

INTRODUCED BY COMMISSIONER WALDRON

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO RS-2 WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, BIRMINGHAM TRUST NATIONAL BANK and J. W. GOODWIN, as Trustees Under Trust Indenture dated August 14, 1956, as amended said Trust being known as the JOY GOODWIN RUDD TRUST, has filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on Thursday, April 1, 1982, at 1:30 o'clock p.m., on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found, as to the requested rezoning classification of RS-2, as follows: (a) the proposed rezoning promotes the public welfare and complements the St. Johns County Comprehensive Plan; (b) the requested change of zoning is justifiable or fairly debatable without special conditions; (c) the proposed rezoning is desirable at this time and in this general location; (d) prior to the enactment of this Ordinance and in the interest of the public health, safety and general welfare, and without promise, prerequisite, or inducement to the enactment of this Ordinance, applicants agreed to limit their use of said lands and have consented to restrictions or limitations on the applied for rezoning of RS-2 as hereinafter provided; and (e) such restrictions or limitations are for the benefit of the general public and not just the applicants, and they are reasonable and nondiscriminating;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of Joy Goodwin Ruff Trust, the zoning classification of OR on the following described lands:

Parcel I

Begin at the Southeast corner of Section 18, Township 6 South, Range 30 East, St. John's County, Florida; thence run South 89 degrees, 15 minutes West for a distance of 297 feet; thence run North 45 degrees, 45 minutes West for a distance of 726 feet; thence run North 71 degrees, 45 minutes West for a distance of 792 feet; thence run North 5 degrees, 15 minutes East for a distance of 1,245.45 feet; thence run North 89 degrees, 15 minutes East for a distance of 1,347.93 feet to a point on the Southwesterly right-of-way line of Florida Road A1A; thence run South 12 degrees, 57 minutes East along the Southwesterly right-of-way line of said Road for a distance of 1,176.65 feet; thence run South 89 degrees, 15 minutes West for a distance of 548.6 feet; thence run South 6 degrees, 6 minutes, 30 seconds East for a distance of 342.5 feet; thence run North 89 degrees, 15 minutes East for a distance of 591.26 feet to a point on the Southwesterly right-of-way line of Florida State Road A1A; thence run South 12 degrees, 57 minutes East along said road for a distance of 100 feet more or less to an excluded parcel; thence run South 89 degrees 15 minutes West along the North line of said parcel for a distance of 269.55 feet; thence run South 0 degrees, 45 minutes East along the West line of Section 17, Township 6 South, Range 30 East for a distance of 390.97 feet to the point of beginning.

Parcel II

Commence at the Southwest corner of Section 17, Township 6 South, Range 30 East, St. John's County, Florida; run thence North 89 degrees, 15 minutes East along the South line of said Section for a distance of 354.03 feet; thence North 12 degrees, 57 minutes West along the Southwesterly right-of-way line of Florida State Road A1A for a distance of 500 feet; thence run South 89 degrees, 15 minutes West for a distance of 591.26 feet; thence run North 6 degrees, 6 minutes, 30 seconds West for a distance of 342.5 feet; thence run North 89 degrees, 15 minutes East for a distance of 827.68 feet to a point on the approximate water line of the Atlantic Ocean. Said point being the point of beginning. From the point of beginning thus obtained, thence run South 89 degrees, 15 minutes West for a distance of 210 feet more or less to a point on the Northeasterly right-of-way line of Florida State Road A1A; thence run North 12 degrees, 57 minutes West for a distance of 1,176.65 feet; thence run North 89 degrees, 15 minutes East for a distance of 230 feet more or less to the approximate water line of the Atlantic Ocean; thence run in a Southwesterly direction along said approximate elevation of the Atlantic Ocean for a distance of 1,203 feet more or less to the point of beginning.

is hereby changed to RS-2, subject to the following conditions:

- (1) No residential driveways may be constructed or permitted to exit from the lands lying westerly of the West right-of-way line of State Road A1A directly onto said State Road A1A;
- (2) No lot is to be platted within said property described abutting the easterly right-of-way line of State Road A1A which shall be serviced by a single private driveway onto the said State Road A1A. Each such platted lot shall be served by a joint driveway, shared by an adjoining lot owner. Provided, however, that if the approved plat by the appropriate officials of St. Johns County provide for an odd number of lots on the easterly side of said right-of-way, then there shall be one lot that may be serviced

by a private driveway;

(3) The side yard set back shall be eight (8) foot minimum but in no case shall there be less than twenty (20) feet combined side yard set back.

