

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2014-102 TO**

**PLANNED UNIT DEVELOPMENT**

**MARCH 13, 2014**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2014-102** to Planned Unit Development.

<b><i>Location:</i></b>	South side New Berlin Road between Holstein Drive and Black Walnut Court
<b><i>Real Estate Number(s):</i></b>	106543-0000, 106545-0020
<b><i>Current Zoning District:</i></b>	Residential Rural-Acre (RR-Acre)
<b><i>Proposed Zoning District:</i></b>	Planned Unit Development (PUD)
<b><i>Current Land Use Category:</i></b>	Low Density Residential (LDR)
<b><i>Planning District:</i></b>	North, District 6
<b><i>City Council District:</i></b>	The Honorable Ray Holt, District 11
<b><i>Applicant/Agent:</i></b>	Curtis Hart 8051 Tara Lane Jacksonville, Florida 32216
<b><i>Owner:</i></b>	Robert Mitchell 3612 New Berlin Road Jacksonville, Florida 32226
<b><i>Staff Recommendation:</i></b>	<b>APPROVE WITH CONDITIONS</b>

**GENERAL INFORMATION**

Application for Planned Unit Development **2014-102** seeks to rezone approximately 10.22 acres of land from RR-Acre to PUD. There are two existing residential dwellings on the property. The rezoning to PUD is being sought so that the property can be developed with a maximum of 55 single family lots. The minimum lot area is 4,400 square feet and the minimum lot width is 40 feet.

### **CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

*(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?*

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 5.38 dwelling units to the acre and will have full urban services available to the site. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

The uses provided herein shall be applicable to all LDR sites within the Suburban Area.

**Principal Uses:** Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and Other uses associated with and developed as an integral component of TND.

**Secondary Uses:** Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements.

*(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?*

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

*(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?*

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

*(1) Consistency with the 2030 Comprehensive Plan*

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

F.L.U.E. Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

F.L.U.E. Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

F.L.U.E. Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

*(2) Consistency with the Concurrency Mobility and Management System*

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize lands for a single family development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

*(4) Internal compatibility*

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The proposed development is opting to pay \$250 per lot for recreation needs pursuant to Section 656.420 (b), Recreation and Open Space Requirements of the Zoning Code. Sheffield Regional Park is within a mile of the site. Although open space/recreation area is important with a small lot subdivision, it is the department's opinion that the needs of the residents will be better served through improvements to the Regional Park.

The use of topography, physical environment and other natural features: The site plan does not

The use and variety of building setback lines, separations, and buffering: The proposed development is requesting lots with a minimum width of 40 feet and minimum lot area of 4,400 square feet. A 40 foot wide lot is not addressed in the Zoning Code and development controls regarding height, lot coverage, setbacks or parking for this smaller lot size have not been evaluated. Smaller lots can provide flexibility in design and different residential types. However smaller lots require design guidelines to ensure the health safety and welfare of the residents with respect to open space and architectural character. **Without these guidelines the Department recommends the minimum lot width be 50 feet and the minimum lot area be 5,000 square feet.**

The use and variety of building sizes and architectural styles: The written description indicates that the smaller lot size will allow the developer to provide unique architectural features. However the developer has not provided drawings.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The written description indicates that the minimum front yard setback is 15 feet and that each lot will have a driveway which will contain two vehicles. This distance is too shallow for a standard car to park without blocking the street or sidewalk. Typically a resident will use the garage for additional storage since the houses are smaller. **The Department recommends that the garage shall be setback at least 20 feet from the property line.**

*(5) External Compatibility*

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The type, number and location of surrounding external uses: The proposed development is located in a developing area where residential subdivisions and industrial uses are in close proximity. Residential development at this location complements the existing school and

industrial uses by increasing the housing options for those in the immediate area.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	PBF	PBF-2	New Berlin Elem. School
South	RR	RR-Acre	Single family residence
East	MDR	PUD (05-553)	Townhomes
West	LDR	RR-Acre	Single family residences

*(6) Intensity of Development*

The proposed development is consistent with the LDR functional land use category as a single family development, which is not to exceed 55 dwelling units. The PUD is appropriate at this location because it will provide alternative housing styles for residents in the area.

The availability and location of utility services and public facilities and services: A pump station will be built by the developer and dedicated to JEA for sanitary sewer services. JEA will also provide water and electric service.

The amount and size of open spaces, plazas, common areas and recreation areas: The proposed development is opting to pay \$250 per lot for recreation needs pursuant to Section 656.420 (b), Recreation and Open Space Requirements of the Zoning Code. Sheffield Regional Park is within a mile of the site. Although open space/recreation area is important with a small lot subdivision, it is the department's opinion that the needs of the residents will be better served through improvements to the Regional Park.

*(7) Usable open spaces plazas, recreation areas.*

The proposed development is opting to pay \$250 per lot for recreation needs pursuant to Section 656.420 (b), Recreation and Open Space Requirements of the Zoning Code.

*(8) Impact on wetlands*

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

No wildlife survey was required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

The site will be developed in accordance with Part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on March 13, 2014, the required Notice of Public Hearing sign was posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2014-102** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated December 30, 2013.
2. The subject property shall be developed in accordance with the original written description dated December 30, 2013.
3. The subject property shall be developed in accordance with the original site plan dated December 31, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated February 10, 2014 or as otherwise approved by the Planning and Development Department.
5. The minimum lot width shall be fifty (50) feet and the minimum lot area shall be 5,000 square feet.
6. The minimum front yard setback shall be twenty (20) feet from face of garage to right-of-way and fifteen (15) feet from building face to right-of-way.
7. At the time of verification of substantial compliance the developer shall submit architectural elevations of all proposed structures for review and approval by the Planning and Development Department.



View of subject property.



View of subject property.

