

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, STATE OF FLORIDA
APPROVING A FINAL DEVELOPMENT PLAN
Which supercedes, in its entirety, that Final Development
Plan for Seaside Lakes at Ponte Vedra Lakes, as approved
by Resolution 89-91 and recorded in PUD Book C, Page 419
THE BOARDWALK APARTMENTS

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

WHEREAS, it is found that:

- A. The request received favorable review and recommendation by the Planning and Zoning Agency at its meeting on October 6, 1994; and
- B. The request is both consistent with the Comprehensive Plan, the Marsh Landing PUD Ordinance 75-15, as amended and compatible with development patterns in the surrounding area;
- C. 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.

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

SECTION 1: Pursuant to a request submitted by Prosser, Hallock & Kristoff, Inc. on behalf of The May Companies for approval of a Final Development Plan for The Boardwalk Apartments, 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 relating to that portion of the PUD, the legal description of which is a part of Exhibit A, and which is known as The Boardwalk Apartments 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, which exhibits are incorporated by reference and made a part hereof.

SECTION 2:

- a) Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to

this development, except modification to approved development plans by variance or exception shall be prohibited.

b) Unless the Board of County Commissioners demonstrates that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to: (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may be provided in any such future building code, zoning ordinance or other land use and development regulations; or (b) supersede any concurrency certificate or concurrency exemption determination made by the Concurrency Review Committee or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance or other land development regulations as applied to this development under the Florida or United States Constitutions.

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 States 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;
- c. Review and approval of signed and sealed construction plans by the St. Johns County Engineering Department in compliance with Ordinance 86-4; and
- d. Compliance with all other applicable land use and development regulations of St. Johns County.

Section 4. Approval of the Final Development Plan is conditioned upon applicant's obtaining necessary DRI change approvals within sixty days of adoption of this resolution.

Section 5. All attachments included herein are incorporated herein and made a part of Resolution 94-198.

Passed and adopted on October 25, 1994.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

BY: Debra Zober
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

Carl "Bud" Markel
Deputy Clerk

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

**THE BOARDWALK APARTMENTS
EXHIBIT B
TO THE RESOLUTION
Revised September 21, 1994**

**Applicant: The May Companies
Agent: Prosser, Hallock & Kristoff, Inc.**

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On behalf of The May Companies, 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 multi-family residential apartment community to be known as The Boardwalk Apartments. The Final Development Plan is within that portion of the Boardwalk Apartments which is zoned PUD consisting of 12.52 acres (the "Property"). The Final Development Plan consists of a 1-page map identified as Exhibit A to the Resolution (the "Map") and this text identified as Exhibit B to the Resolution (the "Text"). 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 the south side of Ponte Vedra Lakes Boulevard across from The Remington Apartments. The area of The Boardwalk Apartments are designated for multi-family on the approved Master Plan.

The property consists of 190 units on 12.52 acres within the Marsh Landing PUD. The remainder of the property is outside the PUD and is zoned RG-1. This area consists of 70 units on approximately 7.62 acres. The total project consists of 260 units on 20.14 acres. Any reference to the property zoned RG-1 within this Final Development Plan is for information purposes only.

Prior to commencement of land clearing, site preparation, or construction of any improvements depicted on the Map, the developer shall submit to the Engineering Department satisfactory evidence that all required state and federal permits have been obtained, including, but not limited to: (a) United States Army Corps of Engineers Dredge and Fill Permit, St. Johns River Water Management District Management and Storage of Surface Water Permit and Florida Department of Environmental Protection Water and Sewer Connection Permits; (b) Obtain a land clearing permit pursuant to St. Johns County Ordinance No. 90-11; (c) Obtain approval of signed and sealed construction plans by the St. Johns County Engineering Department in compliance with Ordinance 86-4; and (d) Comply with all other applicable land use and development regulations of St. Johns County. Once the foregoing conditions to construction have been met, the developer may proceed to construction of horizontal improvements.

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 of the Florida Statutes).

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ADDITIONAL INFORMATION:

The location of entry signs are shown on the Final Development Plan. The two signs on each side of the entry road will not exceed 3 ft. ht. and 10 ft. in length. The sign in the entry island will not exceed 4 ft. ht. and 6 ft. in length. The signs will be lighted, and will be setback so not to obstruct visibility from Ponte Vedra Lakes Boulevard.

Temporary construction trailers will be utilized on-site during construction.

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 35 percent of the total ground area committed to residential use. There will be 15.18 residential units per acre, within the PUD portion of the project.

8-4-2 Open Space

Open space is shown on the Final Development Plan and consist of lake area, landscape areas, and recreational areas. All open space will be owned and maintained by the owner of the Boardwalk Apartments.

