

INSTR # 200509704
OR BK 01302 PGS 0928-0949
RECORDED 03/17/2005 09:14:57 AM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 188.50

ORDINANCE NO. 2004 - 35

AN ORDINANCE AMENDING ORDINANCE NO. 83-19 AS AMENDED. THIS ORDINANCE REZONES AND RECLASSIFIES PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE-FAMILY 1 (RS-1) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "THE MARSHES AT LANCEFORD PUD"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County commissioners adopted Ordinance 83-19, enacting and establishing a Comprehensive Zoning Code for the unincorporated portion of Nassau County, Florida, and which Ordinance has been subsequently amended including Ordinance 97-19; and

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

WHEREAS, the "owner" of that certain property in the attached Exhibit "A" have applied for a re-zoning and re-classification of that property from RESIDENTIAL, SINGLE-FAMILY 1 (RS-1) to that of a PLANNED UNIT DEVELOPMENT (PUD); 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

7/28/2004

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 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 Ordinance No. 97-19, as amended, Article 25, Planned Unit Development.

NOW THEREFORE, BE IT ORDAINED this 26th day of July, 2004, by the Board of County Commissioners of Nassau County, Florida, 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, of the County of Nassau and further subject to the additional conditions, requirements, and findings described below:

SECTION 1. The Planned Unit Development concept shall be as indicated on the PUD 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, in effect on the date hereof except as otherwise provided herein.

SECTION 2. Owner and Description. David Miller of D. F. Miller

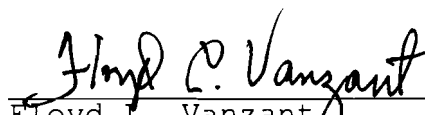
Partnership currently own the property re-zoned by this Ordinance and the applicant/Developer is Gillette & Associates, Inc.

SECTION 3. Conditions: The conditions set forth as Exhibit "C" (the "PUD Conditions") shall be made a part of this Planned Unit Development, and the property shall be subject to said PUD Conditions. Further, the conditions of the Nassau County Zoning Ordinance Code established pursuant to Ordinance 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.

ADOPTED this 26th day of July, 2004.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



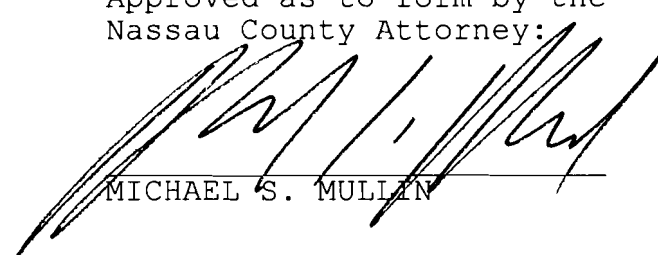
Floyd L. Vanzant
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT "A"

Exhibit "A"

LEGAL DESCRIPTION

A PORTION OF THAT CERTAIN PIECE OR PARCEL OF SALT MARSH LAND SITUATE, LYING AND BEING IN THE COUNTY OF NASSAU AND STATE OF FLORIDA AND KNOWN AND DESCRIBED IN OFFICIAL RECORDS BOOK 20 PAGE 191 AND BOOK 49, PAGE 454, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

LEGAL DESCRIPTION:

