

RESOLUTION NO. 2003 - 76A

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING RESOLUTION NO. 90-41, AS AMENDED, KNOWN AS THE SUMMER BEACH **CONSOLIDATED DEVELOPMENT ORDER**

WHEREAS, the Board of County Commissioners of Nassau County, Florida, had previously approved Resolution Nos. 85-11, 85-15, 85-60, 86-8, 86-29, 86-62, 87-11, 89-30, 90-41, 99-82, 2000-31, 2001-25, 2001-96 and 2001-183; and

WHEREAS, the developer of Summer Beach filed on March 10, 2003, a request for a further amendment to said Planned Unit Development (PUD) and a Notice of Proposed Change to the Development Order as amended on October 1, 2001 (Resolution 2001-183); and

WHEREAS, pursuant to Section 380.06(11), Florida Statutes, the Northeast Florida Regional Planning Council (NEFRPC), the appropriate regional planning agency, has prepared and submitted to Nassau County its report and recommendation on the amendment; and

WHEREAS, the Florida Department of Community Affairs finds that the proposed change to the Development Order does not constitute a substantial deviation; and

WHEREAS, the Nassau County Planning and Zoning Board has reviewed the said amendment, conducted a public hearing on May 6, 2003 and has made a finding that the amendments do not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the Nassau County Planning and Zoning Board has recommended approval of the requested amendment; and

WHEREAS, the Board of County Commissioners has reviewed the said amendment, conducted a public hearing on June 9, 2003 and has made a finding that the amendments do not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes ; and

WHEREAS, due notice of public hearing on the application and amendment procedures was duly published; and

WHEREAS, the Board of County Commissioners and the Planning and Zoning Board considered the competent and substantial testimony, reports, and other evidence submitted at the public hearings by Summer Beach, NEFRPC, as well as county staff and the public in attendance at said public hearing.

NOW, THEREFORE, BE IT RESOLVED this 9th day of June 2003, by the Board of County Commissioners of Nassau County, Florida, that:

1. The Planned Unit Development (PUD) and Development Order shall be amended to include the addition of 19.38 acres as more particularly described on Exhibit A attached hereto to the Summer Beach property, referred to on the Master Plan Map H-I-R(6), revised March 1, 2003, and in Table 12A-2, revised March 24, 2003, as Parcel M-1 together with the right to spread approved development rights of 33 units of multi-family residential units with a maximum height of two (2) stories to Tract A or Parcel M-1.

2. The number of residential units authorized for Parcel A-1 is reduced by 33, from 188 to 155.

3. Parcel M-1 is subject to the conditions set forth in the PUD and DRI as amended from time to time.

4. The Parcel M-1 is subject to the conditions set forth in the prior PUD approved as provided in Ordinance No. 99-16, known as the Harrison Cove Subdivision, and is further subject to the following amendments to the conditions of Ordinance No. 99-16, as amended, which is attached hereto as Exhibit D:

a. Condition 1 of Exhibit C is hereby amended to read "Tract A will be developed with a maximum of 33 multi-family residential units that will be sold as condominiums".

b. Conditions 2 and 8 of Exhibit C and all references to "townhouse" in Exhibit D are hereby amended to replace the word "townhouse" with "multi-family residential units".

5. Parcel M-1 is further subject to the following condition: The applicant shall meet the State and Federal Regulations for the protection or mitigation of archeological resources and shall satisfy the recommendations of the State Historic Preservation Office relating to Site 8NA920 which are as follows: (i) Submission of site plans

showing the location of all ground disturbing improvements on site, and written clarification of the reason avoidance or minimization of impacts to the significant archaeological resources is not feasible or prudent, for review and comment by the State Historic Preservation Office, (ii) Submission of a minimization plan and/or a final data recovery plan for review and comment ; and (iii) As appropriate, the 2 completion of data recovery investigations and submission of the written report of investigations.

6. Article 6) of Resolution 99-82, the Summer Beach Consolidated DO, is hereby amended to change the requirements to file an Annual Report to require the filing of a Biennial Report as now authorized by Chapter 380.06 (15) Florida Statutes. The first such Biennial Report shall be due on March 1, 2005.

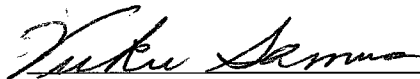
7. Map H 1 R (6) dated October 1, 2001 is hereby replaced with Map H 1 R (6) dated March 1, 2003, and Table 12A-2 dated October 1, 2001 is hereby replaced with Table 12A-2 dated March 24, 2003; and Map H-1-R (6), revised March 1, 2003 and Table 12A-2, revised March 24, 2003, are attached hereto as Exhibit C and made a part hereof.

8. The change proposed to the PUD and Development Order does not constitute a substantial deviation and full review has been provided in accordance with Florida Statutes Section 380.06(19).

9. Notice of the adoption of this Resolution and a certified copy of this Resolution shall be recorded by the applicant in accordance with Section 380.06(15)(f), Florida Statutes.

