

INTRODUCED BY COMMISSIONER

SS 20005

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

WHEREAS, (Property Owners' names):

Mr. Winton Garrett, Jr.
200 W. Watson Road
St. Augustine, Fla.

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 July, 1988 at 2:00 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-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 RS-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 Mr. Winton Garrett, Jr.

zoning classification of

on the following described lands:

Parcel One:

A METES AND BOUNDS DESCRIPTION OF A PARCEL IN LOT 11, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, SAID PARCEL ADJOINING THE WEST SIDE OF TRACT "A" OF MULTRIE HEIGHTS SUBDIVISION AS RECORDED IN MAP BOOK 4, PAGE 51, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT "A", RUN SOUTH 89 15 10 WEST, A DISTANCE OF 269.06 FEET; THENCE SOUTH 7 38 30 EAST, A DISTANCE OF 670.51 FEET; THENCE NORTH 89 30 40 EAST, A DISTANCE OF 180.69 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A";, THENCE NORTH 00 04 11 EAST, ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 665.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.44 ACRES, MORE OR LESS, AND BEING A MORE COMPLETED DESCRIPTION OF THAT PARCEL TWO, AS SHOWN TO BE AN (OCCUPATION SURVEY) BY A NOVEMBER, 1976 SURVEY BY LOREN JONES, P.L.S. #894.

Parcel Two:

A Parcel of land lying and being in Section 18, Township 8 South, Range 30 East, St. Johns County, Florida, more fully described as follows:

Start at the Southwest corner of Section 18, Township 8 South, Range 30 East, St. Johns County, Florida; thence North 88° 47' 40" East, 254.21 feet along the South line of said Section 18 to the Point of Beginning; thence continue to run North 88° 47' 40" East, 1,059.78 feet; thence run North 0° 54' 50" West, 662.57 feet; thence South 88° 36' 50" West, 851.36 feet; thence South 02° 44' 20" West 282.32 feet; thence South 07° 02' 40" West, 174.59 feet thence South 26° 02' 40" West 136.42 feet; thence South 50° 02' 40" West, 134.46 feet to the Point of Beginning; EXCEPTING THEREFROM the Right of Way of Watson Road being a 66 foot wide road.

Parcel Three:

Lot A of Multrie Heights, according to plat thereof recorded in Map Book 4, Page 51, public records of St. Johns County, Florida,

is hereby changed to RS-2, single family residential
subject to the following conditions:

1. Maximum number of lots to be 53 with a minimum lot size of one-third acre.
2. A public water system will be provided, with the fire hydrants installed in accordance with St. Johns County requirements.

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 Bldg. Dept. 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 Dept. 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 26th day of July, 1988

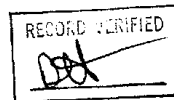


BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence D. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl "Bud" Markel
Deputy Clerk



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

88 AUG -4 PM 1:34

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Adopted regular meeting July 26, 1988

Effective August 3, 1988

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 _____
LINDA MURRAY 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 PUBLIC HEARING
 _____ in the matter of _____
APPLICATION OF WINTON GARRETT, JR
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
JUNE 25, 1988

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 27th day of JUNE

A.D. 19 88

 (SEAL) Notary Public

Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 L. Hagedorn The Troy Firm - 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 22ND DAY OF JULY 1988 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 OR 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 Winton Garrett Jr. owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

EXHIBIT A
 PARCEL ONE:
 A METES AND BOUNDS DESCRIPTION OF A PARCEL IN LOT 11, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST, SAID PARCEL ADJOINING THE WEST SIDE OF TRACT "A" OF MOULTRIE HEIGHTS SUBDIVISION AS RECORDED IN MAP BOOK 4, PAGE 51, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT "A", RUN SOUTH 89° 15' 10" WEST, A DISTANCE OF 269.06 FEET; THENCE SOUTH 7° 38' 30" EAST, A DISTANCE OF 670.51 FEET; THENCE NORTH 89° 30' 40" EAST, A DISTANCE OF 180.69 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE NORTH 00° 04' 11" EAST, ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 645.31 FEET TO THE POINT OF BEGINNING, CONTAINING 3.44 ACRES, MORE OR LESS, AND BEING A MORE COMPLETE DESCRIPTION OF THAT PARCEL TWO, AS SHOWN TO BE AN (OCCUPATION SURVEY) BY A NOVEMBER, 1976 SURVEY BY LOREN JONES, P.L.S. # 894.

PARCEL TWO:
 A parcel of land lying and being in Section 18, Township 8 South, Range 30 East, St. Johns County, Florida, more fully described as follows:
 Start at the Southwest corner of Section 18, Township 8 South, Range 30 East, St. Johns County, Florida; thence North 89° 47' 40" East, 254.21 feet along the South line of said Section 18 to the Point of Beginning; thence continue to run North 88° 47' 40" East, 1,059.78 feet; thence run North 0° 54' 50" West, 662.57 feet; thence South 98° 36' 50" West, 851.36 feet; thence South 02° 44' 20" West, 282.32 feet; thence South 07° 02' 40" West, 174.59 feet; thence South 26° 02' 40" West, 136.42 feet; thence South 50° 02' 40" West, 134.46 feet to the Point of Beginning; EXCEPTING THEREFROM the Right of Way of Watson Road being a 66 foot wide road.

PARCEL THREE:
Lot A of Moultrie Heights, according to plat thereof recorded in Map Book 4, page 51, public records of St. Johns County, Florida, is hereby changed to RS-2 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.

SECTION 3. The Building Department is authorized to issue construction permits as provided 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" Markel**, Clerk
If a person desires to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearings, he will keep 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.
LCS June 25, 1988