A PORTION OF GOVERNMENT LOT 1, SECTION 24, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID SECTION 24 AND THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 107, ALSO KNOWN AS BLACKROCK ROAD, A 100 FOOT RIGHT-OF-WAY; THENCE SOUTH 01°53'16" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 658.72 FEET TO THE POINT OF BEGINNING; THENCE NORTH 85°23'17" EAST A DISTANCE OF 254.92 FEET; THENCE NORTH 01°53'16" WEST A DISTANCE OF 138.78 FEET TO INTERSECT THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 659, PAGE 1202, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 89°37'22" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 259.93 FEET TO A FOUND 1/2" IRON ROD AND CAP STAMPED "PLS-1558"; THENCE CONTINUE NORTH 89°37'22" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 21 FEET MORE OR LESS TO THE MARSHLANDS OF LANCEFORD CREEK AND A POINT HEREINAFTER REFERED TO AS POINT "X"; THENCE RETURN TO THE ABOVE REFERENCED POINT OF BEGINNING AND RUN SOUTH 01°53'16" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID BLACKROCK ROAD, A DISTANCE OF 274.83 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 780, PAGE 1792, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 88°06'44" EAST, ALONG THE NORTH LINE OF LAST SAID LANDS, A DISTANCE OF 420.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 01°53'16" EAST, ALONG THE EASTERLY LINE OF LAST SAID LANDS, A DISTANCE OF 120.00 FEET; THENCE SOUTH 88°06'44" WEST A DISTANCE OF 100.00 FEET; THENCE SOUTH 01°53'16" EAST A DISTANCE OF 300.00 FEET TO INTERSECT THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 780, PAGE 1790, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 88°06'44" WEST, ALONG THE SOUTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 110.00 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 871, PAGE 1893, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 01°53'16" EAST, ALONG THE EASTERLY LINE OF LAST SAID LANDS, A DISTANCE OF 240.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°06'44" WEST, ALONG THE SOUTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 210.00 FEET TO THE SOUTHWEST CORNER THEREOF AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID BLACKROCK ROAD; THENCE SOUTH 01°53'16" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID BLACKROCK ROAD, A DISTANCE OF 809.32 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 861, PAGE 1729, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 88°51'52" EAST, ALONG THE SOUTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 514.90 FEET TO THE SOUTHEASTERLY CORNER THEREOF; THENCE NORTH 01°53'16" WEST, ALONG THE EASTERLY LINE OF LAST SAID LANDS, A DISTANCE OF 30.24 FEET; THENCE NORTH 53°13'13" EAST A DISTANCE OF 172.48 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 150.56 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 56°31'45", AN ARC DISTANCE OF 148.55 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 23°42'33" EAST A DISTANCE OF 142.59 FEET TO INTERSECT THE NORTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 881, PAGE 1917, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 88°51'54" EAST, ALONG THE NORTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 236.25 FEET TO A 1/2" IRON PIPE; THENCE CONTINUE NORTH 88°51'54" EAST, ALONG THE NORTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 54 FEET MORE OR LESS TO THE MARSHLANDS OF LANCEFORD CREEK; THENCE NORTHERLY ALONG THE EDGE OF THE MARSHLANDS OF LANCEFORD CREEK A DISTANCE OF 1983 FEET MORE OR LESS TO THE ABOVE REFERENCED POINT "X" AND THE CLOSE OF THIS DESCRIPTION.

EXHIBIT "B"

PUD SPECIFICATIONS

DENSITY CALCULATIONS

TOTAL SITE ACREAGE = 37.97 ACRES

25.53 UPLAND ACRES (NDR FLUM)
X 3 UNITS/ACRE = 76.59 UNITS

12.44 ACRES WETLAND (WETLAND FLUM)
X 1 UNIT / 5 ACRES = 2.49 UNITS

79 UNITS TOTAL ALLOWED

PROPOSED

62 SINGLE FAMILY DWELLING UNITS

LOT/BUILDING REQUIREMENTS

(20) 50-FOOT LOTS

MINIMUM LOT WIDTH = 50'
MINIMUM LOT AREA = 5,700 SF

MINIMUM YARDS:

FRONT = 20'
REAR = 10'
SIDE = 5'

MAXIMUM BUILDING HEIGHT = 35'
MAXIMUM LOT COVERAGE = 45%

(22) 70-FOOT MARSH FRONT LOTS

MINIMUM LOT WIDTH = 70 FEET
MINIMUM LOT AREA = 7,500 SF

MINIMUM YARDS:

FRONT = 20'
REAR = 15'
SIDE = 5'

MAXIMUM BUILDING HEIGHT = 35'
MAXIMUM LOT COVERAGE = 40%

(20) 75-FOOT LOTS

MINIMUM LOT WIDTH = 75 FEET
MINIMUM LOT AREA = 8,000 SF

MINIMUM YARDS:

FRONT = 20'
REAR = 15'
SIDE = 5'

