

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA  
APPROVING A FINAL DEVELOPMENT PLAN FOR THE TOWNHOME SECTION WITHIN  
SEA GATE AT ST. AUGUSTINE BEACH  
(FORMERLY COASTAL POINT PUD)  
ZONED "PUD" PURSUANT TO ORDINANCE #PUD-82-30

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

**SECTION 1:** Pursuant to a request for approval made by K-Three Development Co., 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 Board, the Final Development Plan attached 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", <sup>Letter from John D.</sup> all of which are incorporated into the Final Development Plan and made a part thereof and hereof.

**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 PUD Ordinance Modification to approved development plans by variance or special exception shall be prohibited.

*Approved by Board, dated August 23, 1991*

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

By: [Signature]  
Chairman

ATTEST: CARL "BUD" MARKEL

BY: [Signature]  
Deputy Clerk

Adopted regular meeting: August 27, 1991

Effective: August 27, 1991

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

**P. U. D.** OFF. REC.  
BOOK D PAGE 269

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 90-128**

**RESOLUTION NO. 90-128** adopted by the Board of County Commissioners of St. Johns County, Florida, at a regular meeting of said Board held August 27, 1991, 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 29th day of August 1991.

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

91 AUG 30 PM 4: 13

*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

(seal)

BY: *Yvonne Carter*  
Deputy Clerk

EXHIBIT "A"

A parcel of land located within Coastal Point/Seagate at St. Augustine Beach, being a re-plat of the Townhouse Section, First Phase and Townhouse Section, Second Phase of Coastal Point, a Planned Unit Development, as per plat recorded in Map Book 15, Pages 71 through 75, public records of St. Johns County, Florida, lying in Section 15, Township 8 South, Range 30 East, St. Johns County, Florida.

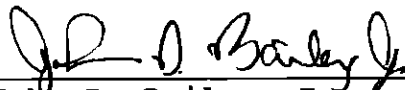
EXHIBIT B TO  
FINAL DEVELOPMENT PLAN FOR  
TOWNHOME SECTION WITHIN  
SEA GATE AT ST. AUGUSTINE BEACH  
(Formerly COASTAL POINT)  
ZONED PUD PURSUANT TO ORD 82-30

Applicant:

K-THREE DEVELOPMENT COMPANY

Attorneys for Applicant:

UPCHURCH, BAILEY AND UPCHURCH, P.A.

By:   
John D. Bailey, Jr.

## INTRODUCTION

Attached hereto you will please find all materials, drawings, information and other documentation, as required by Sections 8-3 and 8-4, St. Johns County Zoning Ordinance, concerning the final development plan for the Townhome Section within Sea Gate at St. Augustine Beach (formerly Coastal Point).

**8-4-1      Density of Development**

The total ground occupied by buildings and structures for residential use shall not exceed thirty-five percent (35%) of the total ground area of that portion of the PUD devoted to residential use. While the exact location of the buildings may vary, the number of units will not change.

**8-4-2      Open Space**

The only open space within the Townhome Section is the jurisdictional area which shall be maintained by the Homeowners' Association as a conservation area.

**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 St. Johns County Zoning Ordinance. The existing sales center, for which a Final Development Plan was previously approved, shall remain in its current location during the time stated in its Final Development Plan. Single-family patio homes shall be constructed within the Sales Center site following its removal.

The Townhome site shall contain twenty (20) townhome units and nineteen (19) single-family patio homes. The townhome units shall be located in buildings containing no more than six (6) units. The height of the townhome buildings and patio homes shall not exceed thirty-five feet (35'). The setbacks for the townhome buildings shall be twenty feet (20') for front yards and ten feet (10') for rear and sides yards. Provided, a twenty foot (20') side yard setback will be required on all lots adjacent to the south property line. The setbacks for the patio homes shall be twenty feet (20') for front yards, eight feet (8') for side yards and zero for rear yards.

