



Planning and Development Board

April 10, 2018



Agenda Item #5

Amendment to the Beach Haven PUD Tracts H and L

QUASI-JUDICIAL

Application #3129

Amendment to Beach Haven PUD

Developer (Hari Maru Florida) is seeking amendment to the Beach Haven PUD Development Agreement and PUD Site Development Plan for development of greenway Tracts H and L as Type 2-C lots.

Tract L



HIDDEN TREASURE DR

LAUGHING GULL LN

SMILING FISH LN

SHADY OAK LN

SANDY BEACHWAY

CEDAR POINT RD

N OCEAN SHORE BLVD

Tract H



SAN JUAN DR

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Amendment to Beach Haven PUD

“Should such greenways on adjacent properties not be designated within 5 years of the date of approval of this PUD [August 16, 2004], this provision shall expire and all designated tracts shall remain for private use of the Beach Haven residents.” (Ordinance No. 2004-12).

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Amendment to Beach Haven PUD

“Provided however, that if such similar, continuous greenways on either or both of the North and South adjacent properties are not created and dedicated within five (5) years of the date of this plat of Beach Haven, Unit One [approved May 15, 2006, recorded May 30, 2006], then the provisions contained in this paragraph shall expire, terminate and be of no further force or effect, at which time Tract “H” shall revert to the Developer [JNM Flagler Development, Ltd.]” (Beach Haven – Unit One plat).

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“...but if such similar, continuous greenways on either or both of the north and south adjacent properties are not created and dedicated within five (5) years of the date of the plat of Beach Haven, Unit One [May 15, 2006], then both Tracts L and H shall automatically revert to the Founder [JNM Flagler Development, Ltd.] who may sell them as single family residential Lots.” (Declaration of Charter, Easement, Covenants and Restrictions for Beach Haven effective May 23, 2006).

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Amendment to Beach Haven PUD

“Should such greenways on adjacent properties not be designated within 5 years of the date of approval of this PUD [June 25, 2007], this provision shall expire and all designated tracts shall remain for private use of the Beach Haven residents.” (Ordinance No. 2007-06).

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Amendment to Beach Haven PUD

“Should such greenways on adjacent properties not be designated within 5 years of the date of approval of this PUD [June 18, 2012], this provision shall expire and all designated tracts shall remain for private use of the Beach Haven residents.” (Ordinance No. 2012-05).