10. The Clerk shall transmit a certified copy of the Development Order amendment by certified mail to the Department of Community Affairs, the Northeast Florida Regional Planning Council, and the applicant.

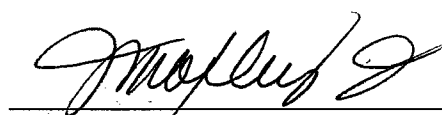
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



VICKIE SAMUS

Its: Chairman

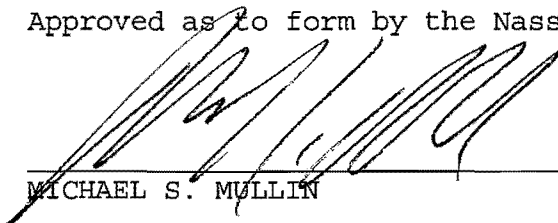
ATTEST:



J. M. "CHIP" OXLEY, JR.

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



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MICHAEL S. MULLIN

EXHIBIT "A"

All that certain tract or parcel of land being a portion of Sections 14 and 18, Township 2 North, Range 28 East, Nassau County, Florida and being more particularly described as follows: For a Point of Beginning commence at the Southwesterly corner of said Section 14 as found monumented according to Florence Point Subdivision recorded in Plat Book 4, Pages 109 and 110 of the public records of said county and run North  $02^{\circ}-07'-17''$  West, along the Westerly line of said Section 14, the same being the Easterly line of said Florence Point Subdivision, a distance of 58.29 feet to an iron pipe found where said Easterly line intersects a Southerly line of said Florence Point Subdivision; Run thence North  $89^{\circ}-43'-12''$  East, along last mentioned Southerly line, the same being the Southerly line of Riverview Subdivision as denoted on said plat of Florence Point Subdivision which is also mentioned to be the Northerly line of lands described in Deed recorded in the Official Records of said county in Book 643, Page 1046, a distance of 735.32 feet to a concrete monument found at the Southeasterly corner of said Florence Point Subdivision on the Westerly right-of-way line of State Road No. 105/A-1-A (a 200 foot right-of-way as now established); run thence South  $02^{\circ}-20'-04''$  West, along said Westerly right-of-way line, a distance of 1163.94 feet to an iron pipe found at the Northeasterly corner of Plantation Point Subdivision, according to the map thereof recorded in Plat Book 5, Pages 270 and 271 of the Public Records of said county; run thence South  $84^{\circ}-49'-43''$  West, along the Northerly line of said Plantation Point Subdivision, the same being the Southerly line of said Section 18 and the Southerly line of Lot 4 of the Subdivision of the Surher Tract, according to map thereof recorded in Deed Book 39, Page 289 of the Public Records of said county, a distance of 609.85 feet to a concrete monument found 20 feet, more or less, Easterly of the edge of marsh; thence continue South  $84^{\circ}-49'-43''$  West, along said Northerly line of Plantation Point Subdivision and the Westerly prolongation thereof, a distance of 49.45 feet to an angle point in the Southerly line of said Lot 4; run thence North  $85^{\circ}-21'-43''$  West, continuing along last mentioned Southerly line, a distance of 27.72 feet to the Southwesterly corner of said lot 4; run thence North  $00^{\circ}-04'-28''$  West, along the Westerly line of said Lot 4, the same being to and along an Easterly line of said Florence Point Subdivision, a distance of 122.02 feet to an iron pipe found 9 feet, more or less, Northerly of the edge of marsh; thence continue North  $00^{\circ}-04'-28''$  West, along last mentioned Easterly line, a distance of 1036.30 feet to the Point of Beginning.

The land thus described contains 19.38 acres, more or less.

# SUMMER BEACH

SUMMER BEACH, LTD.

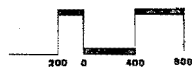
**HDR** HDR Engineering, Inc.

DATE: APRIL 1984 PROJECT#LAB401B/84004/88057 89001

MAP H-1 R (6)

REVISED: DECEMBER 3, 1984  
 JANUARY 23, 1985  
 JULY 6, 1985  
 SEPTEMBER 9, 1985  
 JULY 1, 1988  
 JULY 26, 1988  
 NOVEMBER 1, 1988  
 JULY 5, 1989  
 (CORRECTED MARCH 13, 1989)  
 MAY 15, 2000

NOVEMBER 10, 2000  
 NOVEMBER 17, 2000  
 MARCH 12, 2001  
 APRIL 30, 2001  
 OCTOBER 5, 2001  
 MARCH 1, 2003  
 00000000132



