

Return to: *
Joyce Bradley
(12)

ORDINANCE NO. 2003-19

AN ORDINANCE AMENDING ORDINANCE NO. 83-19, AS AMENDED; SPECIFICALLY RE-ZONING AND RE-CLASSIFYING THE PROPERTY HEREINAFTER DESCRIBED IN NASSAU COUNTY, FLORIDA FROM A PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO THE NORTH HAMPTON PUD TO A STAND ALONE PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS THE NORTH HAMPTON PUD PHASE 5 IN NASSAU COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the Phase 5 Lands, North Hampton L.L.C., described in the attached Exhibit "A", is also the developer of the existing North Hampton PUD and the North Hampton Phase 4 PUD; and

WHEREAS, the Board of County Commissioners adopted Ordinance No. 97-19, enacting and establishing a Comprehensive Zoning Code, as amended; and

WHEREAS, the owners of the Phase 5 Lands described in the attached Exhibit "A" (the "Phase 5 Lands") intends to develop the Phase 5 Lands in accordance with the North Hampton PUD Phase 5 Preliminary Development Plan, dated February 14, 2003, as described in the attached Exhibit "B" and the North Hampton PUD Phase 5 Conditions, dated February 26, 2003, as described in the attached Exhibit "C"; and

WHEREAS, the owner of the Phase 5 Lands described in the attached Exhibit "A" has applied for a re-zoning and re-classification of that property from Planned Unit Development (PUD) to that of a Planned Unit Development (PUD) pursuant to which the Phase 5 Lands will be developed as provided herein; and

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FILE 200510152 OR BOOK 01303 PGS 0377-0388 RECORDED 03/21/2005 09:19:09 NASSAU COUNTY, JOHN A. CRAWFORD, CLERK

WHEREAS, the Planning and Zoning Board has considered said application and held public hearings on the same after due notice on April 1, 2003, and made its findings and recommendations thereon; and

WHEREAS, the Board of County Commissioners has considered the findings and recommendations of the Planning and Zoning Board and has held its own public hearings on the application after due notice and finds that the Phase 5 Lands described in the attached Exhibit "A" are suitable in location and character for the uses proposed in said application according to the criterion as set forth in Ordinance No. 97-19 as amended, Article 25, Planned Unit Development.

NOW THEREFORE, BE IT ORDAINED this 28th day of April 2003, by the Board of County Commissioners of Nassau County, Florida, that the application for the North Hampton Phase 5 Planned Unit Development is hereby approved and the Phase 5 Lands shall be rezoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions Ordinance No. 97-19, as amended, Article 25, Planned Unit Development, and further subject to the additional conditions, requirements and findings described below:

SECTION 1. The North Hampton Phase 5 Planned Unit Development concept shall be as indicated on the North Hampton PUD Phase 5 Preliminary Development Plan attached hereto as Exhibit "B". The North Hampton Phase 5 Planned Unit Development is further subject to the requirements of Ordinance No. 97-19, as

amended, in effect on the date hereof except as otherwise provided herein.

SECTION 2. Owner and Description. The Phase 5 Lands rezoned by this Ordinance are owned by North Hampton, L.L.C.

SECTION 3. Conditions. The conditions set forth in Exhibit "C" (the "North Hampton PUD Phase 5 Conditions") shall be made a part of this North Hampton Phase 5 Planned Unit Development, and the Phase 5 Lands shall be subject to said North Hampton PUD Phase 5 Conditions. Further, the conditions of the Nassau County Zoning Ordinance established pursuant to Ordinance No. 97-19, as amended, established for the final development plan review are applicable, as are Goals and Objectives of the Nassau County Comprehensive Plan as is currently in effect in Nassau County, Florida.


SECTION 4. This Ordinance shall take effect upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



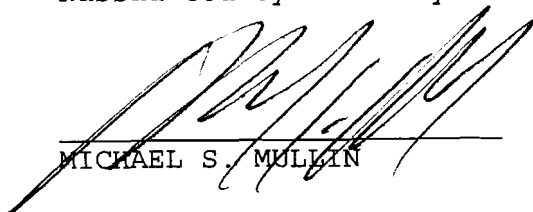
VICKIE SAMUS
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT "A"

(NORTH HAMPTON PHASE 5 LANDS)

LEGAL DESCRIPTION OF A PORTION OF SECTIONS 13 AND 24, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA.

