

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
FOR LAMP LIGHTER POINT AT MARSH LANDING**

WHEREAS, the Final Development Plan for Lamp Lighter Point has been fully considered after public hearing pursuant to Section 8-3-2 of the St. Johns County Zoning Ordinance; and

WHEREAS, the request is consistent with the requirements of Section 8-3-2 of the Zoning Ordinance and with the requirements of PUD Ordinance 75-15; and

WHEREAS, it is found that:

- A. The request received favorable review and recommendation by the Planning and Zoning Agency as its meeting on June 2, 94 ; and
- B. The request is both consistent with the Comprehensive Plan and compatible with development patterns in the surrounding area;

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

Section 1. Pursuant to a request dated March 14, 1994, submitted by Prosser, Hallock & Kristoff, Inc. on behalf of M.L. Partnership for approval of a Final Development Plan for Lamp Lighter Point, in accordance with Section 8-3 of St. Johns County Ordinance, and subsequent review and approval by the St. Johns County Planning and Zoning Agency, the Final Development Plan attached hereto as Exhibit A relating to that portion of the PUD, the legal description attached hereto as Exhibit C and which is known as Lamp Lighter Point is hereby approved in reliance upon, and in accordance with the representation and statements made therein and in the Final Development Plan Text dated March 14, 1994 as revised, attached hereto as Exhibit B and in the Engineer's letter dated April 15, 1994 attached as Exhibit D.

Section 2. All building code, zoning ordinance, and other land use and development regulations of St. Johns County are applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with specific provision of the approved development plan or PUD Ordinance 75-15. Modification to approved development plans by variance or special exception shall be prohibited. All such modifications shall follow the PUD amendment procedures provided for in the St. Johns County Zoning Ordinance.

*Inlet - Carter
BCC Secty*

Section 3. The developer may not commence land clearing, site preparation or construction of any improvements shown on the Final Development Plan attached as Exhibit A until:

- a. Submission to the Engineering Department of satisfactory evidence that all required state and federal permits have been obtained, including, but not limited to United State Army Corps of Engineers Dredge Fill Permit, St. Johns River Water Management District and Storage of Surface Waters Permit and Florida Department of Environmental Regulation Water and Sewer Connection Permits;
- b. Issuance of a land clearing permit pursuant to St. Johns County Ordinance No. 90-11; and
- c. Compliance with all other applicable land use and development regulations of St. Johns County.

Section 4. All attachments included herein are incorporated herein and made a part of Resolution 94-101.

Passed and adopted on June 14, 1994.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: Dellan Roberts
Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: Irma Paetti
Deputy Clerk

