

ORDINANCE NO. 2004- 44

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, RELATING TO AND AMENDING THE ZONING CODE; AMENDING THE FRANKLIN COUNTY ZONING MAP; DESIGNATING AND ESTABLISHING THE RESORT VILLAGE PLANNED UNIT DEVELOPMENT; ADOPTING CERTAIN REGULATORY REQUIREMENTS FOR THE RESORT VILLAGE PLANNED UNIT DEVELOPMENT TO SUPERSEDE REQUIREMENTS IN THE FRANKLIN COUNTY ZONING CODE; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, SGI Limited Partnership (“Applicant”) has filed an application for a planned unit development rezoning of a 58-acre development (“Resort Village”) to be located on a parcel of land located in the St. George’s Plantation Development of Regional Impact on St. George Island, Franklin County, Florida; and

WHEREAS, Resort Village will include 57 detached single family units, and 12 condominium units located in the existing 24-unit Inn at Resort Village, with associated recreational facilities, and

WHEREAS, Resort Village will utilize individual aerobic waste water treatment systems for the 57 detached single family units, and one aerobic waste water treatment system for the 12 individual condominium units; and

WHEREAS, the PUD will supersede and replace the existing Resort Village PUD Ordinance 96-23, which permits a conference center, commercial uses, a restaurant, and four hotel/inn buildings with 114 hotel units; and

WHEREAS, Resort Village will comply with the Franklin County Critical Shoreline Ordinance and other State and County requirements; and

WHEREAS, the Applicant has submitted to Franklin County a sketch plat, a preliminary plat, and all other information required by Franklin County;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA:

SECTION 1. NAME

The Ordinance shall be known as the implementing ordinance for the Resort Village Planned United Development (“Resort Village PUD”).

**SECTION 2. CONSISTENCY WITH FRANKLIN COUNTY
COMPREHENSIVE PLAN**

The Board of County Commissioners hereby find and determines that the Resort Village PUD is consistent with the goals, objectives, and policies of the Franklin County Comprehensive Plan, including but not limited to, Future Land Use Element Policies 1.6, 1.9, 3.4, 3.5, 3.6, 3.9, 3.10, and 11.5; Conservation/Coastal Management Element Policies 1.4, 1.5, 4.1, 4.14, 12.3, and 13.2.

SECTION 3. APPROVAL

The application for establishment of the Resort Village PUD on the land legally described within Exhibit "A", which is attached hereto and incorporated herein by this reference, is hereby approved subject to the conditions in this Ordinance. The application and all documentation submitted by the Applicant in support of it are hereby incorporated by reference.

SECTION 4. PERMITTED USES

- A. The following uses shall be principal and accessory permitted uses within the Resort Village PUD as noted on the Master Plan attached hereto as Exhibit "B", and incorporated herein by this reference:
- 1) Single Family Residential: 57 detached single family residential units served by individual aerobic wastewater treatment systems.
 - 2) Condominium: 12 individual condominium units at the site of the existing Inn at Resort Village, to be served by an aerobic wastewater treatment system.
 - 3) Accessory Uses: Accessory recreational facilities may be located in the community recreational area and in other common areas and residential areas, and may include, but are not limited to, swimming pools, racquetball courts, shuffle board courts, fitness center, owner's meeting facility, and a private community dock, and similar activities. Accessory uses in the residential area shall include private docks (where permitted pursuant to State and County regulations), taxi-ways and aircraft tie-down areas.
- B. Natural Resources Protection. The St. George's Plantation Development Order contains specific conditions regarding the protection of natural resources. (See Section 4, paragraphs A – P, as amended.) Development of the property will comply with all these conditions. The development of this property is further regulated by development order conditions that require that the first 2.5 inches of runoff from impervious surfaces is detained and treated by percolation.

- C. Cultural Heritage Protection. No cultural sites have been identified. If such sites are found, they will be managed in accordance with the policies of the Department of State, Division of Historic Resources.

