FLUCFCS Map
Palm Valley Marina
St. Johns County, Florida

Figure: 1
Scale: ±1"=100'
Project: EJ03351.00
Date: May 2004

OCT 21

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES BARRETT who on oath says that he 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 matter PUD 04-13 MARINA CLUB was published in said newspaper in the issues of OCTOBER 18, 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 18TH day of OCTOBER, 2004.

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

[Signature of Patricia A. Bergquist] (Signature of Notary Public)



Patricia A. Bergquist My Commission DD275991 Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, November 3, 2004 at 9:00 a.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 request to rezone to Planned Unit Development (PUD) to allow for the construction of a marina with dry storage. The subject property is located at 377 South Roscoe Boulevard within St. Johns County, Florida. [Map showing location at intersection of S. Roscoe Blvd. and S. Mill Avenue]

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 Halslead, 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 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 KAKREN STERN, CHAIRMAN FILE NUMBER: PUD 2004-13 Marina Club PV L2509-4 Oct 18, 2004