

RESOLUTION NO: 85-175

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
FOR: VILLAGES OF VILANO - PHASE I-A (UNIT I)
LOCATED WITHIN THE PARCEL OF LAND ZONED PUD
PURSUANT TO ORDINANCE NUMBER 85-26

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

SECTION 1. Pursuant to a request for approval made by Vilano Venture, Inc. in accordance with Section 8-3 of the St. Johns County Ordinance, and subsequent review and approval by the St. Johns County Planning and Zoning Agency, the Final Development Plan attached hereto as Exhibit C is hereby approved in reliance upon, and in accordance with the representation and statements made in the written submission statement, attached hereto as Exhibit B, legal description, attached hereto as Exhibit A, and in architectural elevations and renderings presented, attached hereto Exhibits D through J, *all of which shall be complied with and followed.*

This resolution shall take effect immediately upon
SECTION 2: ~~All attachment included herein are incorporated herein~~
~~adoption by the Board of County Commissioners~~
~~and made a part of the adopting ordinance.~~

ADOPTED this 26th day of November, 1985.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Francis N. Boubaker*
Chairman

Attest: Carl "Bud" Markel, Clerk

BY: *Cheryl Kerst*

adopted at regular meeting: November 26, 1985

EXHIBIT A
LEGAL DESCRIPTION

PARCEL "A":

A portion of Government Lot 1, Section 32, Township 6 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows:
Begin at the intersection of the Northerly line of said Government Lot 1, with the Easterly right-of-way line of State Road No. A-1-A (a 66.00' right-of-way as now established); thence S. 16° 30' 00" E., along said Easterly right-of-way line, 813.19' to the Southerly line of those lands described and recorded in Deed Book 204, Page 87 of the Public Records of said County; thence N. 73° 30' 00" E., along last said line, 170', more or less, to the mean high water line of the Atlantic Ocean; thence Northwesterly along said mean high water line, 757', more or less, to an intersection with the Northerly line of said Government Lot 1; thence N. 89° 00' 05" W., along last said line, 187', more or less, to the Point of Beginning;
Lands thus described contain 3.14 acres, more or less.

PARCEL "B"

A PORTION OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 6 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, COMPRISING THE VILLAGES OF VILANO PLANNED UNIT DEVELOPMENT (PUD) PHASE 1-A BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. A-1-A (A 66.0' RIGHT-OF-WAY AS NOW ESTABLISHED) WITH THE NORTHERLY LINE OF SAID GOVERNMENT LOT 1; THENCE N. 89° 24' 25" W., 1,060.00 FEET ALONG SAID NORTHERLY LINE, OF GOVERNMENT LOT 1, SAID NORTHERLY LINE ALSO BEING THE SOUTHERLY LINE OF NORTH BEACH SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 28 OF THE PUBLIC RECORDS OF SAID COUNTY,

THENCE S. 00° 35' 35"	W. A DISTANCE OF 214.00 FEET,
THENCE S. 85° 24' 25"	E. A DISTANCE OF 143.00 FEET,
THENCE S. 67° 00' 00"	E. A DISTANCE OF 238.00 FEET,
THENCE S. 04° 00' 00"	E. A DISTANCE OF 59.00 FEET,
THENCE S. 43° 30' 00"	E. A DISTANCE OF 196.00 FEET,
THENCE S. 90° 00' 00"	E. A DISTANCE OF 64.00 FEET,
THENCE S. 43° 00' 00"	E. A DISTANCE OF 121.00 FEET,
THENCE S. 55° 30' 00"	W. A DISTANCE OF 97.00 FEET,
THENCE S. 37° 30' 00"	E. A DISTANCE OF 80.00 FEET,
THENCE S. 89° 30' 00"	E. A DISTANCE OF 97.00 FEET,
THENCE N. 26° 30' 00"	E. A DISTANCE OF 64.00 FEET,
THENCE S. 72° 30' 00"	E. A DISTANCE OF 80.00 FEET,
THENCE S. 87° 00' 00"	E. A DISTANCE OF 123.00 FEET,
THENCE S. 04° 20' 00"	W. A DISTANCE OF 215.00 FEET,

TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CARCABA ROAD (A 30.0' COUNTY ROAD, AS DESCRIBED AND RECORDED IN DEED BOOK 155, PAGE 572 OF THE PUBLIC RECORDS OF SAID COUNTY).

