

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

WHEREAS, Harry and Margaret Mishoe filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on MARCH 5, 1985 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 Harry and Margaret Mishoe zoning classification of OR on the following described lands:

A portion of the Nicholl Tract of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 36 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Tivoli, as recorded in Map Book 14, Page 1 through 3 inclusive of the Public Records of said County; thence S. 76° 37' 49" E., 120.57° to the Southeasterly right-of-way line of State Road No. 13 (a 100.00° right-of-way as now established); thence S. 47° 20' 00" W., along said Southeasterly right-of-way line, 220.98°; thence S. 76° 37' 49" E., 506.99°; thence S. 15° 15' 17" W., 588.26°; thence S. 74° 45' 13" E., 442.98° to the Point of Beginning; thence continue S. 74° 45' 13" E., 1072.63°; thence N. 15° 07' 56" E., 414.04°; thence N. 74° 55' 50" W., 910.59°; thence S. 33° 42' 59" W., 212.64°; thence S. 39° 22' 29" W., 229.60° to the Point of Beginning.

Lands thus described contain 9.34 acres, more or less.

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

1. No more than 17 lots or parcels shall be created on the subject lands. There shall be no more than one dwelling on any lot or parcel.
2. No access shall be provided to any individual lot directly from State Road No 13.
3. A central water system with fire protection <sup>SHALL</sup> be provided for any proposed subdivision on the land.

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

SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations, or requirements not applicable to all other land in the zoning district wherein said lands are located, except as provided in Section 1 above.

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

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

SECTION 5. 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, and indexed under the names of the property owners described on Page One hereof.

PASSED this 5 day of MARCH, 1985.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: *Nancy Walker*  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Cheryl Kent*  
Deputy Clerk

Adopted regular meeting 03/05/85  
Effective March 12, 1985

VERIFIED BY  
*[Signature]*

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

1305 MAR 12 PM 3:24

*Carl "Bud" Markel*  
CLERK OF CIRCUIT COURT

**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 \_\_\_\_\_  
 Virginia L Goodrich \_\_\_\_\_ who on oath says that he is  
 Advertising Manager \_\_\_\_\_ of the St. Augustine Record, a  
 daily newspaper published at St. Augustine in St. Johns County, Florida;  
 that the attached copy of advertisement, being a \_\_\_\_\_  
 Notice of Public Hearing \_\_\_\_\_  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
 Pursuant to the application of Margaret M and Harry  
 B. Mishoe \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
 February 1, 1985 \_\_\_\_\_

Affiant further says that the St. Augustine Record is a newspaper  
 published at St. Augustine, in said St. Johns County, Florida, and that the  
 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 *Virginia L. Goodrich*  
 this \_\_\_\_\_ 5th \_\_\_\_\_ day of February \_\_\_\_\_  
 85

A.D. 1985  
*Ruth M. Walker*  
 Notary Public

(SEAL)

Notary Public, State of Florida  
 My Commission Expires May 13, 1985  
 printed by the State Bar of Florida

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 5 DAY OF MARCH 1985, 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, WITH THE POSSIBILITY OF ADDED CONDITIONS.

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

SECTION 1. Pursuant to the application of Margaret M. and Harry B. Mishoe OWNERS of the following described land, zoning classification of OR on the following described lands:

A portion of the Nicholl Tract of the Francis P. Fallo Grant, Section 44, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Troll, as recorded in Map Book 14, Page 1 through 3 inclusive of the Public Records of said County; thence S. 76° 37' 49" E., 120.57' to the Southeastery right-of-way line of State Road No. 13 (a 100.00' right-of-way as now established); thence S. 47° 20' 00" W., along said Southeastery right-of-way line, 220.88'; thence S. 78° 37' 49" E., 508.99'; thence S. 15° 15' 17" W., 582.28'; thence S. 74° 45' 13" E., 442.98' to the Point of Beginning; thence continue S. 74° 45' 13" E., 1072.63'; thence N. 15° 07' 56" E., 414.04'; thence N. 74° 25' 50" W., 810.59'; thence S. 33° 42' 59" W., 212.84'; thence S. 39° 22' 29" W., 229.80' to the Point of Beginning.

Lands thus described contain 9.34 Acres, more or less.

is hereby changed to RS-2 with the possibility of added conditions.

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, except as provided in Section 1 above.

SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as reasoned 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" Merkel*  
 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.

L461-Feb. 1, 1985



FILED

'85 MAR 12 AM 10 16

FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

*Handwritten:* Clerk "Bened" M...  
CLERK OF CIRCUIT COURT

March 11, 1985

Ms. Cheryl Kent  
Deputy Clerk  
Board of County Commissioners  
Post Office Drawer 300  
St. Augustine, Florida 32084

Dear Ms. Kent:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of March 6, 1985  
and certified copy/ies of St. Johns County  
Ordinance Nos. 85-14 through 85-18
2. Receipt of \_\_\_\_\_ County Ordinance/s  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed this/these Ordinance(s) in this office  
on March 8, \_\_\_\_\_ 1985.
4. The original/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Cordially,

*Liz Cloud*

(Mrs.) LIZ Cloud, Chief  
Bureau of Administrative Code  
and Laws

LC/

FLORIDA-State of the Arts