ORDINANCE NO. 88-46

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 OR to RS-2 WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): James Weinstock, as Trustee

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 23 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 nondiscrimating;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of James Weinstock, as truste

zoning classification of OR, Open Rural

on the following described lands:

Legal Description:

Tract "A" and portion of Tract "B" all tracts of land lying in Section 5 Township 9 South, Range 30 East, more particularly described as follows:

Commencing at the Northeast corner of said Section 5 running South 00 degrees 19'07" East, along the East line thereof, 124.56 feet to the point of intersection of said East line and Southerly right-of-way line of State Road 206 thence South 89 degrees 11'38" West along said right-of-way line 3307.19 feet to the point of beginning; thence departing said Southerly right-of-way line run South 00 degrees 42'52" East, 1185.90 feet; thence South 89 degrees 11'38" West, 734.63 feet; thence North 00 degrees 42'52" West 1185.90 feet to a point on the aformentioned Southerly right-of-way line of State Road 206; thence North 89 degrees 11'38" East, along said Southerly right a way line 734.63 feet to the point of beginning. Containing 20.00 acres more or less. Subject to easements of record.

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

1. The minimum lot size shall be no less than 20,000 square feet.

2. All lots shall be serviced by septic tanks or aerobic units and shall be provided with central water from a common water plant on site.

3. The maximum number of lots shall not exceed twenty-six (26).

4. All regulatory agencies ' requirements shall be met prior to the commencement of construction, and a plat shall be approved prior to development.

5. Fire protection shall be provided in compliance 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 provived 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 2:42
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:
that the attached copy of advertisement, being a _____
NOTICE OF PUBLIC HEARING
_____ in the matter of _____
JAMES WEINSTOCK
_____ 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.

Linda Murray

Sworn to and subscribed before me
this 20th day of JULY
A.D. 19 88

Notary Public, State of Florida
Commission Expires Aug. 4, 1989
Bonded Thru Troy Fain - 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 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 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 James Weinstock, as trustee owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

Tract "A" and portion of Tract "B" all tracts of land lying in Section 5 Township 9 South, Range 30 East, more particularly described as follows:

Commencing at the Northeast corner of said Section 5 running South 00 degrees 19'07" East, along the East line thereof, 124.56 feet to the point of intersection of said East line and Southerly right-of-way line of State Road 206 thence South 89 degrees 11'38" West along said right-of-way line 3307.19 feet to the point of beginning; thence deserting said Southerly right-of-way line run South 00 degrees 42'52" East, 1185.90 feet; thence South 89 degrees 11'38" West, 734.63 feet; thence North 00 degrees 42'52" West 1185.90 feet to a point on the aforementioned Southerly right-of-way line of State Road 206; thence North 89 degrees 11'38" East, along said Southerly right a way line 734.63 feet to the point of beginning. Containing 20.00 acres more or less. Subject to easements of record, 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" 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.

L991 July 20, 1988