

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA
approving a final development plan
FOR: TURTLE SHORES WEST PHASE II
LOCATED WITHIN THE PARCEL OF LAND ZONED PUD
PURSUANT TO ORDINANCE NUMBER 85-79

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

SECTION 1. Pursuant to a request for approval made by Summerhomes Incorporated 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 representation and statements made in the written submission statement attached hereto as Exhibit B.

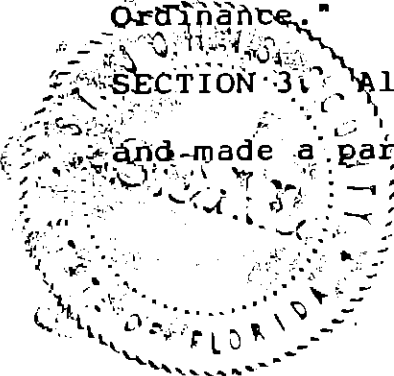
SECTION 2. "all building code, zoning ordinance, and other land use and development regulations of St. Johns County, as may be amended from time to time, are applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plans or PUD (PSD) Ordinance. Modification to approved development plans by variance or special exception shall be prohibited. All such modifications shall follow the PUD (PSD) amendment procedures provided for in the St. Johns County Zoning Ordinance."

SECTION 3. All attachments included herein are incorporated herein and made a part of the adopting ordinance.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Craig A. Maguire
CHAIRMAN

Attest:
BY: Amy B. Mulligan
DEPUTY CLERK



Adopted at the Regular Board of County Commissioners Meeting February 13, 1990.

EXHIBIT B

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FINAL DEVELOPMENT PLAN
for
SUMMERHOMES INCORPORATED

within the PUD named

TURTLE SHORES WEST

PHASE II

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Summerhomes Incorporated hereby submits, for approval by the St. Johns County Planning and Zoning Board and the St. Johns County Board of County Commissioners, a final development plan (the "Final Development Plan") for a single family subdivision identified herein as Turtle Shores West Phase II, (the "Property"). The Final Development Plan consists of a one page map identified as Exhibit A to the Resolution (the "Map"), this text identified as Exhibit B to the Resolution (the "Text").

Nothing contained in the covenants 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 under Section 177.071 of the Florida Statutes).

8-4-1 Density of Development

The total ground area of each Lot occupied by residential buildings and structures shall not exceed 35 percent of the total ground area of the Lot.

8-4-2 Open Space

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Lakes and Phase I Clubhouse, off street parking, pool, tennis court(s), lakes, recreation areas and other open spaces planned for the Turtle Shores West Phase II development as a whole will provide ample open space within the subdivision. During construction there may be 1 or 2 temporary construction trailers with unpaved parking. sales office with unpaved parking. All open spaces to be dedicated to the Homeowners Association.

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

All development which is to occur within the subdivision will comply with the spirit and intent of the Zoning Ordinance, however, the covenants will establish the following minimum yard dimensions (measurements to wall of buildings, excluding un-enclosed porches, wingwalls, roof overhangs, fireplaces, bay windows, window boxes, fences, pools and other architectural features).

26 Marsh Lots - 20' front, 10' rear and a total of 15' on two sides with neither side being less than 5'.

45 Dune Lots - 20' front, 10' rear and 3' 6" side.

The establishment of these minimum yards in the final development plan, however, is not intended to prohibit or restrict the developer in any way from establishing greater yards by private recorded covenants and restrictions. The rear yard requirements shall not apply to pools, gazebos, docks, sheds or similar structures. 6' solid privacy fencing and/or hedges or the like may be installed within the second required front yard (to the rear of homes) of the through lots along highway A1A.

8-4-4 Project Size

The PUD consists of more than twenty acres.

The covenants shall assure adequate management and maintenance of all common areas encompassed by the Final Development Plan.

- a. The covenants shall provide for conveyance of title to the common property to, and ownership by, the appropriate homeowner's association, which shall be a duly constituted and legally responsible community association.
- b. The covenants shall appropriately limit use of the common property.
- c. The covenants shall assign responsibility for the management and maintenance of the common property to the appropriate homeowner's association.
- d. The covenants shall place responsibility for enforcement of the covenants contained therein upon the appropriate homeowner's association and its board of directors.
- e. The covenants shall permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

8-4-6 Access

As graphically depicted on the Map, each lot is provided vehicular access within the Property via the private roads to be owned by the homeowner's association.

8-4-7 Privacy

Each dwelling will be provided visual and acoustical privacy by virtue of the architectural control of the subdivision by the architectural review board. Necessary walks and landscaping shall be provided for the protection and aesthetic enhancement of the Property, and to screen objectionable views and reduce noise.

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 shall apply.

- c. The Map illustrates the traffic access. Sufficient space has been allowed to permit access for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal. Locations of the fire hydrants serving the Property are also depicted on the Map. The fire hydrants to be installed pursuant to this Final Development Plan shall meet county standards and must be approved by the fire coordinator prior to issuance of certificates of occupancy for any structure to be served by such hydrants.
- d. All utilities serving the Property including telephone, power, cable television, and sewer and water lines will be installed underground. Also shown on the Map is the location and design of the storm sewer facilities serving the Property.
- e. Specifications for all street and roadways depicted on the Map shall conform to the rules and regulations as per St. Johns County Paving & Drainage Ordinances.

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STATE OF FLORIDA
COUNTY OF ST. JOHNS

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I, CARL "BUD" MARKEL, CLERK OF THE CIRCUIT COURT, Ex-officio Clerk of the Board of County Commissioners of St. Johns County, Florida,

DO HEREBY CERTIFY that the foregoing is a true and correct copy of the following:

RESOLUTION NUMBER 90-34

RESOLUTION NO. 90-34 adopted by the Board of County Commissioners of St. Johns County, Florida, at a regular meeting of said Board held February 13, 1990, and recorded in official minutes of said meeting.

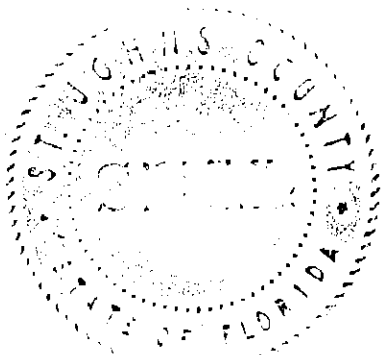
as the same appears of record in the office of the Clerk of the Circuit Court of St. Johns County, Florida, of the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 7th day of March, 1990.

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLORIDA
MARCH 11 1990
Carl "Bud" Markel
CLERK OF CIRCUIT COURT

CARL "BUD" MARKEL,
CLERK OF THE CIRCUIT COURT
Ex-officio Clerk of the Board of County Commissioners of St. Johns County, Florida

BY: Amy B. Mulligan
Deputy Clerk-Amy B. Mulligan



(seal)