MAXIMUM BUILDING HEIGHT = 35'
MAXIMUM LOT COVERAGE = 35%

2-PARKS

PARK 1 = 0.98 ACRES

PARK 2 = 0.28 ACRES

DEDICATED OPEN SPACE BETWEEN UNITS = 2.06 ACRES

TOTAL 3.32 ACRES

OPEN SPACE CALCULATIONS

TOTAL OPEN SPACE = 15.76 ACRES
(41.5% OF TOTAL SITE)



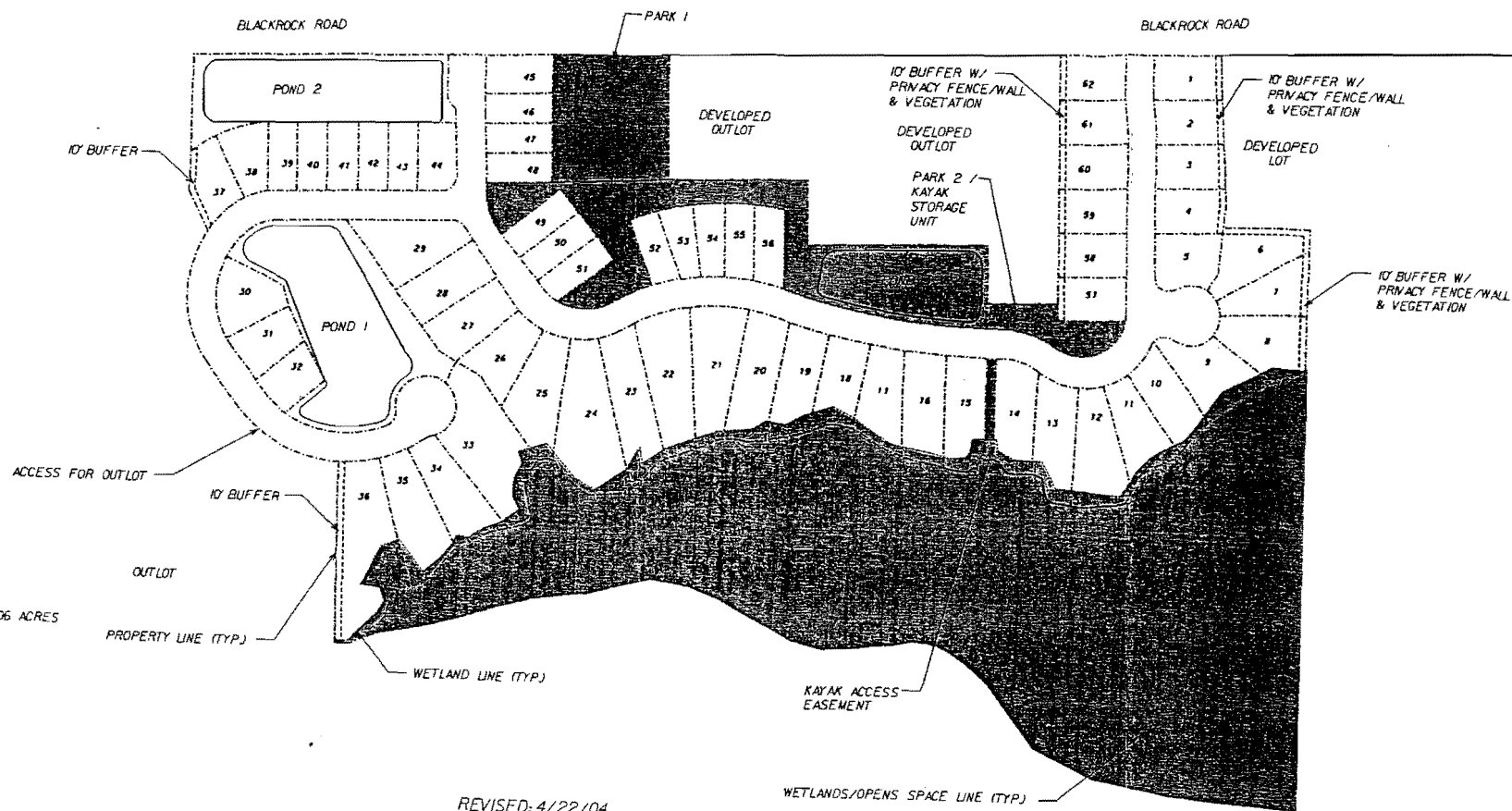
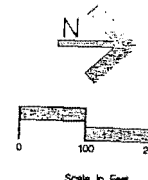
OPEN SPACE