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTIONS 13 AND 24, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWESTERLY CORNER OF LOT 339, NORTH HAMPTON ~ PHASE TWO (ACCORDING TO PLAT RECORDED IN PLAT BOOK 6, PAGES 328-333 OF THE OFFICIAL RECORDS OF SAID COUNTY) AND RUN THENCE NORTH 70°-20'-21" EAST ALONG THE SOUTHERLY LINE OF THE AFOREMENTIONED LOT 339 AND THROUGH LANDS NOW OR FORMERLY LANDS OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN BOOK 967, PAGE 522 OF THE OFFICIAL RECORDS OF SAID COUNTY, A DISTANCE OF 352.52 FEET TO A POINT ON A NORTHEASTERLY LINE OF LANDS OF THE AFOREMENTIONED NORTH HAMPTON, LLC; RUN THENCE THE FOLLOWING (3) COURSES ALONG THE GENERALLY NORTHEASTERLY AND EASTERLY LINES OF LAST MENTIONED LANDS: (1) SOUTH 28°-01'-01" EAST, A DISTANCE OF 298.03 FEET TO A POINT; (2) RUN THENCE SOUTH 15°-00'-12" WEST, A DISTANCE OF 1,460.22 FEET TO A POINT; (3) RUN THENCE SOUTH 40°-00'-00" WEST, A DISTANCE OF 1,490.35 FEET TO A POINT; RUN THENCE NORTH 69°-41'-34" WEST, A DISTANCE OF 357.60 FEET TO A POINT; RUN THENCE NORTH 00°-30'-17" WEST, A DISTANCE OF 125.48 FEET TO A POINT; RUN THENCE NORTH 47°-51'-00" WEST, A DISTANCE OF 171.93 FEET TO A POINT; RUN THENCE NORTH 78°-31'-57" WEST, A DISTANCE OF 113.93 FEET TO A POINT; RUN THENCE NORTH 12°-07'-56" EAST, A DISTANCE OF 50.00 FEET TO A POINT; RUN THENCE SOUTH 78°-31'-57" EAST, A DISTANCE OF 113.35 FEET TO A POINT; RUN THENCE NORTH 29°-03'-03" EAST, A DISTANCE OF 86.06 FEET TO A POINT; RUN THENCE NORTH 67°-53'-41" EAST, A DISTANCE OF 96.66 FEET TO A POINT; RUN THENCE NORTH 34°-04'-53" EAST, A DISTANCE OF 548.56 FEET TO A POINT; RUN THENCE SOUTH 59°-21'-22" EAST, A DISTANCE OF 29.92 FEET TO A POINT; RUN THENCE NORTH 64°-03'-09" EAST, A DISTANCE OF 23.28 FEET TO A POINT; RUN THENCE NORTH 87°-01'-06" EAST, A DISTANCE OF 69.00 FEET TO A POINT; RUN THENCE NORTH 46°-03'-54" EAST, A DISTANCE OF 195.00 FEET TO A POINT; RUN THENCE NORTH 01°-50'-56" WEST, A DISTANCE OF 84.42 FEET TO A POINT; RUN THENCE NORTH 37°-55'-47" EAST, A DISTANCE OF 332.59 FEET TO A POINT; RUN THENCE NORTH 16°-53'-14" EAST, A DISTANCE OF 461.84 FEET TO A POINT; RUN THENCE NORTH 06°-21'-12" EAST, A DISTANCE OF 125.27 FEET TO A POINT; RUN THENCE NORTH 25°-42'-41" EAST, A DISTANCE OF 178.56 FEET TO A POINT; RUN THENCE NORTH 18°-32'-49" EAST, A DISTANCE OF 274.97 FEET TO A POINT; RUN THENCE NORTH 08°-28'-16" WEST, A DISTANCE OF 60.98 FEET TO A POINT ON A NON-TANGENT CURVE LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF

