

RESOLUTION NO: 92-159

RESOLUTION OF THE COUNTY OF ST. JOHNS
STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
FOR VILLAGES OF VILANO PHASE III-A
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 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 exhibits referenced herein are incorporated
by reference herein and made a part of the adopting
ordinance, Ordinance 85-26.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Chairman

ATTEST: Carl "Bud" Markel, Clerk

BY: 
Deputy Clerk

Adopted at a regular meeting: SEPTEMBER 22, 1992

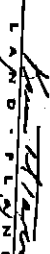
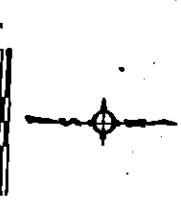
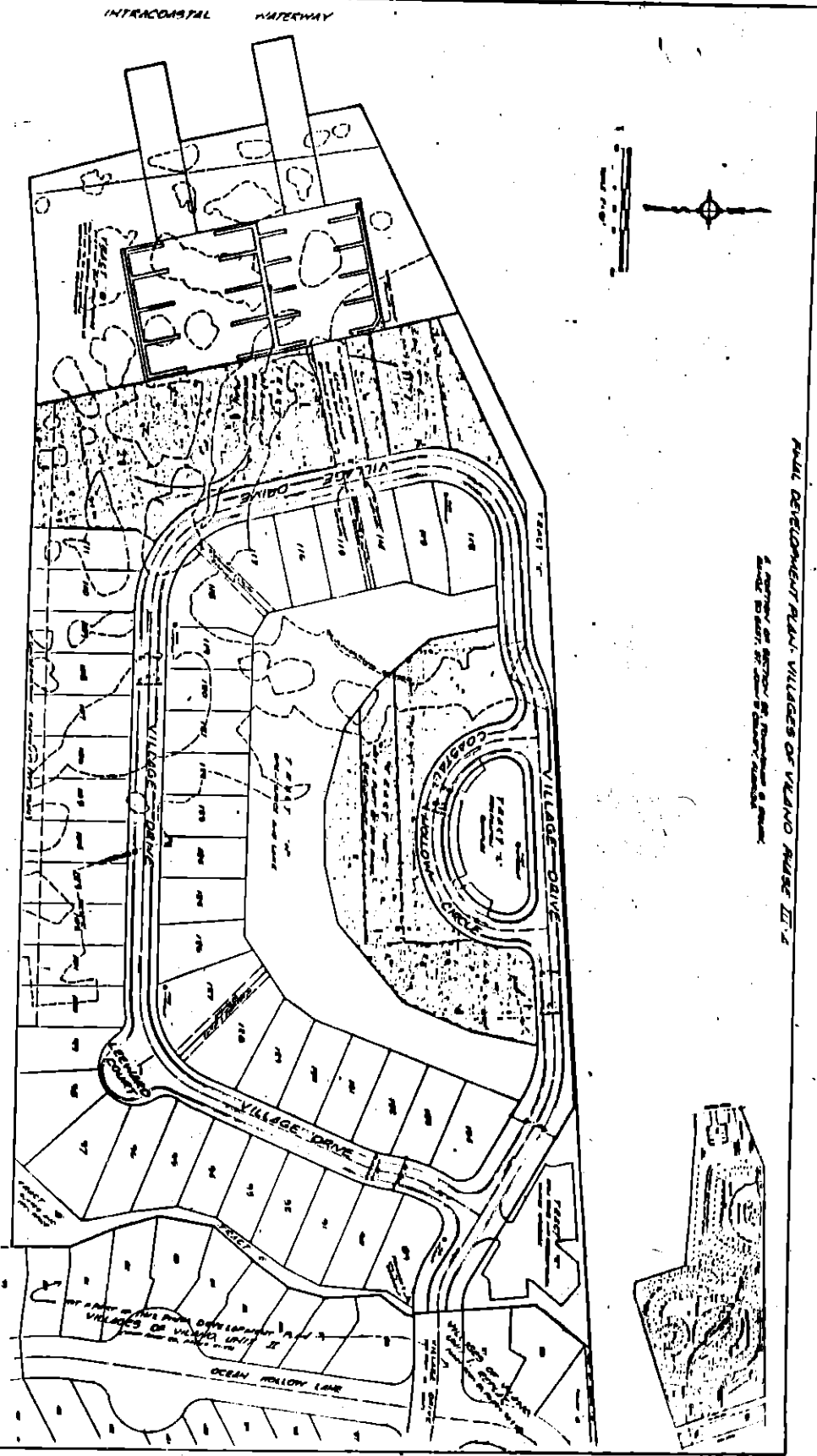
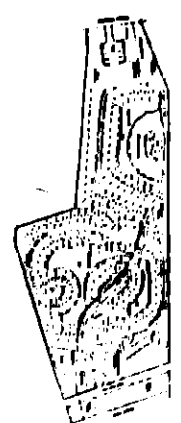