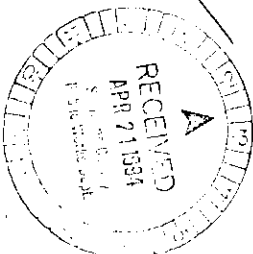
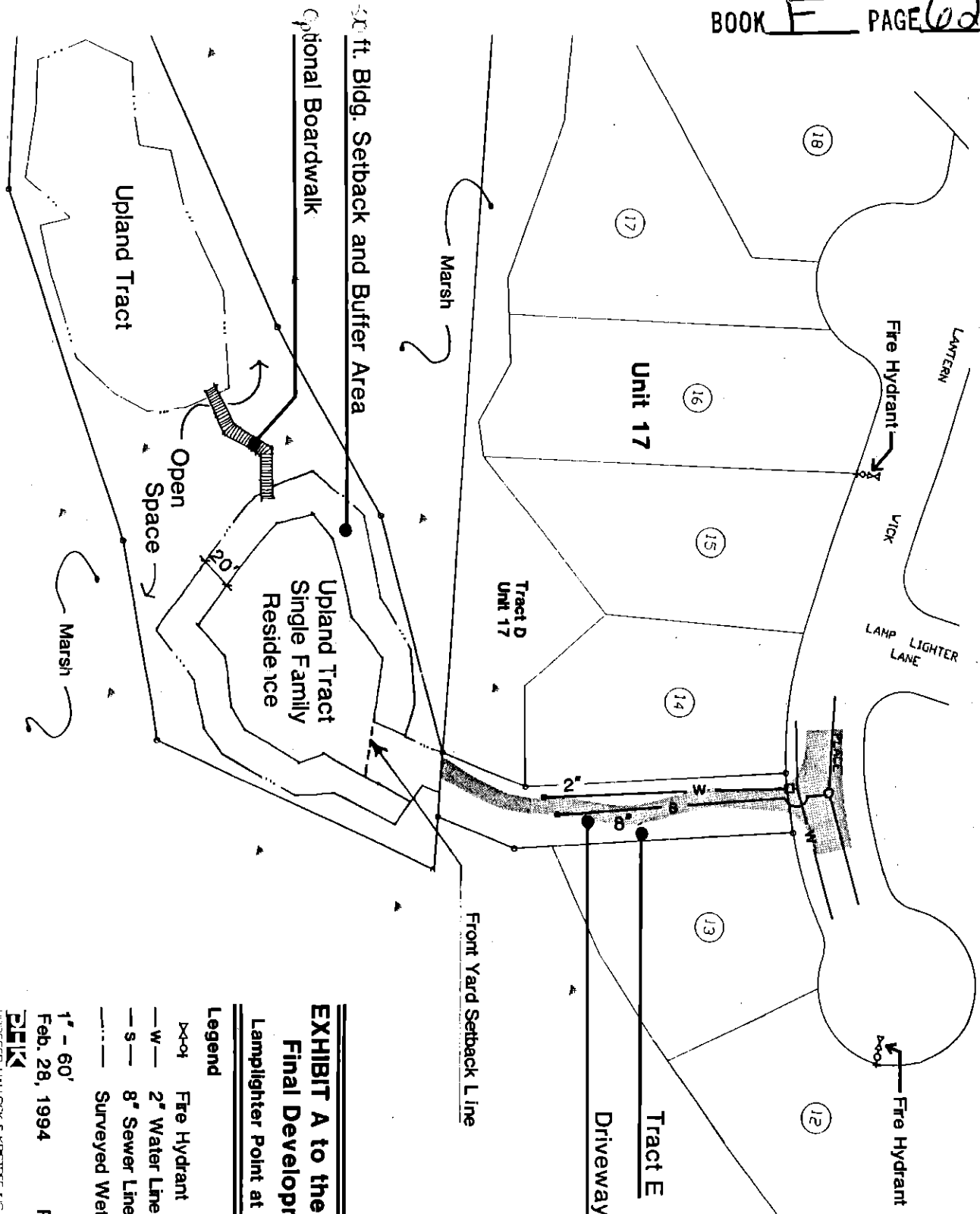


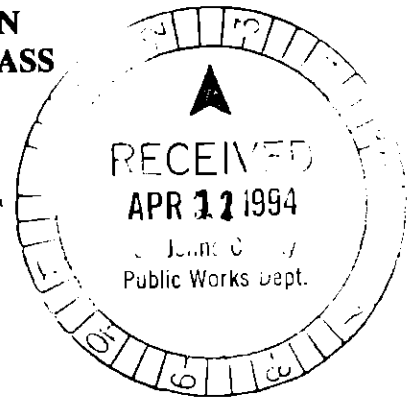
EXHIBIT A to the RESOLUTION
Final Development Plan
 Lamplighter Point at Marsh Landing

Legend

- D-X-01 Fire Hydrant
- W- 2" Water Line
- S- 8" Sewer Line
- - - - - Surveyed Wetland Line

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

**LAMP LIGHTER POINT AT
MARSH LANDING
EXHIBIT B
TO THE RESOLUTION
March 14, 1994
Revised April 13, 1994**



**Applicant: M.L. Partnership
Agent: Prosser, Hallock & Kristoff, Inc.**

On behalf of M.L. Partnership, Prosser, Hallock & Kristoff, Inc. 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 lot to be known as Lamp Lighter Point at Marsh Landing (the "Property"). The Final Development Plan consists of a 1-page Map identified as Exhibit A to the Resolution (the "Map"), this text identified as Exhibit B to the Resolution (the "Text") and the legal description identified as Exhibit C. The Property is located wholly within that parcel of land zoned Planned Unit Development (PUD) pursuant to Ordinance 75-15. The area encompassed by this Final Development Plan is located on Lantern Wick Place, south of Unit 17. Please see attached location map and PUD Master Plan. Access is via Unit 17 and a platted easement within Unit 17. The area of Lamp Lighter Point is designated as single family on the approved Master Plan and will contain one (1) single family lot on approximately 1.69 acres.

No federal permits are required prior to construction of the single family residence on the Property. Please refer to the attached Engineer's letter dated April 15, 1994 (Exhibit D) regarding state permitting issues. The owner or his representative will obtain all required St. Johns County permits including building permits and will comply with all applicable St. Johns County regulations prior to construction. If access is desired, the owner will obtain any boardwalk permits necessary to provide access to the upland island located within the Property.