AMAGANSETT DRIVE (A 60-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED ACCORDING TO PLAT RECORDED IN PLAT BOOK 6, PAGES 328-333 OF THE OFFICIAL RECORDS OF SAID COUNTY), RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED SOUTHEASTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 137.00 FEET, A CHORD DISTANCE OF 61.02 FEET TO A POINT OF COMPOUND CURVATURE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 45°-59'-25" EAST; CONTINUE THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED SOUTHEASTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 499.20 FEET, A CHORD DISTANCE OF 82.18 FEET TO A POINT, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 28°-24'-05" EAST; RUN THENCE NORTH 69°-04'-19" EAST, A DISTANCE OF 27.51 FEET TO A POINT; RUN THENCE NORTH 26°-27'-50" EAST, A DISTANCE OF 50.02 FEET TO A POINT ON A NON-TANGENT CURVE IN LAST MENTIONED RIGHT-OF-WAY LINE, RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 260.00 FEET, A CHORD DISTANCE OF 6.75 FEET, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 62°-45'-50" WEST; RUN THENCE NORTH 25°-24'-24" WEST IN LAST MENTIONED RIGHT-OF-WAY LINE, A DISTANCE OF 17.12 FEET TO THE POINT OF BEGINNING.

THE PROPERTY THUS DESCRIBED CONTAINS 39.44 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

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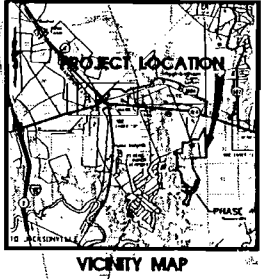
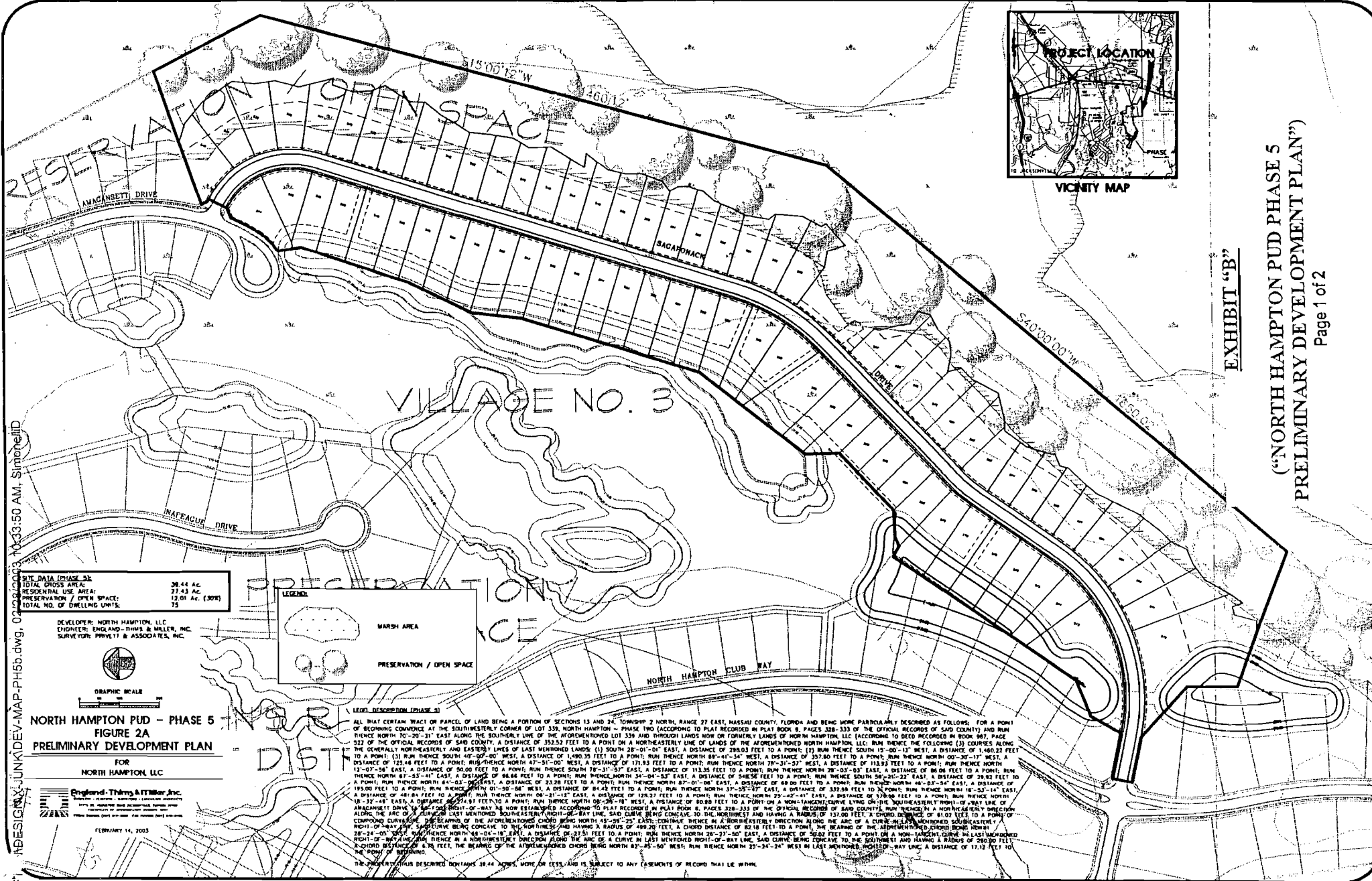