SECTION 5. DEVELOPMENT STANDARDS

- A. DRI Development Order: the terms of the St. George Island Plantation Development of Regional Impact Development Order dated September 20, 1977, as amended, (hereafter referred to as “the DRI Order”) and this PUD Ordinance shall control all aspects of the planning, engineering, and construction of the PUD. In the event of a conflict, the DRI Order shall prevail.
- B. Wastewater Treatment: Waste water will be treated by individual, on-site aerobic treatment systems for single-family units, and by a single aerobic treatment system for the 12 authorized condominium units.
- C. Transportation: Roads have been constructed throughout the DRI consistent with the development order. Additional transportation improvements are not required.
- D. Public Access: Public access to Bob Sikes Cut is controlled by the Plantation Homeowners Association. No changes are proposed. Public access to other water bodies is provided at the state park located at the eastern end of St. George’s Plantation Development of Regional Impact
- E. Impervious Surfaces: Impervious surfaces shall not exceed more than 20% of the total land area, considered as a whole. An additional 10% semi-pervious paving surface which allows a permeability of 33% may be allowed. Total semi-pervious and impervious surface shall not exceed 30% of the total land area, considered as a whole.
- F. Parking: Perpendicular side street parking shall be allowed within the residential area. There shall be no requirement for off-street parking in the PUD.
- G. Minimum Lot Size, Block Length and Setbacks: Front lot widths shall be a minimum of 40 feet with minimum side setbacks of 7.5 feet. All lots shall be at least 15,000 square feet in area. Block length shall be as depicted on the preliminary plat.
- H. Roadway and Right-of-Way Dimensions: Pavement widths shall be a minimum of 18 feet, and right-of-way widths shall be a minimum of 50 feet; all shoulders shall be a minimum of 2 feet. The setbacks shall be 20 feet from all property lines facing a road right-of-way except for Leisure Lane. The setback from all other property lines, including those adjoining Leisure Lane, shall be 7.5 feet.

I. Beach-Dune Walkovers: Residential beach-dune walkovers shall be limited to no more than one dune walkover for each two beach-front lots.

SECTION 6. PLAT PHASING

The Resort Village PUD will be a Major Subdivision as such term is defined in the Franklin County Subdivision Ordinance. In accordance with such ordinance, the Resort Village PUD shall be permitted to obtain sketch plan and preliminary plat approval for the entire PUD at the time this Ordinance is adopted. It shall thereafter seek final plat approval as each phase or stage is ready for development and at any time after preliminary plat approval, notwithstanding any other County ordinance requiring plat approval at a specified time.

SECTION 7. MASTER PLAN

The Master Plan attached hereto as Exhibit "B" is intended to show the general location of roads, lots, natural features, open spaces, and other general improvements. The precise location of all development within the property is subject to adjustment during site-specific development review. Amendments to the Master Plan may be made as provided under Section 8, below.

SECTION 8. AMENDMENTS TO RESORT VILLAGE PUD

Requests for any amendment to this Ordinance or the Master Plan shall be submitted to the Franklin County Board of County Commissioners.

SECTION 9. SKETCH PLAT/PRELIMINARY PLAT APPROVAL

The sketch plat and the preliminary plat submitted by the Applicant meet all requirements of Section 3.4 and Section 3.5 of the Franklin County Subdivision Ordinance. Approval of the Resort Village PUD shall also constitute sketch plat and preliminary plat approval as required by Section 3.4 and Section 3.5 of the Franklin County Subdivision Ordinance.

SECTION 10. ENFORCEMENT

The County may enforce this Ordinance as authorized by law.

SECTION 11. OTHER ORDINANCES

Franklin County Ordinance 96-23 (which originally created the Resort Village Planned Unit Development District) is hereby repealed in its entirety. Specific provisions of this PUD Ordinance shall prevail over conflicting provisions of the Franklin County Zoning Code and the Franklin County Subdivision Ordinance. Except as specifically

modified or changed in this Ordinance, all provisions of the Franklin County Zoning Code and the Franklin County Subdivision Ordinance shall apply in Resort Village PUD in the same manner as throughout the County.

SECTION 12. ZONING MAP

Upon this Ordinance becoming effective, the Franklin County Zoning Map shall be amended to show the property described on attached Exhibit "A" as the Resort Village PUD. The County Planner is hereby directed to revise the Franklin County Zoning Map to reflect this designation.

SECTION 13. SEVERABILITY

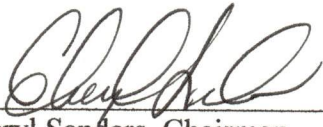
The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect the other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

SECTION 14. EFFECTIVE DATE

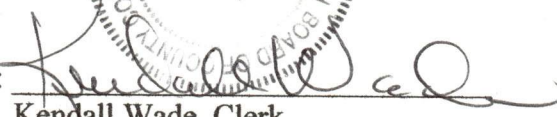
This Ordinance shall become effective as provided by law.