Nothing contained in the covenants shall be interpreted to limit or restrict in any way the regulatory powers of St. Johns County (including its power to review and approve plats and replats under Section 177.01, Florida Statutes).

In accordance with the procedure established in Section 8-3, "Implementation of a PUD", the attached Final Development Plan prepared by Prosser, Hallock & Kristoff, Inc. and the following text 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 on the Property shall not exceed thirty-five (35) percent of the total ground area committed to residential use. The density will be .6 residential units per acre.

8-4-2 Open Space

There is no community open space within the Property. The open space consists of the jurisdictional wetlands noted on the Map. The homeowner of Lamp Lighter Point at Marsh Landing shall have a right of use in the open space area, except where its use is limited by the applicable sections of the Declaration of Covenants and Restrictions and by state and federal wetland jurisdictional rules and regulations. All wetlands have been established by survey. The areas designated as open space will be used for natural areas, boardwalks, gazebos, and passive recreation and will be owned and maintained by the homeowner.

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 one (1) residence on the Property. There is a minimum twenty (20) foot front, side and rear building setback line from the marsh. Each setback line is measured to the wall of the building. Approval by the ARB is required before issuance of a building construction permit by St. Johns County for all new construction, additions and remodeling.

The maximum height of the structures within the Property shall be thirty-five (35) feet.

There will be a minimum of a 20 foot buffer from the wetland line. This area shall consist of existing vegetation or a low landscaped berm to filter runoff. Decks, boardwalks and accessways are permitted within this area.

The .43 acre upland tract may be used for accessory uses containing structures such as, but not limited to: swimming pool, tennis courts, guesthouse, decks and gazebos. The same setback requirements of 20 foot from the marsh applies to this tract. However, as indicated, above grade decks, boardwalks and accessways are permitted within the setback/buffer area. All of the height and other restrictions apply to this tract. The primary residence for Lamp Lighter Point at Marsh Landing may not be built on the .43 acre upland tract.

8-4-4 Project Size

The Marsh Landing PUD consists of approximately 1,700 acres. The Property consists of 1.69

8-4-5 Support Legal Documents

The homeowners association will not have title or have maintenance responsibility for any area or facilities within the Property. The lot owner of the Property will become a member of the Marsh Landing Homeowners Association, Inc. for the use and maintenance of common facilities in Marsh Landing.

8-4-6 Access

Tract E is part of the approved Unit 17 Final Development Plan. Its use on the Final Development Plan and plat was designated as ingress/egress and utility easement. As graphically depicted on the Final development Plan, the Property is provided vehicular access via Tract E. Ownership of Tract E will be conveyed with the Property.

8-4-7 Privacy

Under Sections of the Covenants and Restrictions, the Property will provide 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 for 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

Drainage on this lot will be handled the same as the adjacent lots in Unit 17 and all marsh front lots in Marsh Landing. A twenty (20) foot buffer along the marsh will filter any sheet flow stormwater before discharge into the marsh. This buffer is shown on the Map.

9-1-2 Separation from Walkway and Street

The proposed residence 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 driveway to Lantern Wick Place is shown on the Map.

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

Not Applicable.

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9-1-6 Lighting

Not Applicable.

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 one (1) single-family residential lot. 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. A garage is required.

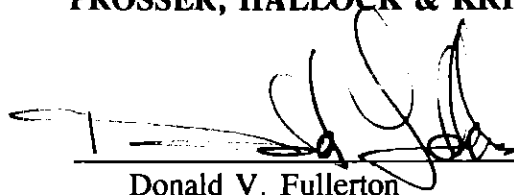
9-4-1 Off-Street Loading Requirement

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

- c. The Map illustrates the access to the Property. Sufficient space has been allowed to permit access for fire fighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal. Fire hydrants are to be installed along Lantern Wick Place as part of Unit 17 and must be approved by the county fire coordinator prior to issuance of a certificate of occupancy for the Property to be served by such hydrants. These fire hydrants are shown on the Map.
- d. All utilities serving the Property, including telephone, power, cable television, and sewer and water lines, will be installed underground. Service is available to

the Property, from the Lantern Wick Place right-of-way as approved in Unit 17.
Water and sewer lines within Tract E are shown on the Map.

PROSSER, HALLOCK & KRISTOFF, INC.



