

ORDINANCE NO. 85-23.

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

WHEREAS, (Property Owners' names):

C. Allen Peele

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 19th day of March 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 IW 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 IW 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

C. Allen Peele

zoning classification of OR

on the following described lands:

Legal Description:

An 80.02 Acre tract of land in Section 5 & 6, Township 7 South, Range 29 East, St. Johns County, Florida, said tract of land being more fully described as follows:

Commence at the permanent reference monument at the South west corner of Lot 14, Green Acres Subdivision, Section One as recorded in Map Book 6, Page 5 of the Public Records of St. Johns County, Florida; thence N 2° 08' W 661.80 feet along the West line of said Lot 14 to the Point of Beginning; thence S 87° 53' W 337.25 feet; thence S 1° 36' E 143.0 feet to a point on the South line of Section 5, Township 7 South, Range 29 East, said point being the Northeast corner of property now or formerly of Station Development Corp. as recorded in Official Record 58, Page 191-192 of the Public Records of St. Johns County, Florida; thence N 75° 54' W 858.25 feet along the North line of property of Station Development Corp. to a point on the East Right-of-Way line of Interstate 95; thence N 27° 42' 16" W 1,003.10 feet along the East Right-of-Way line of Interstate 95 to a point of curvature in said Right-of-Way; thence Northwesterly along said Right-of-Way line to a point which bears N 22° 13' 26" W and whose chord distance is 580.68 feet from the above mentioned point of curvature; thence S 86° 19' 30" E 3,138.13 feet; thence S 2° 33' E 1,125.0 feet to the Northeast corner of Lot 9 of previously mentioned Green Acres Subdivision; thence N 76° 59' W 1,372.2 feet along the North line of said Green Acres Subdivision to the Northwest corner of Lot 14 of said Green Acres Subdivision; thence S 2° 08' E 466.4 feet along the West line of said Lot 14 to the Point of Beginning.

Also 30 foot wide easement adjacent to and East of the Easterly side of this property, bearing of said Easterly side being S 2° 33' E, for ingress and egress.

is hereby changed to IW

subject to the following conditions:

- A. Upon receipt of rezoning, the Owner of the property will, within two years, acquire right of way and pave a roadway to the property in strict accordance with St. Johns County and the Fla. State Department of transportation standards. This ~~roadway~~ ^{right of way} shall be One Hundred feet wide.
- B. Upon receipt of rezoning, drainage plans for any future development will be filed by each property Owner, to be approved by SJC, DER, and SJRWMD prior to development of any parcel. Copies of approved plans shall be submitted as approved with application for building permit.
- C. Upon receipt of rezoning, the Owner will request the following from agencies having jurisdiction: *(and shall provide copies of same to St. Johns County)*
 - A. Definition of "Six Mile Swamp"
 - B. Limits of "Six Mile Swamp" as currently in place on the property
 - C. The rate of water flow through "Six Mile Swamp" in the current undeveloped condition.

shell This information will be used by the Owner and other purchasers ~~to each of whom~~ assure that the rate of water flow through "Six Mile Swamp" as defined shall be the same after development as it was prior to development.

D. *Failure to acquire the road right of way and to construct the road on or before 2 years from the effective date of this ordinance - or to timely obtain a resolution from the County Commission extending the time for such performance - shall result in an immediate and automatic reversion of the entire parcel back to OR.*

E. *The uses described in the following subparagraphs of section 5-10-1 of the zoning code shall not be allowed: (f)*

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 19 day of MARCH, 1985



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: [Signature]
Deputy Clerk

VERIFIED BY
[Signature]

Adopted regular meeting 3/19/85
Effective 03/28/85

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.
1985 MAR 25 PM 1:44
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 I 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 _____
 Public Notice

_____ in the matter of _____
Regular Meeting March 19, 1985
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
February 16, 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 _____
 this 18th day of February

A.D. 19 85
Ruth M. Walker

(SEAL) Notary Public
 Notary Public, State of Florida
 My Commission Expires May 13, 1985
 Bonded thru Troy Jan - Insurance, Inc.