This Ordinance was adopted in open regular meeting this 7th day of September, 2004, after notice of interest to consider the same was made and kept on the Ordinance Book of the Clerk of the Board for at least 15 days, exclusive of Sundays and legal holidays, and notice given for rezoning of less than five percent of the County.

THE FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS



Cheryl Sanders, Chairman

Attest: 

Kendall Wade, Clerk



EXHIBIT A

Begin at a concrete monument marking the Northeast corner of The Bluffs, Phase II, a subdivision as per map or plat thereof recorded in Plat Book 5, Page 46 of the Public Records of Franklin County, Florida, said concrete monument lying on the Southeasterly right-of-way boundary of Leisure Lane on a curve concave to the Northwesterly, thence run along said right-of-way boundary as follows: Northeasterly along said curve with a radius of 832.00 feet thru a central angle of 19 degrees 27 minutes 13 seconds for an arc distance of 282.49 feet, the chord of said arc being North 45 degrees 06 minutes 07 seconds East 281.14 feet to a re-rod marking a point of compound curve, thence Northeasterly along said compound curve with a radius of 593.00 feet thru a central angle of 47 degrees 31 minutes 01 seconds for an arc distance of 491.79 feet, the chord of said arc being North 11 degrees 37 minutes 17 seconds East 477.82 feet, to a re-rod, thence North 12 degrees 07 minutes 44 seconds West 466.56 feet to a nail and cap marking a point of curve to the right, thence Northwesterly along said curve with a radius of 602.10 feet thru a central angle of 21 degrees 16 minutes 22 seconds for an arc distance of 223.55 feet, the chord of said arc being North 01 degrees 29 minutes 56 seconds West 222.26 feet to a re-rod, thence North 09 degrees 08 minutes 29 seconds West 167.29 feet to a re-rod marking a point of curve to the right, thence Northeasterly along said curve with a radius of 158.71 feet thru a central angle of 66 degrees 53 minutes 25 seconds for an arc distance of 185.29 feet, the chord of said arc being North 42 degrees 34 minutes 02 seconds East 174.94 feet, to a re-rod, thence North 76 degrees 14 minutes 01 seconds East 15.01 feet to a re-rod marking a point of curve to the left, thence Northeasterly along said curve with a radius of 544.63 feet thru a central angle of 01 degrees 34 minutes 21 seconds for an arc distance of 14.96 feet, the chord of said arc being North 75 degrees 44 minutes 32 seconds East 14.95 feet to a concrete monument marking the Northwest corner of Sea Palm Village, a subdivision as per map or plat thereof recorded in Plat Book 4, Page 27 of the Public Records of Franklin County, Florida, thence leaving said right-of-way boundary run along the Westerly boundary of said subdivision as follows: South 31 degrees 31 minutes 52 seconds East 474.99 feet to a concrete monument, thence South 07 degrees 43 minutes 23 seconds West 334.34 feet to a concrete monument, thence South 31 degrees 31 minutes 04 seconds East 893.00 feet to the mean highwater line of the Gulf of Mexico, thence leaving said subdivision boundary run South 59 degrees 22 minutes 07 seconds West along said mean highwater line 958.70 feet to the Easterly boundary of said The Bluffs, Phase II, thence run North 31 degrees 16 minutes 36 seconds West along said subdivision boundary 406.25 feet to the POINT OF BEGINNING containing 20.63 acres, more or less.

ALSO:

Commence at a concrete monument marking the Northwest corner of Sea Palm Village, a subdivision as per map or plat thereof recorded in Plat Book 4, Page 27 of the Public Records of Franklin County, Florida and thence run South 87 degrees 54 minutes 44 seconds West 198.52

