

City of

Jacksonville Beach

City Hall

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Jacksonville Beach

FL 32250

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Planning@jaxbchfl.net

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MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No. 2013-8031, establishing a Planned Unit Development: PUD zoning district within the City, as provided under Chapter 34 of the Code of Ordinances of the City.

Date: September 4, 2013

ACTION REQUESTED:

Adoption of Ordinance No. 2013-8031, establishing a Planned Unit Development zoning district within the City, as provided under Chapter 34 of the Code of Ordinances of the City, to allow the development of a 59 lot single-family residential subdivision. (Applicant – Richmond American Homes of Florida, LP)

BACKGROUND:

The applicant is under contract to purchase the subject property at the northwest corner of Butler Boulevard and South Beach Parkway. It is approximately 9.9 acres in area and is located in a *Residential, single family: RS-1* zoning district. It is currently platted as Blocks 3 and 7 and the easterly half of Block 11 of the *Ocean Terrace* subdivision, and contains 53 lots. The typical size of the existing platted lots is 50' x 125'. If the subject property were to be developed per its current plat, the lots would be served by southerly extensions of Tropical Terrace and Poinciana Boulevard connecting with Sanctuary Parkway. Both of these are paved streets north of Jacksonville Drive, serving the developed lots in Blocks 4, 8, and 12 of the same *Ocean Terrace* subdivision.

Staff met with the applicant's representatives in June of this year to explore the re-platting and development of the subject property into a new 59 lot subdivision. This meeting followed staff's meetings and discussions with a previous developer



earlier in the year with a similar, but higher density, plan for the property. That developer was ultimately unable to carry out that plan.

The applicant's representatives were instructed that in order to proceed with their proposed development, they would need to seek rezoning of the subject property, as the proposed lots did not meet minimum RS-1 lot dimensional standards. In addition, Policy LU.1.3.1 of the 2030 Comprehensive Plan states that land use proposals in the Southend Redevelopment District be carried out under Planned Unit Development zoning. This is the same process by which the nearby *Riptide*, *Ocean Cay*, and *Paradise Key* subdivisions had been originally approved for development.

The preliminary PUD Development Plan included in the application package shows a total of 59 residential lots and four open space tracts. Minimum lot size would be 45'x100' (4,500 square feet). The subdivision would also include new public streets and utilities installed by the developer, with street connections to South Beach Parkway, Jacksonville Drive, and Sanctuary Parkway. All of the horizontal improvements would be developed in a single phase. The following are the major elements from the PUD project narrative:

- Minimum floor area for each dwelling shall be 1,600 square feet, plus a one (1) car garage.
- Minimum yard requirements- The minimum yard requirements for all principal uses and structures shall be:

Front - Twenty (20) feet from garage face to right-of way line, fifteen (15) feet from house building face to right-of-way line, and twelve (12) feet from covered porch to right-of-way line. All yard areas shall be measured as prescribed by Land Development Code Sec. 34-391.

Side - Five (5) feet from any lot side boundary line or Open Space tract boundary line, provided that the combined side yards shall not equal less than ten (10) feet.

Rear- Ten (10) feet from any rear lot line or Open Space tract boundary line.

- Maximum building height – Thirty-five (35) feet, measured from the crown of the road in the middle of the lot to the midpoint between the ridge and fascia of the main roof structure for hip and gable roofs, or to the highest point of a flat roof deck, including any parapet or required safety handrail.
- Maximum lot coverage – Sixty-five (65) percent for residential lots. (35% in Tracts A, B, and C, and no improvements allowed in Tract D)
- Fencing – Maximum fence and wall height will be six (6) feet. Fencing for Tract D, as described in the Written Statement contained in Exhibit A, will be installed along the westerly boundary of Tract D prior to any construction activity on the subject property. The fence or wall installed along the South Beach Parkway frontage of the subject property will be installed within the designated 5' non-access easement shown on Exhibit B, with appropriate landscaping installed on the east side of the fence or wall. (Planning Commission recommendations)

Staff has reviewed the application and has found it consistent with relevant zoning and comprehensive plan regulations and policies for residential development. Gross density for the subdivision would be 6.03 units per acre. Adequate public facilities exist to serve the project, and the applicant has obtained a Concurrency Reservation Certificate for the proposed 59 homes (ref. CRC #13-100126). As requested by the Planning and Development Director, the main entrance to the subdivision will be from South Beach Parkway, aligning with the existing entry road to the South Beach Regional Shopping Center, and facilitating the City's signalization of that currently problematic three-way intersection.

PUD regulations stipulate a minimum 20% open space, but in light of accommodating staff's requests for a South Beach Parkway main entrance location, and a donation to the City of a 12' wide strip of the subject property along the west side of South Beach Parkway for a new turn lane addition, the applicant applied for and received a variance from the Board of Adjustment to reduce the amount of open space to 5% (ref. BOA # 12-100203). The applicant's plan was refined further after that variance was granted, and dedicated open space tracts totaling 9.2% will now be provided within the PUD.

The subject property is bounded by single family residential neighborhoods to the immediate west and to the north, across Jacksonville Drive. The proposed residential use of the subject property is consistent with those adjacent uses, and

represents consistent infill development of the subject property. The new neighborhood would also complement and support the existing South Beach shopping centers. The provision and location of the designated open space tracts within the PUD, especially the tract along the west side of the subject property (Tract D) serves to protect a significant stand of old growth live oaks in that area, minimizing impacts to that existing tree canopy. Finally, concessions on the applicant's part in the location of the PUD's main entry drive on South Beach Parkway and the donation of additional South Beach Parkway right-of-way to the City significantly enhance the efforts of the Community Redevelopment Agency related to enhancing the operational efficiency of that roadway south of Jacksonville Drive.

The Jacksonville Beach Planning Commission met on Monday, August 26, 2013 to consider this application. The Planning Commission also voted unanimously to recommend the approval of this rezoning by the City Council, with the above stated conditions related to perimeter fencing, and with the condition that the applicant bears the costs related to any required modifications to the City's stormwater system proposed to serve the project. These conditions have been incorporated into the attached ordinance.

If the ordinance is approved, the applicant will close on the subject property, commence with installation of the horizontal improvements (roads, utilities), and prepare and record the official re-plat of the subject property into the proposed 59 lots. The horizontal construction is proposed to be carried out in a single phase.

RECOMMENDATION:

Adopt Ordinance No. 2013-8031, establishing a Planned Unit Development: PUD zoning district, pursuant to Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach.

Introduced by: _____
1st Reading: September 16, 2013
2nd Reading: _____

ORDINANCE NO. 2013-8031

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT: PUD DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the owners of certain lands more particularly described herein have applied to the City Council for rezoning of those lands from *Residential, single-family: RS-1* to *Planned Unit Development: PUD*;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

LEGAL DESCRIPTION

THE PROPERTY REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

LOTS 2, 3, 4, 5, 6, 7, 8, 9, 10, Except the Easterly 5 feet of said lots, and Lots 16, 17, 18, 19, 20, 21, 22, and 23, in Block 3; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, and Lots 1 and 13, less and except any part of said lots in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 7; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and Lot 1, less and except any part of said lot in the Order of Taking filed in Case No.77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 11; OCEAN TERRACE, according to the plat thereof recorded in Plat Book 10, Page 2, of the Public Records of Duval County, Florida.

AND

Lots 13, 14, and 15, Block 3, of OCEAN TERRACE, according to the Plat thereof as recorded in Plat Book 10, Page 2 of the Public Records of Duval County, Florida. Excepting therefrom that portion of Lot 13, Block 3 of said OCEAN TERRACE, as shown in Order of Taking recorded in Book 4462, Page 612, and Final Judgment of Condemnation recorded in Book 4572, Page 461, of said public records of Duval County, Florida.

Heretofore zoned as *Residential single family: RS-1*, be and the same is hereby designated as *Planned Unit Development: PUD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the *Planned Unit Development: PUD* zone as provided in Article VII of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

A. The PUD Rezoning application dated July 15, 2013, including project narrative titled "Written Statement," revised July 31, 2013, and preliminary PUD development plan titled, "PUD Master Plan", dated July 30, 2013, attached hereto as Exhibit A, is hereby adopted and incorporated as parts of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.

B. The project shall be generally carried out in accordance with the presentments of the preliminary PUD development plan, rezoning application and project narrative, and in accordance with the following:

1. The subject property shall contain a maximum of fifty-nine (59) single-family residential lots.
2. Minimum residential lot area shall be 4,500 square feet.
3. Minimum floor area for each dwelling shall be 1,600 square feet, plus a one (1) car garage.
4. Minimum yard requirements- The minimum yard requirements for all principal uses and structures shall be:
 - Front- Twenty (20) feet from garage face to right-of way line, fifteen (15) feet from house building face to right-of-way line, and twelve (12) feet from covered porch to right-of-way line. All yard areas shall be measured as prescribed by Land Development Code Sec. 34-391.

- Side- Five (5) feet from any lot side boundary line or Open Space tract boundary line, provided that the combined side yards shall not equal less than ten (10) feet.
 - Rear- Ten (10) feet from any rear lot line or Open Space tract boundary line.
5. Maximum building height – Thirty-five (35) feet, measured from the crown of the road in the middle of the lot to the midpoint between the ridge and fascia of the main roof structure for hip and gable roofs, or to the highest point of a flat roof deck, including any parapet or required safety handrail.
 6. Maximum lot coverage – Sixty-five (65) percent.
 7. Open Space – A minimum of 9.2% of the subject property shall be maintained as open space, as described in the Written Statement contained in Exhibit A.
 8. Fencing – Maximum fence and wall height shall be six(6) feet. Fencing for Tract D, as described in the Written Statement contained in Exhibit A, shall be installed along the westerly boundary of Tract D prior to any construction activity on the subject property. No other structures shall be permitted within Tract D. Fence or wall installed along the South Beach Parkway frontage of the subject property shall be installed within the designated 5' non-access easement shown on Exhibit B, with appropriate landscaping installed on the east side of said fence or wall.
 9. Signage - wall and ground signage within the PUD development shall be provided as described in the Written Statement contained in Exhibit A, and will otherwise conform to Land Development Code Article VIII, Division 4 sign standards.
 10. Stormwater – Any required modification(s) to the City's stormwater system proposed by the applicant to receive the stormwater generated from the subject property, as referenced in Paragraph II.O of the Written Statement contained in Exhibit A, shall be the sole responsibility of the applicant.
 11. Landscaping and tree protection - Landscaping within the PUD development shall conform to Land Development Code Article VIII, Division 3 standards.