EXHIBIT "B"

("NORTH HAMPTON PUD PHASE 5
PRELIMINARY DEVELOPMENT PLAN")
Page 1 of 2

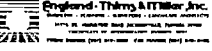
SITE DATA (PHASE 5)	38.44 AC.
TOTAL GROSS AREA:	77.43 AC.
RESIDENTIAL USE AREA:	13.01 AC. (30%)
PRESERVATION / OPEN SPACE:	75
TOTAL NO. OF DWELLING UNITS:	

DEVELOPER: NORTH HAMPTON, LLC
 ENGINEER: ENGLAND - THOMAS & MILLER, INC.
 SURVEYOR: PRIVILEY & ASSOCIATES, INC.



NORTH HAMPTON PUD - PHASE 5
 FIGURE 2A
 PRELIMINARY DEVELOPMENT PLAN

FOR NORTH HAMPTON, LLC



FEBRUARY 14, 2003

LEGEND:

- MARSH AREA
- PRESERVATION / OPEN SPACE

LEVEL DESCRIPTION (PHASE 5)

ALL REAL CORNER TRACT OR PARCEL OF LAND BEING A PORTION OF SECTIONS 13 AND 24, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF LOT 339, NORTH HAMPTON - PHASE 100 ACCORDING TO PLAT RECORDED IN PLAT BOOK 8, PAGES 338-339 OF THE OFFICIAL RECORDS OF SAO COUNTY AND RUN THENCE NORTH 70-20-31 EAST ALONG THE SOUTHERLY LINE OF THE AFORESAID LOT 339 AND THROUGH LANDS NOW OR FORMERLY LANDS OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN BOOK 967, PAGE 322 OF THE OFFICIAL RECORDS OF SAO COUNTY, A DISTANCE OF 352.52 FEET TO A POINT ON A NORTHEASTERLY LINE OF LANDS OF THE AFORESAID NORTH HAMPTON, LLC; RUN THENCE THE FOLLOWING (3) COURSES ALONG THE COMPLETE NORTHEASTLY AND EASTERLY LINES OF LAST MENTIONED LANDS: (1) SOUTH 28-01-01 EAST, A DISTANCE OF 298.03 FEET TO A POINT; (2) RUN THENCE SOUTH 15-00-11 WEST, A DISTANCE OF 1,480.21 FEET TO A POINT; (3) RUN THENCE SOUTH 40-00-00 WEST, A DISTANCE OF 1,490.35 FEET TO A POINT; RUN THENCE NORTH 88-41-34 WEST, A DISTANCE OF 357.80 FEET TO A POINT; RUN THENCE NORTH 00-30-17 WEST, A DISTANCE OF 124.48 FEET TO A POINT; RUN THENCE NORTH 47-51-00 WEST, A DISTANCE OF 119.83 FEET TO A POINT; RUN THENCE NORTH 70-31-57 WEST, A DISTANCE OF 113.93 FEET TO A POINT; RUN THENCE NORTH 13-07-56 EAST, A DISTANCE OF 50.00 FEET TO A POINT; RUN THENCE SOUTH 78-31-57 EAST, A DISTANCE OF 113.35 FEET TO A POINT; RUN THENCE NORTH 28-03-03 EAST, A DISTANCE OF 86.00 FEET TO A POINT; RUN THENCE NORTH 47-53-41 EAST, A DISTANCE OF 86.86 FEET TO A POINT; RUN THENCE NORTH 