GENERAL NOTES:

ALL DRAINAGE TO COMPLY WITH SJRWMD & NASSAU COUNTY REQUIREMENTS

SITE TO BE SERVED WITH WATER & SEWER PROVIDED BY JEA

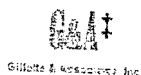
DEVELOPER: DF MILLER PARTNERSHIP, LLP
ENGINEER: GILLETTE & ASSOCIATES, INC.
SURVEYOR: MANZIE & DRAKE LAND SURVEYORS
SITE TO BE CONSTRUCTED IN A SINGLE PHASE



REVISED: 4/22/04

NO.	DATE	REVISION
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Scale:	
Project Mgr:	GILLETTE & ASSOCIATES, INC.
Designed by:	28 SOUTH 4TH STREET
Drawn by:	FERNANDINA BEACH, FL 32834
Check:	CERTIFICATE OF AUTHORIZATION NO. 1932
DO NOT SCALE THIS DRAWING - DIMENSIONS AND NOTES TAKE PRECEDENCE. DRAWING 16 SEPTEMBER 19	



DF MILLER PARTNERSHIP, LLP

THE MARSHES AT
LANCEFORD

PRELIMINARY DEVELOPMENT PLAN

SHEET NO.

PDP-1

OF

EXHIBIT "C"

EXHIBIT "C"

("MARSHES AT LANCEFORD PUD CONDITIONS")

I. General Conditions:

The Marshes at Lanceford PUD consists of approximately thirty eight (38) acres located east of Blackrock Road and north of the CSX railroad line in the Yulee Planning District. The Marshes at Lanceford PUD will consist of sixty two (62) single-family dwelling units. The Marshes at Lanceford PUD will provide 1.26 acres of active recreational space, as well as a kayak access easement, in addition to more than fourteen (14) acres of passive recreation space.

- A. The Marshes at Lanceford PUD will be developed as delineated on the preliminary development plan (attached hereto as Exhibit "B"). The Marshes at Lanceford Preliminary Development Plan incorporates by reference the terms of these PUD Conditions and the Developer's statements made in the related rezoning application, which collectively set forth the Developer's written plan of development for the Marshes at Lanceford PUD, and which are intended to clearly demonstrate that approval of the Marshes at Lanceford PUD will benefit the community as a whole and fulfill the applicable policies of the Nassau County Comprehensive Plan, and intent of Article 25 of Ordinance 97-19, as amended, the Nassau County Zoning Code (the "Zoning Code").
- B. The Developer shall develop the Marshes at Lanceford PUD in a single phase.
- C. Within one (1) year after approval by the Nassau County Board of County Commissioners of the Marshes at Lanceford PUD Preliminary Development Plan, the Developer shall submit a final development plan for the Project to the Nassau County Planning and Zoning Board for review and to the Nassau County Board of County Commissioners for approval.
- D. The Developers may, at their discretion, simultaneously submit engineering plans for the Project as a whole for approval by the Development Review Committee, pursuant to the provisions of Ordinance 2000-40, as amended, and Article 25, Planned Unit Development, of the Zoning Code, Ordinance 97-19, as amended. The Board of County Commissioners, upon request from the

Developer and for good cause shown, may extend the one (1) year time period for submitting the final development plan. Such extension shall not exceed one (1) year.

- E. The location and size of all lots, roads, project entrances, recreation/open space and other areas shown on the Marshes at Lanceford PUD Preliminary Development Plan is conceptual such that the final location of any roads, project entrances, recreation/open space and other areas will be depicted on the final development plan and the final engineering plans so long as the changes do not constitute a Major Amendment to the PUD, subject to Section 25.07 of the Zoning Code. In addition to those items listed in Section 25.07, any change in the proposed outlets onto Blackrock Road, more than twenty (20) percent change in the area of the proposed storm water management facility or more than twenty (20) percent change in the number of proposed lots shall be considered a Major Amendment.