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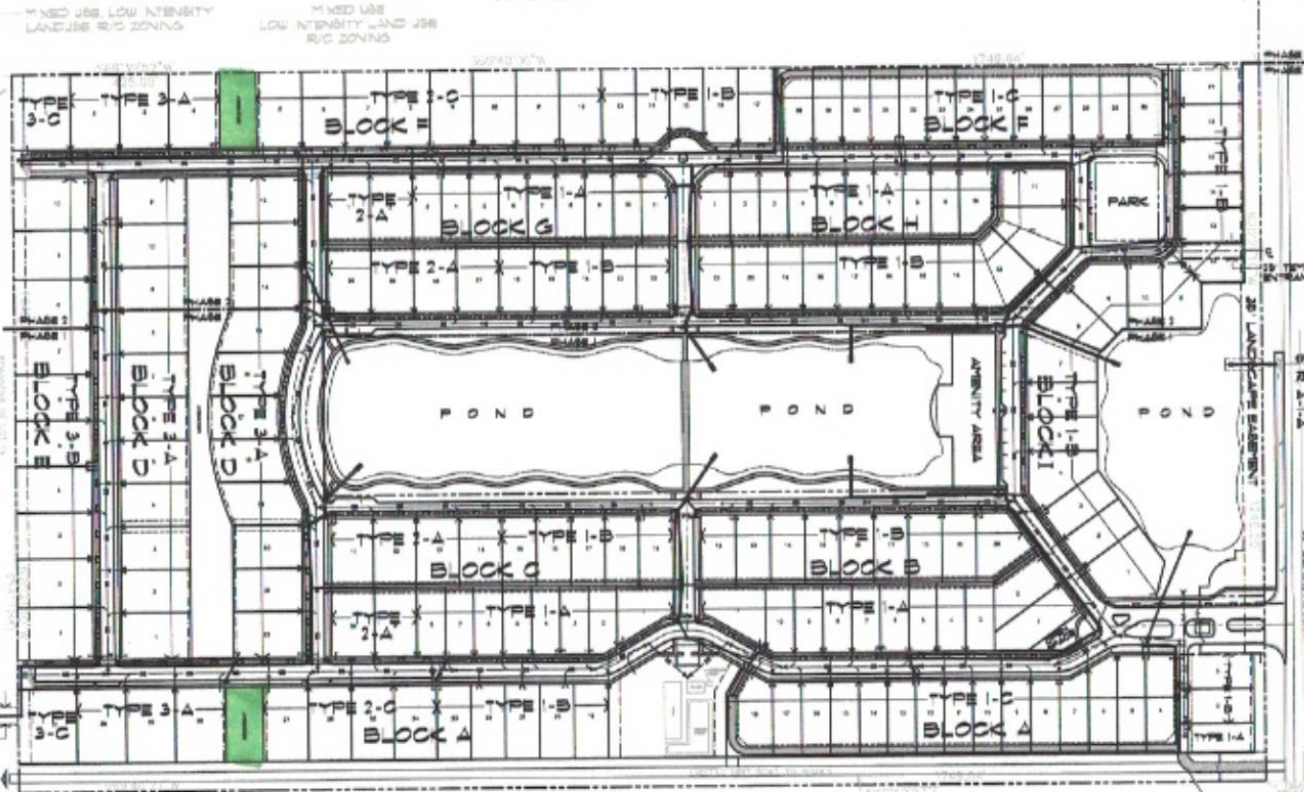
“Provided however, that if such similar, continuous greenways on either or both of the North and South adjacent properties are not created and dedicated within five (5) years of the date of this plat of Beach Haven, Unit Two [approved February 16, 2015, recorded March 3, 2015], then the provisions contained in this paragraph shall expire, terminate and be of no further force or effect, at which time Tract “L” shall revert to the Developer [Hari Maru Florida, LLC] and its successors and assigns and become a Type 2-C buildable lot.” (Beach Haven – Unit Two plat).

BEACH HAVEN

PUD MASTER PLAN

SOUTH LINE OF LOT 10
 NORTH LINE OF LOT 14

MIXED USE
 LOW INTENSITY LAND USE
 R/C ZONING



Minimum Lot Width for rectangular shaped lots (excluding triangular lots)	Lot Type 1A, 1B, 1C: 100' Min. Width 60' Min. Area: 5,000 sq ft Lot Type 2A, 2B, 2C: 80' Min. Width 40' Min. Area: 3,200 sq ft Lot Type 3A, 3B, 3C: 100' Min. Width 150' Min. Area: 15,000 sq ft Lot Type 3A, 3B, 3C: 100' Min. Width 150' Min. Area: 15,000 sq ft
Minimum Lot Frontage for rectangular shaped lots	90'
Minimum Floor Area	4,000 sq feet (as determined by zoning)
Min. building height (excluding overhead)	10 ft. (see exception 10-1)
Min. building height (galleys)	10 ft. (see exception 10-1)
Min. building setback height	10 ft. (see exception 10-1)
Front Setback Line and Front Setback Area	Lot Type 1A, 1B, 1C: 100' (90', 80', 80') minimum for a range of 10' to 15' Lot Type 2A, 2B, 2C: 80' (70', 70', 70') minimum for a range of 10' to 15' Lot Type 3A, 3B, 3C: 100' (100', 100', 100') minimum for a range of 10' to 15' Lot Type 3A, 3B, 3C: 100' (100', 100', 100') minimum for a range of 10' to 15'
Minimum side setback (except as noted)	Lot Type 1A, 1B, 1C: 10' (10', 10', 10') minimum for a range of 10' to 15' Lot Type 2A, 2B, 2C: 8' (8', 8', 8') minimum for a range of 10' to 15' Lot Type 3A, 3B, 3C: 10' (10', 10', 10') minimum for a range of 10' to 15'
Minimum rear setback (except as noted)	Lot Type 1A, 1B, 1C: 10' (10', 10', 10') minimum for a range of 10' to 15' Lot Type 2A, 2B, 2C: 8' (8', 8', 8') minimum for a range of 10' to 15' Lot Type 3A, 3B, 3C: 10' (10', 10', 10') minimum for a range of 10' to 15'
Front Facing Ocean Frontage Line	20' (see "Front Property Line" in easement)
Minimum Setback Between	5' (5' from side property line, and 20' from intersections in common lots. Exceptions may however be made for lots that are adjacent to the beach or water.)
Secondary Access Buildings	Buildings on the same lot must have a minimum separation of 10' including the main entrance, electrical, gas, and other necessary buildings.