34-04-53 EAST, A DISTANCE OF 59.56 FEET TO A POINT; RUN THENCE SOUTH 56-21-22 EAST, A DISTANCE OF 29.82 FEET TO A POINT; RUN THENCE NORTH 44-03-00 EAST, A DISTANCE OF 23.28 FEET TO A POINT; RUN THENCE NORTH 87-01-01 EAST, A DISTANCE OF 89.00 FEET TO A POINT; RUN THENCE NORTH 48-07-54 EAST, A DISTANCE OF 193.00 FEET TO A POINT; RUN THENCE NORTH 01-50-56 WEST, A DISTANCE OF 84.43 FEET TO A POINT; RUN THENCE NORTH 37-55-37 EAST, A DISTANCE OF 332.58 FEET TO A POINT; RUN THENCE NORTH 18-53-14 EAST, A DISTANCE OF 441.84 FEET TO A POINT; RUN THENCE NORTH 09-31-00 EAST, A DISTANCE OF 128.23 FEET TO A POINT; RUN THENCE NORTH 35-02-47 EAST, A DISTANCE OF 170.88 FEET TO A POINT; RUN THENCE NORTH 18-32-48 EAST, A DISTANCE OF 274.91 FEET TO A POINT; RUN THENCE NORTH 08-29-18 WEST, A DISTANCE OF 80.80 FEET TO A POINT ON A NON-TANGENT CURVE LYING ON THE SOUTHEASTLY FRONT-OF-WAY LINE OF ANAGNETTI DRIVE 15' WIDE RIGHT-OF-WAY BE NOW ESTABLISHED ACCORDING TO PLAT RECORDED IN PLAT BOOK 8, PAGES 338-339 OF THE OFFICIAL RECORDS OF SAO COUNTY; RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE BEING CONVEX TO THE SOUTHEASTLY FRONT-OF-WAY LINE, SAID CURVE BEING CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 137.00 FEET, A CHORD DISTANCE OF 81.03 FEET TO A POINT OF COMPOUND CURVATURE; THE BEARING OF THE AFORESAID CHORD BEING NORTH 43-04-23 EAST; CONTINUE THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE BEING CONVEX TO THE SOUTHEASTLY FRONT-OF-WAY LINE, SAID CURVE BEING CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 137.00 FEET, A CHORD DISTANCE OF 82.18 FEET TO A POINT; THE BEARING OF THE AFORESAID CHORD BEING NORTH 28-14-05 WEST; RUN THENCE NORTH 18-04-18 EAST, A DISTANCE OF 271.51 FEET TO A POINT; RUN THENCE NORTH 28-31-57 EAST, A DISTANCE OF 502.02 FEET TO A POINT ON A NON-TANGENT CURVE IN LAST MENTIONED FRONT-OF-WAY LINE, SAID CURVE BEING CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 498.20 FEET, A CHORD DISTANCE OF 82.18 FEET TO A POINT; RUN THENCE NORTH 22-34-24 WEST IN LAST MENTIONED FRONT-OF-WAY LINE, A DISTANCE OF 17.12 FEET TO THE POINT OF BEGINNING.