II. Specific Conditions:

A. Recreational Amenities, Open Space and Common Areas.

1. Recreational amenities, open space and common areas shall be provided for the project. The location of these recreational areas is indicated on the Marshes at Lanceford Preliminary Development Plan, including a 0.98 acre Nassau County public park, a 0.28 park with a kayak/canoe storage facility for private use and an Access Easement to provide a kayak/canoe launch. All common area open space and recreational facilities for the applicable phase of the project shall be included in the final development plan of the Project.
2. Any active recreational facilities and accessory structures in the Project shall be subject to site plan approval by the Development Review Committee, pursuant to Ordinance 2000-40, and shall be constructed within the upland portion of the forty-three percent (43%) of open space provided in the Preliminary Development Plan, which exceeds the open space requirements of Article 25. Such improvements shall be installed before the issuance of the fifteenth (15th) certificate of occupancy.

3. The Developer, or the homeowners association or property owners association after acquiring title to the common areas and recreational amenities within the Marshes at Lanceford PUD, may adopt rules and regulations governing the use of the same by the residents of the Marshes at Lanceford PUD. The Developer will have no obligations to maintain or improve the recreational amenities, open space or common areas after conveyance to the homeowners association or property owners association, subject to fulfillment of the recreation and open space requirements set forth herein. However, the developer shall not convey any common areas, improvements or recreational amenities to any homeowners' association until all improvements are constructed and approved by Nassau County. The 0.98 acre public park shall be maintained by Nassau County.
4. The recreational amenity areas and related maintenance and use restrictions shall be evidenced by recorded deed restrictions or recorded Declaration(s) of Covenants and Restrictions (collectively, the "Covenants and Restrictions"). All privately owned recreation/open space shall continue to conform to its intended use as shown in the final development plan and final engineering plans for the project.
5. As shown on the Site Data Table in the Marshes at Lanceford Preliminary Development Plan, the Developer has committed over forty-three percent (43%) of the gross acreage of the Marshes at Lanceford PUD for use as recreation and/or open space, including 14.5 acres of passive recreational areas, and such calculation has been made in accordance with the requirements of the Zoning Code, Article 25, § 25.04(F).
6. In addition to the dedication of the 0.98 acre park, the developer of the Marshes at Lanceford PUD shall make a cash donation of \$30,000.00 to Nassau County for improvements to the park site. This donation shall occur prior to the issuance of the 10th building permit for this development. Approval of the PUD rezoning and acceptance of the Preliminary Development Plan in no way imply the County's acceptance of the proposed 0.98 acre park site. The Board of County Commissioners will consider acceptance of the park site and the related \$30,000 donation for improvements independent of its consideration of this PUD application. Prior to the issuance of the 10th building permit for this site, the Developer shall submit application for the County's acceptance of this donation.

7. The Marshes at Lanceford PUD shall be subject to the Recreation Impact Fees for Community and Regional Parks, pursuant to Ordinance 2003-25 as amended.

B. Administration of Community Space and Facilities:

1. If the Developer elects to administer common open space through a property owners' and/or homeowners' association or other nonprofit corporation, such organizations shall conform to the following requirements.
 - a. The Developer shall establish the applicable association or nonprofit corporation prior to the sale of any lots or units by the Developer to any third party within the Marshes at Lanceford PUD.
 - b. Membership in the association or nonprofit corporation shall be mandatory for all property owners within the Marshes at Lanceford PUD governed by such entity.
 - c. The Developer may elect to form separate and/or multiple property owners and/or homeowners association for the Marshes at Lanceford PUD. If so, the Developer shall establish a master property owners and/or homeowners association for the Marshes at Lanceford PUD that shall be responsible for the maintenance of roads, master drainage, etc., subject to the conditions set forth herein. All improvements including roads, master drainage facilities, storm sewers, etc. shall be completed and approved by Nassau County before being transferred to any homeowners' organization.
 - d. The applicable association or nonprofit corporation shall manage all common areas, recreational and open space and recreational facilities that are not otherwise dedicated to the public and that are within the lands that are subject to the jurisdiction of such association or nonprofit corporation; shall provide for the maintenance, administration and operation of such portions of the Marshes at Lanceford PUD and any other lands located within the Marshes at Lanceford

PUD that is not publicly or privately owned; and shall secure adequate liability insurance governing such areas owned or operated by such association or nonprofit corporation.