 LAND DEVELOPMENT
 WITH MASTER DEVELOPMENT RIGHTS
 SOUTH BEACH, FLORIDA

Exhibit A

PREPARED BY: K&H ASSOCIATES, INC. DATE: 10/15/72 SCALE: AS SHOWN SHEET NO. 1 OF 1 PROJECT: VILLAGES OF VILANO MAR II
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FULL DEVELOPMENT PLAN VILLAGES OF VILANO MAR II
 A PROPERTY OF K&H ASSOCIATES, INC.



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EXHIBIT B
PHASE III-A - FINAL DEVELOPMENT PLAN
VILLAGES OF VILANO PLANNED UNIT DEVELOPMENT

Submitted herewith, on behalf of Vilano Ventures, Inc. for approval by the St. Johns County Board of County Commissioners, is the development map depicting the Final Development Plan (hereinafter referred to as the "Map" and attached to the Resolution approving the final development Plan for this Phase as Exhibit "A") for a portion of Phase III of Villages of Vilano Planned Unit Development (hereinafter referred to as Phase III-A of Villages of Vilano PUD). The property is located wholly within the Villages of Vilano PUD, as approved by Ordinance 85-26. Phase III-A contains a total of forty-six (46) patio home lots (hereinafter referred to as Unit Three), the Phase III Recreation Complex, the Marina, and the remaining roadways necessary to complete the development.

You will note that a portion of the map has been shaded and is designated "NOT A PART OF THIS FINAL DEVELOPMENT PLAN". While these parcels are included within the legal description of the Villages of Vilano PUD and the legal description for the entire Phase III area, this submission is not intended to be final with respect thereto. These areas may be developed for a maximum of 30 dwelling units each (as outlined in the Concurrency Exemption Request). Although no specific plans are formulated for these areas, we hereby request the use of the areas for landscaping and/or general site maintenance as may be required and in conformance with all appropriate land clearing rules and regulations. Prior to commencement of any horizontal or vertical construction taking place in these areas, a Final Development Plan for Phase III-B will be submitted to indicate 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 will be provided prior to subdivision platting:

Declaration of Covenants and Restrictions for Villages of Vilano Phase III-A, including as exhibits the Articles of Incorporation and Bylaws of Villages of Vilano.

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 within 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, 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 of County Commissioners may require that further alterations and amendments be submitted for approval prior to the recordation of such alterations or amendments.

SECTION 84- 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 was therefore 5.76 units per acre. However, this Final Development Plan represents a reduction in the total number of units to be built to 255, which equates to an overall density of 5.00 units per acre. The total ground area occupied by the buildings and structures for residential use will not exceed 35% of the total ground area for that portion of the PUD devoted to residential use.

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 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:

Tract K - Open Space and Recreational Vehicle Storage, to be used for drainage facilities, a parking lot for storage of boats, motor homes and other

recreational vehicles, and to provide for a non-access easement to properties to the north, to be constructed within two (2) years of approval of this Final Development Plan.

Tract L - Recreation Complex, to be used for a recreation building with restrooms, a swimming pool and parking to be constructed within two (2) years of approval of this Final Development Plan.

