

RESOLUTION NO. 92-208

**COUNTY OF ST. JOHNS
STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
MARSH LANDING - UNIT 25
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 June 11, 1992 submitted by Prosser, Hallock & Kristoff, Inc. on behalf of 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 in the written submission statement attached hereto as Exhibit B (as revised November 9, 1992) which exhibits are incorporated by reference and made a part 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 as follows:

- a.) The development, as part of the Caballos del Mar Development of Regional Impact, is categorically exempt from concurrency review and management ordinances and regulations pursuant to that Concurrency Exemption Determination, made by St. Johns County, dated July 2, 1992 (copy attached), and St. Johns County Ordinance 91-6, §6.5, which provides that projects or parts of projects within and consistent with current valid development orders for Development of Regional Impacts, issued pursuant to Florida Statute §380.06, prior to September 14, 1990, shall be categorically exempt;
- b.) Those codes, ordinances or regulations permitting variances and special exceptions, as modification to the approved development plan by variance or special exception shall be prohibited; and/or

- c.) To the extent such codes, ordinances or regulations conflict with specific provisions of the approved development plan or PUD Ordinance.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *James Balweaga*
CHAIRMAN

ATTEST:

Trina Drett
Deputy Clerk

ADOPTED REGULAR MEETING:

December 8, 1992

EFFECTIVE:

December 8, 1992

RECEIVED Nov 12 1992

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

**MARSH LANDING UNIT 25
EXHIBIT B
TO THE RESOLUTION
JUNE 11, 1992
REVISED NOVEMBER 9, 1992**

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 on Harbour View Drive. Thirty-eight (38) single-family homes are proposed to be constructed on the site. Harbour View Drive is an existing platted right-of-way with utilities and roadway infrastructure. Proposed roadways will have curb and gutter, and drainage will be accomplished via inlets and piping. Sanitary sewer and potable water will be provided from the extension of existing utility liens.

One site has been identified on the Final Development Plan for project signage. The maximum sign dimensions would be six (6) foot height by eight (8) foot length. The sign will be up-lighted and will have landscaping. The minimum setback from the right-of-way to assure visibility is ten (10) feet. Additionally, proposed landscaping will be installed as not to block visibility.

Construction trailers for the construction of infrastructure and homes may be placed on the site. After completion of those specific improvements served by the trailers, the trailers will be removed.

8-4-1 Density of Development

The total ground occupied by buildings and structures for residential use shall not exceed 35 percent of the total ground area of that portion of the PUD devoted to residential use.

8-4-2 Open Space

Every homeowner shall have a right of use and an easement 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 in Marsh Landing will be owned and maintained by Marsh Landing Homeowner's Association, Inc.

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

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 38 residences on the property. Specific setback lines are as follows: A 30-foot front yard setback line; a 10-foot rear yard with setback line; and a 5-foot side yard setback with two (2) sides totalling a minimum of 15 feet. 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.

8-4-4 Project Size

The Marsh Landing PUD consists of approximately 1,700 acres. Marsh Landing Unit 25 consists of 21.09 acres.

8-4-5 Support Legal Documents for Open Space

The Covenants and Restrictions of Marsh Landing Homeowner's Association, Inc., which apply to the road right-of-ways, street lighting, security system and lakes, 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 place responsibility for 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 lot is provided vehicular access within the subdivision via proposed private right-of-ways. Lots 25 - 29 are accessed via Harbour View Drive, an existing private road.

8-4-7 Privacy

Under Sections of the Covenants and Restrictions, 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 of 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

Street 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 (1) single-family per lot, or one (1) single-family per a combination of portions of platted lots. Therefore, in accordance with subsection "a" of Section 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

Section 9-4-1 is inapplicable since there are no non-residential uses.

- 8-4-8 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 street 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.

A handwritten signature in black ink, appearing to read 'Donald V. Fullerton', is written over a horizontal line. The signature is stylized and somewhat cursive.

Donald V. Fullerton