

ORDINANCE NO. 87-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS DESCRIBED
HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION
OF RS-E TO RS-1 WITH CERTAIN CONDITIONS; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Thomas C. Turner

O.R. 757 PG 0163

filed application for the change of zoning on lands hereinafter
described, and after required notice was published, a public
hearing was held on August 25, 1987 at 2:30 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-1 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-1 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

Thomas C. Turner

zoning classification of RS-E

on the following described lands:

Legal Description:

See attached Schedule A

is hereby changed to RS-1

subject to the following conditions:

1. No more than sixty-five (65) dwelling units will be allowed to be constructed on the land affected by this Ordinance.
2. The area developed will not utilize Pitch Pine Road as ingress of egress for the development.
3. Water and Sewer services will be provided to the subdivision unless the applicant petitions the County through the zoning exception procedure for the right to develop with wells and septic tanks.
4. Covenants and Restrictions ^{the same as} ~~comparable to~~ those of Cunningham Creek II will be established for the subdivision.

but with appropriate change of beneficiaries
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 25 DAY OF August, 1987



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Phyllis L. Lydon
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent
Deputy Clerk

Adopted regular meeting 08/25/87

Effective September 4, 1987

5
4



LAND SURVEYORS

SCHEDULE "A"
LEGAL DESCRIPTION

9
8
7
6
5
4
3
2
1
11
9
8
7
6
5
4
3
2
1
X
9
8
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6
5

Work Order No. 11-7579
Tom Turner
January 6, 1986

A portion of Government Lot 2, Section 5, Government Lot 13, Section 32, together with a portion of Section 42, all lying in Township 5 South, Range 27 East, St. Johns County, Florida and being more particularly described as follows:
Begin at the Northeast corner of Fruit Cove Woods as recorded in Map Book 13, Page 96 of the Public Records of said county, lying on the Easterly right-of-way line of Big Lige Avenue (a 60 foot right-of-way as now established); thence South 05° 41' 33" West along last said line, 532.09 feet, to a point here and after referred to as reference point A; thence return to the Point of Beginning; thence North 84° 17' 00" West along the Northerly line of said Fruit Cove Woods, 369.76 feet to the Easterly line of Fruit Cove Woods Unit Two as recorded in Map Book 15, Pages 87, 88 and 89 of the Public Records of said county; thence North 08° 40' 00" West along last said line, 971.65 feet to the Southerly line of Cunningham Creek Two as recorded in Map Book 17, Pages 63 and 64 of the Public Records of said county; thence North 81° 21' 24" East along last said line, 878.84 feet to the Easterly line of said Cunningham Creek Unit Two; thence North 03° 51' 44" East along last said line, 1130 feet more or less to the centerline of Cunningham Creek; thence Easterly along the meanderings of said Cunningham Creek, 1037 feet more or less to its intersection with Big Lige Branch; thence Southerly and Southwesterly along the meanderings of said Big Lige Branch, 4033 feet more or less to its intersection with a line bearing North 88° 55' 28" East from said reference point A; thence North 88° 55' 28" East along last said line, 255 feet more or less to said reference point A and to close.

Lands thus described contain 64.4 acres more or less.

8411 BAYMEADOWS WAY - SUITE 1 • JACKSONVILLE, FLORIDA 32216 • PHONE: 904/731-0722

VERIFIED BY
[Signature]

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

1987 SEP 14 PM 12:30

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 _____
Kristi Robertson who on oath says that he is
Accounting 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 _____
Notice of County Commission Meeting
_____ in the matter of _____
Proposed Rezoning, RS-E to RS-2
_____ in the _____ Court,
was published in said newspaper in the issues of _____
June 26, 1987

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 Kristi Robertson
this 26th day of June
A.D. 19 87
[Signature]
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded thru Troy Fair - Insurance, Inc.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 26 DAY OF JULY 1987 AT 2:00 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 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 RS-E 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 Thomas C. Turner owners of the following described land, zoning classification of RS-E, Residential single family Estate on the following described lands:
A portion of Government Lot 2, Section 5, Government Lot 13, Section 32, together with a portion of Section 42, all lying in Township 5 South, Range 27 East, St. Johns County, Florida and being more particularly described as follows:

Begin at the Northeast corner of Fruit Cove Woods as recorded in Map Book 13, Page 96 of the Public Records of said county, lying on the Easterly right-of-way line of Big Lige Avenue (a 60 foot right-of-way as now established); thence South 05° 41' 33" West along last said line, 322.09 feet, to a point here and after referred to as reference point A; thence return to the Point of Beginning; thence North 84° 17' 00" West along the Northerly line of said Fruit Cove Woods, 369.76 feet to the Easterly line of Fruit Cove Woods Unit Two as recorded in Map Book 15, Pages 87, 88 and 89 of the Public Records of said county; thence North 08° 40' 00" West along last said line, 971.65 feet to the Southerly line of Cunningham Creek Two as recorded in Map Book 17, Pages 63 and 64 of the Public Records of said county; thence North 61° 21' 24" East along last said line, 878.84 feet to the Easterly line of said Cunningham Creek Unit Two; thence North 03° 51' 44" East along last said line, 1464 feet more or less to the centerline of Cunningham Creek; thence Easterly along the meanderings of said Cunningham Creek, 1037 feet more or less to its intersection with Big Lige Branch; thence Southerly and Southwesterly along the meanderings of said Big Lige Branch, 4033 feet more or less to its intersection with a line bearing North 88° 55' 28" East along from said reference point A; thence North 88° 55' 28" East along last said line, 255 feet more or less to said reference point A and to close.

is hereby changed to RS-2, res. single 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 ST. JOHNS COUNTY, FLORIDA
By s/Clerk "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.