

ORDINANCE NO. 85-38

INTRODUCED BY COMMISSIONER BRUBAKER

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RS-3 to RG-2 WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): James A. and Theresa Patterson, owners, and purchasers Evelyn Gross, and Linda Keller

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on June 4, 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 RG-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 RG-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 James A. and Theresa Patterson, owners and Purchasers Evelyn Gross and Linda Keller

zoning classification of RS-3

on the following described lands:

Legal Description:

The North 70 feet of Lots 12 and 13 and the West 9 feet of the North 70 feet of Lot 11 according to re-plat of Blocks 9, 10 and 13, San Sebastian Subdivision according to Map Book 3, page 106, of the public records of St. Johns County, Florida, being the North 70 feet of the property described in Deed Book 190, page 553, of the public records of St. Johns County, Florida.

AND ALSO Part of Lots Eleven (11), Twelve (12), Thirteen (13) and Fifteen (15), as recorded in Map Book 3, page 106 of the public records of St. Johns County, Florida, being part of property described in Deed Book 190, page 553, and described as follows: Commence at the Southwest corner of Lot 15, run thence Northerly and along and with the East line of Usina Road a distance of 10.0 feet to an iron pipe for the point of beginning of the property herein conveyed; run thence Northerly and along and with the said East line of Usina Road a distance of 70.0 feet to an iron pipe; run thence Easterly and on a line parallel to the North line of Lot 15, a distance of 107.0 feet to an iron pipe; run thence Southerly and on a line parallel to the East line of Usina Road a distance of 70.0 feet; run thence Westerly and on a line parallel to the North line of Lot 15 a distance of 107.0 feet to the point of beginning.

is hereby changed to RG-2

subject to the following conditions:

1. Rest home use only, limited to nine residents
2. zoning classification of RG-2 reverts to RS-3 at such time the above stated limited use is discontinued. In the event the above described land is sold, the owners shall have thirty days to transfer ownership for a continued use of nursing home, without the property reverting to RS-3.

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 4 day of June, 1985

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Ray Walker*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Cheryl Kent*
Deputy Clerk

Adopted regular meeting 06/04/85

Effective June 10, 1985

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 County Commission Meeting
_____ in the matter of _____
Proposed Rezoning, RS-3 to RG-2, added conditions
_____ in the _____ Court,
was published in said newspaper in the issues of _____
May 3, 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 _____ 3rd day of _____ May _____

A.D. 19 85
Ruth M. Walker

(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires May 15, 1989
Bonded Through Title Insurance, Inc.

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 4 DAY OF JUNE 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 RS-3 TO RG-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 James A. Theresa Patterson and Evelyn Gross/Linda Ketter OWNERS of the following described land, zoning classification of RS-3 on the following described lands:

The North 70 feet of Lots 12 and 13 and the West 9 feet of the North 70 feet of Lot 11 according to re-plot of Blocks 9, 10 and 13, San Sebastian Subdivision according to Map Book 3, page 106, of the public records of St. Johns County, Florida, being the North 70 feet of the property described in Deed Book 190, page 553, of the public records of St. Johns County, Florida.

AND ALSO Part of Lots Eleven (11), Twelve (12), Thirteen (13) and Fifteen (15), as recorded in Map Book 3, page 106 of the public records of St. Johns County, Florida, being part of property described in Deed Book 190, page 553, and described as follows: Commence at the Southwest corner of Lot 15, run thence Northerly and along with the East line of Usina Road a distance of 15.0 feet to an iron pipe for the point of beginning of the property herein conveyed; run thence Northerly and along with the said East line of Usina Road a distance of 70.0 feet to an iron pipe; run thence Easterly and on a line parallel to the North line of Lot 15, a distance of 107.0 feet to an iron pipe; run thence Southerly and on a line parallel to the East line of Usina Road a distance of 70.0 feet; run thence Westerly and on a line parallel to the North line of Lot 15 a distance of 107.0 feet to the point of beginning.

is hereby changed to RG2 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 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 Read.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BY: Carl "Bud" Markai
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 proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

LS70 May 3, 1985

FILED



'85 JUN 10 AM 9 56

FLORIDA DEPARTMENT OF STATE

Carl Bud Markel
CLERK OF CIRCUIT COURT

George Firestone
Secretary of State

June 7, 1985

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32084

Attention: Cheryl Kent, Deputy Clerk

Dear Mr. Markel:

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

1. Receipt of your letter/s of June 5, 1985
and certified copy/ies of St. Johns County
Ordinances 85-38, 85-39, 85-40 and 85-41
2. Receipt of _____ County Ordinance/s
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed ~~the~~ these Ordinance(s) in this office
on June 7, _____ 1985.
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

FLORIDA-State of the Arts