RECEIVED FEB 21 1985

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 19 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 TW, 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 Mr. C. Allen Pease OWNER of the following described land, zoning classification of OR on the following described lands:

An 80.02 Acre tract of land in Sections 5 & 6, Township 7 South, Range 28 East, St. Johns County, Florida, said tract of land being more fully described as follows:

Commence at the permanent reference monument at the Southwest corner of Lot 14, Green Acres Subdivision, Section One as recorded in Map Book 6, Page 6 of the Public Records of St. Johns County, Florida; thence N 2° 08' W 881.30 feet along the West line of said Lot 14 to the Point of Beginning; thence S 87° 03' W 537.25 feet; thence S 1° 36' E 143.0 feet to a point on the South line of Section 5, Township 7 South, Range 28 East, said point being the Northeast corner of property now or formerly of Station Development Corp. as recorded in Official Record 55, Page 151-152 of the Public Records of St. Johns County, Florida; thence N 75° 54' W 558.25 feet along the North line of property of Station Development Corp. to a point on the East Right-of-Way line of Interstate 94; thence N 27° 42' 16" W 1,002.10 feet along the East Right-of-Way line of Intersection 94 to a point of curvature in said Right-of-Way; thence hereinafter along said Right-of-Way line to a point which bears N 22° 13' 30" W and whose chord distance is 500.58 feet from the above mentioned point of curvature; thence S 86° 18' 00" E 3,138.18 feet; thence S 87° 03' E 1,125.0 feet to the Northeast corner of Lot 6 of previously mentioned Green Acres Subdivision; thence N 75° 59' W 1,372.2 feet along the North line of said Green Acres Subdivision to the Northwest corner of Lot 14 of said Green Acres subdivision; thence S 2° 08' E 488.4 feet along the West line of said Lot 14 to the Point of Beginning.

Also 20 feet wide easement adjacent to and East of the Easterly side of this property, bearing of said Easterly side being S 2° 23' E, for ingress and egress.
 DESCRIPTION: 2.04 ACRE PARCEL

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, GREEN ACRES SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 6, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 2 DEGREES 08 MINUTES WEST, ON THE WEST LINE OF SAID LOT 14, A DISTANCE OF 84.88 FEET TO THE NORTH RIGHT OF WAY LINE OF NOW EXISTING STATE ROAD NO. 16; THENCE NORTH 77 DEGREES 03 MINUTES WEST, ON SAID RIGHT OF WAY LINE OF STATE ROAD, 103.87 FEET TO THE POINT OF BEGINNING AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 77 DEGREES 03 MINUTES WEST, ON SAID NORTH RIGHT OF WAY LINE OF STATE ROAD, 50 FEET; THENCE NORTH 1 DEGREE 36 MINUTES WEST, ON THE EAST LINE OF THAT LAND DESCRIBED IN LEASE RECORDED IN OFFICIAL RECORDS BOOK 82, PAGE 206, OF SAID PUBLIC RECORDS, A DISTANCE OF 175 FEET; THENCE NORTH 77 DEGREES 03 MINUTES WEST, ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 82, PAGE 206, A DISTANCE OF 200 FEET; THENCE NORTH 1 DEGREE 36 MINUTES WEST 308.83 FEET; THENCE NORTH 87 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 226.87 FEET; THENCE SOUTH 3 DEGREES 08 MINUTES EAST, PARALLEL WITH SAID WEST LINE OF LOT 14, GREEN ACRES SUBDIVISION, 548.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.04 MORE OR LESS ACRES.

DESCRIPTION: ROAD EASEMENT ALONG EAST SIDE OF ABOVE PARCEL.

A STRIP OF LAND IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, GREEN ACRES SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 6, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 2 DEGREES 08 MINUTES WEST, ON THE WEST LINE OF SAID LOT 14, A DISTANCE OF 84.88 FEET TO THE NORTH RIGHT OF WAY LINE OF NOW EXISTING STATE ROAD NO. 16; THENCE NORTH 77 DEGREES 03 MINUTES WEST, ON SAID RIGHT OF WAY LINE OF STATE ROAD, 103.87 FEET TO THE POINT OF BEGINNING AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED STRIP OF LAND; THENCE CONTINUING NORTH 77

DEGREES 03 MINUTES WEST, ON SAID NORTH
RIGHT OF WAY LINE OF STATE ROAD, 20 FEET;
THENCE NORTH 2 DEGREES 03 MINUTES WEST,
PARALLEL WITH SAID WEST LINE OF LOT 14, GREEN
ACRES SUBDIVISION, 644.71 FEET; THENCE NORTH
87 DEGREES 23 MINUTES EAST, ON THE NORTH LINE
OF SAID SECTION 5, A DISTANCE OF 13.31 FEET;
THENCE SOUTH 1 DEGREE 03 MINUTES EAST,
PARALLEL WITH SAID WEST LINE OF LOT 14, GREEN
ACRES SUBDIVISION, 648.96 FEET TO THE POINT OF
BEGINNING.

is hereby changed to IW with the possibility of added
benefits.

SECTION 2. Nothing herein contained shall be deemed
to impose conditions, restrictions 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 im-
mediately 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
read.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BY: a/Carl "Bud" Murse/
CLERK

If a person decides to appeal any decision made by
the Bd. of County Comm. 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 pro-
ceedings is made, which record includes the
testimony and evidence upon which the appeal is to
be based.

L645-Feb. 18, 1985