# LAND USE PLAN

P.U.D. PRELIMINARY DEVELOPMENT PLAN

**KEY**

2-2' - SIDEWALK

100' - SIDEWALK

11' - DRIVE

SPRINKLER FAMILY ZERO-LOT-LINE PATIO HOMES: 233 UNITS  
 DUPLEX 4 PLEX

TOWNHOUSES: 2 TO 3 STORY 0 UNITS  
 FLATS

TOWNHOUSES 2 TO 3 STORY 30 UNITS  
 FLATS

TOWNHOUSES 3 TO 7 STORY 716 UNITS  
 FLATS

HOTEL (2' UNITS ALTERNATIVE USE) 450 UNITS

COMMERCIAL/OFFICE

BEACH CLUB/CREATION FACILITIES

POTENTIAL PEDESTRIAN/BIKE PATHS

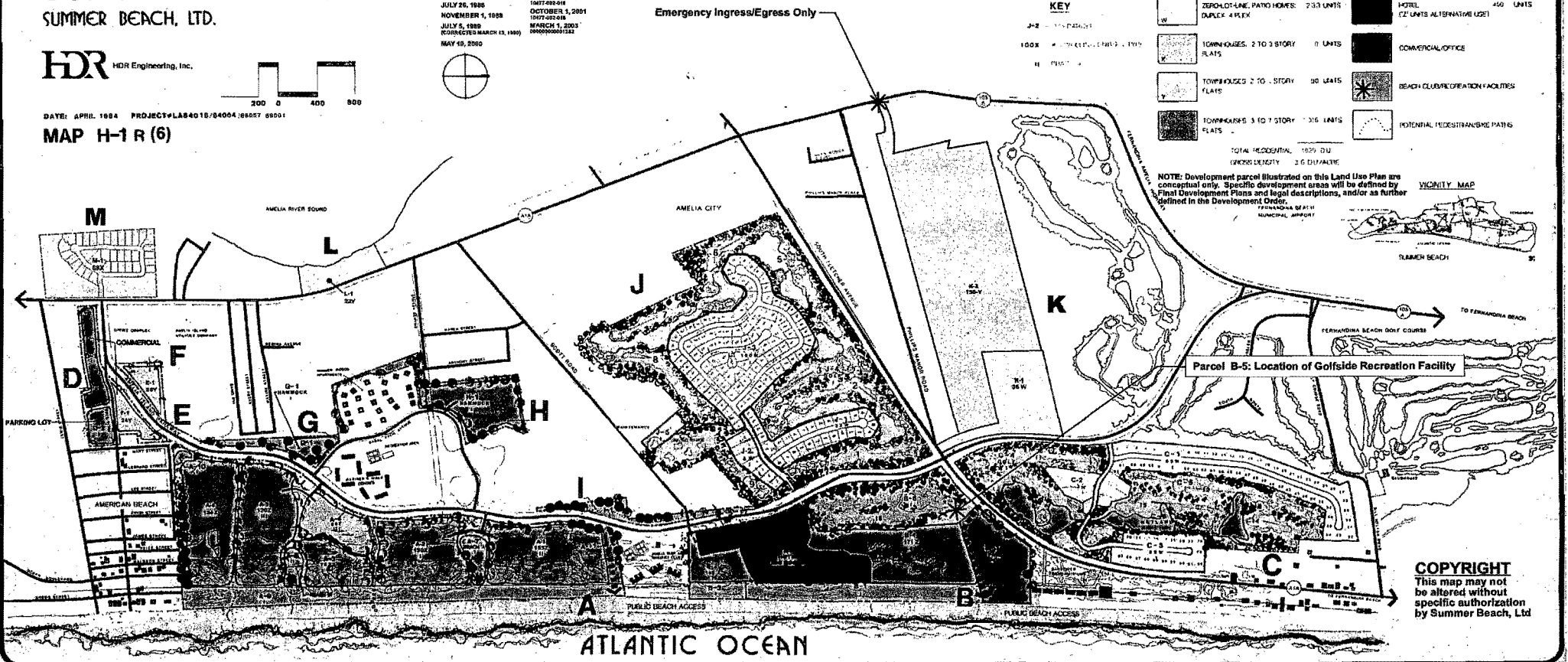
TOTAL RESIDENTIAL: 1839 DU  
 GROSS DENSITY: 2.6 DU/ACRE

NOTE: Development parcel illustrated on this Land Use Plan are conceptual only. Specific development areas will be defined by Final Development Plans and legal descriptions, and/or as further defined in the Development Order.

**VICINITY MAP**



Emergency Ingress/Egress Only



**COPYRIGHT**  
 This map may not be altered without specific authorization by Summer Beach, Ltd

**Exhibit J**  
**SUMMER BEACH**  
**Planned Unit Development and Development of Regional Impact**

**Table 12A-2** Revised March 24, 2003  
**LAND USE SUMMARY**

Sub-Parcel	Residential			Commercial		Recreation/Open Space*		Roadways	Totals
	Class	Units	Acres	Types	Acres	Type	Acres	Acres	Acres
<b>PARCEL A</b>									
A-1	Z	155	19.75						19.75
A-2	Z	150	15.05						15.05
A-3	Z	132	7.10						7.10
A-4	Y	90	8.10						8.10
A-5	Z	120	17.31						17.31
A-6	Z	134	19.00						19.00
A-7						Beach Club	2.75		2.75
A-8						Beach Club	2.02		2.02
A-9						CCCL***	27.88		27.88
A-10						Pond	0.72		0.72
A-11						Beach Acc	1.63		1.63
Roads								1.32	1.32
Sub-Totals		781	86.31		0.0		35	1.32	122.63