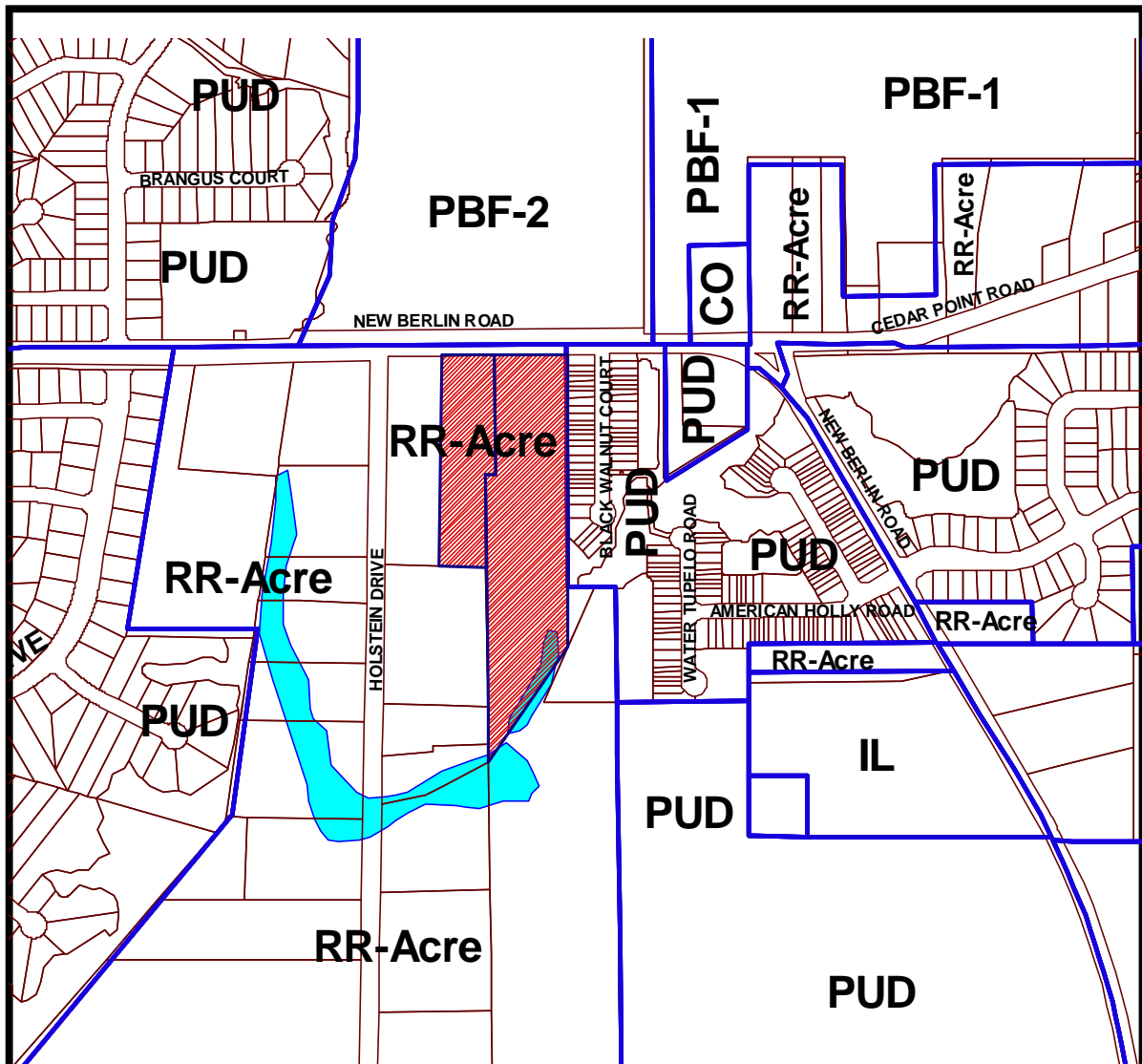


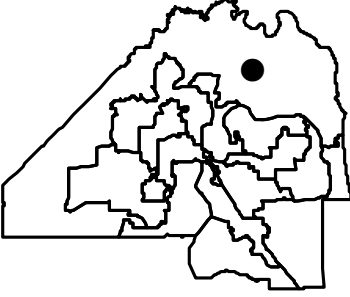


Existing townhomes adjacent to the subject property.



Aerial photograph of site.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre</p> <p>TO: PUD</p>		<p>N W E S</p> <p>0 100 Feet</p> <p>COUNCIL DISTRICT: <b>11</b></p> <p>ORDINANCE _2014_0102</p> <p>FILE COPY</p>
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DEVELOPMENT SERVICES



February 10, 2014

TO: Bruce Lewis, City Planner Supervisor  
Planning and Development Department

FROM: Lisa King  
Traffic Technician Senior

Subject **New Berlin PUD  
R-2014-102**

Upon review of the referenced application and based on the information provided to date, the Development Services Division has the following comments:

1. Roadways shall meet design criteria outlined in the Land Development Procedures Manual (Section 3) & Chapter 654 Code of Subdivision Regulations.
2. Provide sidewalks as outlined in Section 2.2.1 of the Land Development Procedures Manual.
3. Signs, fencing (including homeowners fence in rear and/or side yards) and landscaping shall be located so that horizontal sight line is not obstructed at driveways and intersections per FDOT Design Standards Manual Index 546.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.

