

RESOLUTION NO. 90-53

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA

P.U.D. OFF. REC.
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APPROVING A FINAL DEVELOPMENT PLAN
MARSH CREEK PHASE III
LOCATED WITHIN THE PARCEL OF LAND ZONED P.U.D.
PURSUANT TO ORDINANCE NUMBER 86-79

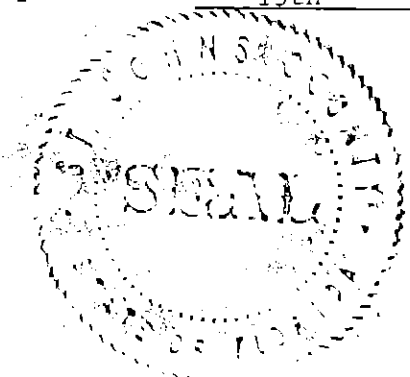
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,
FLORIDA:

SECTION 1. Pursuant to a request for approval made by Marsh Creek Partnership 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 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 P.U.D. (PSD) Ordinance. Modifications to approved development plans by variances or special exception shall be prohibited. All such modifications shall follow the P.U.D. (PSD) amendment procedures provided for in the St. Johns County Zoning Ordinance.

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

Adopted this 13th day of March 19 90.



BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS
COUNTY, FLORIDA

BY: Craig A. Maguire
Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: Rosemary Jones
Deputy Clerk



Hill,
Boring &
Associates, Inc.

Civil Engineers/Land Planners

Officers:

SESSELL W. BORING
MICHAEL R. BOYER
VINCENT J. DUNN

June 9, 1989

ST. JOHNS COUNTY PLANNING &
ZONING BOARD
Post Office Drawer 349
St. Augustine, Florida 32084

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Re: Final Development Plan
Marsh Creek - Phase Three

Dear Board Members:

On behalf of Marsh Creek Partnership we are submitting for approval by the St. Johns County Planning and Zoning Board and the St. Johns County Board of County Commissioners, a Final Development plan for Marsh Creek, Phase Three. The parcel is located wholly within Planned Unit Development (PUD) Ordinance (R-PUD-86-060).

The area of Final Development Plan is as shown on Exhibit "A". Enclosed are twenty (20) copies of the Final Development Plan and written statement (Exhibit "B") which addressed compliance with Section 8-4, of the St. Johns Zoning Ordinance and the formal Resolution for approving this Final Development Plan.

If necessary, we would be glad to meet with staff to review our proposal. Please advise me as to the scheduled hearing dates.

Respectfully submitted,

HILL, BORING & ASSOCIATES, INC.

Robert W. Pevy
Project Manager

RWP:kb

Enclosures: Final Development Plan (Exhibit A)
Compliance Statement (Exhibit B)
Form of Resolution (Exhibit C)

3840 CROWN POINT ROAD - SUITE 2 - JACKSONVILLE, FLORIDA 32257
904-268-2082

EXHIBIT "B"

IN ACCORDANCE with the procedure established in Section 8-3, "Implementation of a PUD", the attached Final Development Plan prepared by Hill, Boring & Associates, Inc., and the following regarding compliance with Section 8-4, are submitted for your consideration.

8-4-1 Density of Development.

The total ground area occupied by residential buildings and structures shall not exceed 35 percent of the total ground area of the Property. While the exact location of the buildings may change slightly as construction requires, all required setbacks will be met.

8-4-2 Open Space.

The Property contains open space, lakes and recreational areas to be used by the future residents of the Property. All passive and active recreation/open space will be owned and maintained by the Developer.

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

- a. All development which is to occur within the Property will comply with the spirit and intent of the Zoning Ordinance. There will be 29 single family residences. The Final Development Plan reflects minimum setbacks from the property lines and roadways. The units will be no closer than eight (8) feet from side yard property line. As noted on the Final Development Plan Exhibit "A", the units will be set back at least twenty-five (25) feet from the front lot line and at least twenty (20) feet from the rear property line and a twelve (12) foot side setback for corner lots on the road side. The rear lot lines will extend into the lake and preserved area shown on Exhibit "A". The architectural review board may modify the setback requirements for tree preservation or maintenance of overall aesthetics. A resident may be located wholly within a single plotted lot or combination of plotted lots.

8-4-4 Project Size.

The acreage for this Final Development Plan consists of more than 18 acres.

8-4-5 Support Legal Documents for Open Space.

The Covenants and Restrictions of Marsh Creek Owner Association which apply to the road right-of-way, gravity sewer lines, street lighting, and security system, 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 Marsh Creek partnership.
- b. The Covenants and Restrictions, appropriately limits 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 the enforcement of the covenants contained therein upon the homeowner's association.
- e. The Covenants and Restrictions permit 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 unit is provided vehicular access within the Property via the Rights-of-way.

8-4-7 Privacy.

Under Article V, Section 4(k) landscaping will be required as stated in the Covenants and Restrictions for the protection and aesthetic enhancement of the property.

8-4-8 Community Facilities.

- a. All of the streets and drainage serving the property are proposed for dedication to the Marsh Creek Homeowner's Association and maintained by the same. Water and sewer facilities serving the property are proposed for dedication to Anastasia Sanitary District.
- 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.
- c. The Final Development Plan illustrates the anticipated traffic flow pattern. Sufficient space has been allowed to permit access for fire fighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal. Location of the fire hydrants and water and sewer lines serving the Property are also depicted on the Final Development Plan.
- d. All utilities serving the Property, including telephone, power, cable television, sewer lines and water lines will be installed underground.
- 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. Maximum Height: No building or unit in Marsh Creek, Phase Three shall be taller than the maximum height allowed in the Zoning Ordinance for detached Single-Family Homes (35').

9-1-1 Drainage.

The general plan for the Property, which is designed to prevent damage to abutting parcels and streets, is graphically depicted on the Final Development Plan.

9-1-2 Separation from Walkway and Street.

Each unit will have an additional 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 County specifications. In addition, Article V, Section 4(v), of the Covenants and Restrictions assures proper site distances at intersections.

9-1-4 Interior Drives.

As shown on the Final Development Plan, roads located on the Property will be a minimum of twenty (20) feet wide, thus facilitating two-way traffic and safe access from the individual dwelling unit driveways.

9-1-5 Marking of Parking Spaces.

As shown on the Final Development plan, there will be no off-street parking spaces other than private driveways.

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.

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9-1-7 Screening.

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Section 9-1-7 is inapplicable since there will be no parking spaces for ten or more vehicles in any one location.

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 9-3, at least one off-street parking space will be provided per dwelling on the same parcel they intended to serve. This space, located within the driveway for the residence, is in addition to the parking spaces allowed for in the garage. Nevertheless, owners shall be required to store automobiles in garages when not in use.

9-4-1 Off-Street Loading Requirements.

This section does not apply to residential developments.

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 90-53

RESOLUTION NO. 90-53 adopted by the Board of County Commissioners of St. Johns County, Florida, at a regular meeting of said Board held March 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 15th day of March, 1990.

FILED
MARCH 15 1990
ST. JOHNS COUNTY
CIRCUIT COURT
CLERK

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

BY: Connie E. McDaniel
Deputy Clerk-Connie E. McDaniel