Tract N - Open Space and Lake, to be used for drainage facilities, passive recreation and for a tree conservation area.

Tract O - Buffer and Open Space, to be used for buffering between Phase II and Phase III and for a tree conservation area.

Tract Q - Marina and Open Space, to be used for a marina for storage of boats, a boat ramp for access to the marina, a walkway to the Intracoastal beach area if permittable, general passive recreation space, and drainage and mitigation area. The marina and other improvements in this area, shall be constructed within two (2) years of approval of this Final Development Plan.

Maintenance of these aforementioned lakes, structures, parking lots, and general open space shall be by the Villages of Vilano Homeowners Association. A separate Association shall maintain the marina (Tract Q), which is to be sold as "dockominiums". All appropriate documentation with this regard, shall be provided prior to construction of the marina. Until such time, the responsibility for construction and maintenance will remain with the applicant/owner. No residential, commercial or industrial primary or secondary use shall be allowed to encroach upon the open space areas.

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 the adjacent residential lot line, provided a minimum setback of five (5) feet shall be provided between residential structures as measured from wall to wall. All residential units shall be provided a twenty (20) foot setback as measured from the edge of pavement. There will be no more than forty-six (46) single family patio home residences in Phase III-A of Villages of Vilano PUD. 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. HVAC condenser units and other similar accessory uses shall be allowed within the sideyards, provided they have received approval of the Homeowner's Association.

Residential lots shall average five thousand (5000) square feet, with average dimensions of fifty (50) feet by one hundred (100) feet, with the minimum lot size being forty-five (45) feet by one hundred (100) feet. All residential lots, numbered 89 through 134 shall be used exclusively for residential purposes including, but not limited to dwelling units, walls, patios, decks, spas and pools, driveways, and sidewalks, and fencing (maximum 6 foot high opaque wooden shadowbox fencing), all of which shall be approved by the Homeowner's Association.

Dwelling units shall contain a minimum of one thousand (1000) square feet of heated/cooled space and shall not exceed thirty-five (35) feet in height.

Tract K, Open Space and Recreational Vehicle Storage, consisting of 0.81 acres, shall be used for drainage facilities, and a paved parking lot for storage of recreational vehicles, including motor homes and boats. The site will be buffered from the properties to the north and to the development itself, by a combination of berms, fencing (maximum six foot high opaque wooden shadowbox) and/or vegetation, which will be constructed upon completion of the construction of the parking lot.

Tract L, Recreation Complex, consisting of 0.34 acres, shall be used for a recreational building with restroom facilities, a swimming pool with open deck, open space for landscaping, and parking spaces for residents and guests.

Tract N, Open Space and Lake, consisting of 1.90 acres, shall be used for drainage facilities and for passive recreation and general open space buffer.

Tract O, Open Space and Buffer, consisting of 0.83 acres to be used for general passive recreational purposes as well as for a buffer between the phases of development.

Tract Q, Marina and Open Space, consisting of 3.13 acres to be used for mitigation areas for construction of the marina, the marina, a paved boat ramp for access to the marina and for a passive recreation area for use of the intracoastal coastline. The "Map" indicates the general layout and construction of the marina facilities, however, the applicant wishes to retain the right for minor changes during construction with regard to actual boat slip count

(the maximum number of slips allowable by permit and would be constructed by the applicant is 34), length, and location, as well as the ability to eliminate the boat ramp if found unnecessary. Construction will adhere to all permit requirements and a pump-out facility for removal of wastes from boat holding tanks will be installed prior to operation of the marina.

Tracts M and P, are not a part of this Final Development Plan, however, the owner may provide temporary landscaping to beautify the area until plans are filed for Phase III-B and III-C.