## Application For Rezoning To PUD

### Planning and Development Department Info

**Ordinance #** 2014-0102 **Staff Sign-Off/Date** BEL / 01/14/2014

**Filing Date** N/A **Number of Signs to Post** 2

**Hearing Dates:**

**1st City Council** 03/11/2014 **Planning Commission** 03/13/2014

**Land Use & Zoning** 03/18/2014 **2nd City Council** N/A

**Neighborhood Association** N/A

**Neighborhood Action Plan/Corridor Study** N/A

### Application Info

**Tracking #** 519

**Application Status** PENDING

**Date Started** 11/18/2013

**Date Submitted** 12/06/2013

### General Information On Applicant

**Last Name**

HART

**First Name**

CURTIS

**Middle Name**

L

**Company Name**

HART RESOURCES LLC

**Mailing Address**

8051 TARA LANE

**City**

JACKSONVILLE

**State**

FL

**Zip Code** 32216

**Phone**

9049935008

**Fax**

**Email**

CURTISHART1972@ATT.NET

### General Information On Owner(s)

☐

**Check to fill first Owner with Applicant Info**

**Last Name**

MITCHELL

**First Name**

ROBERT

**Middle Name**

**Company/Trust Name**

**Mailing Address**

3612 NEW BERLIN ROAD

**City**

JACKSONVILLE

**State**

FL

**Zip Code**

32226

**Phone**

3142496655

**Fax**

**Email**

**Last Name**

SIMPSON

**First Name**

MARSHA

**Middle Name**

DIANE

**Company/Trust Name**

**Mailing Address**



3628 NEW BERLIN ROAD

<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32226
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9046962323		

### Property Information

Previous Zoning Application Filed For Site? ☐

If Yes, State Application No(s) \_\_\_\_\_

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	106543 0000	11	6	RR-ACRE	PUD
Map	106545 0020	11	6	RR-ACRE	PUD

Ensure that RE# is a 10 digit number with a space (##### #)

Land Use Category Proposed? ☐

If Yes, State Land Use Application # \_\_\_\_\_ Land Use Category  
LDR

Total Land Area (Nearest 1/100th of an Acre) 10.14

Development Number 8908

Proposed PUD Name NEW BERLIN ROAD PUD

### Justification For Rezoning Application

THIS IS A TRANSITION AREA, I HAVE MULTI-FAMILY TO THE EAST, LARGE LOT SINGLE FAMILY TO THE WEST AND A LARGE LIGHT INDUSTRIAL SITE TO THE SOUTH WITH A ELEMENTARY SCHOOL ACROSS THE STREET TO THE NORTH

### Location Of Property

#### General Location

WEST OF BLACK WALNUT COURT ACROSS FROM NEW BERLIN ELEMENTARY SCHOOL

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
3628	NEW BERLIN RD	32226

#### Between Streets

HOLSTEIN DRIVE and BLACK WALNUT COURT

### Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** ☒ A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** ☒ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ☒ Agent Authorization - Notarized letter(s) designating the agent.

**Exhibit C** ☒ Binding Letter.

**Exhibit D** ☒ Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.

**Exhibit E** ☒ Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.

**Exhibit F** ☒ Land Use Table

**Exhibit G** ☒ Copy of the deed to indicate proof of property ownership.

### Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

**Exhibit H** ☒ Aerial Photograph.

**Exhibit I** ☒ Listed Species Survey (If the proposed site is greater than fifty acres).

**Exhibit J** ☒ Other Information as required by the Department (i.e.-\*building elevations, \*signage details, traffic analysis, etc.).

**Exhibit K** ☒ Site Location Map.

### Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent MUST BE PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

### Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

☒ Agreed to and submitted

### Filing Fee Information

**1) Rezoning Application's General Base Fee:** \$2,000.00

**2) Plus Cost Per Acre or Portion Thereof**

**10.14 Acres @ \$10.00 /acre: \$110.00**

**3) Plus Notification Costs Per Addressee**

**83 Notifications @ \$7.00 /each: \$581.00**

**4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$2,691.00**

**NOTE: Advertising Costs To Be Billed to Owner/Agent**



**Exhibit 1**  
**Legal Description**

December 30, 2013

PARCEL A

A PORTION OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE PLAT OF VILLAGES OF NORTHWOODS PHASE II, AS SHOWN AND RECORDED IN PLAT BOOK 63 PAGES 103 THROUGH 105, INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 89°32'37" WEST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY, AS NOW ESTABLISHED), 249.46 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 15622, PAGE 355 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTHERLY AND WESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 00°36'58" EAST, 397.70 FEET; COURSE NO. 2: SOUTH 89°21'02" WEST, 31.65 FEET; COURSE NO. 3: SOUTH 00°00'40" EAST, 983 FEET, MORE OR LESS, TO THE CENTERLINE OF RUSHING CREEK; THENCE NORTHEASTERLY, ALONG THE CENTERLINE OF SAID RUSHING CREEK, 490 FEET, MORE OR LESS TO AN INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID VILLAGES OF NORTHWOODS PHASE II; THENCE NORTH 00°11'11" WEST, ALONG LAST SAID LINE AND ALONG THE WESTERLY LINE OF SAID VILLAGES OF NORTHWOODS PHASE II, A DISTANCE OF 988 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 7.3 ACRES, MORE OR LESS.

PARCEL B

A PORTION OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE PLAT OF VILLAGES OF NORTHWOODS PHASE II, AS SHOWN AND RECORDED IN PLAT BOOK 63 PAGES 103 THROUGH 105, INCLUSIVE OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 89°32'37" WEST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD (A 60 FOOT RIGHT OF WAY, AS NOW ESTABLISHED), 249.46 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 16481, PAGE 354 OF SAID CURRENT PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE SOUTHERLY AND WESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 00°36'58" EAST, 397.70 FEET; COURSE NO. 2: SOUTH 89°21'02" WEST, 31.65 FEET; COURSE NO. 3: SOUTH 00°00'40" EAST, 316.69 FEET TO THE SOUTHERLY LINE OF LAST SAID LANDS; THENCE NORTH 89°19'58" WEST, ALONG LAST SAID LINE, 160.95 FEET TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 9880, PAGE 1193 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 00°37'02" EAST, ALONG LAST SAID LINE, 711.46 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD; THENCE NORTH 89°32'37" EAST, ALONG LAST SAID LINE, 180.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.84 ACRES, MORE OR LESS.

