

ORDINANCE NO. 85-81

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 OR TO RMH WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Fred and Arlene Jeknavorian and Lawrence and Lita Grier

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on October 22, 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 RMH , 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 RMH 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 Fred and Arlene Jeknavorian and Lawrence and Lita Grier

zoning classification of OR

on the following described lands:

Legal Description:

A portion of Section 50, Township 6 S., Range 29 E., O.R. Book 31, Page 99 St. Johns County Florida. Commencing at the junction of the easterly right-of-way line of U.S. Highway No. 1 (being a 100' right-of-way) and the southerly line of a D.O.T. drainage easement as recorded in deed book 228 page 276. Thence N. 50°, 09', 13" E. along said drainage easement a distance of 184.07' to the point of beginning.

Thence from the point of beginning continue N. 50°, 09', 13" E. a distance of 1,195.04' along said drainage easement to the westerly right-of-way line of Old St. Augustine-Jacksonville Road. Thence S. 30°, 22', 47" E. a distance of 359.13'. Thence S. 51°, 55', 13" W. a distance of 1,150.33'. Thence continue N. 37°, 21', 55" W. a distance of 319.07' to the point of beginning.

10. Insurance coverage to this property shall be from US #1.  
11. Final development plan for the lands rezoned hereby and the lands rezoned by Ordinance #85-21 must be submitted by the developer - owner and approved by the Board of County Commissioners prior to any construction occurring on this property or on the property described in Ordinance 85-21.  
The final development plan shall be as per PUD's on file require under by PUD's

is hereby changed to RMH subject to the following conditions:

1. All utilities, including electrical utilities, will be placed underground.
2. The only mobile homes permitted to be placed on the premises will be a minimum of fourteen (14) feet wide with shingle roofs, skirting and underpinning, and permanently affixed to the realty.
3. Central water will be installed and central sewer <sup>ALSO</sup> <sub>7</sub>
4. Total density on the premises will not exceed ~~eighty (80)~~ <sup>sixty (60)</sup> RESIDENTIAL units; or if lots are sold the density shall not exceed the density allowed by ~~RMHS~~ RMHS.
5. Recreation areas will be provided to meet the requirements of RMH zoning.
6. No lots within the area rezoned hereby will be sold until and unless such lots are described in a subdivision plat that has been approved by the Board of County Commissioners and recorded in the official public records of St. Johns County.
7. The west property boundary, bounding the Commercial Intensive (CI) zoning, shall be adequately buffered either by a six (6) foot high fence and/or vegetation providing at a minimum a six (6) foot high opaque buffer.

8. A ten (10) foot vegetated buffer with a six (6) foot solid wood fence shall be placed along the entire southern boundary of said property. Said fence shall be along the north line of said buffer.

9. No mobile homes will be moved on to this property unless this property is developed as a <sup>single</sup> development with the property. <sup>Adjacent to</sup> <sup>mother's</sup> <sup>boundary</sup>

12. In the event that final development plan is not submitted for this parcel and for the lands described in Ordinance 85-21 by October 22, 1976 then the lands described in the ordinance shall immediately revert to open market zoning.

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 22 day of OCTOBER, 1985

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: *Henry Waldner*  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Cheryl Kent*  
Deputy Clerk

Adopted regular meeting 10/22/85

Effective October 29, 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 \_\_\_\_\_  
Public Notice  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
Ordinance for rezoning Land  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
September 21, 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 23rd day of September

A.D. 19 85  
[Signature]  
 (SEAL) Notary Public

Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded thru TFCY - an - 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 22 DAY OF OCTOBER 1985 AT 1:30 o'clock PM, in the COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL CONSIDER THE 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 RMH 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 Fred and Ariene Jahnvorlan and Lawrence and Lita Geler and Tim Gabriel and Associates, Inc. as applicant owners of the following described land, zoning classification of OR, Open rural on the following described lands: A portion of Section 50, Township 8 S., Range 29 E., D.R. Book 31, Page 99 St. Johns County Florida, Commencing at the junction of the easterly right-of-way line of U.S. Highway No. 1 (being a 100' right-of-way) and the southerly line of a D.O.T. drainage easement as recorded in deed book 223 page 274. Thence N. 89° 04' 13" E. along said drainage easement a distance of 184.07' to the point of beginning. Thence from the point of beginning continue N. 89° 04' 13" E. a distance of 1,155.94' along said drainage easement to the westerly right-of-way line of Old St. Augustine-Jacksonville Road. Thence S. 89° 32' 47" E. a distance of 369.13'. Thence S. 31° 34' 33" W. a distance of 1,155.53'. Thence continue N. 37° 21' 45" W. a distance of 319.07' to the point of beginning.

is hereby changed to RMH, residential mobile home 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 Building Department 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  
 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.

L184 Sept. 21, 1985