SECTION 2. Except as provided herein, all other portions of the Jacksonville Beach Land Development Code and Zoning Atlas remain in effect and applicable to this *Planned Unit Development: PUD* district.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK



REZONING/TEXT AMENDMENT APPLICATION

PC No. 24-13
AS/400# 13-100150

8/26/13 meeting

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: Perry Family Properties, LLC; Connell Eva Perry Badger Telephone: (904) 495-0400
Mailing Address: c/o Douglas N. Burnett and John L. Whiteman, St. Johns Law Group, 509 Anastasia Boulevard, St. Augustine, FL 32080 Fax: (904) 495-0506
E-Mail: _____

Applicant Name: Richmond American Homes of Florida, LP Telephone: (904) 541-2355
Mailing Address: Attn: Keith Donnelly, 1560 Wells Road, Bldg. A, Suite 105, Orange Park, FL 32073 Fax: _____
E-Mail: Keith.Donnelly@mdch.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: T.R. Hainline, Jr. Telephone: (904) 346-5531
Mailing Address: Rogers Towers, P.A. 1301 Riverplace Blvd., Suite 1500, Jacksonville, FL 32207 Fax: (904) 396-0663
E-Mail: thainline@rtlaw.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Lots 1-24 Block 7 Lots 1-10, 13-23 Block B
Lots 1-2, Block 11
RE# 181225-0000

Street address of property and/or Real Estate Number: Ocean Terrace Lots; See Exhibit A

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plat, easements, covenants, and restrictions): See Exhibit A

RECEIVED

Current Zoning Classification: RS-1 Future Land Use Map Designation: South Beach District

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: N/A

PLANNING & DEVELOPMENT

REQUESTED INFORMATION	Attached?	
	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked; see Exhibit A-2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An 8½" x 11" vicinity map identifying the property proposed for amendment; see Exhibit A-1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked; see Exhibit A-3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC. see Exhibit C	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Applicant Signature: [Signature] Date: 7/15/13

ROGERS TOWERS

ATTORNEYS AT LAW

T. R. HAINLINE, JR.

904 . 346 . 5531
THainline@rtlaw.com

1301 Riverplace Boulevard • Suite 1500
Jacksonville, Florida 32207

904 . 398 . 3911 Main
904 . 396 . 0663 Fax
www.rtlaw.com

July 15, 2013

Via Hand Delivery

Mr. William C. Mann, AICP
Senior Planner
Planning and Development Department
City of Jacksonville Beach
11 N. 3rd Street - City Hall
Jacksonville Beach, FL 32250

RECEIVED

JUL 15 2013

PLANNING & DEVELOPMENT

**Re: Ocean Terrace
Application for Rezoning/Text Amendment
And Application to Close Right of Way/Easement
Our File: R3390-61753**

Dear Mr. Mann:

Please find enclosed originals of the above-referenced Applications. The \$1,000.00 filing fee for the rezoning application and the \$350.00 filing fee for the closure application will also be hand delivered to you today, under separate cover. Please let us know if you need anything further in order to process these applications. Thank you.

Sincerely,



T.R. Hainline, Jr.

TRH:sja

cc: Keith Donnelly (*via e-mail without enclosures*)

Enclosures

Exhibit A

Legal Description

THE PROPERTY REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, Except the Easterly 5 feet of said lots, and Lots 16, 17, 18, 19, 20, 21, 22, and 23, in Block 3; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, and Lots 1 and 13, less and except any part of said lots in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, page 612, in Block 7; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and Lot 1, less and except any part of said lot in the Order of Taking filed in Case No. 77-8910-CA, and recorded in Official Records Volume 4462, Page 612, in Block 11; OCEAN TERRACE, according to the plat thereof recorded in Plat Book 10, page 2, of the Public Records of Duval County, Florida.

AND

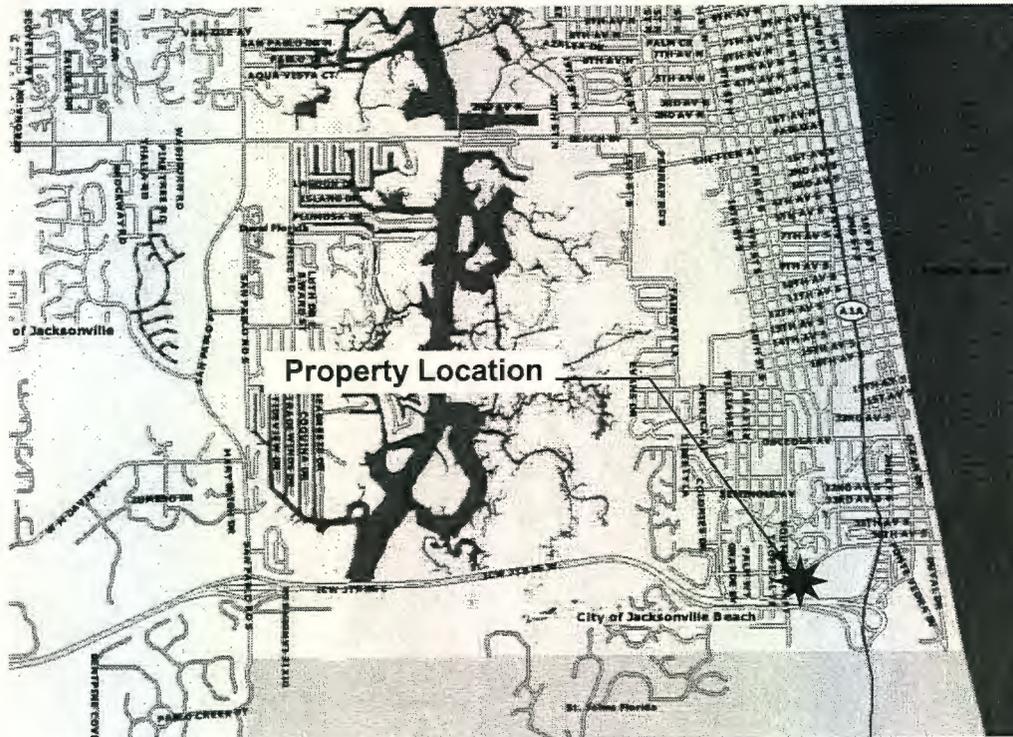
Lots 13, 14, and 15, Block 3 of OCEAN TERRACE, according to the Plat thereof as recorded in Plat Book 10, Page(s) 2, of the Public Records of Duval County, Florida. Excepting therefrom that portion of Lot 13, Block 3, of said OCEAN TERRACE, as shown in Order of Taking recorded in Book 4462, page 612, and Final Judgment of Condemnation recorded in Book 4572, page 461, of said public records of Duval County, Florida