Total Containing 10.14 Acres

## EXHIBIT A

### Property Ownership Affidavit

Date: 11-14-13

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 128 East Forsyth Street, Florida Theatre Building, Suite 700  
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

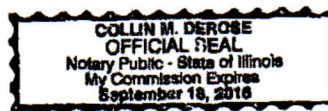
I, ROBERT MITCHELL hereby certify that I am the  
Owner of the property described in the attached legal description, Exhibit 1 in connection with  
filing application(s) for 3612 NEWBERLIN RD. JACKSONVILLE, FL 32226  
submitted to the Jacksonville Planning and Development Department.

Robert Mitchell  
(Owner's Signature)

STATE OF Illinois  
COUNTY OF DuPage

The foregoing affidavit was sworn and subscribed before me this 14<sup>th</sup> day of November  
(month), 2013 (year) by Robert Mitchell who is personally  
known to me or has produced IL Driver's License as identification.

Collin M. Derosé  
(Notary Signature)



## Property Ownership Affidavit

Date: 11/11/13

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / 128 East Forsyth Street, Florida Theatre Building, Suite 700  
Jacksonville, FL 32202

Re: Ownership Certification

Gentleman:

I, Marsha Diane Simpson \* hereby certify that I am the Owner of the property described in the attached legal description, **Exhibit 1** in correction with filing application (s) for

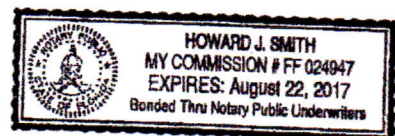
submitted to the Jacksonville Planning and Development Department.

*Marsha Diane Simpson*  
Marsha Diane Simpson\*

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11 day of November, 2013, by Marsha Diane Simpson \*, who is personally known to me or has produced \_\_\_\_\_ as identification.

*Howard J. Smith*  
(Notary Signature)



\*Individually and as Attorney in Fact for James Alan Simpson, Denise Bergner Garcia, Edward Garcia and Della Alexander, formerly known as Della Diane Turner

## EXHIBIT B

### Agent Authorization

Date: 11-14-13

City of Jacksonville  
Planning and Development Department  
128 East Forsyth Street, Florida Theatre Building, Suite 700  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

RE# 106543-0000 3612 NEW BERLIN ROAD

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

CURTIS HART to act as agent to file application(s) for  
Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Robert Mitchell

(Owner's Signature)

STATE OF Illinois  
COUNTY OF DuPage

The foregoing affidavit was sworn and subscribed before me this 14TH day of November (month), 2013 (year) by Robert Mitchell who is personally known to me or has produced IL Driver's License as identification.

C. M. DeRose  
(Notary Signature)





## Agent Authorization

Date: November 11, 2013

City of Jacksonville  
Planning and Development Department  
128 East Forsyth Street, Florida Theatre Building, Suite 700  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

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Gentleman:

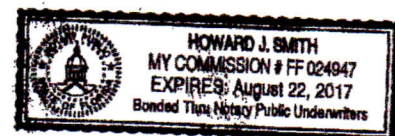
You are hereby advised that the undersigned is the owner of the property described in **Exhibit 1** attached hereto. Said owner hereby authorizes and empowers Curtis L. Hart to act as agent to file application(s) for Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Marsha Diane Simpson  
Marsha Diane Simpson\*

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 11 day of November, 2013, by Marsha Diane Simpson \*, who is personally known to me or has produced \_\_\_\_\_ as identification.

Howard J. Smith  
(Notary Signature)



\*Individually and as Attorney in Fact for James Alan Simpson, Denise Bergner Garcia, Edward Garcia and Della Alexander, formerly known as Della Diane Turner

# EXHIBIT C

## Binding Letter

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

RE: 3612 NEW BERLIN ROAD, JACKSONVILLE, FL 32226

Ladies and Gentleman;

You are hereby advised that the undersigned, owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By: Robert Mitchell

Its: Rm

# EXHIBIT C

## Binding Letter

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

RE: 3628 New Berlin Road

Ladies and Gentleman;

You are hereby advised that the undersigned, owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By: Marshall Simpson

Its: Owner

# EXHIBIT “D”

## Planned Unit Development Written Description December 30, 2013 New Berlin Road PUD

Development # 8908

**Developer:**

**Curtis L. Hart**  
Hart Resources LLC  
8051 Tara Lane  
Jacksonville, Florida 32216  
904 993-5008 office

**Owners:**

Marsha Simpson  
3628 New Berlin Road  
Jacksonville, Florida 32226

Robert Mitchell  
3612 New Berlin Road  
Callahan, Florida 32226

**Engineer:**

Dominion Engineering Group, Inc.  
4348 Southpoint Blvd. Suite 204  
Jacksonville, FL 32216  
854-4500

**Surveyor:**

Clary & Associates.  
3830 Crown Point Road  
Jacksonville, Florida 32257

**Property Address :**

**3628 & 3612 New Berlin Road**

**Zoning**

**Current: RR**

**Proposed: PUD**

The subject property is currently zoned RR and has a Residential Land Use Designation of “LDR” on the 2030 Comprehensive Plan Future Land Use Element. This PUD application is consistent with the 2030 Comprehensive Plan and the land use designation.

**Land Use**

**LDR**

**Wetlands:**

There is a small amount of wetland on the south edge of this property where it abuts Rushing Branch Creek. We will not impact the wetlands. If any wetlands are impacted they will be permitted according to local, state and federal requirements.



### **Wild Life Survey**

With only 10.14 Acres a wildlife survey is not required.

### **DESCRIPTION OF PLAN**

The subject property is approximately 10.14 acres, hereafter referred to as the "Property", and is legally described on Exhibit 1. The Property is identified as land described under Real Estate Numbers 106545-0020 and 106543-0000. The owners of the Property are Marsha Simpson and Robert Mitchell. The Property is located at 3628 & 3612 New Berlin Road has two single family dwellings.

