

RESOLUTION NO. 90- 147

COUNTY OF ST. JOHNS
STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
THE HARBOUR AT MARSH LANDING - UNIT ONE
LOCATED WITHIN THE PARCELS OF LAND ZONED PUD
KNOWN AS MARSH LANDING AT SAWGRASS
PURSUANT TO ORDINANCE 75-15

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

Section 1: Pursuant to a letter of request dated October 18, 1989, submitted by Fletcher Land Corporation in accordance with Section 8-3 of the St. Johns County Zoning Ordinance, and subsequent review and approval by the St. Johns County Planning and Zoning Agency, the Final Development Plan attached hereto as Exhibit A is hereby approved in reliance upon, and in accordance with the representations and statements made in the written submission statement attached hereto as Exhibit B.

Section 2: All building code, zoning ordinance, and other land use and development regulations of St. Johns County as may be amended from time to time shall be applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Craig A. Maguire
Chairman

ATTEST: Carl "Bud" Markel, Clerk

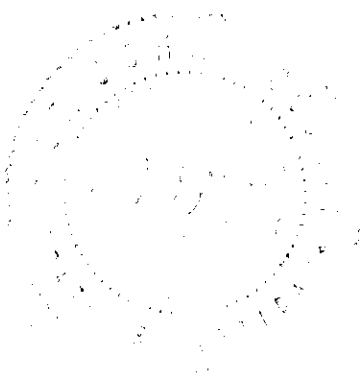
Connie E. McDaniel
Deputy Clerk

ADOPTED REGULAR MEETING:

August 28, 1990

EFFECTIVE:

August 28, 1990





PROSSER, HALLOCK & KRISTOFF, INC.
Planners and Engineers

October 18, 1989

St. Johns County
Board of County Commissioners
P. O. Drawer 349
St. Augustine, FL 32084

Subject: Final Development Plan, Letter of Request
The Harbour at Marsh Landing, Unit One
PHK Ref. No. 89-056.02

Dear Commissioners:

On behalf of Fletcher Land Corporation, we are submitting for approval by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners, a final development plan (the "Final Development Plan") for The Harbour at Marsh Landing Unit One (the "Property").

The property to be developed is located wholly within those parcels of land zoned Planned Unit Development (PUD) pursuant to Ordinance 75-15. The area encompassed by the Final Development Plan is located along the Intracoastal Waterway and within the area of the PUD currently identified for development as multi-family. A minor adjustment to the PUD is being submitted concurrently with this Final Development Plan to change the land use from multi-family to single-family.

The Final Development Plan consists of 83 single-family lots and associated lakes, right-of-ways and tidal lagoon system. A St. Johns River Water Management Stormwater permit application has been submitted and is currently being reviewed and it is anticipated to be issued in November. DER/COE permits for the marina and lagoon are also expected to be issued in November.

A previously approved Final Development Plan (Marsh Landing Marina Access Road) provides access to the Property from Marsh Landing Parkway via a permitted bridge/causeway across Cabbage Creek (copy attached). The platting of this approved access road along with the property is proposed.

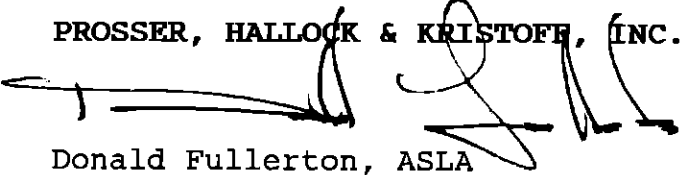
8101 Phillips Highway • Suite One • Jacksonville, Florida 32256-7457 • 904/739-3655

St. Johns County
October 18, 1989
Page Two

We have enclosed the accompanying text, PUD Master Plan showing the location of the property, and a Form of Resolution.

Respectfully submitted,

PROSSER, HALLOCK & KRISTOFF, INC.



Donald Fullerton, ASLA
Director of Design

DF/sjm

Enclosures: Final Development Plan (Exhibit A)
Written Text (Exhibit B)
Form of Resolution
PUD Master Plan
Marina Access Road Final Development Plan

cc: Robert Johnson (Fletcher Land)

FINAL DEVELOPMENT PLAN
MARSH LANDING AT SAWGRASS
PUD ORDINANCE 75-15

THE HARBOUR AT MARSH LANDING UNIT ONE
EXHIBIT B
TO THE RESOLUTION
OCTPBER 18, 1989 (REVISED JULY 13, 1990)

In Accordance with the procedure established in Section 8-3, "Implementation of a PUD," the attached Final Development Plan and the letter of request prepared by Prosser, Hallock & Kristoff, Inc.; and the following text regarding compliance with Section 8-4, are submitted for your consideration.

Project Description:

The subject property is located between the Intracoastal Waterway and the Cabbage Creek Marshes. Eighty three (83) single-family homes are proposed to be constructed on the site. Proposed roadways will have curb and gutter. Drainage will be accomplished via inlets and piping. Sanitary sewer, and potable water will be provided from the extension of existing utility lines.