THENCE N. 73° 33' 47" E. A DISTANCE OF 385.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF CARCABA ROAD TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. A-1-A.
THENCE N. 16° 30' 00" W. A DISTANCE OF 840.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. A-1-A TO THE POINT OF BEGINNING. LANDS THUS DESCRIBED CONTAIN 15.10 ACRES, MORE OR LESS.

FINAL DEVELOPMENT PLAN

for a portion of

Villages of Vilano
Planned Unit Development

Phase I-A

Exhibit B

Prepared by

Tim Gabriel & Associates, Inc.
66 Cuna Street
St. Augustine, Florida 32084

1 October 1985

Submitted herewith, on behalf of Vilano Ventures, Inc., for approval by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners, is the development map depicting the Final Development Plan (hereinafter the "Map") for a portion of Phase I (hereinafter referred to as Phase I-A), of Villages of Vilano. The property is located wholly within the Villages of Vilano Planned Unit Development, as approved by Ordinance 85-26. Phase I-A, contains 28 patio home lots (hereinafter referred to as Unit One, Villages of Vilano), the Phase I recreation complex, entrance to the development and that portion of the main boulevard roadway (hereinafter referred to as Village Drive) required to serve Unit One.

You will note a portion of the Property has been shaded on the Final Development Plan and is designated for as not part of this Final Development Plan. While this parcel is included within the legal description of the Property, this submission is not intended to be final with respect thereto. Although no specific plans are formulated for these area, we hereby request the use of this area for landscaping and/or general site maintenance as may be required. Prior to commencement of any horizontal or vertical construction on this area (besides landscaping and general maintenance) a Final Development Plan for Phase I-B will be submitted to show specific development plans and the relationship to the remainder of the Property.

In accordance with Section 8-4-5 of Article 8 of the St. Johns County Zoning Ordinance, the following legal documents are provided:

Declaration of Covenants and Restrictions for Villages of Vilano Phase I-A (the "Declaration"), including as exhibits the Articles of Incorporation and Bylaws of the Villages of Vilano Associates, Inc.

Notwithstanding that the support legal documents may be recorded in their entirety, only those sections of the support legal documents which are specifically referenced herein shall be considered to be a part of the Final Development Plan. Nothing contained in the support legal documents shall be interpreted to limit or restrict in any way the regulatory powers of St. Johns County (including its powers to review and approve plats and replats). Those sections of the support legal documents which are specifically referenced herein are incorporated by reference in the Final Development Plan, shall be considered a part of the Final Development Plan, and may not be amended or altered in any way without the approval of the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners. The developer reserves the right to alter, amend or allow to be amended all other sections of the support legal documents, provided, however, that if any alteration, amendment or series of alterations or amendments to the Declaration materially erodes the protection afforded by the Declaration so that the St. Johns County Board of County Commissioners, in the exercise of its reasonable discretion, determines that there is a substantial

likelihood that the spirit and intent of Article 8 of the St. Johns County Zoning Ordinance will be undermined, then the Board may require that further alterations and amendments be submitted to it for approval prior to the recordation of such alterations or amendments.

Section 8-4 Standards and Criteria

8-4-1 Density of Development

The development contains 51 acres of property with a total of 294 approved units. Density for the development is therefore 5.76 units/acre.

8-4-2 Open Space

The Map depicts those areas within the property to be used as open space for the common use of residents of the development. Every homeowner (resident) shall have the right to use of and an easement of enjoyment in and to the Common Areas which shall be owned and operated by the Homeowners Association. These areas are for the following uses:

- Tracts A & F, Open Space and Lake, to be used for drainage facilities and passive recreation and conservation
- Tract B, Recreation Complex and Open Space, to be used for a Recreation Complex, including two tennis courts, four racquetball courts, a club facility with pool, entrance to the A-1-A walkover and passive recreation and conservation
- Tract C, Open Parking and Space, to be used for additional off-street parking, in lots with less than ten parking spaces for a lift station and for passive recreation and conservation
- Tract D, Beach Pavilion and Open Space, to be used for an open beach pavilion, walkway over the dunes, entrance to the A-1-A walkover and for passive recreation and conservation.