OCEAN TERRACE

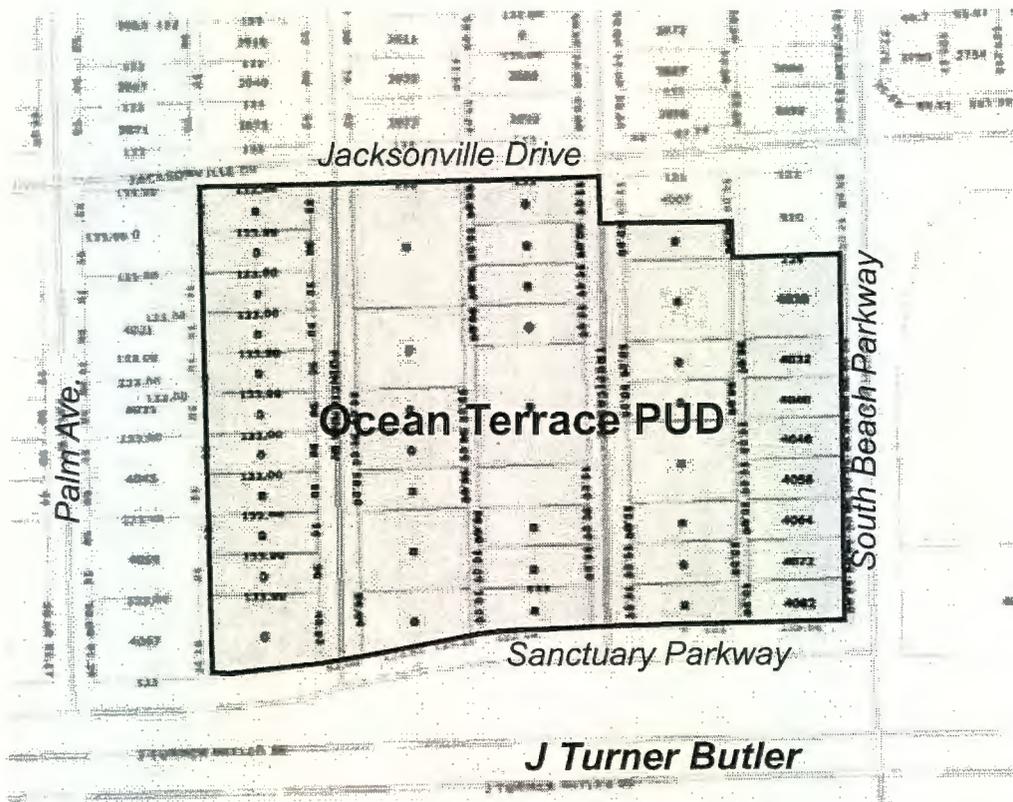
PUD Application

Location Map

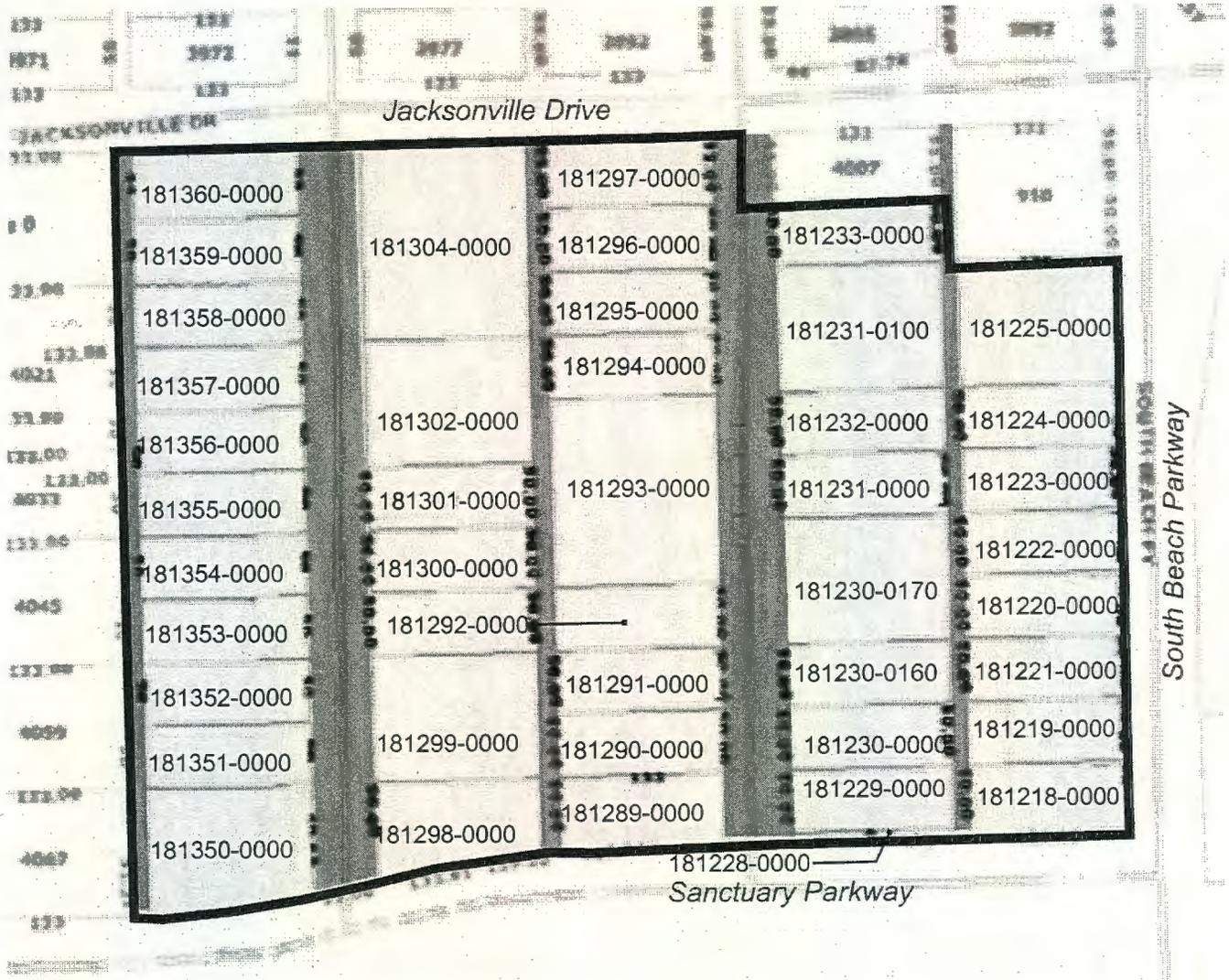
Exhibit A -1



Vicinity Map



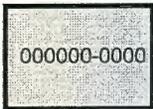
Property Map



LEGEND



City of Jacksonville Beach Ownership
ROW - Alleys to be Closed



Applicant Ownership &
Tax ID Real Estate Number

OCEAN TERRACE

PUD Application

Aerial Map

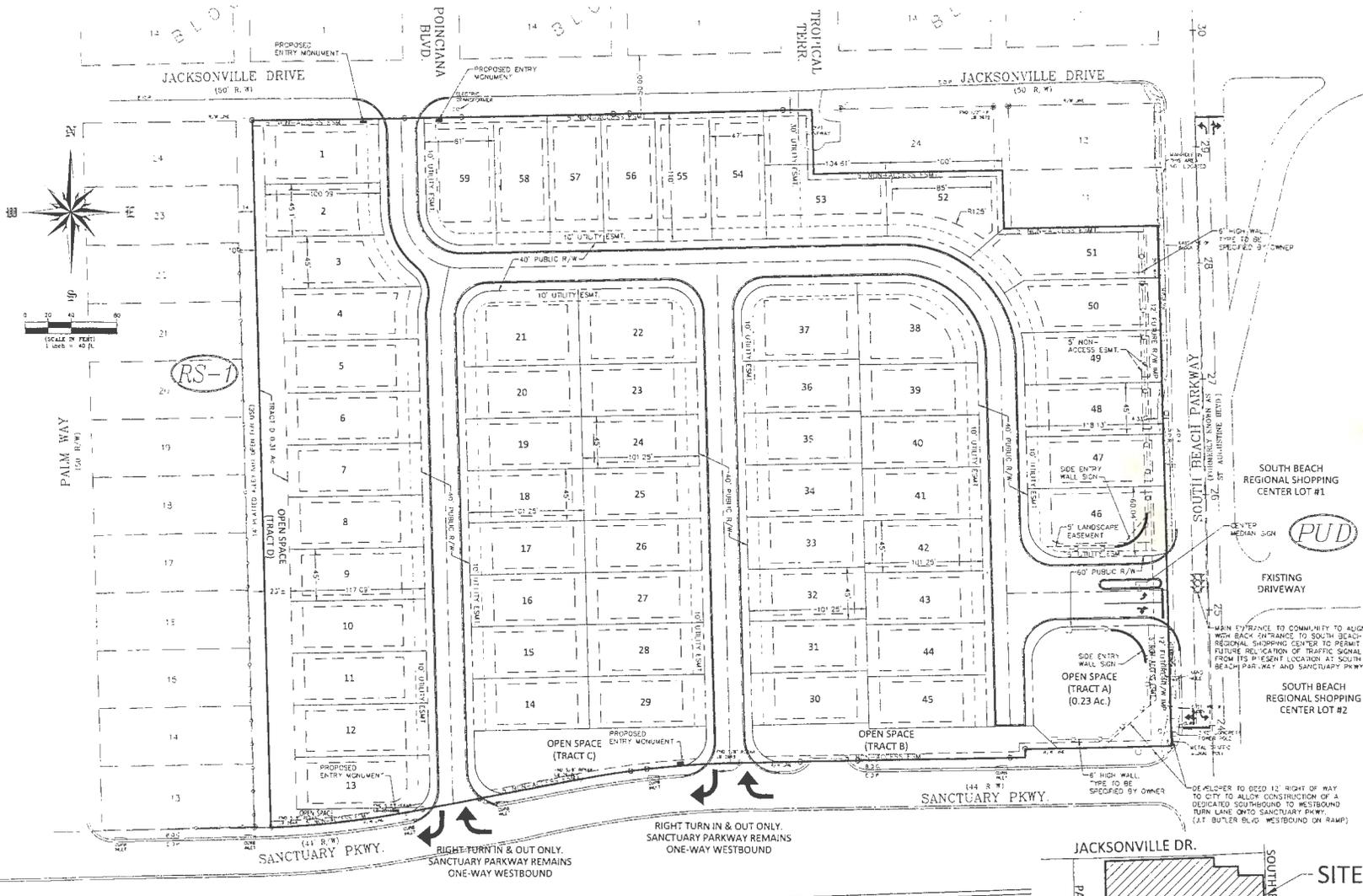
Exhibit A -3



OCEAN TERRACE
JACKSONVILLE BEACH, FL

PUD MASTER PLAN
EXHIBIT 'B'

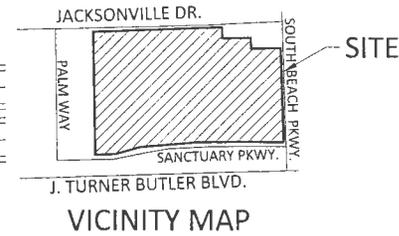
INMAN ENGINEERING, P.A.
Civil Engineering Consulting
Certificate of Authorization No. 29266
P.O. Box 320990 • Jacksonville, FL 32259-0990
www.inmanengineering.com
904-562-8144



SITE DATA TABLE	
TOTAL AREA:	9.78 Acres
RESIDENTIAL AREA:	6.86 Ac. (70.1%)
OPEN SPACE AREA:	0.90 Ac. (9.2%)
RIGHT-OF-WAY AREA:	2.02 Ac. (20.7%)
TOTAL UNITS:	59

OCEAN TERRACE

CONCEPTUAL SITE PLAN



EXH-5
IE PROJ. # 12-032
7-30-2013

Ocean Terrace PUD
Exhibit C

Written Statement
REVISED July 31, 2013

RE #: See Exhibit A-2
Current Land Use Designation: South Beach District
Current Zoning District: RS-1
Proposed Zoning District: PUD

INTRODUCTION

This Planned Unit Development (PUD) proposes the development of platted single family residential lots on approximately 9.78 acres located in the City of Jacksonville Beach and more particularly described in Exhibit "A" to this application (the "Property"). The Property lies west of South Beach Parkway, south of Jacksonville Drive, east of a platted alley immediately east of Palm Way, and north of Sanctuary Parkway. Currently, the Property is platted for 53 single family residential lots and associated rights-of-way and alleys. This PUD proposes a development consisting of 59 single family lots on the Property and associated rights-of-way, open space, and a park, all as further described below.

A Location Map, Ownership Map, and Aerial Map are attached hereto as Exhibits "A-1," "A-2," and "A-3," respectively.

The PUD Master Plan dated July 30, 2013, and attached hereto as Exhibit "B," shows the configuration of the single family residential lots, rights-of-way, and open space tracts.

The Applicant is Richmond American Homes of Florida, LP, 1560 Wells Road, Bldg A, Suite 105, Orange Park, FL 32073, 904-541-2355.

Applicant and Owner authorizations and consents are attached as Composite Exhibit "D."

The Agent for this application is Rogers Towers PA, 1301 Riverplace Boulevard, Suite 1500, Jacksonville, FL 32207, (904) 398-3911.

Other consultants for the Applicant include: Thomas Inman, P.E., Inman Engineering, P.A., P.O. Box 590980, Jacksonville, FL 32255, (904) 502-8144; John H. Moye, P.E., Waitz & Moye, Inc., 3738 Southside Blvd. Suite 101, Jacksonville, Florida 32216, (904) 642-8311; Brian Burke, B. Burke & Associates Inc., 1015 Atlantic Blvd. Suite 323, Atlantic Beach FL, 32233, (904) 270-0751.

Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use</u>	<u>Zoning</u>	<u>Use</u>
South	South Beach District	PUD	JTB, Retail Commercial
East	South Beach District	PUD	South Beach Parkway, Retail Commercial
North	South Beach District	RS-1	Residential
West	South Beach District	RS-1	Residential

I. DESCRIPTION OF PERMITTED USES AND STRUCTURES

A. Single Family

1. *Permitted uses and structures.*

- a. A maximum of fifty-nine (59) single family detached dwellings.
- b. Essential services, including required and necessary utilities, water, sewer, gas, communications, and electric, meeting the performance standards and development criteria set forth in Section II B below.
- c. Signage and fencing as provided in Sections II E and F below.
- d. Type I Home Occupations as defined and permitted pursuant to Section 34.399, City of Jacksonville Beach Land Development Regulations.

2. *Maximum gross density—6.03 units per acre.*

3. **Single Family—45' Lots:** *Minimum lot requirement (width and area), Lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for the Single Family use.*

- a. *Minimum lot requirements (width, area, and frontage).* The minimum lot requirements (width and area) for single family uses are:

Width: Forty-five (45) feet at the building line. As used in this Sub-section I.A.3.a., "building line" refers to the front yard line at the house building face as described in Sub-section I.A.3.c. below.