This PUD is necessary to establish the layout of the subdivision and provide for a development scheme that is compatible with the established pattern of development in the nearby area. This property is bound on the East by a very large and attractive Townhome Development known as Villages of Northwood and to the West by large single family lots along Holstein Drive. This development would serve as a transition between the Townhomes and Large lot single family dwellings along Holstein Drive. It would be inappropriate to develop another townhome development next to the large lots. This 40 foot single family development would serve as a transition between the two uses. This is one of those areas that small single family lots are appropriate. Across New Berlin Road in front of this development is New Berlin Road Elementary School.

This is a 10.14+- acre parcel with two home sites that fronts on New Berlin Road, West of Black Walnut Court and East of Holstein Drive. Access will be off of New Berlin Road on City maintained Streets. New Berlin PUD will be developed in one or two phases and contain no more than 55 lots. All lots will have a minimum of 4,400 square feet. Since there is a large City Recreation Park within a mile of this site we will be paying into the recreation fund for each lot. Existing City Water will be used. City Sewer will be used by building a pump station to be dedicated to JEA. In this area there are a variety of lot widths however numerous lots are 16 foot wide townhome lots to the East. The West is very nice large single family lots, rural in nature. To the South is a farm owned by a family member Mr. Braddock and also Stone Mountain Industrial Park. Mr. Braddock will access his property on a public street thru this subdivision (as noted on the site plan).

### **DIFFERENCE BETWEEN PUD AND USUAL APPLICATION**

This Application for a PUD allows for a maximum lot coverage of 50% which would allow for larger homes and a maximum number of lots at 55 and a minimum lot size of 4,400 square feet. By doing a PUD it will allow the developer to provide unique architectural features and conditions.

### **CHARACTER OF LAND**

The existing site characteristics indicate the property slopes north to south with no significant variations in elevations with natural vegetation. This 10 +- acres currently have two homes and abut Rushing Branch Creek. The property has been pasture for many years and has very few trees.

### **PERMITTED USES:**

Detached, site-built single-family dwellings.

### PERMITTED USES BY RIGHT:

Home Occupation meeting the performance standards and development criteria set forth in Part 4 of the City of Jacksonville Zoning Code.

### PERMITTED ACCESSORY USES AND STRUCTURES:

Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code.

### RESTRICTION ON USES:

Dumpsters, propane tanks and similar appurtenances must be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located, or to be located, on the Property.

### DESIGN CRITERIA:

1. *Single family Acreage:* 10.14
2. *Maximum number of lots:* 55
3. *Minimum Lot Width:* 40 feet.
4. *Minimum Lot Area:* 4400 square feet
5. *Maximum Lot Coverage:* 50% by all buildings and structures.
6. *Minimum Set Backs:* Front yard: 15 feet,  
Side Yard 5 feet,  
Rear yard 10 feet
7. *Maximum Building height:* 35 feet

Air conditioning or other equipment designed to serve the main structure may be located in the required rear or side yard. Where lots are located on roadway curves or cul-de-sacs the Building Restriction Line (BRL) will be 15 feet notwithstanding the lot width at the BRL. On any corner lot notwithstanding the code the side yard setback shall be 5 feet.

### ADDITIONAL DESIGN CRITERIA

1. FENCING  
Homeowners will be allowed to construct a 6-ft high fence in there rear & side yards.
2. PARKING REOUIREMENTS  
On each lot, a driveway will be provided large enough to accommodate two automobiles.
3. VEHICULAR ACCESS  
Vehicular access to the property will be provided from a public street, New Berlin Road as noted on the site plan. The site plan attached as Exhibit E, and made a part of this application clearly shows the access.

4. **LANDSCAPE**  
The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code. Tree mitigation shall be provided in the form of planting new trees anywhere on the property, or providing protection of any unprotected trees, or payment into the City's tree mitigation fund, or any combination thereof at the discretion of the owners.
5. **DRAINAGE**  
The drainage will be routed through the Stormwater treatment system as per St. Johns River Water Management District criteria, treated and then discharged. Stormwater retention systems will be constructed on site as needed.
6. **PHASING**  
This project may be developed in one or two phases and will start as soon as permits are issued, should be by December 2014.
7. **UTILITIES**  
The project will be served with public water and sewer service by JEA.
8. **SIGNAGE**  
At developer's option, either (i) one non-illuminated double faced sign not exceeding a maximum of twenty-four (24) square feet in area, excluding border and columns, or (ii) a maximum of two single-faced signs, non-illuminated, not exceeding a maximum of twenty-four (24) square feet in area, per sign, excluding border and columns, may be erected along New Berlin Road either side of the subdivision entrance road. Sign materials shall include brick, stone or stucco borders and/or columns. Front entrance signage shall be landscaped and irrigated and may have indirect lighting.  
  
Also, there will be particular signage relative to lot and home sales i.e.: for sale signs, informative contractor signs, model home signs, etc. Real estate signs (in compliance with Section 656.1306, Zoning Code) and construction signs (in compliance with Section 656.1307, Zoning Code) also will be permitted. Temporary sign(s) of a maximum of twelve (12) feet in area and twelve (12) feet in height for model homes also shall be permitted. All maintenance of signs shall be the responsibility of Developer and/or owners association.
9. **SIDEWALKS**  
Sidewalks will be provided as per the requirements of the City of Jacksonville 2030 Comprehensive Plan.
10. **RECREATION AND OPEN SPACES**  
Since there is a large City Recreation Park within a mile of this site we will be paying into the recreation fund for each lot and no recreation will be provided.

11. LEGEND

A. Total Gross Acres	10.14+- Acres
B. Amount of Land Use as LDR	6.98 Acres
C. Total Number of Units Single Family:	55
D. Total Passive Open Space (Ponds, Wetlands & Uplands)	1.05 Acres
E. Amount of Public & Private R/W	2.11 Acres.
F. Maximum Lot Coverage	50%

12. CIRCULATION AND ROADWAY DESIGN

Prior to verification of substantial compliance pursuant to Section 656.34 1(G) Zoning Code, the vehicular access and design of said access Points and interior vehicular circulation, connections, and termination of Roadways including design of pavement, right-of-way width, and general design, will be submitted to Planning Department, Transportation Planning, Public Works and Traffic Engineer. This roadway layout is a conceptual and may be adjusted for engineering, geometry and other requirements.