Water and sewer for the units will be furnished by the Anastasia Sanitary District. Street lights will be installed within the road right-of-ways.

**8-4-4      Project Size**

The Townhome Section consists of approximately six (6) acres.

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

The Declaration of Covenants and Restrictions for the First and Second Phases of Coastal Point/Sea Gate at St. Augustine Beach assures adequate maintenance and management of all areas encompassed within this Final Development Plan and proposed for common ownership by residents of the PUD.

Specifically:

a) The Covenants and Restrictions, as amended, provide for conveyance of the common areas, consisting of the roads, recreational areas, designated drainage areas and open space to the Homeowners' Association.

b) The Covenants and Restrictions, as amended, limit the use of the common areas for the purposes for which they are intended.

c) The Covenants and Restrictions, as amended, assign responsibility for the management and maintenance of the common areas to the Homeowners' Association.

d) The Covenants and Restrictions, as amended, place responsibility for the enforcement of the Covenants and Restrictions in the Association.

e) The Covenants and Restrictions, as amended, permit the Association to assess each unit for its proportional share of the cost of maintaining and managing the common areas.

**8-4-6      ACCESS**

As depicted in the Final Development Plan, each unit within the Townhome Section is provided vehicular access via private roads which are owned and maintained by the Homeowners' Association. Each owner of a unit, including the applicant, shall be a member of the Homeowners' Association.



8-4-7 Privacy

Visual and acoustical privacy of each dwelling unit will be assured primarily through landscaping and fencing. Fences, walks and landscaping will be provided for the protection and aesthetic enforcement of the property.

8-4-8 Community Facilities

a) The roads, drainage facilities and utility lines serving the property are owned by the Homeowners' Association and no facilities are proposed for dedication to St. Johns County.

All requirements for off street parking and loading set forth in Article IX of the St. Johns County Zoning Code are specifically addressed below:

9-1-1 Drainage

See revised sheet  
600

~~The general drainage plan for the property has been designed so as to prevent damage to abutting parcels and streets and alleys and is graphically depicted on the Final Development Plan. All off street parking and loading areas will be surfaced with erosion resistant materials in accordance with County specifications. These materials shall consist of:~~

**REVISED**  
**SECTION 9.1.1. OF FINAL DEVELOPMENT PLAN**

**Drainage**

The general drainage for the property shall be designed so as to prevent damage to abutting parcels and streets and alleys and is graphically depicted on the Final Development Plan. All off street parking and loading areas will be surfaced with erosion resistant materials in accordance with County specifications.

- ~~(a) 8" stabilized subgrade (30 LBR minimum)~~
- ~~(b) 6" limerock base (95% modified Proctor)~~
- ~~(c) 1" - 1/4" Type S-1 Asphalt~~

**9-1-2      Separation from Walkway and Street**

Off street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by curbing.

**9-1-3      Entrance and Exits**

The location and design of the entrances and exits located within the PUD shall be in accordance with St. Johns County specifications. Curbing will be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

**9-1-4      Interior Drives**

As shown on the Final Development Plan, the entrance road serving the Sales Center site will have a minimum pavement width of twenty feet (20') and right-of-way of fifty feet (50'), thus facilitating two-way traffic.

The width of the cul-de-sacs while not complying with the current requirements of 86-4, is sufficient to permit emergency and other vehicles to safely turn around. The width of the cul-de-sacs was established at the time of PUD and plat approval which occurred in 1982 and 1983, respectively. Further, as the project was approved

and construction commenced prior to January 20, 1986, the effective date of Ordinance 86-4, the PUD is a grandfathered project and the cul-de-sacs are not subject to the provisions of Ordinance 86-4.

**9-1-5      Marking of Parking Spaces**

Parking spaces in lots of more than ten (10) spaces shall be marked, by painted lines or curbs, or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation in the lot.

**9-1-6      Lighting**

Adequate lighting shall be provided for the off street parking and loading facilities, if any, to be used at night and shall be designed and installed in order to minimize glare on adjacent property.