C. Stormwater Facilities:

1. The Marshes at Lanceford PUD shall be served by a stormwater system, which shall adhere to the applicable standards of the St. Johns River Water Management District and Nassau County for residential stormwater systems, and said system shall be conveyed to the homeowners association and/or property owners association by deed and/or easement for maintenance and operation by the homeowners association and/or property owners association.
2. All St. Johns River Water Management and Nassau County permits for stormwater facilities shall be obtained by the Developer prior to Final Development Plan approval, pursuant to Ordinance 2000-40, as amended. The developer shall obtain an operating permit for these facilities before transferring them to any homeowners' organization.

D. Residential Development Standards:

1. The Marshes at Lanceford shall include not more than sixty-two (62) dwelling units. Below are the site development standards for each housing area:
 - a. Seventy-five (75) foot single-family lots shall adhere to the requirements as set forth below.
 - (1) Minimum Lot Requirements:
 - (a) Minimum lot width: Seventy-five (75) feet
 - (b) Minimum lot area: Eight thousand (8,000) SF
 - (c) Maximum height: Thirty-five (35) feet

(d) Maximum lot coverage: Thirty-five percent (35%)

(2) Minimum Required Yard Setbacks:

- (a) Front: Twenty (20) feet
- (b) Side yard: Seven and one-half (7.5) feet
- (c) Rear yard: Fifteen (15) feet

b. Seventy (70) foot single-family lots shall adhere to the requirements as set forth below.

(1) Minimum Lot Requirements:

- (a) Minimum lot width: Seventy (70) feet
- (b) Minimum lot area: Seven thousand five hundred (7,500) SF
- (c) Maximum height: Thirty-five (35) feet
- (d) Maximum lot coverage: Forty percent (40%)

(2) Minimum Required Yard Setbacks:

- (a) Front: Twenty (20) feet
- (b) Side yard: Seven (7) feet
- (c) Rear yard: Fifteen (15) feet

c. Fifty (50) foot single-family lots shall adhere to the requirements as set forth below.

(1) Minimum Lot Requirements:

- (a) Minimum lot width: Fifty (50) feet
- (b) Minimum lot area: Five thousand seven hundred (5,700) SF

(c) Maximum height: Thirty-five (35) feet

(d) Maximum lot coverage: Forty-five percent (45%)

(2) Minimum Required Yard Setbacks:

(a) Front: Twenty (20) feet

(b) Side yard: Five (5) feet

(c) Rear yard: Ten (10) feet

2. All screened pool enclosures, whether attached, semi-attached or detached from the principal building, shall adhere to a minimum yard setback requirement of five (5) feet and shall not be located in the front yard.

E. Home Occupations: Home occupations shall be permitted as a conditional use within any residential dwelling, in accordance with the provisions of Section 28.14 of the Zoning Code.

F. Off-Street Parking & Loading: Residential development within the Marshes at Lanceford PUD shall be subject to the applicable off-street parking and loading required for such use, pursuant to Article 31 of the Zoning Code.

G. Signage:

1. The Marshes at Lanceford PUD may have project identification signage at all both external entrances to the Marshes at Lanceford PUD. External entrance project identification signs shall not exceed one hundred and fifty (150) square feet on each face. All project signs may be designed as ground-mounted signs or integrated into or mounted on landscape features such as walls and fences. All lighting of signs may be sign mounted or ground mounted units projecting onto the sign. The signs at each external project entrance or recreational area may be single faced or double faced and the external entrance signage may include two (2) separate signs, one (1) on each side of the entrance, not to exceed a total number of four (4) signs for the entire development.