13. HOMEOWNER ASSOCIATION

A Homeowner Association will be in place to provide for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided or operated or maintained by the city.

**SUCCESSOR IN TITLE**

All successors in title to the property shall be bound to the terms and conditions of this PUD.

DESIGN ENGINEER:  
WILLIAM E SCHAEFER II  
FLORIDA REGISTRATION NUMBER  
40229  
SEAL



## SITE DATA

55 - 40'X110' LOTS



HOLSTEIN DRIVE  
(60' R/W)

SCHOOL  
ENTRANCE

EXHIBIT E

NEW BERLIN ELEMENTARY SCHOOL

# EXHIBIT F

PUD Name

**New Berlin Road PUD**

## Land Use Table

---

Total gross acreage	<b>10.14</b>	Acres	100 %
Amount of each different land use by acreage			
Single family	<b>6.98</b>	Acres	<b>69</b> %
Total number of dwelling units	<b>55</b>	D.U.	
Multiple family	<b>0</b>	Acres	<b>0</b> %
Total number of dwelling units	<b>0</b>	D.U.	
Commercial	<b>0</b>	Acres	<b>0</b> %
Industrial	<b>0</b>	Acres	<b>0</b> %
Other land use	<b>0</b>	Acres	<b>0</b> %
Active recreation and/or open space	<b>0</b>	Acres	<b>0</b> %
Passive open space	<b>1.05</b>	Acres	<b>10</b> %
Public and private right-of-way	<b>2.11</b>	Acres	<b>21</b> %
Maximum coverage of buildings and structures	<b>121,000</b>	Sq. Ft.	<b>50</b> %

**PREPARED BY  
AND RETURN TO:**  
**Howard J. Smith, P.A.**  
**10110 San Jose Boulevard**  
**Jacksonville, FL 32257**

**S/P Consideration: \$0.00**

**Note to Clerk: This is a Quit Claim Deed of unencumbered property, for no consideration, executed and delivered for purposes of clearing title issues regarding the property. Consequently, no documentary stamp tax is due on such conveyance.**

### **QUIT CLAIM DEED**

This Quit Claim Deed is made this 21<sup>st</sup> day of May, 2011, by **Marsha Diane Simpson**, a married woman (conveying property which is not her constitutional homestead), **Della Diane Turner**, a single woman (conveying property which is not her constitutional homestead), and **Denise Bergner Garcia**, a married woman (conveying property which is not her constitutional homestead), (collectively referred to as "Grantors"), whose collective address for purposes hereof is 232 Arora Boulevard, Orange Park, FL 32073, to the following persons (collectively referred to as "Grantees"):

*Sinda*

**Marsha Diane Simpson and James Alan Simpson**, a married couple, whose address is 232 Arora Boulevard, Orange Park, FL 32073, a fifty percent (50%) undivided interest in the Property (as defined below);

**Della Diane Turner**, a single person, whose address is 4180 Scenic Drive, Middleburg, FL 32068, a twenty-five percent (25%) undivided interest in the Property; and

**Denise Bergner Garcia and Edward Garcia**, a married couple, whose address is 86423 Jean Road, Yulee, FL 32097, a twenty-five percent (25%) undivided interest in the Property.

IN CONSIDERATION of the sum of \$10.00, and other valuable considerations, paid by Grantees to Grantors, the receipt and sufficiency of which are hereby acknowledged, Grantors do hereby convey, transfer, remise, release and quit-claim to Grantees and Grantees' heirs, successors and assigns forever, that certain real property located in Duval County, Florida, described in Exhibit "A", attached hereto and made part hereof (the "Property").


SUBJECT TO all covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.


*4*

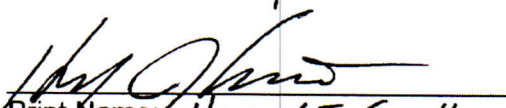
TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantors, either in law or equity, to the only proper use and benefit of the Grantees and Grantees' heirs, successors and assigns forever.

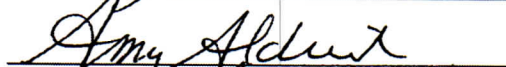
EXECUTED AND DELIVERED as of the day and date above.

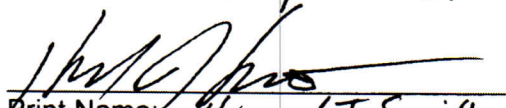
Witnessed:

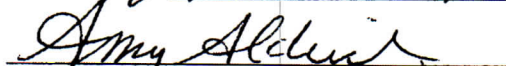
  
Print Name: Howard J. Smith

  
Print Name: Amy Aldrich

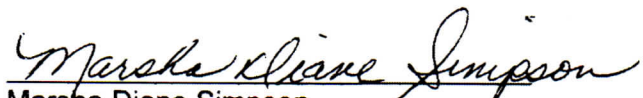
  
Print Name: Howard J. Smith

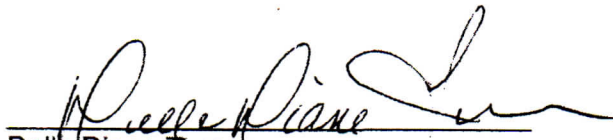
  
Print Name: Amy Aldrich

  
Print Name: Howard J. Smith

  
Print Name: Amy Aldrich

Executed:

  
Marsha Diane Simpson

  
Della Diane Turner

  
Denise Bergner Garcia



STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May, 2011,  
by Marsha Diane Simpson, who is personally known to me or who has produced  
drivers license as identification.