Area: 4,500 square feet.

Frontage: Twenty-five (25) feet at the dedicated right-of-way.

- b. *Maximum lot coverage.* Sixty-five percent (65%). Lot coverage shall mean the number determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches, and accessory structures, driveways, and paved, bricked, or wooden walkways, pool decks and patios, by the lot area.
- c. *Minimum yard requirements.* The minimum yard requirements for all uses and structures are:
 - (1) Front— Twenty (20) feet from face of garage to back of right-of-way, fifteen (15) feet from house building face to back of right-of-way, and twelve (12) feet from covered porch to back of right-of-way. Whether from garage, house building face, or covered porch, the yard shall be measured as prescribed in Section 34-391, Jacksonville Beach Code of Ordinances.
 - (2) Side— Five (5) feet, provided that the combined side yards shall not be less than ten (10) feet.
 - (3) Rear—Ten (10) feet to the lot line or the boundary of the Open Space, whichever is applicable.
- d. *Minimum floor area.* A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- e. *Maximum height of structure.* Thirty-five (35) feet.
- 4. *Patios.* Patios, including screened patios with a structural roof, outdoor dining, terraces, courtyards, or similar exterior structures shall be permitted for each unit and may be located within side or rear yards but shall not be located within five (5) feet of any property boundary.

B. Open Space

- 1. *Permitted uses and structures.*
 - a. Along western boundary of the Property (Tract D): landscaping; natural vegetation; vegetative screens or buffers; and fencing as described in Section II F below.
 - b. Along Sanctuary Parkway (Tracts A, B, and C): private parks, playgrounds, park structures, site furnishings, and other related recreational uses and facilities; landscaping; natural vegetation,

vegetative screens or buffers; fencing as described in Section II F below; walkways; site lighting and site furnishings; and community identification signs or monuments, directional signage, and temporary signage, as provided in Section II E below.

- c. Essential services, including stormwater treatment and management facilities and required and necessary utilities meeting the performance standards and development criteria set forth in Section II B below.
2. *Minimum lot requirement (width and area).* None.
3. *Maximum lot coverage.* Thirty-five percent (35%).
4. *Minimum yard requirements.* Five (five) feet.
5. *Maximum height of structures.* Twenty (20) feet, except as noted in Sections II.E and F for signage and fencing, respectively.

II. PUD DEVELOPMENT CRITERIA

A. Accessory Uses and Structures

1. Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal building.
2. Accessory uses and structures in a residential district shall be non-commercial in nature and may include guesthouses, private garages and private shelters, gazebos, cabanas, tool and garden sheds, garden work centers, vegetable garden, non-commercial greenhouses, children's play areas and play equipment, doghouses, private barbecue pits, and swimming pools.
3. Accessory uses shall not be located in required front or side yards except as follows:
 - a. Detached accessory structures such as carports, covered parking, or garages which are separated from the main structure may be located in a required side or rear yard. A structure of a maximum fifteen (15) feet in height shall be located not less than five (5) feet from the side and rear lot lines.
 - b. Air conditioning compressors or other equipment designed to serve

the main structure may be located in a required yard and may be located not less than three (3) feet to any property line.

- c. Swimming pools and associated screened enclosures and decks may be located in a required rear or side yard but may not be located less than five (5) feet from the property line or top of the bank of a pond, whichever is applicable.

B. Additional Performance Standards

Additional performance standards for those uses identified shall be as follows:

1. Essential services (utility systems) shall be allowed as a permitted use subject to the following conditions:
 - a. Central water systems, sewerage systems, utility lines, stormwater treatment and management, and easements shall be provided in accordance with the appropriate sections of the City of Jacksonville Beach Land Development Regulations.
 - b. Water pipelines shall be of sufficient size, looped, and located appropriately to provide adequate fire protection for all structures in the development.

C. Open Space and Recreation

1. Four Open Space areas, Tracts A, B, C, and D as shown on the PUD Master Plan, shall be provided, with the permitted uses as described in Section I.B. above. Any park and recreational uses, structures, furnishings, equipment, and any signage permitted in Tracts A, B, and C shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat. Any landscaping, vegetative screens, buffers, or fencing permitted in Tracts A, B, C, and D also shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat.
2. Pursuant to a variance approved by the Board of Adjustment of the City of Jacksonville Beach on March 5, 2013 (BOA #12-100203), the Applicant shall provide a minimum of five percent (5%) gross land area for common recreation and open space. As shown on the PUD Master Plan, taking into account the Open Space tracts, the Applicant has provided a gross area of approximately 0.90 acre, or 9.2 percent of gross area, for common recreation and open space.

D. Access

1. Primary access to the PUD shall be located at South Beach Parkway as shown on the PUD Master Plan. The access shall align with the rear entrance to the retail commercial use located across South Beach Parkway to the east. The access may include a landscaped median (with entrance signage, fencing, and landscaping).
2. A secondary access shall be located on Jacksonville Drive as shown on the PUD Master Plan.
3. Right-in, right-out secondary accesses also shall be provided along Sanctuary Parkway as shown on the PUD Master Plan.
4. With the exception of the above identified access points, a non-access easement shall be provided along all remaining PUD frontage along South Beach Parkway, Jacksonville Drive, and Sanctuary Parkway.
5. On the final plat, the Applicant shall dedicate twelve (12) feet of right-of-way along South Beach Parkway and a triangle parcel at South Beach Parkway and Sanctuary Parkway as shown on the PUD Master Plan to permit the City of Jacksonville Beach to construct a dedicated southbound to westbound turn lane onto Sanctuary Parkway.
6. Internal streets shall be configured as shown on the PUD Master Plan. Internal rights-of-way shall be forty (40) feet, except at the entrance at South Beach Parkway where the right-of-way width for the internal access road shall be sixty (60) feet. In all other respects, the streets shall be built to the standards set forth in Chapter 34, Article IX, Jacksonville Beach Code of Ordinances.
7. Contemporaneous with this rezoning to PUD, the Applicant is seeking closure of the existing streets and alleys on the Property (not including the alley outside and adjacent to the western boundary of the Property). Accordingly, this PUD shall not become effective until the street and alley closings are approved by the City of Jacksonville Beach. Thereafter, consistent with this PUD, the Applicant will seek platting and dedication of the rights-of-way shown on the PUD Master Plan.

E. Signage

1. Proposed signage locations are shown on the PUD Master Plan.
2. The primary project identification signage will be located on South Beach Parkway as shown on the PUD Master Plan and may consist of either (i) a single monument sign to be located within median of the entrance road with a maximum height of six (6') feet and two (2)- maximum twenty-four (24) square foot sign faces, or (ii) two (2) wall signs on project entry walls

with maximum height of six (6') feet and a maximum twenty-four (24) square foot sign face each.

3. Proposed entry monument signs for project identification along Sanctuary Parkway and Jacksonville Drive shall be a maximum fifteen (15) square feet in area and six (6) feet in height.
4. Except as otherwise provided herein, sign standards as provided in Chapter 34, Article VIII, Division 4, Jacksonville Beach Code of Ordinances, shall apply.

F. Fencing.

1. Fencing will be provided along South Beach Parkway as shown on the PUD Master Plan and will be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
2. Fencing is permitted within the non-access easements along Jacksonville Drive and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
3. Fencing is permitted within the Open Space areas along Sanctuary Parkway (Tracts A, B and C) and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
4. Fencing will be provided within the Open Space area along the western boundary of the Property (Tract D) and will be minimum seventy percent (70%) opaque and a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.

G. Construction offices/model homes/real estate sales.

On-site, temporary construction offices/model homes/sales offices will be permitted until the PUD is built out. Real estate sales activities are permitted within model homes. Associated parking for sales activities is permitted adjacent to model homes.

H. Reverter

Should Richmond American Homes of Florida, LP, or an affiliated entity thereof not acquire title to the Property within one year of the date of the recordation of the ordinance approving this PUD, this PUD shall automatically become null and void and the zoning of the Property shall automatically revert to RS-1.

I. Silviculture Uses May Continue.

Silviculture operations are a permitted use in this PUD and may continue at this site until build-out.

J. Adequate Public Facilities

The applicant has applied for a concurrency certificate for the proposed development (Application # 13-100126), and has been informed that the application has been approved and is awaiting signature. (See Exhibit "E.")

K. Supplemental Standards

Unless otherwise provided herein, the Supplemental Standards provided in Chapter 34, Article VIII, Division 2, Jacksonville Beach Code of Ordinances shall apply.

L. Landscaping

Site clearing and landscape standards as provided in Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, shall apply.

M. Parking

Parking shall be provided pursuant to the provisions in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances.

N. Natural Gas

The Applicant will consider the use of natural gas for homes within the development, where practical and cost effective. If natural gas is provided, the Applicant will install the necessary gas infrastructure within the development.

O. Environmental Standards

The Environmental Standards provided in Chapter 34, Article VIII, Division 5, Jacksonville Beach Code of Ordinances shall apply, except that the Applicant shall provide the following improvements pursuant to Section 34-466(e)(3), Jacksonville Beach Code of Ordinance:

The existing City of Jacksonville Beach Stormwater retention facility for South Beach Parkway originally was designed to accommodate a 33.93 acre drainage basin. As shown on the map attached hereto as Exhibit "F," over the years, developments along South Beach Parkway have removed approximately fourteen (14) acres from the basin, leaving excess storage capacity in the pond. Approximately nine (9) acres of the Property are included in the pond's basin, with an additional one (1) acre draining to Sanctuary Parkway. The development proposed in this PUD will increase the percentage of impervious area directed to the pond; however, the pond's control structure will be modified to reduce the discharge rate to less than the current rate. Other necessary improvements and

repairs to the pond, as determined during the design and permitting phase, shall be included in the construction plans. Additionally, the rate of discharge to Sanctuary Parkway will be reduced. The stormwater management system will be designed and permitted to meet or exceed all applicable regulatory requirements.

P. Development Schedule

Currently, the applicant proposes to construct the horizontal improvements for the proposed PUD in one phase.

Agent Authorization/Consent

Date: 7/2/13

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

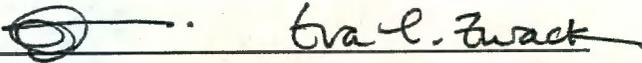
Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

PERRY FAMILY PROPERTIES, LLC

By:  Eva L. Zwack

Its: managing member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2nd day of July, 2013 by Eva Zwack, who is personally known to me or has produced _____ as identification.