2. Each recreational area within the Marshes at Lanceford PUD shall also be entitled to identification signage. Recreational area identification signage shall not exceed fifty (50) square feet on each sign face.
3. The location of signage shall be delineated on the site plan submitted to the Development Review Committee for approval.
4. Traffic and street name signage may include aesthetic framing. However, any applicable FDOT/Nassau County standards for sign face, elevations, etc. shall be maintained; by the Developer and/or homeowners' association as appropriate, for such traffic and street name signage consistent with the provisions set forth in this paragraph.
5. There is no other specific reserved signage approvals requested for the Marshes at Lanceford PUD, provided home occupations, approved as a conditional use as detailed herein, shall be allowed signage in accordance with Section 28.14(A)(3) of the Zoning Code.

H. Sidewalks and Street Lights:

1. Four (4) foot sidewalks with a minimum accessible passing zone every two hundred (200) feet shall be provided on both sides of all local streets, and five (5) foot sidewalks on the east side of Blackrock Road. Driveways may act as passing zones if they do not exceed a two percent (2%) cross slope.
2. Streetlights shall be provided along all streets. The Developer shall submit a lighting plan, demonstrating the location of streetlights, with final engineering plans for approval by the Development Review Committee.

I. Construction Standards:

1. Except as specifically provided herein, all development in the Marshes at Lanceford PUD shall be in accordance with Nassau County's subdivision and land development standards, and any applicable State standards, in effect at the time of submittal of the Final

Development Plans and Plat of record and any applicable utility providers standards with respect to any water, sewer, or electrical utilities for the Marshes at Lanceford PUD served by JEA or any other utility provider.

2. All utilities shall located underground.

J. Wetland Buffers:

1. All wetlands within the Marshes at Lanceford PUD 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 (50) feet and a minimum width of twenty-five (25) feet and provided access ways of no more than twenty (20) feet wide may be provided through the wetland buffer, 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.
2. The exact boundaries of wetlands and wetland buffers indicated on the Marshes at Lanceford PUD Preliminary Development Plan will be subject to a final determination on the final engineering plans consistent with the above requirement. If the buffer requirements of the Nassau County Comprehensive Plan are revised to be less restrictive prior to final approval of the Final Development Plan, the Developer may provide the newly defined wetland buffer by administrative amendment so long as the buffer conforms to all federal, state and local regulations.

K. Temporary Uses:

1. Temporary sales offices, including modular units, not to exceed two (2) units, for the sale of the lots and/or completed residences, shall be permitted within the Marshes at Lanceford PUD until all of the residential lots and completed residences are sold. The developer shall indicate with a note on any site plan submitted to the Development Review Committee for approval of the location of said units.
2. The Developer, or its designated successor, assign or designee, will be required to maintain

a copy of the approved Planned Unit Development Ordinance, including the Final Development Plan and PUD Conditions in any sales office located upon the Marshes at Lanceford PUD, which is available for inspection by project residents and landowners, including the posting for public viewing of the Final Development Plan in any sales office, and this obligation shall be contained in the Covenants and Restrictions that are placed on the residential lands within the project.

3. The siting of temporary construction trailers shall be allowed on the Marshes at Lanceford PUD during construction. The temporary construction trailers must be removed within thirty (30) days of completion of the improvements, for which the temporary construction trailers are being utilized, provided the right to temporary construction trailers shall continue until build-out of the project.

L. Alterations: Changes in the location of the road(s), project entrances, stormwater system improvements, and to the boundaries, size and configuration of lots and Recreation/Open Space areas, as depicted on the Marshes at Lanceford PUD Preliminary Development Plan to accommodate environmental, permitting and design factors, conditions and requirements of the Developer is allowed, so long as the change does not constitute a Major Amendment to the PUD, pursuant to the provisions of Section 25.07 of the Nassau County Zoning Code, provided the integrity of the original application is maintained and provided the same shall be finalized by the Developer during final engineering plan approval for the applicable phase of development.

M. Ownership And Maintenance:

1. The Marshes at Lanceford PUD and related uses/facilities associated therewith (other than individual lots or commercial parcels), will be owned, maintained and or operated as follows:
 - a. Any areas associated with the development (i.e., amenities, recreation/open space areas, signage, landscape, stormwater systems, etc.) will be managed through a homeowners association(s) and/or a property owners association(s).
 - b. To ensure that all of the recreation and open space areas described in these PUD

Conditions and depicted in the approved Marshes at Lanceford Preliminary Development Plan for any phase of the project will be used as intended, the Covenants and Restrictions described above will contain provisions consistent with terms of these PUD Conditions and any deed from the Developer to third party purchasers in the project will incorporate such Covenants and Restrictions by reference to the Covenants and Restrictions in each deed.