<b>PARCEL B</b>									
B-1						CCCL***	12.73		12.73
B-2	Z	145	5.00						5.00
B-3						CCCL***	2.81		2.81
B-4	Z	171	11.73						11.73
B-5						Golfside Rec	1.00		1.00
B-6						Golf	18.65		18.65
B-8		**		Hotel**	15.88				15.88
B-10						Park	12.3		12.30
Sub-Totals		316	16.73		15.88		47.49		80.10

<b>PARCEL C</b>									
C-1	W	58	21.55						21.55
C-2	W	6	3.80						3.80
C-3	W	20	8.36						8.36
C-4						Golf	16.35		16.35
C-5						Golf	25.16		25.16
C-6						Wetlands	12.00		12.00
Sub-Totals		84	33.71				53.51		87.22

<b>PARCEL D</b>									
D-1				Conv Comm	3.57				3.57
D-2						Beach Pkng	2.00		2.00
Sub-Totals					3.57		2.00		5.57

E-1	Y	20	3.57	*****					3.57
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F-1	Y	24	3.35						3.35
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Continued...

**HDR**

Continued

Exhibit J

SUMMER BEACH

## Planned Unit Development and Development of Regional Impact

Table 12A-2 Revised March 24, 2003  
**LAND USE SUMMARY**

Sub-Parcel	Class	Residential		Commercial		Recreation/Open Space*		Roadways	Totals
		Units	Acres	Types	Acres	Type	Acres	Acres	Acres
G-1						Hammock	4.26		4.26
H-1						Hammock	13.31		13.31
I-1						Hammock	4.80		4.80

## PARCEL J

J-1	W	31	9.5						9.50
J-2	W	7	3.7						3.70
J-3	W	103	31.92						31.92
J-4						Golf	82.58		82.58
J-5				Maintenance	1.35				1.35
<b>Sub-Totals</b>		<b>141.00</b>	<b>45.12</b>		<b>1.35</b>		<b>82.58</b>		<b>129.05</b>

## PARCEL K

K-1	W	36	11.00						11.00
K-2	Y	150	59.03						59.03
<b>Sub-Totals</b>		<b>186</b>	<b>70.03</b>						<b>70.03</b>

## PARCEL L

L-1	Z	22	4.40						4.40
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## PARCEL M

M-1	Z	69	19.38						19.38
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<b>TOTALS</b>		<b>1643</b>	<b>282.60</b>		<b>17.23</b>		<b>240.95</b>	<b>1.32</b>	<b>542.10</b> ****
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\* Residential includes land area for buffers, open space, and recreational uses associated with each parcel.

\*\* Hotel of 500 units. If the hotel option is not achieved, add 314 residential units.

\*\*\* CCCL indicates open space area located seaward of the Coastal Construction Control Line.

\*\*\*\* Total land area may exceed 519.66 as a result of transfers of existing rights-of-way in Parcel B.

\*\*\*\*\* Residential or Commercial. If the residential is not developed, commercial use may be exchanged with the filing of a site plan.

Source: Landers-Atkins Planners, Inc., 1984. Revised December 1984; July 1985; September 1985; July 1986; November 1988.

HDR Engineering, Inc. of the Carolinas. Revised June 12, 2000; Revised November 10, 2000; Revised December 8, 2000;

Revised March 12, 2001; Revised October 1, 2001; Revised March 3, 2003.

HDR



EXHIBIT "D"  
ORDINANCE NO. 2003- 31

AN ORDINANCE AMENDING ORDINANCE NO. 99-16, WHICH AMENDED ORDINANCE NO. 83-19, AS AMENDED. THIS ORDINANCE RE-ZONED AND RE-CLASSIFIED THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE FAMILY (RS-1) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "HARRISON COVE"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance No. 83-19, an Ordinance Enacting and Establishing a Comprehensive Zoning Code for the unincorporated portion of Nassau County, Florida, and which Ordinance has been subsequently amended including Ordinance No. 97-19 adopted on the 28<sup>th</sup> day of July, 1997; and

WHEREAS, the "owners" of that certain property described in the attached Exhibit "A" intend to develop the described property in accordance with a master plan; and

WHEREAS, the Board of County Commissioners of Nassau County Florida adopted Ordinance No. 99-16 on May 19, 1999; and

WHEREAS, the developer of Summer Beach filed on March 10, 2003, a request for a further amendment to the Summer Beach Planned Unit Development (PUD) to amend the PUD and Development Order to include the addition of the 19.38 acres as more particularly described in the attached Exhibit "A" to the Summer Beach property, referred to on the Master Plan Map H-I-R(6), revised March 1, 2003, and in Table 12A-2, revised March 24, 2003, attached to Resolution No. 2003-76A, as Parcel M-1 together with the right to spread approved development rights of 33 units of multi family residential units with a maximum height of two (2) stories to Tract A of Parcel M-1; and

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

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearings on the application after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibit "A" is suitable in location and character for the uses proposed in said application according to the criterion as set forth in Article 25 of Ordinance No. 97-19, as amended, of the County of Nassau.