feet to a concrete monument on the Westerly right-of-way boundary of Leisure Lane, said concrete monument lying on a curve concave to the Southeasterly and marking the POINT OF BEGINNING. From said POINT OF BEGINNING thence run along the Westerly right-of-way boundary of Leisure Lane as follows: Southwesterly along said curve with a radius of 258.71 feet thru a central angle of 27 degrees 30 minutes 15 seconds for an arc distance of 124.19 feet, the chord of said arc being South 22 degrees 50 minutes 43 seconds West 123.00 feet, thence South 09 degrees 05 minutes 36 seconds West 167.30 feet to a point of curve to the left, thence Southerly along said curve with a radius of 702.10 feet thru a central angle of 21 degrees 16 minutes 22 seconds for an arc distance of 260.68 feet, the chord of said arc being South 01 degrees 32 minutes 35 seconds East 259.18 feet, thence South 12 degrees 10 minutes 46 seconds East 466.55 feet to a point of curve to the right, thence Southwesterly along said curve with a radius of 493.00 feet thru a central angle of 47 degrees 31 minutes 09 seconds for an arc distance of 408.88 feet, the chord of said arc being South 11 degrees 34 minutes 48 seconds West 397.26 feet to a point of compound curve, thence Southwesterly along said compound curve with a radius of 732.00 feet thru a central angle of 08 degrees 51 minutes 00 seconds for an arc distance of 113.07 feet, the chord of said arc being South 39 degrees 45 minutes 53 seconds West 112.95 feet, thence leaving said right-of-way boundary run North 44 degrees 16 minutes 54 seconds West 2169.77 feet to the mean highwater line of Apalachicola Bay, thence run along said mean highwater line as follows: South 63 degrees 32 minutes 34 seconds East 100.65 feet, thence South 32 degrees 11 minutes 59 seconds East 148.41 feet, thence South 44 degrees 07 minutes 36 seconds East 54.51 feet, thence North 84 degrees 39 minutes 15 seconds East 169.86 feet, thence North 41 degrees 43 minutes 02 seconds West 193.26 feet, thence North 20 degrees 34 minutes 44 seconds West 270.50 feet, thence North 15 degrees 43 minutes 04 seconds West 167.08 feet, thence North 51 degrees 35 minutes 49 seconds East 89.49 feet, thence South 41 degrees 10 minutes 08 seconds East 227.54 feet, thence South 52 degrees 05 minutes 25 seconds East 123.65 feet, thence South 10 degrees 27 minutes 31 seconds East 57.08 feet, thence South 61 degrees 55 minutes 09 seconds East 122.94 feet, thence South 42 degrees 03 minutes 19 seconds East 104.71 feet, thence South 21 degrees 07 minutes 10 seconds East 233.80 feet, thence South 02 degrees 59 minutes 41 seconds West 79.58 feet, thence South 29 degrees 36 minutes 39 seconds West 66.57 feet, thence North 64 degrees 29 minutes 11 seconds West 96.76 feet, thence South 64 degrees 50 minutes 40 seconds West 53.82 feet, thence South 31 degrees 13 minutes 49 seconds East 231.69 feet, thence North 21 degrees 34 minutes 54 seconds East 46.94 feet, thence North 20 degrees 36 minutes 37 seconds East 39.24 feet, thence North 14 degrees 20 minutes 13 seconds East 78.45 feet, thence South 17 degrees 06 minutes 20 seconds East 80.09 feet, thence North 58 degrees 03 minutes 38 seconds East 28.16 feet, thence South 06 degrees 14 minutes 21 seconds East 54.85 feet, thence South 59 degrees 37 minutes 51 seconds East 75.39 feet, thence North 11 degrees 04 minutes 29 seconds West 225.64 feet, thence North 07 degrees 09 minutes 31 seconds East 59.45 feet, thence North 23 degrees 09 minutes 19 seconds East 45.95 feet, thence North 18 degrees 42 minutes 44 seconds East 40.54 feet, thence North 65 degrees 37 minutes 42 seconds East 110.74 feet, thence North 54 degrees 25 minutes 40 seconds East 50.41 feet, thence South 74 degrees 03 minutes 16 seconds East 45.84 feet, thence South 80 degrees 13 minutes 07 seconds East 42.31 feet, thence South 49 degrees 50 minutes 58 seconds East 96.47 feet, thence South 67 degrees 04 minutes 01 seconds East 32.93

feet, thence North 34 degrees 06 minutes 31 seconds East 59.73 feet, thence North 62 degrees 33 minutes 23 seconds East 42.71 feet, thence South 76 degrees 53 minutes 52 seconds East 59.26 feet, thence North 52 degrees 08 minutes 40 seconds East 96.34 feet to a re-rod on the Southerly boundary of Pelican Point, a subdivision as per map or plat thereof recorded in the Public Records of Franklin County, Florida, thence leaving said mean highwater line run North 87 degrees 41 minutes 17 seconds East along the Southerly boundary of said subdivision 289.91 feet to the POINT OF BEGINNING containing 27.16 acres, more or less.