**9-1-7      Screening**

This section is inapplicable as no off street parking spaces for ten (10) or more automobiles are located within the Townhome Section

**9-2-1      Location**

The required off street parking facilities will consist of private garages located either within or contiguous to the units they

are intended to serve.

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

Sufficient off street parking spaces have been provided to meet the requirements of sub-section (a) of 9-3-1.

**9-4-1      Off Street Loading, Requirements**

This section does not apply to the Townhome Section as it contains no commercial uses:

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. The property will be afforded fire protection by existing fire hydrants installed within the development.

d) All utilities serving the property including telephone, power, cable television, sewer lines and water lines will be installed underground. All storm water facilities shall be designed and constructed in accordance with applicable County regulations.

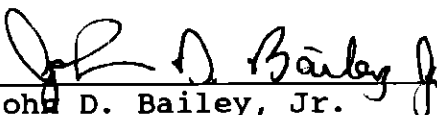
e) All streets located within the development are existing and to the best of the applicant's knowledge have been designed in accordance with St. Johns County standards or equal thereto.

Applicant:

K-THREE DEVELOPMENT COMPANY

Attorneys for Applicant:

UPCHURCH, BAILEY & UPCHURCH, P.A.

By:  \_\_\_\_\_  
John D. Bailey, Jr.

UPCHURCH, BAILEY AND UPCHURCH, P. A.

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MICHAEL A. SIRAGUSA

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TELEPHONE (904) 829-9066  
TELECOPIER (904) 825-4862

HAMILTON D. UPCHURCH  
FRANK D. UPCHURCH, JR.  
OF COUNSEL

FRANK D. UPCHURCH  
(1894-1986)

August 23, 1991

Ms. Betty Sue Solana  
St. Johns County Planning and  
Zoning Department  
St. Johns County Administration Building  
Post Office Drawer 349  
St. Augustine, Florida 32085-0349

RE: Final Development Plan for Townhome Section Within  
Sea Gate at St. Augustine Beach, (formerly Coastal  
Point)  
Our File No.: 812.690335

Dear Betty Sue:

This letter shall amend Exhibit "B" to the final development plan for the Townhome Section previously filed with your department, as follows:

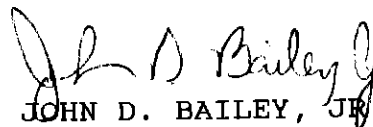
1. Section 8-4-3 Waiver of Yard, Dwelling Unit, Frontage Criteria and Use Restriction, is modified to provide that water and sewer for the units will be furnished by the St. Johns County Utility Department.
2. Section 8-4-4 Project Size, is modified to provide that the Sea Gate at St. Augustine Beach PUD, formerly Coastal Point, consists of over twenty (20) acres and the Townhome Section consists of approximately six (6) acres.
3. Section 8-4-5 Support Legal Documents for Open Space, is modified to provide that the Declaration of Covenants and Restrictions for Coastal Point/Sea Gate at St. Augustine Beach was recorded in Official Records Book 654, Page 1923 through 1975, public records of St. Johns County, Florida, and was amended by Amendments recorded in Official Records Book 668, Page 245, and Official Records Book 846, Page 0421, public records of St. Johns County, Florida. A copy of such Amendments are attached hereto.

Ms. Betty Sue Solana  
St. Johns County Planning and Zoning Department  
August 23, 1991  
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4. Section 9-1-1 Drainage, is modified to provide that the general drainage plan for the property has been designed so as to prevent damage to abutting streets and alleys and is graphically depicted on the drainage and construction plans submitted with the final development plan.

All of the other terms and provisions of the final development plan not in conflict with the provisions of this addendum shall remain in full force and effect.

Very truly yours,

  
JOHN D. BAILEY, JR.

JDBjr/gb  
Enclosures  
cc: Mr Donald Krebs

**BY HAND DELIVERY**