NOW THEREFORE, BE IT ORDAINED this 9th day of June 2003 by the Board of County Commissioners of Nassau County that the application for the Planned Unit Development is hereby approved and the land shall be re-zoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions of Article 25 of Ordinance No. 97-19, as amended, of the County of Nassau and further subject to the additional conditions and requirements:

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

SECTION 2. Owner and Description. ~~The land re-zoned by this Ordinance is owned by Hazel M. Harvey Swift, Amelia Panke, Russell E. Panke, and Edward B. Panke, Estate, owners.~~ The land has been developed and owned by multiple owners all of whom are parties to the Summer Beach PUD and Development Order amendment (R03-016).

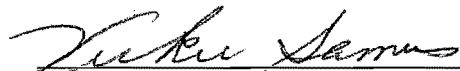
SECTION 3. Conditions: The conditions set forth as Exhibit "C" and Exhibit "D" shall be made a part of this PUD, as recommended by

staff, and the property shall be subject to said conditions. Further the conditions set forth for site plan review are applicable as are Goals and Objectives of the Comprehensive Plan in existence at the date of the ordinance or as amended pursuant to the E.A.R. based amendments approved by the Florida Department of Community Affairs and the requirements of Ordinance No. 99-17, as amended, known as the Nassau County Roadway and Drainage Standards, and Ordinance No. 99-18, as amended, known as the Nassau County Development Review Regulations, and Resolution No. 2003-76A, a Resolution Amending Resolution No. 90-41, as amended, known as the Summer Beach Consolidated Development Order.

**SECTION 4.** This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

**ADOPTED** this 9th day of June, 2003, by the Board of County Commissioners of Nassau County, Florida.

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:

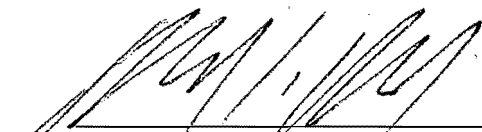
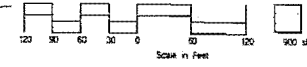
  
\_\_\_\_\_  
MICHAEL S. MULLIN

EXHIBIT "A"