ALSO:

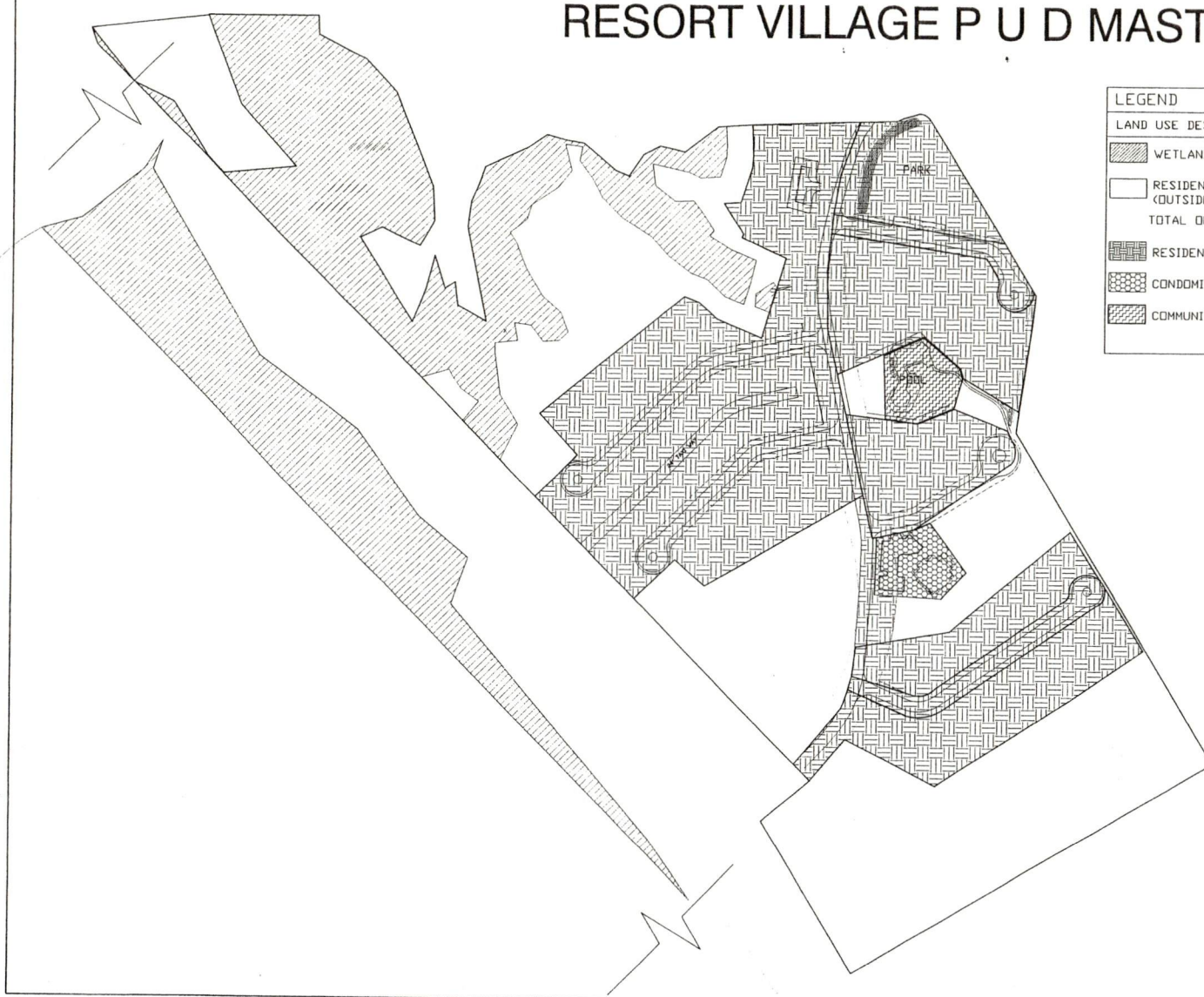
Commence at a concrete monument marking the Northwest corner of Sea Palm Village, a subdivision as per map or plat thereof recorded in Plat Book 4, Page 27 of the Public Records of Franklin County, Florida and thence run South 87 degrees 54 minutes 44 seconds West 198.52 feet to a concrete monument on the Westerly right-of-way boundary of Leisure Lane, said concrete monument lying on a curve concave to the Southeasterly, thence run along the Westerly right-of-way boundary of Leisure Lane as follows: Southwesterly along said curve with a radius of 258.71 feet thru a central angle of 27 degrees 30 minutes 15 seconds for an arc distance of 124.19 feet, the chord of said arc being South 22 degrees 50 minutes 43 seconds West 123.00 feet, thence South 09 degrees 05 minutes 36 seconds West 167.30 feet to a point of curve to the left, thence Southerly along said curve with a radius of 702.10 feet thru a central angle of 21 degrees 16 minutes 22 seconds for an arc distance of 260.68 feet, the chord of said arc being South 01 degrees 32 minutes 35 seconds East 259.18 feet, thence South 12 degrees 10 minutes 46 seconds East 466.55 feet to a point of curve to the right, thence Southwesterly along said curve with a radius of 493.00 feet thru a central angle of 47 degrees 31 minutes 09 seconds for an arc distance of 408.88 feet, the chord of said arc being South 11 degrees 34 minutes 48 seconds West 397.26 feet to a point of compound curve, thence Southwesterly along said compound curve with a radius of 732.00 feet thru a central angle of 08 degrees 51 minutes 00 seconds for an arc distance of 113.07 feet, the chord of said arc being South 39 degrees 45 minutes 53 seconds West 112.95 feet, thence leaving said right-of-way boundary run North 44 degrees 16 minutes 54 seconds West 2200.80 feet to the mean highwater line of Apalachicola Bay for the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 44 degrees 16 minutes 54 seconds West 2159.66 feet to a re-rod on the mean highwater line on said Apalachicola Bay, thence run along said mean highwater line as follows: North 74 degrees 49 minutes 04 seconds East 96.58 feet, thence North 51 degrees 35 minutes 31 seconds East 182.48 feet, thence North 32 degrees 50 minutes 33 seconds East 78.72 feet, thence South 18 degrees 46 minutes 42 seconds West 70.00 feet, thence South 30 degrees 14 minutes 38 seconds East 501.80 feet, thence South 53 degrees 20 minutes 17 seconds East 282.63 feet, thence South 35 degrees 39 minutes 11 seconds East 242.45 feet, thence South 49 degrees 45 minutes 47 seconds East 148.83 feet, thence South 19 degrees 21 minutes 49 seconds West 115.07 feet, thence South 40 degrees 06 minutes 51 seconds East 707.81 feet, thence South 35 degrees 26 minutes 02 seconds East 171.09 feet to the POINT OF BEGINNING containing 6.49 acres, more or less.