Notes:
 1. Building height: All building heights shall be defined according to the Mayor County Land Environmental Code (LREC) height of building definition. The building height shall be the finished grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the top of the parapet wall, and to the main height level of a tower or spire for a gable, hip, or pointed roof.

Zoning: PUD (Ord. 2004-12)
 Total Lots Allowed: 195 Lots
 Total Lots Provided: 190 Lots
 Density: 3.1 DU / Acre

Acreage	
Lots -	33.62 Acres
Roads (Impervious) -	8.24 Acres
Streets / Walkways -	2.54 Acres
Water Treatment Area -	.70 Acres
Ponds -	5.79 Acres
Common Green Areas -	7.41 Acres
Parks -	1.08 Acres
Landscape / Access Easements -	3.31 Acres
Total Acreage -	62.38 Acres

Open Space:
 Common Green Areas - 7.41 Acres
 Parks - 1.08 Acres
 Ponds - 5.79 Acres
 Landscape / Access Easements - 3.31 Acres
 Total Open Space - 17.59 Acres (28.2%)
 * 1.25 acres of the total 7.04 acres of pond areas is permitted in the Open Space calculation

Lot Type 2-C

Note:
 1) Maintenance and ownership of common areas to be handled by Declaration of Charter Easements, Covenants, and Restrictions.
 2) See Separate Landscape Plan for all proposed landscaping.

DATE: 12/01/04
 REVISED DATE: 4/11/07
 REVISED DATE: 5/18/12
 SCALE: 1" = 200' - 0"

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ATLANTIC OCEAN
 COASTAL CONSTRUCTION CONTROL LINE
 DATED 4/20/04

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Should such greenways on adjacent properties not be designated within 5 years of the date of approval of this PUD, this provision shall expire Tracts H and L and ~~all designated tracts~~ shall revert to the Developer and its successors and assigns and each Tract shall become a Type 2-C buildable lot ~~remain for private use of the Beach Haven residents.~~”

(Section V.G., page 9 of Attachment “2”, revised June 8, 2012).

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Should such greenways on adjacent properties not be designated within 5 years of the date of approval of this PUD, this provision shall expire and Tracts H and L ~~all designated tracts~~ shall revert to the Developer and its successors and assigns and each Tract shall become a Type 2-C buildable lot ~~remain for private use of the Beach Haven residents.~~”

(Section V.G., page 9 of Attachment “2”, revised June 8, 2012).

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Staff Recommendation

The Planning and Development Board finds that the amendment to the Beach Haven Planned Unit Development (PUD) Development Agreement and PUD Site Development Plan is consistent with the adopted Comprehensive Plan and the Land Development Code and recommends approval of the amendment to the Board of County Commissioners, finding that Tract H may now be developed as a Type 2-C lot since five...

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Staff Recommendation

...years has elapsed following the recording of the Beach Haven – Unit One plat, but that Tract L may not yet develop as a Type 2-C lot since two years remain until five years have elapsed following the recording of the Beach Haven – Unit Two plat.