- c. Such deed restrictions created by the Covenants and Restrictions shall run with the land in order to protect both present and future property owners within the Marshes at Lanceford PUD. The deed restrictions created by the Covenants and Restrictions shall prohibit the partition of any open space areas. The water/sanitary sewer improvements will be the responsibility of the private utility company, which provides service for this area, which is currently JEA.

N. Access:

1. Access to and from the Marshes at Lanceford PUD will be provided as shown on the Marshes at Lanceford PUD Preliminary Development Plan.
2. The location of all external and internal project entrances, accesses and roadways may change based on environmental, permitting and design factors, conditions and requirements of the Developer, so long as the changes do not constitute a Major Amendment to the PUD pursuant to the provisions of Section 25.07 of the Nassau County Zoning Code. The Developer will finalize the location of all external project entrances, accesses and roadways during the final engineering approval for the applicable phase of development.
3. Model home building permits will be issued upon installation of all necessary water mains and fire hydrants, and stabilization of all roadways internal to the development.
4. Each dwelling unit or other permitted use shall be provided access, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way or commonly owned easement.

5. County owned vehicles shall be permitted access on privately owned roads, easements and common open spaces in order to perform basic County services such as fire and police protection, emergency service needs of PUD residents, and site inspection by Fire-Rescue, Growth Management, Engineering and Code Enforcement departments to monitor adherence to County regulations and the conditions contained herein. If any road is gated, the gate shall automatically open in response to a "yelp" electronic siren.
 6. Private land owners which do not have access to Blackrock Road and are blocked such access by this development shall be allowed access through the development's streets. These land owners are not required to be a member of any homeowners' organization.
 7. A Final Certificate of Concurrency with Conditions was issued on August 29, 2003 for fifty five (55) single family dwelling units, and these reserved trips are vested in this project subject to any time limits and conditions of the original Certificate of Concurrency. A Final Certificate of Concurrency shall be obtained for the remainder of the project by the Developer prior to approval of the final development plan, pursuant to Ordinance 2000-40.
- O. Notification: The Applicant shall incorporate into the covenants and restrictions notification to all property owners that they are living in a Planned Unit Development (PUD).

III. Justification for Planned Unit Development Classification for this Project and Approval of the Preliminary Development Plan:

The proposed project allows for development of the Marshes at Lanceford PUD for single-family residential uses in a manner that warrants flexibility in the application of land use controls for Nassau County, Florida consistent with the intent of Article 25 of the Nassau County Zoning Code. The project design is in harmony with the general purpose and intent of the Nassau County Comprehensive Plan and the Zoning Code. The design and layout of the Marshes at Lanceford Planned Unit Development (PUD) requirements:

1. Is creative in its approach through the use of natural features of the site and its approach to development of the project;
2. Accomplishes a more desirable environment than would be possible through the strict application

of minimum requirements of the Zoning Code;

3. Provides for an efficient use of the Marshes at Lanceford PUD, resulting in small well designed networks of utilities and streets and thereby lowers development costs;
4. Enhances the appearance of the area through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation and open space areas in excess of existing Zoning Code and subdivision requirements;
5. Provides an opportunity for new approaches to ownership through implementation of a variety of lot types and styles that will allow opportunities for home ownership by a broad range of individuals;
6. Provides an environment of stable character compatible with the surrounding areas;
7. Retains property values over the years and makes a substantial improvement of the quality of development of the Marshes at Lanceford PUD after the date hereof; and
8. The Marshes at Lanceford PUD Preliminary Development Plan which incorporates by reference the terms of these PUD Conditions and the statements made by the Developer in the related rezoning application includes the criteria required for the Nassau County Planning and Zoning Board and the Nassau County Board of County Commissioners to review and approve the Marshes at Lanceford PUD Preliminary Development Plan.