8-4-2 Open Space

The Final Development Plan depicts open space within the Property. Every homeowner shall have a right of use and an easement of enjoyment in the open space area, except where its use is limited by the applicable sections of the Declaration of Covenants and Restrictions. The open space consists of lake/drainage areas (Tracts D-1 thru D-4) and lagoon area (Tracts L-1 thru L-3) which will be owned and maintained by The Harbour at Marsh Landing Homeowner's Association, Inc. Tracts A and B are open spaces (mostly lake area) to be used for drainage, utilities and landscaping. Boat slips/docks are proposed in the lagoon area as defined and restricted in the Covenants and Restrictions. Marsh areas (Tracts W-1 thru W-9) are also depicted on the Final Development Plan. These tracts are outside the proposed platted lots and will be owned and maintained by the developer as are Tracts E, F, G & H which provide access to future boat slips. Tracts E, F, G and H may be later sold. Tract C is to be used as a sewage pump station.

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

All development which is to occur within the Property will comply with the spirit and intent of the Zoning Ordinance. There will be no more than 83 residences on the property. Specific setback lines are as follows: a 35-foot front yard setback line, a 25-foot rear yard setback line, and a 15-foot side yard setback line; each setback line is measured to the wall of the building. The preceding setbacks may be waived by the architectural review board to preserve trees and improve overall aesthetics. A resident may be located wholly within a single platted lot or a combination of portions of platted lots. Future easements may be placed between platted lots fronting the tidal lagoon to provide access and utilities to boat slips for assigned other parties.

8-4-4 Project Size

The Marsh Landing PUD consists of approximately 1,700 acres. The Harbour at Marsh Landing Unit Two consists of 80.96 acres.

8-4-5 Support Legal Documents for Open Space

The Covenants and Restrictions of The Harbour at Marsh Landing Homeowner's Association, Inc., which apply to the road right-of-ways, street lighting, and security system, lakes, lagoon and bulkheads, assure adequate management and maintenance of the common property.

- a. The Covenants and Restrictions provide for the conveyance of title to the common property to, and ownership by, the Homeowner's Association, a duly constituted and legally responsible community association.

- b. The Covenants and Restrictions, appropriately limit the use of the common property.
- c. The Covenants and Restrictions assign responsibility for management and maintenance of the common property to the Homeowner's Association.
- d. The Covenants and Restrictions places responsibility for enforcement of the covenants contained therein upon the Homeowner's Association.
- e. The Covenants and Restrictions permits the subjection of each lot to assessment for its proportionate share of maintenance costs.

8-4-6 Access

As graphically depicted on the Final Development Plan, each lot is provided vehicular access within the subdivision via proposed private rights-of-way.

8-4-7 Privacy

Under Sections 8.6.3, 8.6.13, and 8.6.15 each dwelling unit will be provided visual and acoustical privacy. Landscaping shall be required as stated in the Covenants and Restrictions for the protection and aesthetic enhancement of the property.

8-4-8 Community Facilities

- a. None of the utility facilities serving the Property are proposed for dedication to St. Johns County; therefore, the provisions of subparagraph "a" are inapplicable.
- b. All requirements for off-street parking and loading set forth in Article 9 of the St. Johns County Zoning Ordinance are addressed specifically below.

9-1-1 Drainage

The general drainage plan for the Property so as to prevent damage to abutting parcels and streets is graphically depicted on the Plan. Specific drainage plans for each lot upon which a residence is to be constructed will be consistent with the general drainage plan.

9-1-2 Separation from Walkway and Street

Each unit will have an individual garage and driveway which will provide the required off-street parking. No combined off-street parking and loading facilities will be constructed on the Property.

9-1-3 Entrances and Exits

The location and design of the entrances and/or exits to all streets will be in accordance with the County specifications.

9-1-4 Interior Drives

As shown on the Final Development Plan, there will be no interior drives on the Property.

9-1-5 Marking of Parking Spaces

As shown on the Final Development Plan, there will be no parking spaces in lots of more than ten.

9-1-6 Lighting

Lighting within the Property will meet or exceed minimum lumens of 100 watt high pressure sodium fixture lights affixed 16 feet above the roadway and 300 feet on the center.

9-1-7 Screening

Section 9-1-7 is inapplicable since there will be no parking spaces for ten or more vehicles in any one location on the Property; however, landscaping will be required.

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 single family residential lots or one single family per lot. Therefore, in accordance with Subsection d of 9-3, at least one off-street parking space will be provided per dwelling on the same parcel in which it intends to serve. This space, located within the driveway for the residence, is in addition to the two (2) parking spaces allowed for in the two-car garage. Nevertheless, owners shall be required to store automobiles in garages when not in use.

9-4-1 Off-Street Loading Requirement

- c. Sufficient space has been allowed to permit access for fire fighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries, and debris removal.
- d. All utilities serving the Property, including telephone, power, cable television, sewer lines, and water lines, will be installed underground. Also shown on the Final Development Plan is the general drainage plan to assure proper drainage of storm waters, thus preventing erosion and the formation of dust.
- e. Specifications for all streets and roadways depicted on the Final Development Plan shall conform to the rules and regulations adopted by the St. Johns County Board of County Commissioners.
- f. The water and wastewater system shall be constructed to St. Johns Service Company Standards and will be dedicated to St. Johns Service Company for ownership and maintenance. If by chance St. Johns Service Company does not accept a portion of the system, the Homeowner's Association will own and maintain the facilities.

PROSSER, HALLOCK & KRISTOFF, INC.


Donald Fullerton