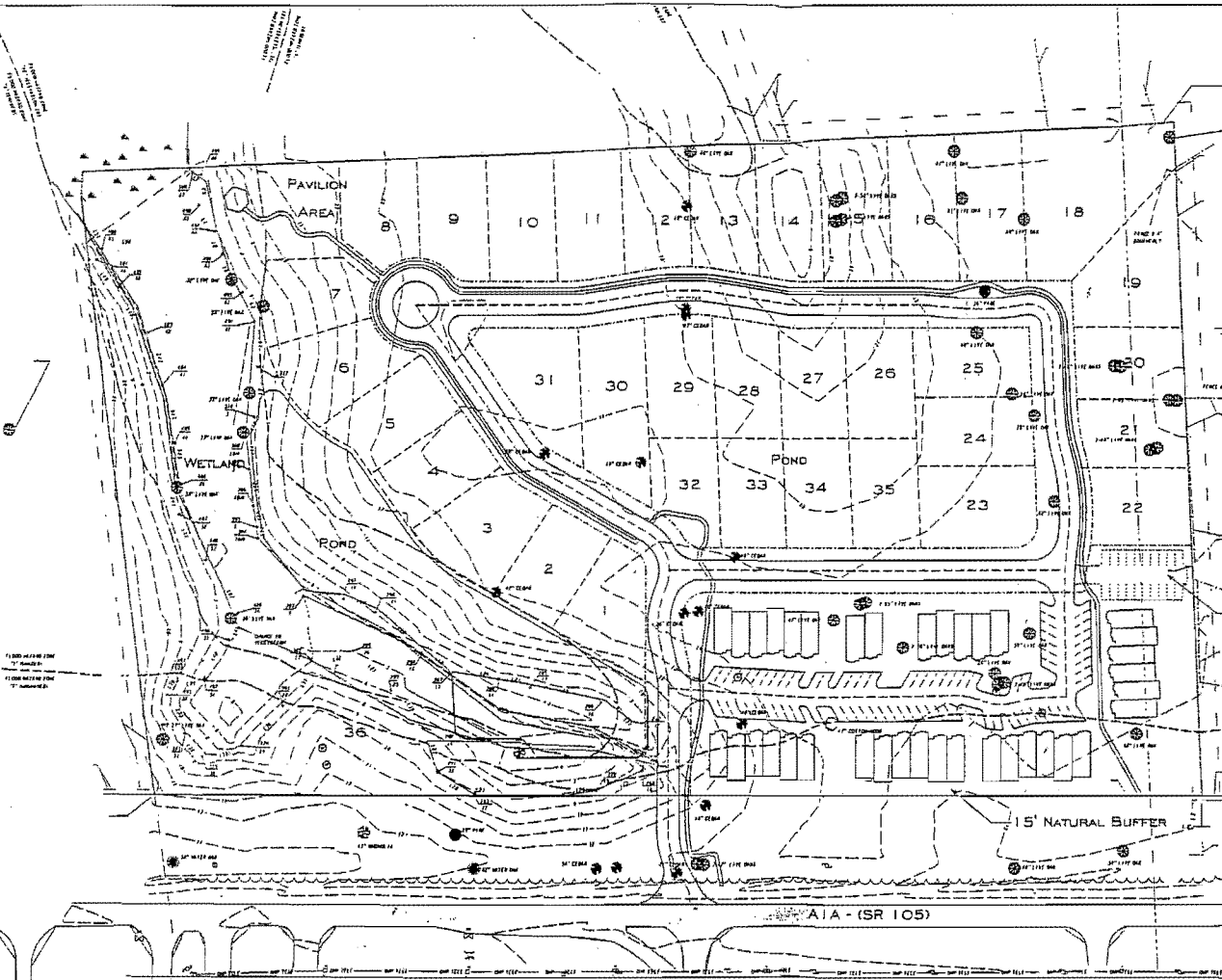
All that certain tract or parcel of land being a portion of Sections 14 and 18, Township 2 North, Range 28 East, Nassau County, Florida and being more particularly described as follows: For a Point of Beginning commence at the Southwesterly corner of said Section 14 as found monumented according to Florence Point Subdivision recorded in Plat Book 4, Pages 109 and 110 of the public records of said county and run North  $02^{\circ}-07'-17''$  West, along the Westerly line of said Section 14, the same being the Easterly line of said Florence Point Subdivision, a distance of 58.29 feet to an iron pipe found where said Easterly line intersects a Southerly line of said Florence Point Subdivision; Run thence North  $89^{\circ}-43'-12''$  East, along last mentioned Southerly line, the same being the Southerly line of Riverview Subdivision as denoted on said plat of Florence Point Subdivision which is also mentioned to be the Northerly line of lands described in Deed recorded in the Official Records of said county in Book 643, Page 1046, a distance of 735.32 feet to a concrete monument found at the Southeasterly corner of said Florence Point Subdivision on the Westerly right-of-way line of State Road No. 105/A-1-A (a 200 foot right-of-way as now established); run thence South  $02^{\circ}-20'-04''$  West, along said Westerly right-of-way line, a distance of 1163.94 feet to an iron pipe found at the Northeasterly corner of Plantation Point Subdivision, according to the map thereof recorded in Plat Book 5, Pages 270 and 271 of the Public Records of said county; run thence South  $84^{\circ}-49'-43''$  West, along the Northerly line of said Plantation Point Subdivision, the same being the Southerly line of said Section 18 and the Southerly line of Lot 4 of the Subdivision of the Surher Tract, according to map thereof recorded in Deed Book 39, Page 289 of the Public Records of said county, a distance of 609.85 feet to a concrete monument found 20 feet, more or less, Easterly of the edge of marsh; thence continue South  $84^{\circ}-49'-43''$  West, along said Northerly line of Plantation Point Subdivision and the Westerly prolongation thereof, a distance of 49.45 feet to an angle point in the Southerly line of said Lot 4; run thence North  $85^{\circ}-21'-43''$  West, continuing along last mentioned Southerly line, a distance of 27.72 feet to the Southwesterly corner of said lot 4; run thence North  $00^{\circ}-04'-28''$  West, along the Westerly line of said Lot 4, the same being to and along an Easterly line of said Florence Point Subdivision, a distance of 122.02 feet to an iron pipe found 9 feet, more or less, Northerly of the edge of marsh; thence continue North  $00^{\circ}-04'-28''$  West, along last mentioned Easterly line, a distance of 1036.30 feet to the Point of Beginning.

The land thus described contains 19.38 acres, more or less.

EXHIBIT B



ENGINEER - McCRANIE & ASSOCIATES, INC.  
DEVELOPER - MORTON HOMES & LAND DEV., INC.



	AREA CALCULATIONS	
	GROSS	NET
TOTAL	19.38 AC.	
RESIDENTIAL	8.62 AC.	44% 51%
TOWNHOUSE	3.09 AC.	16% 16%
OPEN SPACE	5.19 AC.	27% 31%
R/W	2.48 AC.	13%
NET	16.90 AC.	