ALSO:

All of the interest of Leisure Lane, LLC, a Florida limited liability company wholly owned by SGI Limited Partnership, in that 100 foot wide private road commonly known as Leisure Lane and located in the Plantation, St. George Island, Florida. A description of Leisure Lane may be found in a deed from Resort Village Utility, Inc., Coastal Development Consultants, Inc., and Ben Johnson to Leisure Lane, LLC, recorded in Book 627, Page 241, Public Records of Franklin County, Florida.

All of the above described property containing in aggregate 58 acres, more or less.

RESORT VILLAGE P U D MASTER PLAN



LEGEND	
LAND USE DESCRIPTION	
WETLANDS	15.55 ACRES
RESIDENTIAL OPEN SPACE (OUTSIDE BUILDING AREA)	20.77 ACRES
TOTAL OPEN SPACE 35.61 ACRES	
RESIDENTIAL BUILDING AREA	20.68 ACRES
CONDOMINIUM AREA	0.5 ACRES
COMMUNITY RECREATIONAL AREA	0.5 ACRES
TOTAL ACREAGE 58	



EXHIBIT B

DRAWN BY: DAVID WALL CHECKED BY: PROJECT NUMBER: SCALE:	PROJECT NAME: RESORT VILLAGE P U D MASTER PLAN SHEET NAME: WOODS	 ARCHITECTS & ENGINEERS 1000 W. 10TH ST. SUITE 200 DENVER, CO 80202 PHONE: 303.733.8800 FAX: 303.733.8801 WWW.ANDENR.COM
1 OF 1		