Donald V. Fullerton

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Lamp Lighter Point

Exhibit C

MAP SHOWING BOUNDARY SURVEY OF:

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A PART OF GOVERNMENT LOTS 10 AND 11, SECTION 17, TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF TRACT "E", MARSH LANDING AT SAWGRASS UNIT SEVENTEEN AS RECORDED IN MAP BOOK 27, PAGES 10 THROUGH 14 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, THENCE N.83°10'47"E., ALONG THE SOUTH LINE OF TRACT "E" OF SAID UNIT SEVENTEEN, A DISTANCE OF 34.33 FEET TO AN ANGLE POINT IN SAID SOUTH LINE, THENCE S.15°26'07"W. DEPARTING FROM SAID UNIT SEVENTEEN A DISTANCE OF 191.66 FEET; THENCE S.69°39'11"W. A DISTANCE OF 128.54 FEET; THENCE S.61°30'10"W. A DISTANCE OF 235.77 FEET; THENCE S.81°40'57"W. A DISTANCE OF 107.79 FEET; THENCE N.19°41'33"W. A DISTANCE OF 73.64 FEET; THENCE N.55°41'36"E. A DISTANCE OF 225.98 FEET; THENCE N.51°11'56"E. A DISTANCE OF 136.65 FEET; THENCE N.64°51.37"E. A DISTANCE OF 155.58 FEET TO THE SOUTHWEST CORNER OF AFORESAID TRACT "E"; THENCE N.83°10'47"E, ALONG THE SOUTH LINE OF SAID TRACT "E", A DISTANCE OF 42.42 FEET TO THE POINT OF BEGINNING.

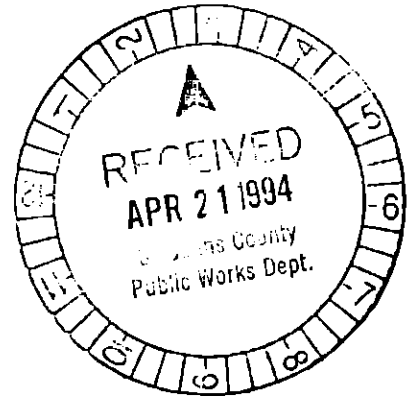


PROSSER, HALLOCK & KRISTOFF, INC.
Planners and Engineers

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April 15, 1994

Ms. Betty Sue Solana
Development Review Coordinator
St. Johns County
Public Works Department
PO Drawer 349
St. Augustine, FL 32085-0349



**RE: Lamplighter Point at Marsh Landing
PHK Ref. No. 92087**

Dear Betty:

Jim Ross has given me a copy of your April 5, 1994 staff review comments for Lamplighter Point. While Don Fullerton is responding to the balance of the comments, this letter addresses No. 2. This comment inquired about letters of exemption from agencies.

In order to minimize the impacts on vegetation within Marsh Landing, the historical practice has been to avoid wholesale filling of lots. The roadway stormwater management systems have, therefore, received water from areas not much larger than the rights-of-way themselves. These permitted collection systems utilize conventional retention/detention methods for treatment prior to discharge. Applications to the Water Management District further stipulate that runoff from the lots themselves will be treated by sheet surface flow through an undisturbed 15-foot vegetated buffer or landscape berm.

This same philosophy of conventional treatment for roadway water and buffer treatment for lot water was utilized in the application and approval of Unit 17. Of the proposal now before you, Tract E of the final development plan was included in the plans, calculations and legal description of the approved SJRWMD MSSW for Unit 17. The remaining portion of the final development plan now before you is an upland single-family tract surrounded by a stipulated 20-foot building setback and buffer area. This complies with the District treatment criteria and, if considered by itself, would be exempt from any notice and permit requirements of the Water Management District in accordance with paragraph 3.4(a), as outlined on page 3-3 of the Applicant's Handbook.

Ms. Betty Sue Solana
April 15, 1994
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If, at a future date, the decision is made to construct the "optional boardwalk", the landowner at that time must make the proper applications to the Water Management District and Department of Environmental Protection for the necessary dredge/fill permits for piling installation. If you have any questions or if I can be of additional assistance as you review the final development plan, please do not hesitate to contact me.

Sincerely,

PROSSER, HALLOCK & KRISTOFF, INC.



Peter C. Hallock, PE
Vice President

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STATE OF FLORIDA

COUNTY OF ST. JOHNS

P. U. D. OFF. REC.
BOOK F PAGE 633

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 NO. 94-101

adopted by the Board of County Commissioners of St. Johns County, Florida at a regular meeting of said Board held June 14, 1994

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 23rd day of June, 1994.

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

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

94 JUN 27 AM 11:58

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

By: Yvonne Carter
Yvonne Carter, Deputy Clerk