Lisa Ann Hicks
(Notary Signature)



Agent Authorization/Consent

Date: July 2, 2013

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

CONNELL EVA PERRY BADGER

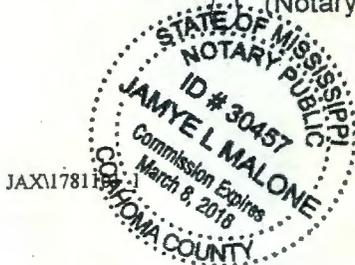
By: Eva Perry Badger Connell
Its: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2nd day of July, 2013 by Eva Perry Badger Connell, who is personally known to me or has produced _____ as identification.

J. Malone

(Notary Signature)



Agent Authorization/Consent

Date: 7/11/2013

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

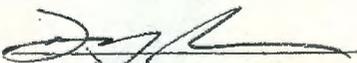
Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

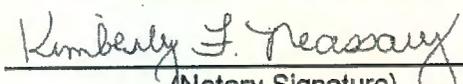
You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

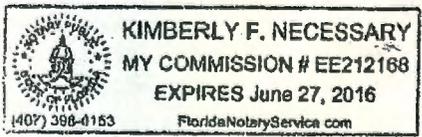
RICHMOND AMERICAN HOMES OF FLORIDA, LP


By: Doug Moran
Its: Division President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11 day of July
2013 by Doug Moran, who is personally known to me or has
produced _____ as identification.


(Notary Signature)





City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net
www.jacksonvillebeach.org

June 20, 2013

Thomas Inman, P.E.
Inman Engineering, P.A.
P.O. Box 550980
Jacksonville, FL 32255-0980

RE: Public Facilities Reservation Certificate Application – *Ocean Terrace* PUD

Dear Mr. Inman,

This letter is to inform you that Public Facilities Reservation Certificate application No. 13-100126, received on June 10, 2013, has been found to be sufficient in content and is now under review by the Planning and Development Department, pursuant to Section 34-563 of the Jacksonville Beach Land Development Code.

You will be contacted again when the review of the application is complete. If you have any questions, or if I can be of any further assistance, please contact our office at 247-6231, or via email at planning@jaxbchfl.net.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chandra M. Tolman".

Chandra M. Tolman
Permit Specialist

C: CRC App. 13-100126 file



1/12/2013 11:26:59 AM J:\0303-000\Drawings\DWG\0303_000.DWG



LEGEND

 AREA REMOVED FROM DRAINAGE BASIN (± 14 ACRES)

 AREA TO BE DEVELOPED AND CONTINUE TO THE DRAINAGE BASIN (± 9 ACRES)

 AREA TO REMAIN DIRECTED TO SANCTUARY PARKWAY (± 1 ACRE)

TOTAL BASIN 33.93 ACRES

WM WAITZ & MOYE
 3738 Southside Boulevard, Suite 101
 Jacksonville, Florida 32216 - wmlco.com
 Phone: 904.642.8311 • Fax: 904.642.8338

DRAINAGE MAP

Ocean Terrace Drainage Improvements

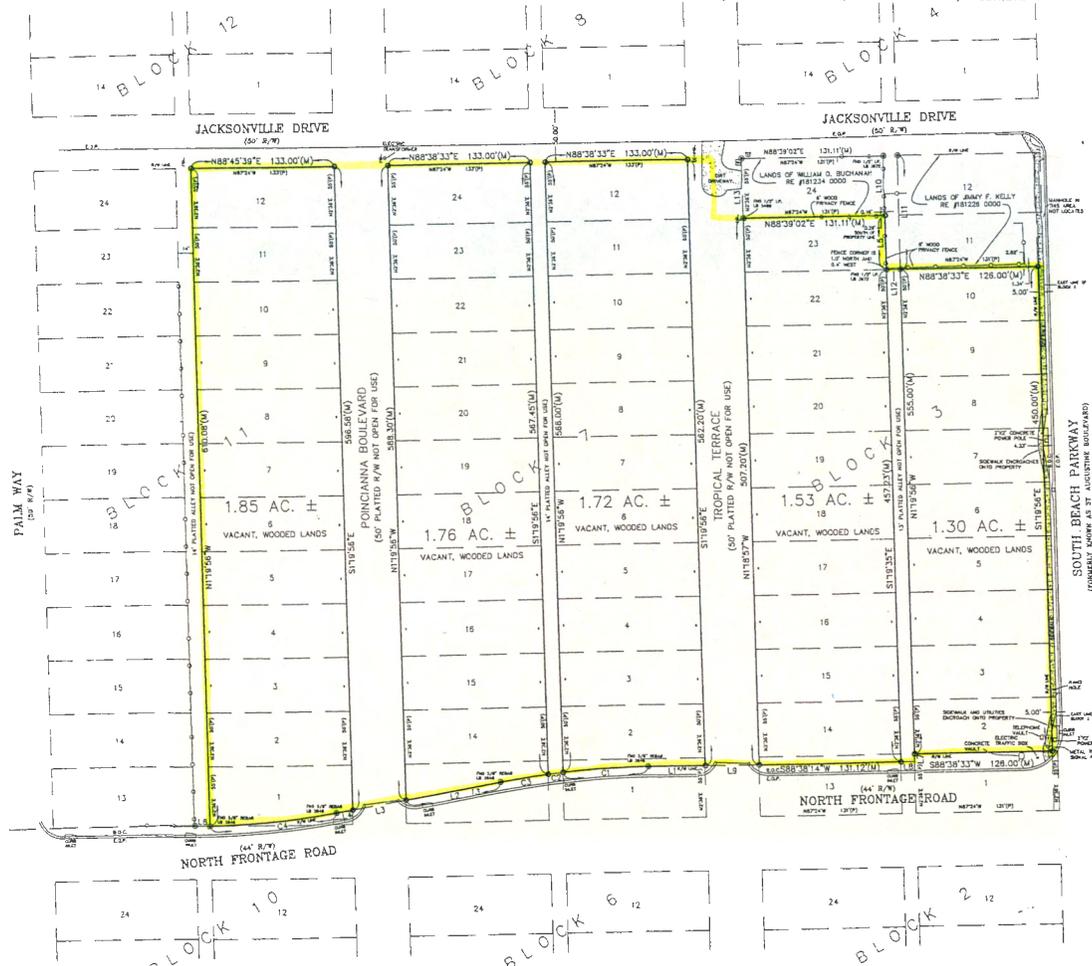
SCALE: N.T.S.

DATE: July 2013

EXHIBIT F

BOUNDARY SURVEY

OF PART OF BLOCKS 3, 7, AND 11 OF OCEAN TERRACE AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND LYING IN SECTION 9, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA.



LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

THE FOLLOWING LOTS AND PARTIAL LOTS ALL IN OCEAN TERRACE AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- LOTS 2 THROUGH 10, INCLUSIVE, OF BLOCK 3, LESS AND EXCEPT THE EASTERLY FIVE FEET THEREOF.
- THAT PART OF LOT 13, BLOCK 3 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.
- LOTS 14 THROUGH 23, INCLUSIVE, OF BLOCK 3.
- THAT PART OF LOT 1, BLOCK 7 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.
- LOTS 2 THROUGH 12, INCLUSIVE, OF BLOCK 7.
- THAT PART OF LOT 13, BLOCK 7 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.
- LOTS 14 THROUGH 24, INCLUSIVE, OF BLOCK 7.
- THAT PART OF LOT 1, BLOCK 11 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTH FRONTAGE ROAD FOR J. TURNER BUTLER BOULEVARD FROM SOUTH BEACH PARKWAY, A 44 FOOT RIGHT-OF-WAY AS NOW EXISTS.
- LOTS 2 THROUGH 12, INCLUSIVE, OF BLOCK 11.
- SAID LANDS SITS 1/2, LYING, AND BEING IN SECTION 9, TOWNSHIP 3 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA.

GENERAL NOTES

1. BEARINGS ARE BASED ON THE WESTERLY BOUNDARY OF BLOCK 11 OF OCEAN TERRACE AS BEING 89°31'57.12".
2. THE LANDS SHOWN HEREON ARE WITHIN FLOOD ZONE "X" AS SHOWN ON THE FLOOD HAZARD RATE MAP (FIRM) COMBINATION NUMBER 12827, DATED AUGUST 15, 1988. THE FLOOD ZONES SHOWN ON THIS SURVEY ARE SCALED OFF OF THE F.W.A. FIRM MAPS AND ARE FOR REFERENCE ONLY. THE F.W.A. INFORMATION AND CALCULATIONS FOR THIS SURVEY ARE VALID ONLY FOR RAISED UP TO AND INCLUDING THE 50% IMPROVED FLOOD PROTECTION. THE 50% IMPROVED FLOOD PROTECTION SHOULD BE MADE TO THE COMMANTEE FLOOD PLANE MANAGEMENT REPORT.
3. NO UNDERGROUND FOUNDATIONS OR UTILITIES OR IMPROVEMENTS OTHER THAN THOSE SHOWN WERE LOCATED UNDER THE SURVEYED AREAS.
4. ADDITIONAL DETAILS AND/OR ANY WRITTEN INFORMATION USED TO THIS MAP AND/OR REPORT IS PROVIDED TO THE CLIENT BY THE SURVEYOR.
5. THIS MAP IS INTENDED TO BE VIEWED AT A SCALE OF 1" = 50' OR SMALLER.
6. BOUNDARIES AND IMPROVEMENTS ARE SHOWN AS THEY EXIST AT THE TIME OF THE SURVEY. PROPERTY LINES, ALL BUILDINGS, ARE SHOWN AS THEY EXIST.
7. THIS SURVEY IS BEING PERFORMED SOLELY FOR THE USE OF THE CLIENT AND NO OTHER PERSONS HAVE BEEN CREATED HEREON OR WILL BE TO THIS SURVEY AND IS NOT TRANSFERABLE. ANY COPIES OF THIS SURVEY OR ANY PART THEREOF SHALL BE MADE BY THE CLIENT AND NOT BY ANY OTHER PARTY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY WORK AND DOES NOT EXTEND TO ANY OTHER MATTERS.
8. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
9. THIS SURVEY IS MADE FOR THE LANDS AS DESCRIBED. IT IS NOT A SUBSTITUTE FOR A TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
10. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY NEIGHBORING ENVIRONMENTALLY SENSITIVE AREAS, WETLANDS, HABITATS OR JURISDICTIONAL LIMITS OF ANY FEDERAL, STATE, REGIONAL, OR LOCAL AGENCY, BOARD, AND COMMISSION OR OTHER ENTITY AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE SURVEYOR.
11. UNLESS A COMPARISON IS MADE, MEASURED BEARINGS AND DISTANCES ARE CONSIDERED WITH FURNISHED DESCRIPTION VALUES.
12. THIS SURVEY IS BASED ON INFORMATION AS PROVIDED BY THE CLIENT.
13. SCALE OF THE SURVEY IS 1" = 50'. ALL DIMENSIONS AND DISTANCES ARE NOT OPEN FOR USE, BUT MAY NOT BE OFFICIALLY CLOSED, NO INFORMATION REGARDING THEIR CLOSURE WAS PROVIDED TO THIS SURVEYOR.