8-4-4 Project Size

The PUD consists of 51 acres. This Phase III-A consists of 16.00 acres minus those shaded areas listed as "NOT A PART OF THIS FINAL DEVELOPMENT PLAN" of 3.56 acres collectively, for a total of 12.44 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, as recorded in the public records of St. Johns County at OR 731, pages 1986 through 2031 and an Amendment to the Covenants and Restrictions recorded at OR 740, pages 77 through 90, assure adequate management and maintenance of all open space areas depicted on the map as Tracts K, L, N, O, and Q (until it is transferred to the dockominium) encompassed by this 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 in the 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 that 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 areas and all improvements thereon in good order and repair.

(c) Article II, Section 3.13 and Article V, Section 5.5: Grants the Association the right to promulgate rules and regulations and impose limitations concerning the use of the comon areas.

(d) Article VI, Section 6.1: Grants the Association the right to levy annual and special assessments against the lots situated within the Villages of Vilano 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 Bylaws.

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 five (5) foot sidewalk shall be provided along one side of each roadway.

8-4-7 Privacy

Each dwelling unit will be assured visual and acoustical privacy. All necessary walkways and common area landscaping, including along the roads, will be provided by the developer. The Declarations restrict alteration of the landscaping and establish standards for landscaping of individual lots.

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 for the St. Johns County Zoning Ordinance are specifically addressed as follows:

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 the construction plans and will be located within the right-of ways.

9-1-2 Separation from Walkway and Street

Each unit will have a two (2) car garage with an apron to provide the required off-street parking. The two (2) parking spaces per unit will exceed the PUD requirement for one and one-half (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 entrances and exits to all streets will comply with County specifications.

9-1-4 Interior Drives

Interior parking lot drives for the Recreational Vehicle Parking Area shall meet the standards for two-way traffic with ninety (90) degree parking stalls and shall be a minimum of twenty-four (24) feet.

9-1-5 Marking of Parking Spaces

As shown on the Map, there will be paved parking provided in Tract K for the recreation vehicle parking and in Tract L for the recreation complex and to provide overflow parking. Both parking lots shall be paved to County standards and marked to indicate the individual parking spaces.

9-1-6 Lighting

Lighting throughout the property will be provided by street lights. In addition, post lamps and pedestrian scale low level lighting will be provided at the Recreation Complex and Marina. All lighting for off-street parking areas will be designed and installed to minimize glare on adjacent properties.

9-1-7 Screening

Village Drive shall be screened from the north property boundary by a maximum six (6) foot high continuous opaque wooden shadowbox fence, wall, border shrubbery and/or a combination thereof. In addition, the Recreational Vehicle Parking Area shall also be screened in accordance with those options so listed above.

9-2 Location

The required off-street parking facilities will be located upon the same parcel of land as the facility they are intended to serve, excepting the parking for the marina. Required parking for the marina shall be supplied by the Recreational Vehicle Storage area, whereby the seventeen (17) spaces, one for every two boat slips for the maximum of 34 boat slips allowable, are provided within the twenty spaces afforded within this area. The applicant hereby requests that the sixteen (16) extra spaces located around the Recreation Complex (only two spaces being required for

a maximum 1,000 square foot finished size) may be used to provide parking for future development of Tracts M and P, subject to the approval of the County.

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

The property will be used for patio home sites or one single family residence per lot. Two off-street parking space per dwelling unit will be provided on the same parcel as the dwelling unit by the driveway apron. This is in addition to the spaces provided within the garage. The Recreation Complex shall be provided with a minimum of ten (10) spaces independent of the required one and one-half (1-1/2) spaces per 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 equipment, moving vans, garbage trucks, etc.

Fire hydrant locations are also shown on the Map.

(d) All utilities serving the property, including telephone, power, cable television, sewer lines and water lines shall be installed underground. Water and sewer lines shall be located within the right-of-way of the roads. Drainage facilities include a "lake" located in Tract N. A storm sewer system will also be installed in accordance with all applicable State and local requirements.

(e) All roadways constructed on the property shall meet or exceed the standards for minimum pavement width and construction standards as outlined in the St. Johns County Paving and Drainage Ordinance. Islands to be constructed are so indicated on the "Map".

Prepared by:

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