AMY ALDRICH  
Notary Public, State of Florida  
My comm. exp. July 21, 2012  
Comm. No. DD 807991

Amy Aldrich  
Notary Public, State and County Aforesaid  
Amy Aldrich  
Name of Notary Public  
(Typed, Printed or Stamped)  
My Commission expires: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May,  
2011, by Della Diane Turner, who is personally known to me or who has produced  
drivers license as identification.

AMY ALDRICH  
Notary Public, State of Florida  
My comm. exp. July 21, 2012  
Comm. No. DD 807991

Amy Aldrich  
Notary Public, State and County Aforesaid  
Amy Aldrich  
Name of Notary Public  
(Typed, Printed or Stamped)  
My Commission expires: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May,  
2011, by Denise Bergner Garcia f/k/a Denise Bergner, who is personally known to me or  
who has produced drivers license as identification.

AMY ALDRICH  
Notary Public, State of Florida  
My comm. exp. July 21, 2012  
Comm. No. DD 807991

Amy Aldrich  
Notary Public, State and County Aforesaid  
Amy Aldrich  
Name of Notary Public  
(Typed, Printed or Stamped)  
My Commission expires: \_\_\_\_\_

**EXHIBIT A**

**PARCEL "A"**

A PORTION OF SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4, SECTION 35, TOWNSHIP 1 NORTH RANGE 27 EAST, DUVAL COUNTY, FLORIDA; THENCE SOUTH 89°24'22" WEST, ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 449.22 FEET; THENCE CONTINUE SOUTH 89°24'22" WEST, ALONG SAID SOUTH LINE, 452.86 FEET; THENCE NORTH 00°00'40" WEST, DEPARTING SAID SOUTH LINE, 1260.56 FEET TO THE CENTERLINE OF RUSHING CREEK AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°00'40" WEST, 982.56 THENCE 89°21'02" EAST, 31.65 FEET; THENCE NORTH 00°36'58" WEST, 397.70 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF NEW BERLIN ROAD, A 60 FOOT RIGHT OF WAY AS PRESENTLY ESTABLISHED; THENCE NORTH 89°26'35" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, 249.46 FEET TO AN INTERSECTION WITH THE WEST LINE OF VILLAGES OF NORTHWOODS AS RECORDED IN PLAT BOOK 63, PAGE 103 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 00°11'11" EAST, DEPARTING SAID SOUTH RIGHT OF WAY LINE AND ALONG THE SAID WEST LINE OF VILLAGES OF NORTHWOODS, 987.90 FEET, MORE OR LESS TO THE INTERSECTION OF AFOREMENTIONED RUSHING CREEK; THENCE SOUTHWESTERLY ALONG THE SAID CENTERLINE OF RUSHING CREEK, 490 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Prepared by and

return to:

Jamie Wunder

O'Kelley and Sorohan, Attorneys at Law, LLC

2290 Lucien Way

Ste 205

Maitland, FL 32751

File no.: 1474LPSF

Property address: 3612 NEW BERLIN RD, JACKSONVILLE, FL 32226

### SPECIAL WARRANTY DEED

This Special Warranty Deed Made this 11<sup>TH</sup> day of July, 2013, by

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIES CORPORATION, HOME EQUITY MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-KS4 WHO ACQUIRED TITLE AS US BANK NATIONAL ASSOCIATION, AS TRUSTEE,**

hereinafter called the grantor, and whose address is 1525 S. Belt Line Rd, Coppell, TX 75019 to,

**ROBERT MITCHELL, A Single Man,**

hereinafter called the grantee, and whose address is 3612 New Berlin Rd, Jacksonville, FL 32226,

**WITNESSETH:** That grantor, for and in consideration of the sum of \$10.00 Dollars, and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto grantee, all that certain land situate in Duval County, Florida, viz:

See exhibit "A" attached hereto and incorporated herein.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. **To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation).



IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE FOR RESIDENTIAL ASSET  
SECURITIES CORPORATION, HOME  
EQUITY MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2006-  
KS4 WHO ACQUIRED TITLE AS US BANK  
NATIONAL ASSOCIATION, AS TRUSTEE

BY OCWEN LOAN SERVICING, LLC AS  
ATTORNEY IN FACT

By: Teerayut Kaewpradit

Its: Assistant Vice President  
{Affix corporate seal}

Eddie Mendez  
Witness Signature  
Eddie Mendez  
Witness Print Name

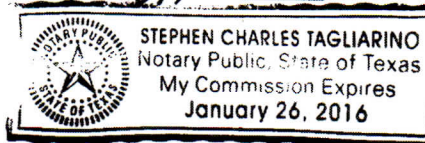
Scott Buskirk  
Witness Signature  
Scott Buskirk  
Witness Print Name

STATE OF Texas  
COUNTY OF Dallas

The foregoing instrument was acknowledged before me, a notary public, on 7/11/13 by Teerayut Kaewpradit, who are personally known to me or who have produced NA Driver's License, or who have produced governmental identification.

(Notary seal)

Stephen Charles Tagliarino  
Notary Public in and for State of Texas  
My Commission expires: 1/26/16  
My Commission No.: NA



## EXHIBIT H



C:\General Civil\Hart\new berlin road\Figures.dwg (Aerial) 11/26/2013 11:49



C.A. 26821  
DOMINION ENGINEERING GROUP, INC.  
6384 PHILIPS HIGHWAY, SUITE 101  
JACKSONVILLE, FLORIDA 32216  
904-854-4500 FAX:904-854-4505

