

ORDINANCE NO. 85-90

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

WHEREAS, (Property Owners' names): John Tesdorpf, and John James

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 26th day of NOVEMBER, 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 John Tesdorpf, and John James

zoning classification of OR

on the following described lands:

Legal Description:

A tract of land in Section 32, Township 6 South, Range 30 East described as follows:

Begin at an iron pipe on West line of Right-of-Way of State Road No. 78 at its intersection with North line of said Section 32, thence run Southerly, along West Right-of-Way line of said Road 78 being 33 feet from center line thereof, a distance of 864 feet to South line of a thirty foot road, thence run Westerly along the South line of road and at right angles to State Road 78, 1200 feet thence continue along South line of road North 85 degrees West, 173 feet to the POINT OF BEGINNING; continue Westerly on the South line of road 160 feet; thence South 17 degrees East, 267 feet; thence East, parallel to the aforementioned South line of road, South 85 degrees East, 160 feet; thence North 17 degrees West, 267 feet to the POINT OF BEGINNING.

IS HEREBY CHANGED TO RG-2

SUBJECT TO THE FOLLOWING CONDITIONS:

1. There shall be no more than five units placed on the herein described parcel
2. ~~Subject to Health Department Approval, the placement of the septic tanks shall be in the front yards, away from the marsh area. Property will be serviced by central seweral water system. No septic tanks will be allowed.~~
3. In the event of the sale of the property prior to ~~construction~~, full and complete construction of all units, the property shall revert to original zoning classification of OR, Open Rural, and no more units SHALL be permitted to begin in excess of the original zoning classification, however, those already built will be allowed to remain.

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 26 day of November, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis M. Boulaker  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kerst  
Deputy Clerk

Adopted regular meeting 11/26/85

Effective December 4, 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 \_\_\_\_\_  
 Paula K. Allen \_\_\_\_\_ who on oath says that he is  
 \_\_\_\_\_ Legal Advertising Clerk \_\_\_\_\_ 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 \_\_\_\_\_  
 \_\_\_\_\_ October 25, 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 Paula K. Allen  
 this 28th day of October  
 A.D. 19 85  
Zoe Ann Johns  
 (SEAL) Notary Public

Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded Thru Troy Fain - Insurance, Ltd.

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 28 DAY OF NOVEMBER 1985 AT 1:30 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, 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 RQ-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 John Teedorff and John James owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

A tract of land in Section 32, Township 8 South, Range 30 East described as follows:

Begin at an iron pipe on West line of Right-of-Way of State Road No. 78 at its intersection with North line of said Section 32, thence run Southerly, along West Right-of-Way line of said Road 78 being 33 feet from center line thereof, a distance of 884 feet to South line of a thirty foot road, thence run Westerly along the South line of road and at right angles to State Road 78, 1206 feet thence continue along South line of road North 85 degrees West, 173 feet to the POINT OF BEGINNING; continue Westerly on the South line of road 160 feet; thence South 17 degrees East, 267 feet; thence East, parallel to the aforementioned South line of road, South 85 degrees East, 180 feet; thence North 17 degrees West, 267 feet to the POINT OF BEGINNING, is hereby changed to RQ-2/aingle, multi family 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  
 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.

L386 Oct. 25, 1985