(4) A walkway with a minimum width of five (5) feet shall be shown on the recorded plat through the property on the East side of A1A at least every one thousand (1000) feet of ocean frontage, so as to provide access to the beach area for the residents of the property on the West side of A1A.

which conditions shall remain in full force and effect at all times until amended or changed by further ordinance of this Body.

SECTION 2. The Zoning Inspector is authorized to issue construction permits allowed by classification as rezoned and conditioned hereby.

SECTION 3. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 4. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official public records of St. Johns County, Florida.

PASSED this 8th day of June, 1982.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Brubaker
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson
Deputy Clerk

(SEAL)

Adopted regular meeting 06/08/82

Effective 6-21-82

82-35

COPY OF ADVERTISEMENT

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared Robert E. James who on oath says that he Advertising Manager of the St. Augustine Record daily newspaper published at St. Augustine in St. Johns County, Florida that the attached copy of advertisement, being a Notice of Board of County Commissioners Meeting in the matter of Rezoning OR to RS-2 in the Com was published in said newspaper in the issues of April 16, 1982.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that it said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
this 16th day of April
APR 19 82
Ruth M. Walker
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires May 13, 1985
Bonded Jan 1981

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 25 DAY OF MAY 1982, AT 1:30 O'CLOCK, P.M. IN THE COUNTY COMMISSIONERS MEETING ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO RS-2 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA.

SECTION 1. Pursuant to the application of Birmingham Trust National Bank, J.W. Goodwin Trustee OWNER/S of the following described land, zoning classification of OR on the following described lands:

Parcel I
Begin at the Southeast corner of Section 18, Township 8 South, Range 30 East, St. Johns County, Florida; thence run South 89 degrees, 15 minutes West for a distance of 227 feet; thence run North 45 degrees, 45 minutes West for a distance of 723 feet; thence run North 71 degrees, 46 minutes West for a distance of 792 feet; thence run North 8 degrees, 15 minutes East for a distance of 1,246.45 feet; thence run North 89 degrees, 15 minutes East for a distance of 1,347.93 feet to a point on the Southwesterly right-of-way line of Florida Road A1A; thence run South 12 degrees, 57 minutes East along the Southwesterly right-of-way line of said Road for a distance of 1,176.66 feet; thence run South 89 degrees, 15 minutes West for a distance of 848.6 feet; thence run South 5 degrees, 6 minutes, 30 seconds East for a distance of 342.5 feet; thence run North 88 degrees, 15 minutes East for a distance of 581.28 feet to a point on the Southwesterly right-of-way line of Florida State Road A1A; thence run South 12 degrees, 57 minutes East along said road for a distance of 100 feet more or less to an excluded parcel; thence run South 89 degrees 15 minutes West along the North line of said parcel for a distance of 288.55 feet; thence run South 0 degrees, 45 minutes East along the West line of Section 17, Township 8 South, Range 30 East for a distance of 380.37 feet to the point of beginning.

Parcel II
Commence at the Southwest corner of Section 17, Township 8 South, Range 30 East, St. Johns County, Florida; run thence North 88 degrees, 15 minutes East along the South line of said Section for a distance of 354.08 feet; thence North 12 degrees, 57 minutes West along the Southwesterly right-of-way line of Florida State Road A1A for a distance of 500 feet; thence run South 88 degrees, 15 minutes West for a distance of 581.28 feet; thence run North 8 degrees, 15 minutes, 30 seconds West for a distance of 342.5 feet; thence run North 89

degrees, 15 minutes East for a distance of 827.68 feet to a point on the approximate water line of the Atlantic Ocean, said point being the point of beginning. From the point of beginning thence obtained, thence run South 89 degrees, 15 minutes West for a distance of 210 feet more or less to a point on the Northeastery right-of-way line of Florida State Road A1A; thence run North 12 degrees, 57 minutes West for a distance of 1,176.66 feet; thence run North 88 degrees, 15 minutes East for a distance of 230 feet more or less to the approximate water line of the Atlantic Ocean; thence run in a Southwesterly direction along said approximate

elevation of the Atlantic Ocean for a distance of 1,208 feet more or less to the point of beginning. is hereby changed to RS-2.

SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in zoning district wherein said lands are located.

SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by Zoning classification as rezoned hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgment of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
By Carl "Bud" Markel
CLERK
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
L443 April 16 1982 SAR