MAXIMUM # OF TOWNHOMES = 37  
MAXIMUM # OF LOTS = 36

JIFFY STORE      PARK PLACE OF AMELIA      SUMMER BEACH REALTY      PETROFERM

SCALE: PROJECT NO. 01-000000 DRAWN BY: D. McCranie CHECKED BY: D. McCranie DATE: 01/01/00	<p><b>McCrane &amp; Associates, Inc.</b> 23 SOUTH SHOREWAY - AMELIA ISLAND, FLORIDA 32034 LAND DEVELOPMENT - ROADWAY DESIGN - PLANNING</p>	MORTON HOMES, INC.	HARRISON COVE PUD	PRELIMINARY DEVELOPMENT PLAN	SHEET NO. PDP-1
					REGISTERED PROFESSIONAL DRAWN

Exhibit B

EXHIBIT C  
CONDITIONS

Revised Conditions for R-98-026 R03-016 (Harrison Cove, located on the west side of A1A between Florence Drive and Plantation Point Drive):

1. ~~The area previously designated as commercial is to be replaced by a maximum of 37 townhouse units.~~ Tract A will be developed with a maximum of 33 multi-family residential units that will be sold as condominiums.
2. An undisturbed, natural buffer consisting of existing native vegetation of no less than 15 feet in width shall be required along the northerly and easterly boundaries of the ~~townhouse development~~ multi-family residential units, i.e., alongside the right of way of SR 200 (A1A). This buffer is to be placed in an easement and kept in its existing natural state.
3. Approval of the PUD is conditioned to the acceptance of vertical elevations as visually and architecturally compatible. These elevations, when approved, are to be added to the development order issued for the PUD. Final construction plans submitted for the PUD must be compatible with the approved elevations designated as Exhibit ~~"B-1"~~ "B-2-1" attached hereto.
4. The vegetative buffer along the portion of the right of way of SR 200 (A1A) that is adjacent to the subject property is to remain in its existing, natural state except for the entranceway to the PUD.
5. A six foot privacy fence shall be installed along the north and west sides of the property. In addition to the natural buffers shown on the submitted plan, a natural or landscaped buffer ten feet in width shall be required to screen the northeastern-most residential lot from the stabilized grass guest parking area.
6. The single family residential lots shall be restructured to permitted uses listed under the RS-2 district.
7. The residential portion shall utilize the following setbacks: the minimum front yard setback shall be 25 feet, except that it may be reduced to 15 feet where such reductions allow for the additional protection of hardwood trees 36" or larger. The minimum side yard is ten feet but may be reduced to five feet to allow for the additional protection of hardwood trees 36" or larger. Any such reductions shall be added to the opposite side yard so that the combined side yards shall be 20 feet. The minimum rear yard setback is ten feet. Favorable requests will be given for variance requests which are intended to save individual trees of significant size.
8. The ~~townhouse lots~~ multi-family residential units shall be restricted to the permitted use of ~~townhouses~~ multi-family residential units and no other use. The ~~townhouse section~~ multi-family residential units shall utilize the following setbacks: all ~~townhouses~~ multi-family residential units shall be

at least 15 feet from the northerly and easterly property lines. They shall also be at least 15 feet from the edge of the right of way on the westerly and southerly boundaries of the ~~townhouse~~ multi-family residential units development (see Exhibit "A-1" "B-2-2", attached hereto). Minimum interior lots for ~~townhouses~~ multi family residential units shall be zero feet. Minimum exterior lots shall be 20 feet. Favorable requests will be given for variance requests which are intended to save individual trees of significant size.