COMBINED TOTAL ACREAGE = 8.16 AC. ±
(THIS TOTAL DOES NOT INCLUDE THE STREETS AND ALLEYS THAT ARE NOT OPEN FOR USE. SEE NOTE #11.)

LINE	DESCRIPTION	DATE
1	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
2	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
3	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
4	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
5	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
6	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
7	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
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9	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
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13	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
14	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
15	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
16	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
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22	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
23	1/4" X 1/4" X 1/4" X 1/4"	12/15/12
24	1/4" X 1/4" X 1/4" X 1/4"	12/15/12

SYMBOL	DESCRIPTION
○	5/8" DIA. IRON NAIL
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⊿	5/8" DIA. IRON NAIL

CERTIFIED TO: KB HOME JACKSONVILLE

NO.	DATE	BY	DESCRIPTION
1	12/15/12	MS	2.5" DIA. FLOOD ZONE
2	12/15/12	MS	2.5" DIA. FLOOD ZONE
3	12/15/12	MS	2.5" DIA. FLOOD ZONE
4	12/15/12	MS	2.5" DIA. FLOOD ZONE
5	12/15/12	MS	2.5" DIA. FLOOD ZONE
6	12/15/12	MS	2.5" DIA. FLOOD ZONE
7	12/15/12	MS	2.5" DIA. FLOOD ZONE
8	12/15/12	MS	2.5" DIA. FLOOD ZONE
9	12/15/12	MS	2.5" DIA. FLOOD ZONE
10	12/15/12	MS	2.5" DIA. FLOOD ZONE
11	12/15/12	MS	2.5" DIA. FLOOD ZONE
12	12/15/12	MS	2.5" DIA. FLOOD ZONE
13	12/15/12	MS	2.5" DIA. FLOOD ZONE
14	12/15/12	MS	2.5" DIA. FLOOD ZONE
15	12/15/12	MS	2.5" DIA. FLOOD ZONE
16	12/15/12	MS	2.5" DIA. FLOOD ZONE
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21	12/15/12	MS	2.5" DIA. FLOOD ZONE
22	12/15/12	MS	2.5" DIA. FLOOD ZONE
23	12/15/12	MS	2.5" DIA. FLOOD ZONE
24	12/15/12	MS	2.5" DIA. FLOOD ZONE

BARTRAM TRAIL SURVEYING, INC.
 1200 COUNTY ROAD 213 SUITE 108
 BRADY CREEK BRIDGE, FL 32003
 PHONE (904) 294-1234
 FAX (904) 294-1235
 EMAIL barttram@barttramtrail.com
 CERTIFICATE OF AUTHORIZATION 12 00001
 EXPIRES 03/31/12

SYMBOL	DESCRIPTION
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⊿	5/8" DIA. IRON NAIL

DATE	SCALE
10/16/12	1" = 50'

DATE: 10/16/12
 SCALE: 1" = 50'
 SHEET 1 OF 1
 PROJECT NO. REVISION
 289-12-1(B)

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner *zcm*

Re: Ordinance No. 2013-8032, abandoning certain unopened portions of Tropical Terrace and Poinciana Boulevard rights-of-way and unopened alleys located in Blocks 3 and 7, in the Ocean Terrace subdivision.

Date: September 4, 2013

ACTION REQUESTED:

Adoption of Ordinance No. 2013-8032, discontinuing, abandoning and closing unopened portions of certain public alleys and certain public rights-of-way known as Poinciana Boulevard and Tropical Terrace located in the Ocean Terrace subdivision, as recorded in Plat Book 10, Page 2, of the current public records of Duval County, Florida.

BACKGROUND:

As described in Exhibit C of the attached application, the applicant is requesting the abandonment of unopened portions of Tropical Terrace, Poinciana Boulevard, and two unopened alleys running between Jacksonville Drive and Sanctuary Parkway. Each of these portions of platted public right-of-way lies within the boundaries of the property that is the subject of Ordinance No. 2013-8031, the proposed PUD rezoning ordinance for the 9.9 acre undeveloped tract of land at the northwest corner of Butler Boulevard and South Beach Parkway. Exhibit B of the application shows the proposed PUD site plan that is driving the requested abandonments. It is the City's policy that requested right-of-way abandonments related to rezonings accompany those rezoning ordinances for their consideration by City Council, and that they be approved in conjunction with, and only upon approval of, the associated rezoning.



The requested street and alley abandonments are shown on Exhibits A-1, A-2, and A-3 of the attached application. The only other property owners affected by the proposed abandonments are two homeowners at the corner of Jacksonville Drive and South Beach Parkway. Both of these property owners have been informed of the proposed abandonments, and both were provided with drawings showing the land area(s) that they would each gain from the abandonments. As a courtesy, they were also asked to respond in writing to the Planning and Development Department by August 30, 2013 if there were any objections to the abandonment request. Staff has received no written objections.

The application has been routed to the Community Redevelopment Agency Administrator, Police, Fire, and Public Works Departments, and to Beaches Energy Service. All recommended approval.

RECOMMENDATION:

Adopt Ordinance No. 2013-8032, vacating, discontinuing, abandoning and closing portions of certain public alleys and certain public rights-of-way known as Poinciana Boulevard and Tropical Terrace located in the Ocean Terrace subdivision, as recorded in Plat Book 10, Page 2, of the current public records of Duval County, Florida.

Introduced by: _____
1st Reading: _____
2nd Reading: _____

ORDINANCE NO. 2013-8032

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING PORTIONS OF CERTAIN PUBLIC ALLEYS AND CERTAIN PUBLIC RIGHTS OF WAY KNOWN AS POINCIANA BOULEVARD AND TROPICAL TERRACE LOCATED IN OCEAN TERRACE SUBDIVISION, AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

WHEREAS, on December 2, 1996, the Jacksonville Beach City Council adopted Resolution No. 1514-96 setting forth a policy for closing street rights of way and alleys, and

WHEREAS, Resolution No. 1514-96 established certain principles to apply to the closing or abandonment of rights of way and alleys, and

WHEREAS, said Resolution states that the City's interest will be retained unless there is an overwhelming public interest that is served and the rights of abutting property owners will not be impaired, and

WHEREAS, the alleys and street rights of way located within and between Blocks 3, 7, and the east one-half of Block 11, Ocean Terrace subdivision are not paved, are not maintained, their future public use would be compromised by the re-platting and development of a proposed 59-lot single family residential subdivision.

BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That those portions of certain public rights of way and public alleys in Ocean Terrace subdivision in the City of Jacksonville Beach, Florida, and more particularly described below, be and the same are hereby vacated, discontinued, abandoned and closed as public rights of way and alleys, and the owners of the property situated adjacent to and contiguous to the portions of rights of way and alleys listed below are hereby authorized to enter upon and use and enjoy the lands embraced in said portions of rights of way and alleys to the same extent and purpose as if the same had never been platted:

- a. The portion of Poinciana Boulevard (a fifty (50) foot wide public right of way as now established) running in a northerly and southerly direction adjacent to and between the east one-half of Block 11 and the west one-half of Block 7, Ocean Terrace, as recorded in Plat Book 10, Page 2 of the current public records of Duval County, Florida.
- b. The portion of a fourteen (14) foot wide public alley running in a northerly and southerly direction through Block 7, Ocean Terrace, as recorded in Plat Book 10, Page 2 of the current public records of Duval County, Florida.

- c. The portion of Tropical Terrace (a fifty (50) foot wide public right of way as now established) running in a northerly and southerly direction adjacent to and between the east one-half of Block 7 and the west one-half of Block 3, Ocean Terrace, as recorded in Plat Book 10, Page 2 of the current public records of Duval County, Florida.
- d. The portion of a thirteen (13) foot wide public alley running in a northerly and southerly direction through Block 3, Ocean Terrace, as recorded in Plat Book 10, Page 2 of the current public records of Duval County, Florida.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are, insofar as the same may conflict, hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication according to the law.

AUTHENTICATED THIS __ DAY OF _____, A.D. 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

CITY OF JACKSONVILLE BEACH, FLORIDA
APPLICATION TO CLOSE RIGHT OF WAY/EASEMENT

13-100151

Application Number

This form is intended for submittal, along with the \$350.00 nonrefundable application fee, for all requests for the abandonment or closing of a public street or alley right of way, or any public access or utility easement. This application must be submitted to the Jacksonville Beach Planning and Development Department for processing. Following an evaluation for completeness, the Department will send a copy of the application to all property owners who might be affected by the proposed right of way or easement closing along with a request for their comments on the request. If there are no significant objections received from the affected property owners, the Planning and Development Department will request comments and recommendations from the Electric Utility, Fire, Police, and Public Works Department with respect to the effect of the proposed abandonment on their operations. The public comment and departmental review period process may take as much as 45 days to complete. If the administrative review indicates that the right of way or easement can be closed, then all of the information received is compiled into a report to the City Manager for inclusion, with a draft ordinance, on the agenda for consideration by the City Council.

APPLICANT INFORMATION

Applicant's Name(Please type or print):

Richmond American Homes of Florida, LP

Telephone Number:

(904) 541-2355

Mailing Address:

Attn.: Keith Donnelly, 1560 Wells Road, Bldg. A, Suite 105, Orange Park, FL 32073

PROPERTY INFORMATION

Street Address of Your Property: Ocean Terrace (See Exhibit A)

4020 SOUTH BEACH PKWY

Legal description of your property (lot, block, subdivision name) and the location of the right of way or easement that you are applying to abandon or close. Please attach a boundary survey or plat of your property if one is readily obtainable:

See Exhibits A, A-1, A-2, A-3, B

Please state the reason(s) why you are requesting that this right of way or easement be abandoned (Attach additional pages if necessary to fully explain why this application should be approved):

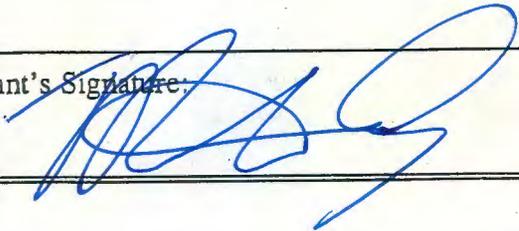
See Exhibit C

RECEIVED

JUL 15 2013

PLANNING & DEVELOPMENT

Applicant's Signature:



Date of Application:

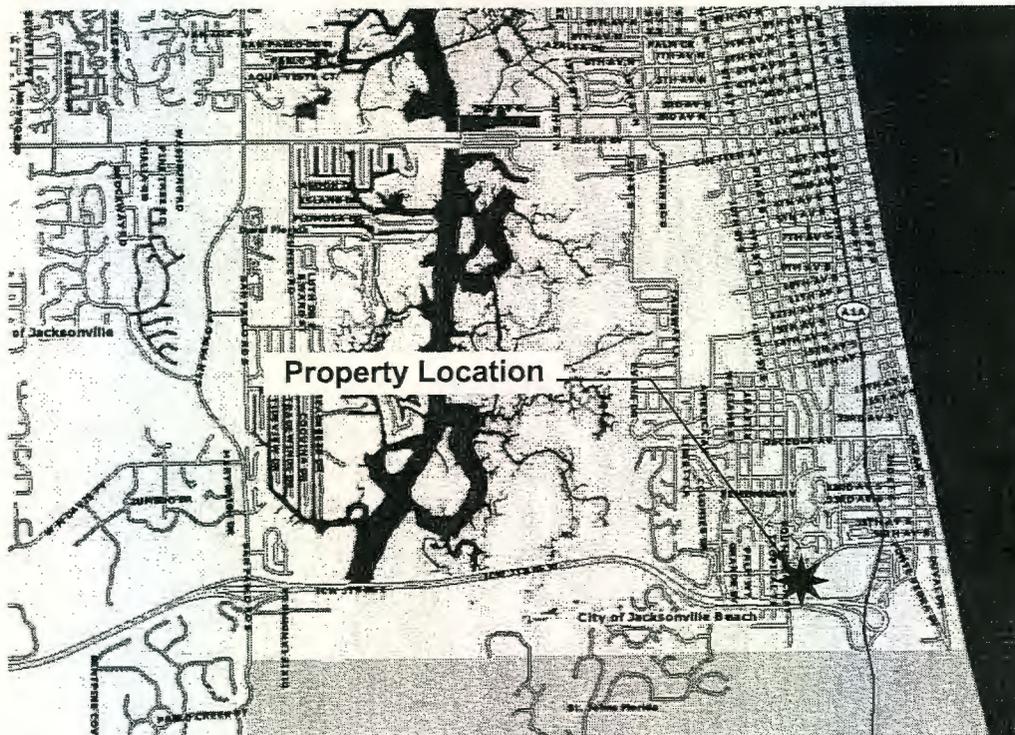
7/15/13

OCEAN TERRACE

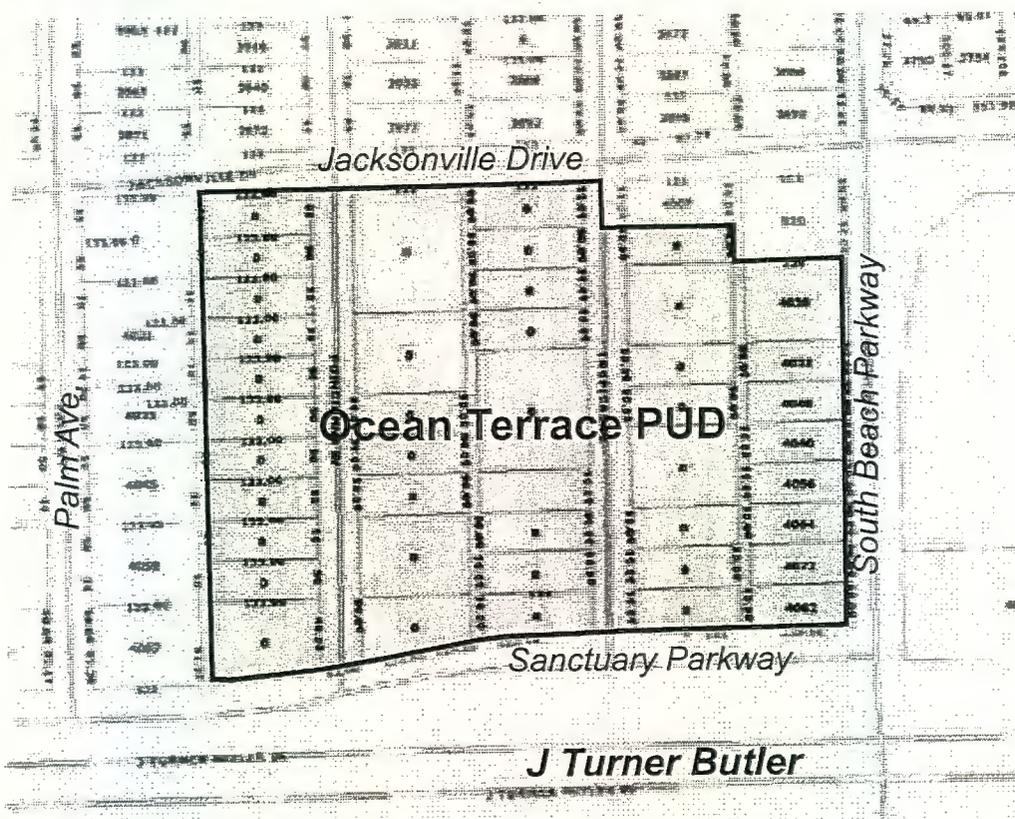
PUD Application

Location Map

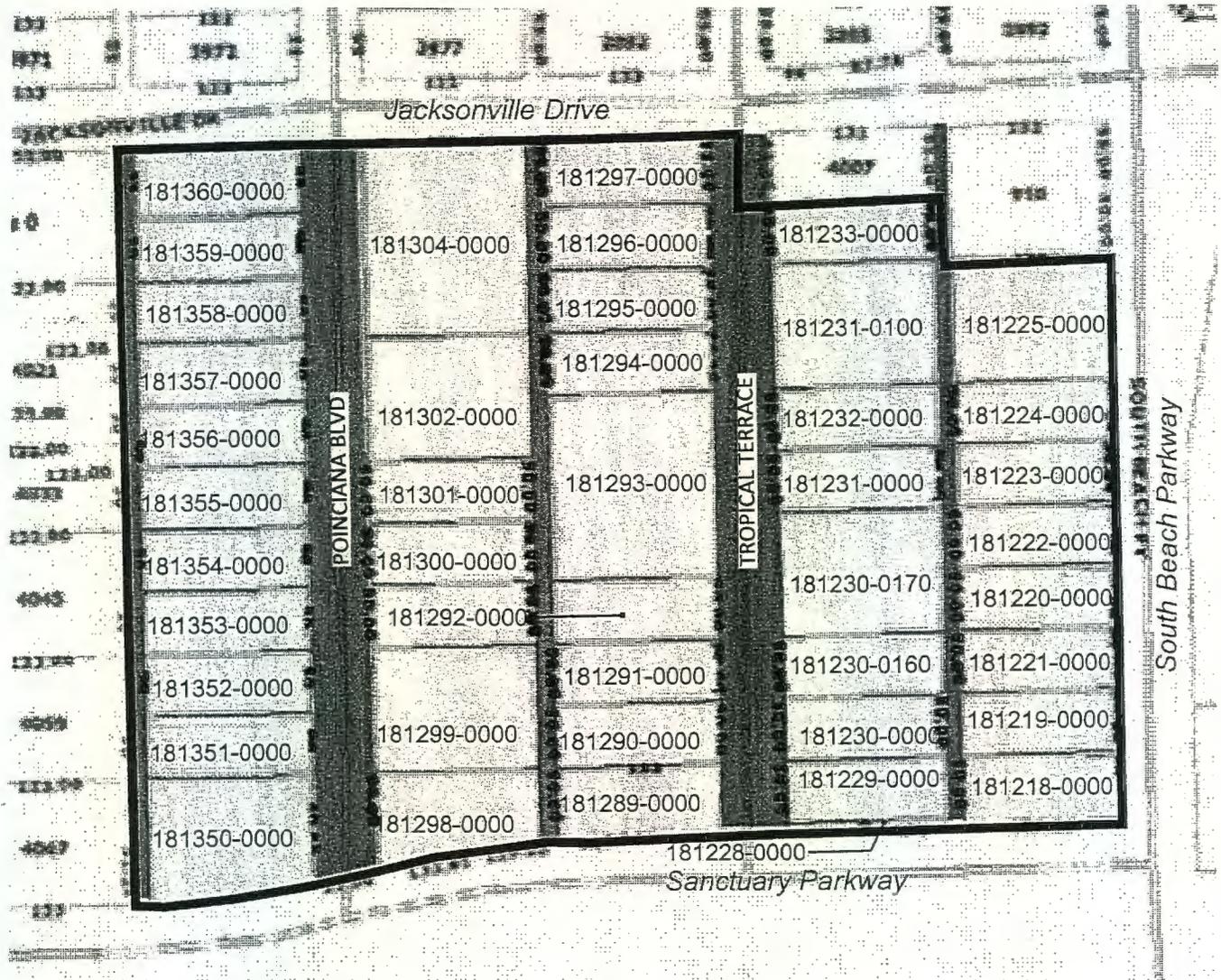
Exhibit A -1



Vicinity Map



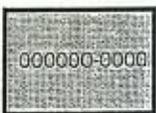
Property Map



LEGEND



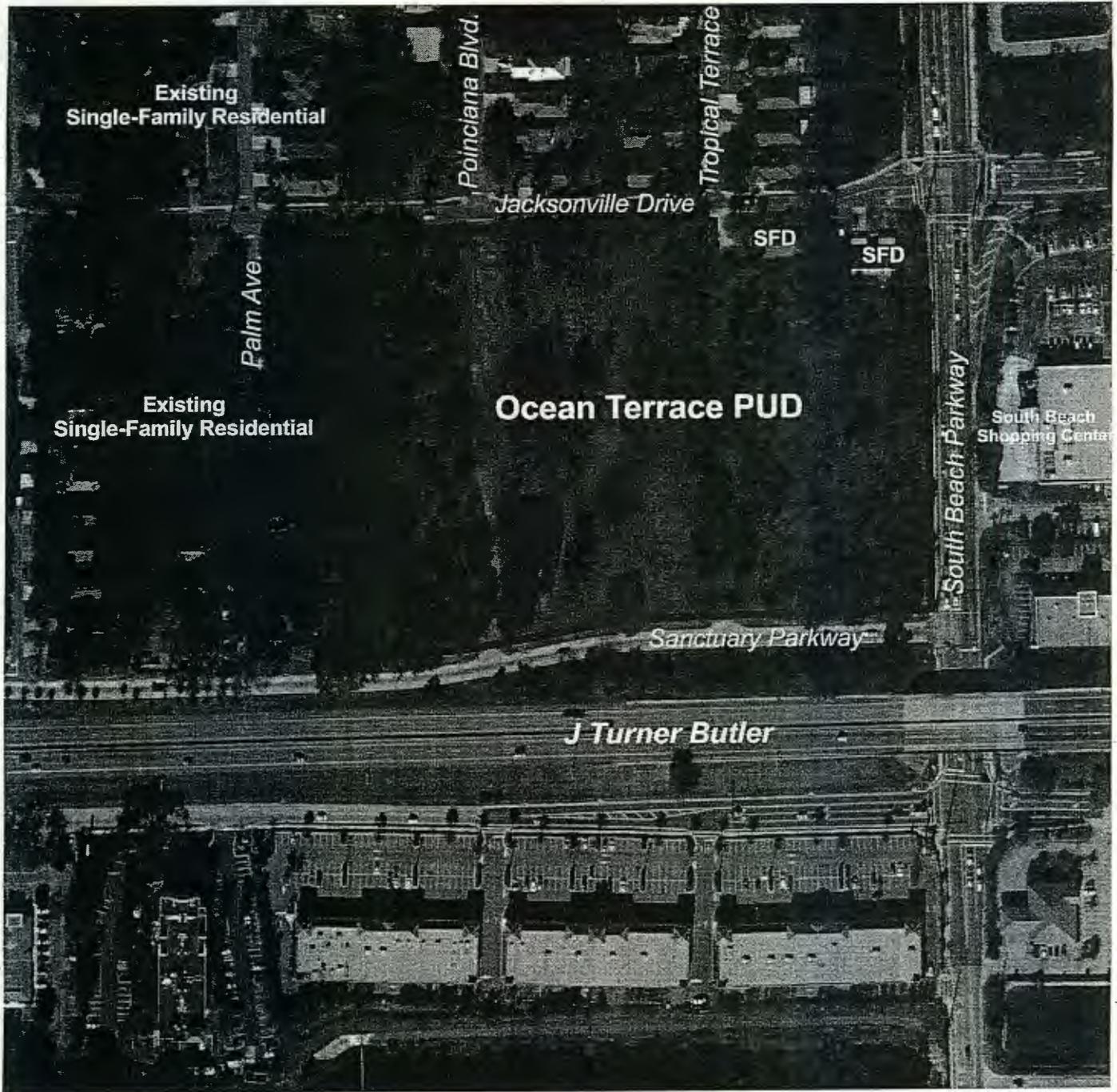
City of Jacksonville Beach Ownership
ROW - Alleys to be Closed



Applicant Ownership &
Tax ID Real Estate Number

OCEAN TERRACE
PUD Application

Aerial Map
Exhibit A -3



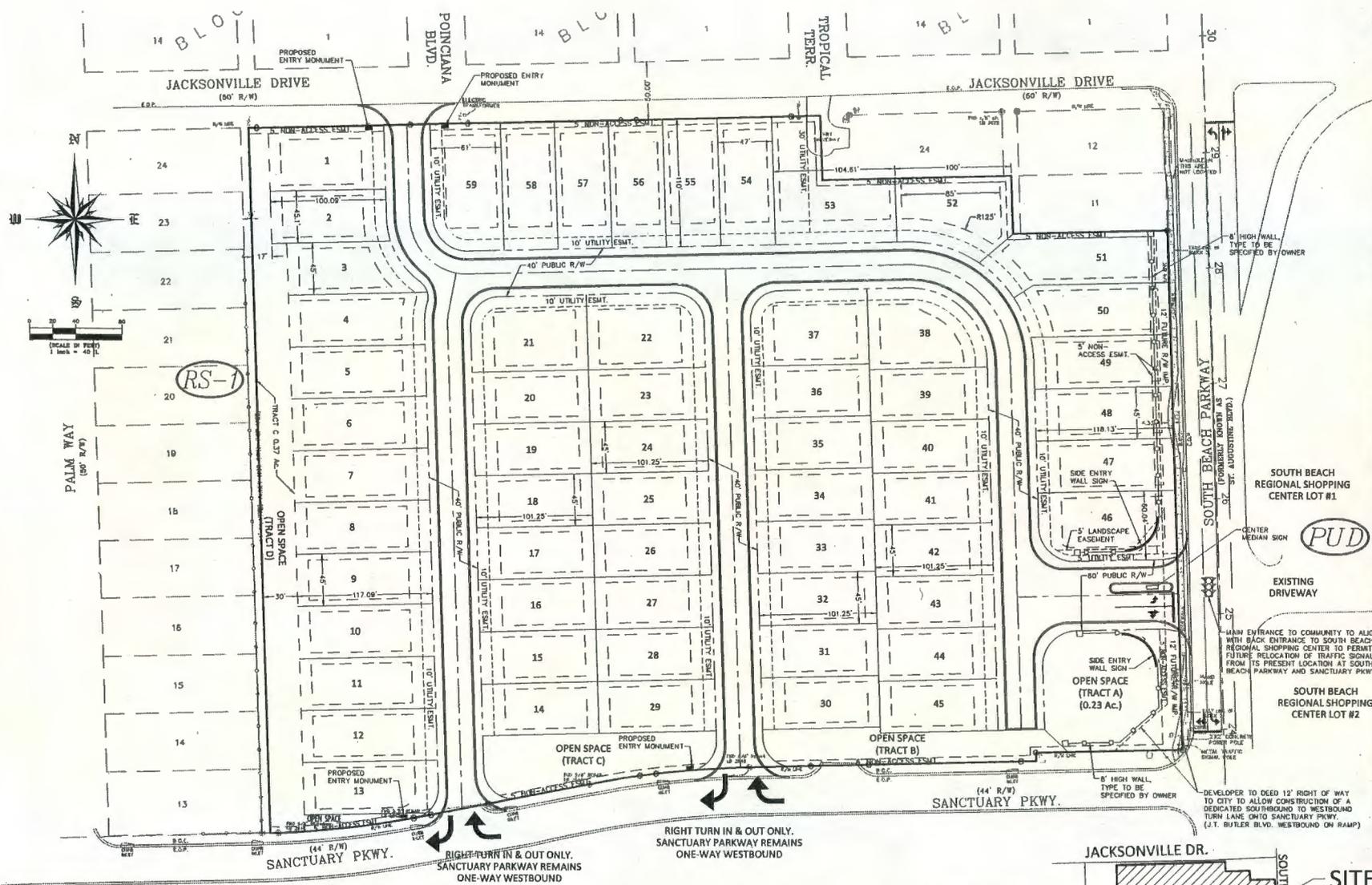


With us, it's personal.™

OCEAN TERRACE
JACKSONVILLE BEACH, FL

PUD MASTER PLAN
EXHIBIT 'B'

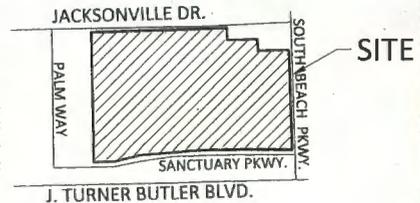
INMAN ENGINEERING, P.A.
Civil Engineering Consulting
Certificate of Authorization No. 29264
P.O. Box 250690 • Jacksonville, FL 32225-0690
www.inmanengineering.com
904-932-8141



SITE DATA TABLE	
TOTAL AREA:	9.88 Acres
RESIDENTIAL AREA:	6.86 Ac. (69.5%)
OPEN SPACE AREA:	1.00 Ac. (10.1%)
RIGHT-OF-WAY AREA:	2.02 Ac. (20.4%)
TOTAL UNITS:	59

OCEAN TERRACE

CONCEPTUAL SITE PLAN



VICINITY MAP

IE PROJ. # 12-032
7-3-2013

Exhibit C

The Applicant proposes to close and abandon portions of Tropical Terrace, Poincianna Boulevard, and associated alleys between Jacksonville Drive and Sanctuary Parkway. The alley portions lie between South Beach Parkway and Tropical Terrace, Tropical Terrace and Poincianna Boulevard, and Poincianna Boulevard and Palm Way. Not included in this closure and abandonment are: portions of the alley adjoining Lots 11 and 12, Block 3, Ocean Terrace; a portion of Tropical Terrace adjoining Lot 24, Block 3, Ocean Terrace; and portions of the alley adjoining Lots 13 through 24, Block 11, Ocean Terrace.

The street rights-of-way and alleys proposed to be closed are depicted in Exhibits A-1, A-2, A-3, and B, attached.

Contemporaneous with this application for street rights-of-way and alley closure and abandonment, the Applicant is seeking a PUD rezoning of adjacent properties. Upon approval of these applications, consistent with the PUD, the Applicant will seek platting and dedication of the rights-of-way shown on Exhibit B.