THE FOREGOING THIS DESCRIBED CONTAINS 18.44 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LE WITHIN.

EXHIBIT "C"

("NORTH HAMPTON PUD PHASE 5 CONDITIONS")

(Dated February 26, 2003)

I. General Conditions:

The North Hampton PUD Phase 5 Conditions described herein will only apply to the Phase 5 Lands and not to any portion of the North Hampton PUD established pursuant to Corrective Ordinance 99-28 dated September 27, 1999 (the "North Hampton PUD") or to any portion of the North Hampton PUD Phase 4 established pursuant to Ordinance 2002-60 dated December 16, 2002 (the "Phase 4 PUD").

II. Phase 5 Lands Specific Conditions

1. **Recreational Amenities and Preserve Parcel:** There are no Recreation Amenities planned to be constructed upon the Phase 5 Lands. The Phase 5 Lands will be served by the existing Recreational Amenities provided in the North Hampton PUD as well as the additional amenities to be added to the North Hampton PUD as described herein. The Developer agrees that it will preserve the Archaeological Preserve Site shown on the North Hampton PUD Phase 5 Preliminary Development Plan. The Developer plans to enhance the natural character of the site by selective clearing of underbrush and the establishment of a passive park which will include signage to reinforce the archaeological experience typical for the region. This preservation obligation may be transferred by the Developer to the homeowners association and shall be evidenced by recorded deed restrictions or declaration of covenants and restrictions. In addition, the Developer agrees to create a passive waterfront park within the Passive Waterfront Park Site shown on the North Hampton PUD Phase 5 Preliminary Development Plan (the "Waterfront Park"). The Waterfront Park will be for pedestrian access only and will be available for use by the residents of the North Hampton PUD, the Phase 4 PUD and the North Hampton Phase 5 PUD. The Developer will determine the improvements to be made to the Waterfront Park, and the Developer or the homeowners association after it acquires title to the Waterfront Park, may adopt rules and regulations governing the use of the Waterfront Park by the residents of North Hampton PUD, the Phase 4 PUD, and the North Hampton Phase 5 PUD. The Developer will have no obligations to maintain the Waterfront Park after conveyance to the homeowners association. This Waterfront Park obligation shall be evidenced by recorded deed restrictions or declaration of covenants and restrictions.

2. **Stormwater Facilities:** The Phase 5 Lands will be served by a stormwater system meeting the standards of the St. Johns River Water Management District and Nassau County for non-fenced stormwater systems and shall be conveyed to the homeowners association by deed and/or easement for maintenance and operation by the homeowners association. Portions of the stormwater system will be located on the Phase 5 Lands

including portions of certain Phase 5 lots as shown on the North Hampton PUD Phase 5 Preliminary Development Plan on Exhibit B and the Phase 5 Lands stormwater system will be part of the North Hampton PUD master stormwater system.

3. **Open Spaces:** The areas depicted as open space on the North Hampton PUD Phase 5 Preliminary Development Plan shall be permitted to be used for passive or active recreational activities, included but not limited to a golf course and related activities, hiking and/or nature trails, wetland mitigation areas, etc. The exact boundaries of these areas will be depicted on the final engineering plans for the Phase 5 Lands. These Open Spaces shall be protected by recorded deed restrictions or declaration of covenants and restrictions.

4. **Development Standards:** The Phase 5 Lands will include not more than 75 single family dwelling units which shall be subject to the following standards which are the same as in the North Hampton PUD and the Phase 4 PUD:

A. Minimum Lot Requirements:

1. Minimum lot width: fifty (50) feet
2. Minimum lot area: five thousand (5,000) square feet

B. Minimum Yard Requirements

1. Front: twenty (20) feet
2. Side yard: five (5) feet
3. Rear yard: ten (10) feet

All yard requirements will be measured from the face of the exterior walls.