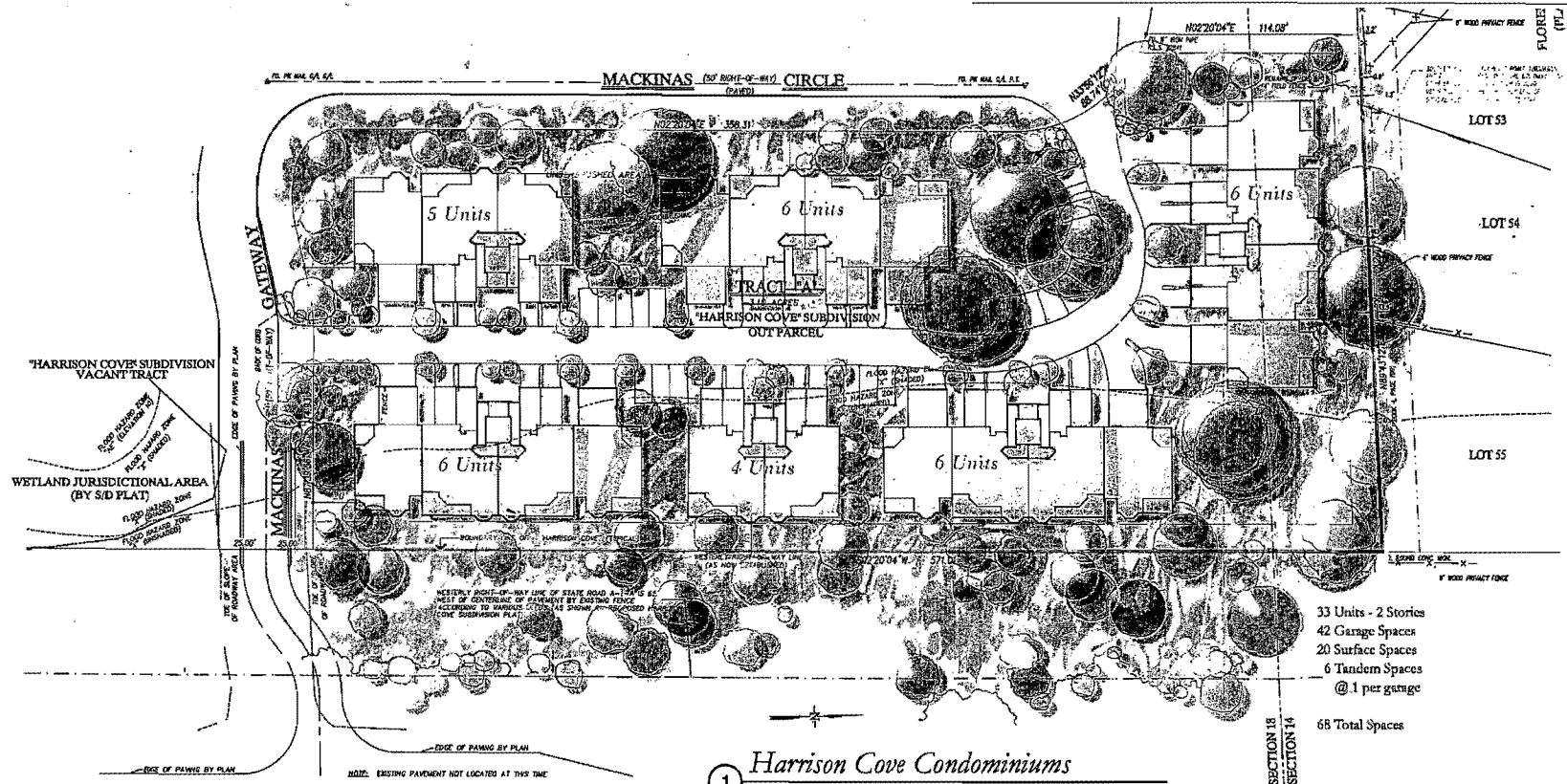
9. The development shall contain a foot path, via an easement, which may be located within the required open space area. The total of all open space areas in residential areas combined shall not be less than 3.87 acres.

EXHIBIT B-2 -1  
Summer Beach, Ltd.

Site Plan and Illustrative Sketch of "Tract A"  
SUMMER BEACH  
Parcel M - Harrison Cove







33 Units - 2 Stories  
 42 Garage Spaces  
 20 Surface Spaces  
 6 Tandem Spaces  
 @ 1 per garage  
 68 Total Spaces

STATE ROAD No. 105 (A-1-A)  
(100' RIGHT-OF-WAY - 2 LANES PAVED-NOT CENTERED IN RIGHT-OF-WAY)

① Harrison Cove Condominiums  
 Conceptual Site Plan

N.T.S.

SECTION 18  
 SECTION 14

## EXHIBIT D

REQUIRED ADDITIONS TO THE DEVELOPMENT AGREEMENT FOR HARRISON COVE  
P.U.D.

### Natural Buffer

An undisturbed natural buffer of no less than 15' shall be required along the easterly boundary of the development between the ~~townhouse~~ multi-family residential units section and the right-of-way of SR 200 (A1A). This buffer shall continue across the northerly boundary of the development to the eastern property line of Lot 22 in the single-family section of the development.

### Architecture

Final architectural plans for the ~~townhouse~~ multi-family residential units element must be submitted with the final development plans. These plans should include full vertical architectural renderings of the ~~townhouse~~ multi-family residential units element and must be consistent with all conditions required for the development.

Final architectural plans will be reviewed for consistency with the preliminary development plans by the County Planning and Zoning staff and are subject to their approval.

### Roads

All roadways within the ~~townhouse~~ multi-family residential units area of the proposed development shall remain private and be maintained through a property owners association.

Roadways in the single-family area of the proposed development may have the option to be turned over to the county for maintenance in the future.

### Parking

The storage of boats, trailers, recreational vehicles, or other similar vehicles and equipment shall not be permitted in outdoor parking areas inside the development.

Guest parking for the ~~townhouse~~ multi-family residential units section of the development shall be located on the north end of the ~~townhouse~~ multi-family residential units section on a stabilized grass surface.

This parking surface must maintain a 15' undisturbed natural buffer from the northerly property line of the development and a 10' landscaped or undisturbed buffer from Lot 22 of the single-family section of the development.

Approval of the alternative parking surface (i.e. stabilization grass) must be obtained from the Director of Public Works prior to the submittal of the final development plans.

Dumpsters

Dumpster locations for the ~~townhouse~~ multi-family residential units section must be located near the western (interior) border of the ~~townhouse~~ multi-family residential units section and are not permitted on or near the easterly or northerly boundaries of the development.