Owner's authorizations are attached as Exhibit D.

Agent Authorization/Consent

Date: 7/2/13

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

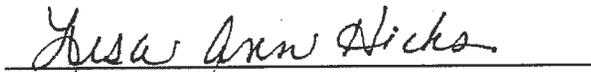
You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

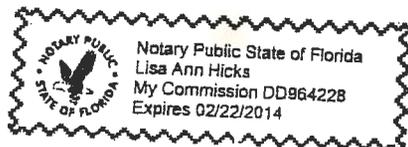
PERRY FAMILY PROPERTIES, LLC

By: 
Its: managing member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2nd day of July, 2013 by Eva Zwack, who is personally known to me or has produced _____ as identification.


(Notary Signature)



Agent Authorization/Consent

Date: July 2, 2013

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

CONNELL EVA PERRY BADGER

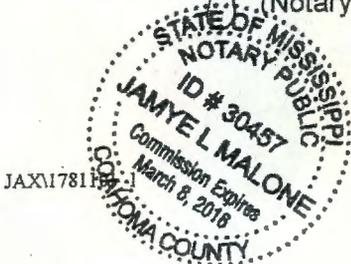
By: Eva Perry Badger Connell
Its: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 2nd day of July, 2013 by Eva Perry Badger Connell, who is personally known to me or has produced _____ as identification.

J. Malone

(Notary Signature)



JAX17811

Agent Authorization/Consent

Date: 7/11/2013

City of Jacksonville Beach
Planning & Development
11 North Third Street
Jacksonville Beach, Florida 32250

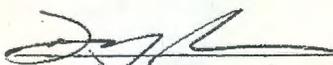
Re: Agent Authorization for the following site location:

Ocean Terrace

Gentleman:

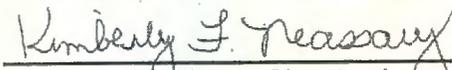
You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. The owner hereby authorizes and empowers Rogers Towers, P.A., to act as agent to file application(s) for a PUD rezoning for the above referenced property and in connection with such authorization to file such applications, documents and other matters necessary for such requested change. Additionally, the owner consents to be subject to the conditions and standards of the development order for the development plan for the requested PUD zoning district.

RICHMOND AMERICAN HOMES OF FLORIDA, LP


By: Doug Moran
Its: Division President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11 day of July, 2013 by Doug Moran, who is personally known to me or has produced _____ as identification.


(Notary Signature)