Maintenance of these aforementioned lakes, structures, parking lots, and property shall be by the Villages of Vilano Homeowners Association.

- Tract E, Open Space, shall be dedicated to St. Johns County, to be used exclusively for passive recreation by the residents of St. Johns County, including the residents of Villages of Vilano.

**8-4-3 Waiver of Yard, Dwelling Unit, Frontage Criteria,
and Use Restrictions**

All development which is to occur will comply with the spirit and intent of the Zoning Ordinance; however, residential dwellings may be built immediately adjacent to adjacent residential lot lines, provided a minimum setback of five (5) feet shall be provided between residential structures as measured from wall to wall. There will be no more than 28 single-family residences in Unit One of Villages of Vilano. The developer reserves the right to control the location of all structures and to establish any additional setback lines, subject to compliance with other applicable fire and building codes.

Residential lots shall average 4500 square feet, with average dimensions of 45' x 100'. All residential lots, numbered 1 through 28, shall be used exclusively for residential purposes; however (1) lots 23 through 27 shall temporarily (until buildout of the development) be used for five (5) model homes, one of which shall be considered a sales office and (2) lot 28 shall temporarily (until buildout of the development) be used for parking for the sales office and models. In addition to the above, a temporary sales trailer, shall be allowed in the Tract "B" Recreation Complex and Open Space for no more than one (1) year from the date of filing of this final development plan, in the location shown on the Map.

Lots in Unit One shall be exclusively for residential purposes including, but not limited to dwelling unit, walls, patios, decks, pools, spas, driveways and sidewalks.

Dwelling units shall contain a minimum of 900 square feet and shall not exceed 35 feet in height.

Tract A and F, Open Space and Lake, consisting of 1.25 and .31 acres respectively, shall be used for drainage facilities and for passive recreation and open space.

Tract B, Recreation Complex and Open Space, consisting of 1.8 acres, shall be used for recreational and ancillary associated uses and shall contain a community club facility, setback a minimum of 90 feet from the south property line and 25 feet from the east property line, excluding the A-1-A walkover structure, and shall contain one (1) swimming pool and associated clubhouse facilities. In addition, Tract B shall contain two (2) tennis courts, four (4) racquetball courts and the associated driveways and parking, as well as an access structure to the A-1-A walkover.

Tract C, Parking and Open Space, consisting of .51 acres shall be used for 12 parking spaces, the lift station and as general open space.

Tract D, Recreation and Open Space, consisting of .74 acres, shall be used for recreational uses and shall contain a beach pavilion, walkways over the dunes to the beach area, and structural access to the A-1-A walkover.

Tract E, Recreation and Open Space, consisting of 2.4 acres, shall be used for passive recreational purposes only and shall be dedicated to St. Johns County.

Entrance, the entrance to Villages of Vilano, shall contain (a) a four-lane entrance/exit divided roadway, a guard house and gates, signs identifying the development as well as small advertising signs as may be placed from time to time as well as associated fences, walls, berms and/or shrubbery.

8-4-4 Project Size

The PUD consists of more than 20 acres.

8-4-5 Support Legal Documents for Open Space

The Covenants and Restrictions, Articles of Incorporation and Bylaws of the Villages of Vilano Homeowners Association, assure adequate management and maintenance of all open space areas depicted on the Map as Tracts A, B, C, D, and F encompassed by the Final Development Plan.

- (a) Article II, Section 2.1, Provides the Developer shall convey the roads and other Common Areas to the Association, and further grants to every lot owner a non-exclusive right and easement of enjoyment in said Common Areas which shall be appurtenant to and pass with the title to every lot. The aforesaid conveyance of said Common Areas shall be subject to the Association's right to charge reasonable fees for the use of any recreational facility situated upon the Common Areas.
- (b) Article V, Section 5.1, Provides the Association shall have the exclusive management and control of the Common Area and all improvements, fixtures and equipment located thereon, and shall maintain and keep said Common Area and all improvements thereon in good order and repair.
- (c) Article III, Section 3.13, and Article V, Section 5.5, grant the Association the right to promulgate rules and regulations and impose other limitations concerning the use of the Common Area.
- (d) Article VI, Section 6.1, grants the Association the right to levy annual and special assessments against the lot situated within the PUD.