C. Building Restrictions:

1. Maximum residential dwelling building height: Thirty five (35) feet
2. Maximum residential dwelling lot coverage: Fifty (50) percent

D. Signage:

The Phase 5 Lands may have an entry feature and related project identification signage at the two internal entrances to the Phase 5 Lands from the North Hampton PUD lands. There are no other specific reserved signage approvals requested for the Phase 5 Lands, provided the Phase 5 Lands shall be entitled to any signage allowed for single family residential districts pursuant to Nassau County Zoning Code Ordinance 97-19 adopted July 28, 1997, Article 30.

5. **Sidewalks and Street Lights:** Sidewalks shall be provided on one side of the street in

the developed portions of the Phase 5 Lands. Street lights will also be provided along the street.

6. Construction Standards: Except as specifically provided herein, all development in the Phase 5 Lands shall be in accordance with Nassau County's subdivision standards and land development standards in effect as of the date of the Ordinance creating the North Hampton Phase 5 PUD and any applicable JEA or other utility providers standards with respect to any water, sewer, or electrical utilities for the Phase 5 Lands served by the JEA or other utility provider.

7. Wetland Buffers: All wetlands on the Phase 5 Lands as depicted on the North Hampton PUD Phase 5 Preliminary Development Plan shall be protected with undisturbed buffers of native vegetation between any developed area and such wetland with buffers that have an average width of fifty feet (50') and a minimum width of twenty-five feet (25') and provided access ways of no more than twenty feet (20') wide may be provided through the wetland buffer all as authorized pursuant to the current requirements of Nassau County Ordinance No. 2000-40, Section 6.5 adopted May 17, 1999, revised February 28, 2000 and revised September 25, 2000. The exact boundaries of wetland buffers shown on the North Hampton PUD Phase 5 Preliminary Development Plan will be depicted on the final engineering plans for the Phase 5 Lands consistent with the above described requirements.

8. Landscape Buffers: There shall be no other landscaping buffer requirements applicable to the Phase 5 Lands except as shown on the North Hampton PUD Phase 5 Preliminary Development Plan or unless otherwise required by the provisions of the Nassau County land development regulations applicable to the North Hampton PUD as of September 27, 1999.

9. Boat and RV Storage Area: There are no Boat or RV Storage Areas proposed or reserved for the Phase 5 Lands.

10. Golf Course and Club: There is an existing golf course and club operated within the North Hampton PUD. The Phase 5 Lands may have cart paths, lakes, portions of the golf course or other uses consistent with use and operation of the adjacent North Hampton PUD golf course and club.

11. Temporary Uses: Temporary sales offices for the sale of the lots and/or completed residences, will be permitted within the Phase 5 Lands until all of the residential lots and/or completed residences are sold. Up to 2 temporary construction trailers shall be allowed to be placed on the Phase 5 Lands during construction. The temporary construction trailers must be removed within 30 days of completion of all residential units.

12. Alterations: Changes in the location of the road(s), stormwater system improvements, and to the boundaries and configuration of the lots, as depicted on the North Hampton PUD Phase 5 Preliminary Development Plan to accommodate permitting and

design requirements of the Developer, may be allowed (with concurrence of staff) provided the integrity of the original application is maintained and provided the same shall be finalized during final engineering plan approval.

13. Silviculture: The Phase 5 Lands may continue to be used for agriculture/silviculture activity until such time as construction begins for a specific portion of the site, and any portions not then subject to construction may continue to be used as agriculture/silviculture.

14. Ownership And Maintenance: The Phase 5 Lands and related uses/facilities associated therewith (other than individual lots or golf parcels), will be owned, maintained and or operated as follows. Any common areas associated with the residential development (i.e., amenities, common preservation areas, signage, landscape, stormwater systems, island/features, etc.) will be managed through a homeowners association. The roadways and associated non-exclusive drainage easements will be dedicated or granted to Nassau County, or at the option of the Developer, if the development becomes a gated community, the roadways will remain private and the maintenance of the same will be the responsibility of the homeowners association. The water/sewer improvements will be the responsibility of the private utility company which provides service for this area which is currently the JEA.

15. Access: Access to and from the Phase 5 will be provided by connection to North Hampton Club Way and Amagansett Drive as shown on the North Hampton PUD Phase 5 Preliminary Development Plan