

ORDINANCE NO. 88-45

INTRODUCED BY COMMISSIONER

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RS-1 to RS-2 WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Estate of Mattie J. Kellow, Doris Barnwell, representative and Jack Shoffner and B. Robert Tucker as applicants

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 23rd day of August, 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 Jack Shoffner and B. Robert Tucker on behalf of Estate of Mattie J. Kellow, Doris Barnwell, personal Representative,

zoning classification of RS-1

on the following described lands:

Legal Description:

A part of the Pen Chaires Grant, Section 51, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows: For a point of reference commence at the intersection of the North line of said Section 51 with the East right of way line of the intra-coastal waterway as recorded in Map Book 4, Page 73 of the public records of said county; thence S. 26° 43' 00" E. along said East right of way line a distance of 1611.00 feet to the point of beginning; thence continue S. 26° 43' 00" E., along said East right of way line a distance of 200.00 feet; thence N. 63° 17' 00" E. a distance of 244.16 feet to the West right of way line of Roscoe Boulevard South (State Road No. S-210-A) a 66 foot right of way as now established; thence N. 26° 25' 00" W. along said West right of way line of Roscoe Boulevard South a distance of 200.00 feet; thence S. 63° 17' 00" W. a distance of 245.22 feet to the Point of Beginning. Containing 1.12 acres more or less.

IS HEREBY CHANGED TO RS-2, single family residential

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Maximum number of lots shall be two (2)
2. Only one residence shall be constructed on each lot.

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 23rd day of August, 1988

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl "Bud" Markel  
Clerk



FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.  
88 SEP -9 PM 2:41  
Carl "Bud" Markel  
CLERK OF CIRCUIT COURT

Adopted Regular meeting August 23, 1988  
Effective September 8, 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:  
 at the attached copy of advertisement, being a \_\_\_\_\_  
NOTICE OF PUBLIC HEARING  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
JACK SHOFFNER  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
JULY 20, 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 20th day of JULY

A.D. 19 88  
 \_\_\_\_\_  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded thru Troy & 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 23 DAY OF AUGUST 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 RS-1 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 Jack Shoffner, B. Tucker on behalf of Doris Barnwell, personal representative of the Estate owners of the following described land, zoning classification of RS-1, single family res. on the following described lands:

A part of the Ben Chaires Grant, Section 51, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows: For a point of reference commence at the intersection of the North line of said Section 51 with the East right of way line of the intra-coastal waterway as recorded in Map Book 4, Page 73 of the public records of said county; thence S. 26° 43' 00" E. along said East right of way line a distance of 1611.00 feet to the point of beginning; thence continue S. 26° 43' 00" E., along said East right of way line a distance of 200.00 feet; thence N. 43° 17' 00" E. a distance of 244.16 feet to the West right of way line of Roscoe Boulevard South (State Road No. S-210-A) a 44 foot right of way as now established; thence N. 26° 25' 00" W. along said West right of way line of Roscoe Boulevard South a distance of 200.00 feet; thence S. 43° 17' 00" W. a distance of 245.22 feet to the Point of Beginning, containing 1.12 acres more or less, is hereby changed to RS-2, 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 OF ST. JOHNS COUNTY, FLORIDA

BY: s/ Carl "Bud" Market  
 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.

L993 July 20, 1988



RECEIVED  
ST. JOHNS COUNTY, FLORIDA

FLORIDA DEPARTMENT OF STATE

'88 SEP -8 110:05

Jim Smith  
Secretary of State  
DIVISION OF ELECTIONS  
Room 1802, The Capitol  
Tallahassee, Florida 32399-0250  
(904) 488-8427

*Carl Bud Markel*  
CLERK, COUNTY COMMISSION

September 2, 1988

Honorable Carl "Bud" Markel  
Clerk of Circuit Court  
St. Johns County Courthouse  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Connie E. McDaniel, Deputy Clerk

Dear Mr. Markel:

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

1. Receipt of letter/s of August 30, 1988  
and certified copy/ies of St. Johns County  
County Ordinance(s) Ords. 88-45, 88-46, 88-47 and  
#88-48
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:
  - (a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
  - (b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these ordinances in this office  
on September 2, 1988.
4. The original/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Sincerely,

*Liz Cloud*

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mb