- (e) Article XIII, Section 13.1 gives the Developer, the Association and every lot owner, the right to enforce all restrictions, rules, regulations, conditions and easements imposed by the Declaration of Restrictive Covenants, Articles of Incorporation and By-Laws.

8-4-6 Access

Access is to be provided to each residential lot via a private vehicular way, to be owned and maintained by the Villages of Vilano Homeowners Association. In addition, a 5' sidewalk shall be provided along one side of each roadway.

8-4-7 Privacy

Each dwelling unit will be assured of visual and acoustical privacy. All necessary walkways and landscaping will be provided by the developer. The Declarations restrict alteration of the landscaping of the units.

8-4-8 Community Facilities

- a. None of the utility facilities are proposed for dedication to St. Johns County
- b. All requirements for off-street parking and loading, as set forth in Article 9 of the St. Johns County Zoning Ordinance are addressed specifically below:

9-1-1 Drainage

All roads and off-street parking and loading areas shall be drained so as to prevent damage to abutting parcels. The general drainage plan is graphically depicted on the Map. Inlets and storm sewer lines will be shown on construction plans, and will fall within the right of ways.

9-1-2 Separation from Walkway and Street

Each unit will have an individual garage, with apron to provide the required off-street parking. At least 1/3 of the units will have a two-car garage and apron and 12 off-street parking spaces shall be provided to satisfy the 1-1/2 parking spaces per unit. No combined off-street parking and loading facilities will be constructed.

9-1-3 Entrances and Exits

The location and design of the entrances and exits to all streets will be in accordance with County specifications. No residential driveway shall directly entrance on Village Drive.

9-1-4 Interior Drives

Interior parking lot drives, i.e. for Recreation Building, shall meet the standards for two-way traffic with 90 degree parking stalls, and shall be a minimum of 24 feet in width.

9-1-5 Marking of Parking Spaces

As shown on the Map, there will be parking provided along Ocean Hollow Lane in Tract "C" and for the Recreation Complex. The Recreation Complex parking lot shall be marked to indicate each parking space.

9-1-6 Lighting

Lighting throughout the Property will be a combination of post lamps and pedestrian scale low level lighting, including the Recreation Building parking lot shall meet these same standards.

9-1-7 Screening

The Recreation Building parking lot shall not be located closer than 40 feet to any residential zoned or occupied property; however, the parking lot shall be screened from Carcaba Road by a minimum four foot high continuous fence, wall, border shrubbery and/or combination thereof.

9-2 Location

The required off-street parking facilities will be located upon the same parcel of land they are intended to serve.

9-3-1 Off-Street Parking: Numbers Required

The property will be used for patio home sites or one single-family residence per lot. At least one off-street parking space will be provided per dwelling on the same parcel as the dwelling and in one-third of the units a two-car parking space will be provided (per dwelling unit) on the same parcel as the dwelling. (This is in addition to garage parking spaces.) In the residential area, there shall be at least 42 off-street parking spaces to meet the required 1-1/2 parking spaces per unit. The Recreation Complex shall be provided a minimum of 20 parking spaces, independent of the 1-1/2 spaces per dwelling unit.

9-4-1 Off-Street Loading Requirements

No off-street loading spaces shall be provided.

- c. The Map illustrates the anticipated traffic flow pattern. Sufficient space has been allowed for equipment and trucks such as fire fighting, moving vans, garbage trucks, etc.

Fire hydrants are shown on the Map.

Water and sewer lines shall be located within the right-of-ways. The required lift station is depicted on the Map.

- d. All utilities serving the Property, including telephone, power, cable television, sewer lines, and water lines will be installed underground. Drainage facilities include a "lake" located in Tract A and F and two (2) culvert "bridges". A storm sewer system will also be developed.

- e. All roadways constructed in the Property shall meet or exceed the standards for minimum pavement width and construction standards as outlined in the St. Johns County Subdivision Regulations. Islands to be constructed are shown on the Map.