**AERIAL**

NEW BERLIN ROAD PUD

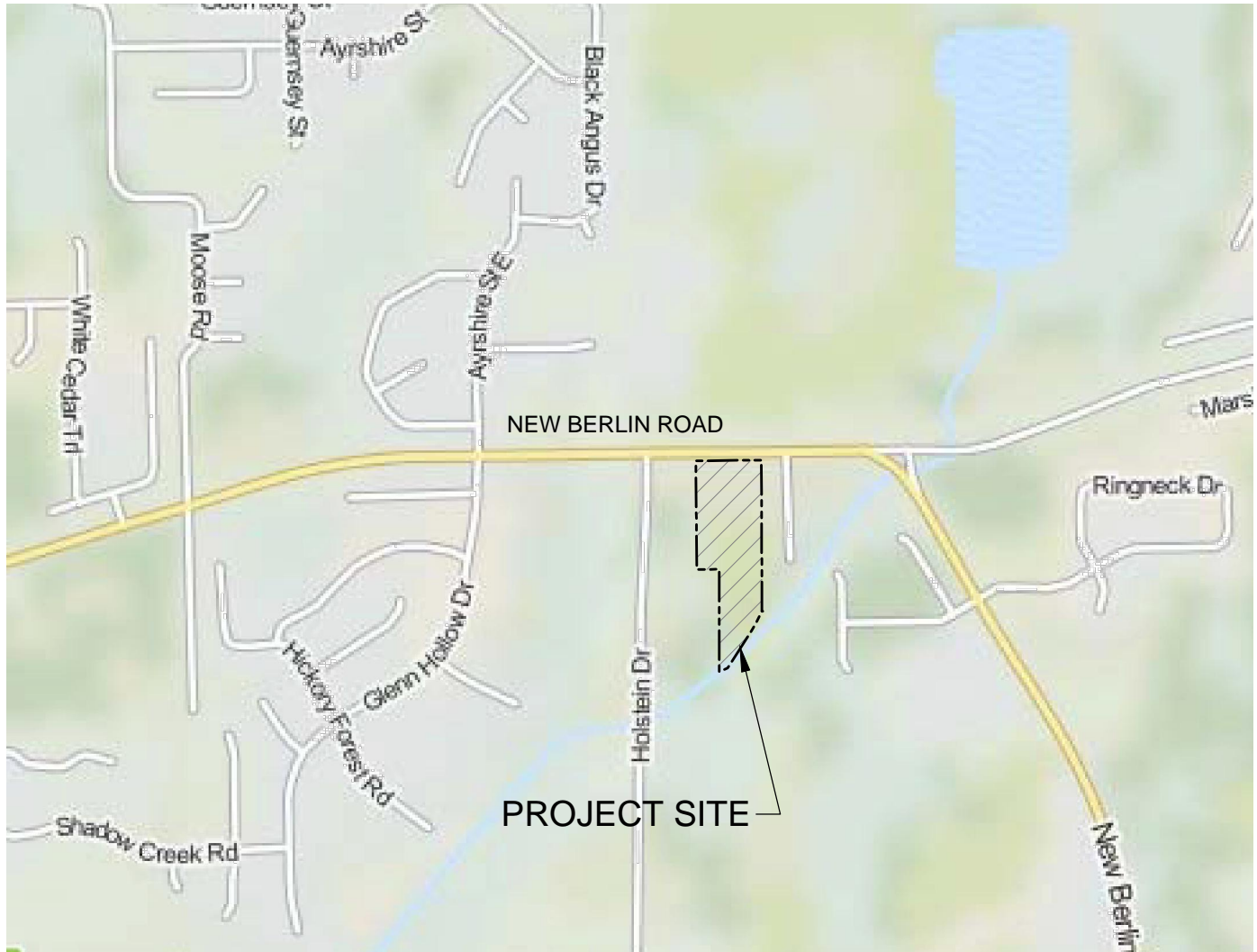
EXHIBIT H

AERIAL COJ GIS

PAGE \_\_\_\_ OF \_\_\_\_



## EXHIBIT K



C:\General Civil\Hart\new berlin road\Figures.dwg (USGSQuad) 11/26/2013 11:49



PLANNERS AND ENGINEERS C.A. 26821  
DOMINION ENGINEERING GROUP, INC.  
6384 PHILIPS HIGHWAY, SUITE 101  
JACKSONVILLE, FLORIDA 32216  
904-854-4500 FAX:904-854-4505

## LOCATION MAP

NEW BERLIN ROAD PUD  
EXHIBIT K

PAGE \_\_\_\_ OF \_\_\_\_

CURRENT PLANNING DIVISION



**Date:** January 7, 2014

**To:** Folks Huxford, Chief

**From:** Bruce Lewis, City Planner Supervisor

**RE:** New Berlin PUD / Tracking # 519

**Verification of consistency with Section 656.341(c)(2)(i) PUD Site Plan Requirements**

The Site Plan, dated December 31, 2013 satisfies the requirements of 656.341(c)(2)(i) when considered in conjunction with the PUD Written Description and Exhibit F. The items of required information that have not been depicted on the Site Plan may be excused for good cause because they are either contained in the Written Description, Exhibit F or not critical to the review of the application.

*(A) The existing site characteristics including any significant variations of elevations, water course(s), unique natural features, and natural vegetation.*

The written description indicates there are no significant variations in elevation, water courses or unique natural features. A review of an aerial photograph shows the site contains a few trees, mostly along the property perimeter. If approved the plans will be reviewed for compliance with the tree mitigation regulations.

*(B) The location of all land uses by acreage, density including the number of dwelling units, intensity, and/or non-residential floor area of such uses. A legend including the following applicable information shall be provided as part of the site plan(s) in accordance with the following format:*

The information above is not contained in a single table on the Site Plan, but is included in the Exhibit F.

*(C) The existing and proposed vehicular circulation system, pedestrian circulation system and points of ingress and egress to the development, including rights-of-way and paving widths. In addition, all existing and proposed rights-of-way, driveways and median openings (if any) within 660 feet of the proposed development.*

The Site Plan does show points of ingress and egress, median openings and driveways within 660 feet of the property.

**PLANNING AND DEVELOPMENT DEPARTMENT**

(D) *Site plan(s), map(s), drawing(s), traffic studies and/or other studies and reports, as may be by the Department.*

Not applicable.