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 RG-1 setback requirements. There will be no more than 190 residences on the Property. Specific setback lines are as follows: Front: 20 feet, Side 10 feet, Rear: 20 feet. All apartment buildings will be a minimum 20 feet from the property line and all garages are accessory structures with a minimum setback of 12 feet from the property line. There will be a minimum 25 feet between all buildings. Each setback line is measured to the eave of the building.

The maximum height of the structures within the Boardwalk Apartments shall be 35 feet.

8-4-4 Project Size

The Marsh Landing PUD consists of approximately 1,700 acres. The Boardwalk Apartments consists of 12.52 acres within the PUD.

8-4-5 Support Legal Documents for Open Space

The property will be owned, maintained, and managed by the Owner, its successors or assigns. The units will be leased.

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8-4-6 Access

As graphically depicted on the Final development Plan, each apartment unit is provided vehicular access within the Property.

Sidewalks for pedestrian access and circulation are shown on the Final Development Plan. Sidewalks are provided along most parking areas.

8-4-7 Privacy

Landscaping will be provided for the 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

A preliminary drainage plan for the Property so as to prevent damage to abutting parcels and public streets and alleys is graphically depicted on the Map. Detailed drainage plans demonstrating compliance with all requirements of Ordinance 86-4 and the St. Johns County Comprehensive Plan shall be included within the signed and sealed construction plans. The construction plans must be reviewed and approved by the St. Johns County Engineering Department prior to commencement of land clearing, site preparation or construction. All necessary easements for drainage shall comply with the requirements of Ordinance 86-4 and shall be depicted on the final plat.

9-1-2 Separation from Walkway and Street

Each unit will have individual parking spaces which will provide the required off-street parking. These parking spaces are separated from the walkways and streets as shown on the Final Development Plan. Some of the units will have detached garages.

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 and is shown on the Final Development Plan.

9-1-4 Interior Drives

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As shown on the Final Development Plan, interior drives will be 24 feet wide to accommodate 90 degree parking.

9-1-5 As shown on the Final Development Plan, all parking spaces will be marked.

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

All parking spaces adjacent to residential areas will be entirely screened visually with a continuous screen with a height of 6 feet, as shown on the Final Development Plan.

The buffer and screening for the Property consists of the following:

6 ft. Wood shadowbox fence - Along West, South and East Property Line.

6 ft. Masonry Wall - Along North Property Line (Ponte Vedra Lakes Boulevard).

The above walls and fencing may be located within the buffer area.

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 multi-family. Therefore, in accordance with subsection "b." of Section 9-3, at least one and

one-half off-street parking spaces will be provided per dwelling on the same parcel in which it intends to serve. Within the entire project, 394 spaces are required and 495 parking spaces are provided. The overall parking ratio is 1.9 spaces per dwelling unit. Handicap parking spaces are provided.

Based on the above parking requirements, 285 parking spaces are required for the Property. There are 264 parking spaces provided, however since the PUD portion is part of an unified site plan which exceed the parking requirements overall there is ample parking available to serve the Property. The number of parking spaces for the Boardwalk Apartments exceed the St. Johns County parking requirement by 101 spaces.

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 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. Trash Dumpster locations are shown on the Final Development Plan. Locations of the fire hydrants serving the Property shall be depicted on the signed and sealed construction plans. The fire hydrants to be installed pursuant to this Final Development Plan shall meet county standards and must be approved by the county fire coordinator prior to issuance of certificates of occupancy for any structure to be served by such hydrants.
- d. All utilities serving the Property, including telephone, power, cable television, and sewer and water lines, will be installed underground. The signed and sealed construction plans shall show the location and design of the storm sewer facilities serving the Property and the grading and topography of the site. The storm sewer facilities shall comply with all applicable requirements of law including, but not limited to the requirements of Ordinance 86-4 and shall facilitate the proper drainage of storm waters and prevent erosion and the formation of dust.
- e. Specifications for all streets and roadways depicted on the Map shall conform to the rules and regulations adopted by the St. Johns County Board of County Commissioners in Ordinance Number 86-4, as amended.

- 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.

PROSSER, HALLOCK & KRISTOFF, INC.



Donald V. Fullerton

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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 NO. 94-198

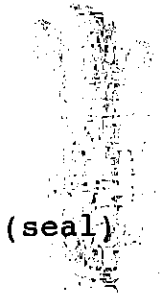
adopted by the Board of County Commissioners of St. Johns County, Florida at a regular meeting of said Board held October 25, 1994

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 28th day of October, 1994.

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

By: Patricia DeGrande
Patricia DeGrande, Deputy Clerk



(seal)

FILED AND RECORDED IN
OFFICE OF CLERK OF
ST. JOHNS COUNTY, FLA.
NOV - 1 PM 4:44
CLERK OF CIRCUIT COURT
"Bud" Markel