

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): Thomas N. Burns and Francis J. Burns

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 27 day of JUNE, 1989 at 1:45 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 public health, safety and general welfare, and without promise, prerequisite, or inducement to the enactment of this Ordinance, applicant(s) 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 limitation are for the benefit of the general public and not just the applicant(s), and they are reasonable and nondiscriminating;

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

SECTION I. Pursuant to the application of Thomas N. Burns and Francis J. Burns

zoning classification of OR

on the following described lands:

see attached exhibit A

A parcel of land lying in Government Lot 3, Section 33, Township 8 South, Range 30 East, St. Johns County, Florida, being that portion of lands as described in Official Records Book 727, Page 1431 of the Public Records of said county described as follows:

For a POINT-OF-REFERENCE commence at the Southwest Corner of said Section 33; thence run North 00 degrees 22 minutes 38 seconds West along the West Line of said Section 33 for a distance of 75.44 feet to a point on the North right-of-way line of State Road Number 206 (200 foot wide right-of-way as now established); thence North 89 degrees 11 minutes 16 seconds East along said North right-of-way line for a distance of 1996.08 feet to the POINT-OF-BEGINNING of the herein described parcel; thence North 00 degrees 29 minutes 12 seconds West along the East line of lands as described in Official Records Book 546, Page 352 of said St. Johns County Public Records for a distance of 613.00 feet; thence South 89 degrees 11 minutes 16 seconds West for a distance of 255.00 feet to a point in the center of a natural creek; thence the following courses along the centerline of said creek: North 07 degrees 49 minutes 55 seconds West for a distance of 70.04 feet; North 10 degrees 32 minutes 56 seconds West for a distance of 58.54 feet; North 09 degrees 11 minutes 30 seconds East for a distance of 31.83 feet; North 24 degrees 15 minutes 20 seconds West for a distance of 53.61 feet; North 29 degrees 58 minutes 27 seconds West for a distance of 30.10 feet; North 04 degrees 03 minutes 48 seconds West for a distance of 68.17 feet; North 61 degrees 10 minutes 34 seconds West for a distance of 27.10 feet; North 12 degrees 44 minutes 14 seconds West for a distance of 49.93 feet; North 49 degrees 56 minutes 56 seconds East for a distance of 42.02 feet; North 05 degrees 55 minutes 27 seconds West for a distance of 50.38 feet; North 36 degrees 44 minutes 13 seconds West for a distance of 39.00 feet; North 05 degrees 20 minutes 19 seconds West for a distance of 70.13 feet; North 09 degrees 54 minutes 51 seconds East for a distance of 48.39 feet; North 24 degrees 39 minutes 22 seconds West for a distance of 82.66 feet; North 03 degrees 05 minutes 24 seconds West for a distance of 46.02 feet; North 35 degrees 25 minutes

53 seconds West for a distance of 180.55 feet; North 32 degrees 38 minutes 51 seconds East for a distance of 32.77 feet; North 01 degrees 05 minutes 56 seconds West for a distance of 53.99 feet; North 26 degrees 24 minutes 08 seconds East for a distance of 52.55 feet; North 06 degrees 17 minutes 06 seconds West for a distance of 69.58 feet; North 07 degrees 50 minutes 05 seconds East for a distance of 46.21 feet; North 05 degrees 54 minutes 01 second East for a distance of 71.63 feet; North 15 degrees 09 minutes 02 seconds West for a distance of 45.61 feet; North 35 degrees 09 minutes 24 seconds West for a distance of 59.28 feet; North 27 degrees 29 minutes 37 seconds East for a distance of 51.78 feet; North 09 degrees 36 minutes 30 seconds West for a distance of 54.19 feet; North 60 degrees 25 minutes 52 seconds West for a distance of 35.43 feet; North 04 degrees 00 minutes 34 seconds West for a distance of 73.51 feet; North 11 degrees 20 minutes 57 seconds East for a distance of 88.61 feet; North 36 degrees 15 minutes 55 seconds West for a distance of 62.49 feet; North 15 degrees 26 minutes 06 seconds East for a distance of 35.40 feet; North 00 degrees 45 minutes 45 seconds East for a distance of 66.65 feet; North 31 degrees 52 minutes 37 seconds West for a distance of 33.47 feet; North 14 degrees 49 minutes 55 seconds West for a distance of 30.29 feet; North 08 degrees 43 minutes 37 seconds East for a distance of 41.66 feet; North 54 degrees 12 minutes 05 seconds West for a distance of 22.34 feet; North 04 degrees 07 minutes 36 seconds West for a distance of 19.82 feet; North 73 degrees 55 minutes 25 seconds West for a distance of 27.31 feet; North 37 degrees 53 minutes 29 seconds East for a distance of 44.69 feet; North 06 degrees 37 minutes 28 seconds West for a distance of 55.52 feet; North 77 degrees 47 minutes 12 seconds West for a distance of 33.61 feet; North 22 degrees 25 minutes 56 seconds East for a distance of 55.35 feet; North 62 degrees 41 minutes 23 seconds West for a distance of 29.89 feet; North 43 degrees 11 minutes 35 seconds East for a distance of 20.41 feet; North 09 degrees 25 minutes 06 seconds West for a distance of 133.38 feet; North 42 degrees 34 minutes 22 seconds West for a distance of 25.02 feet; North 13 degrees 53 minutes 53 seconds West for a distance of 80.00 feet to the North line of said Government Lot 3 of Section 33; thence departing from said centerline of a natural creek run South 63 degrees 21 minutes 41 seconds East along said North line of Government Lot 3 for a distance of 1438.67 feet to the Northeast Corner of said Government Lot 3; thence South 00 degrees 29 minutes 12 seconds East along the East line of said Government Lot 3 for a distance of 1091.98 feet to the Northeast corner of THE PINES, a subdivision as recorded in Map Book 18, Pages 70 and 71 of the said Public Records of St. Johns County, Florida; thence South 89 degrees 11 minutes 16 seconds West along the North line of THE PINES for a distance of 600.00 feet to the Northwest corner of THE PINES; thence South 00 degrees 29 minutes 12 seconds East along the West line of THE PINES for a distance of 1100.00 feet to the said North right-of-way line of State Road Number 206; thence South 89 degrees 11 minutes 16 seconds West along said North right-of-way line for a distance of 60.00 feet to the POINT-OF-BEGINNING. Containing 40.87 acres of land, more or less.

IS HEREBY CHANGED TO: RS-2, single family residential

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Minimum lot size shall be 32,670 sq. ft., with the maximum number of lots not to exceed 35.
2. Fire protection shall be provided for by an artesian well connected to a fire hydrant.
3. All regulatory agencies shall be complied with prior to commencement of construction activity, and plat shall be approved prior to any development activities.

which conditions shall remain in full force and effect at all times until amended or changed by further ordinance of this Body.

SECTION 2. Nothin 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 St. Johns County Building Department is authorized to issue construction permits allowed by classification as rezoned and conditions hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Department 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 name(s) of the property owner(s) described in Section 1 hereof.

PASSED THIS 27th day of June 1989.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: [Signature]  
Clerk

83 JUL 10 PM 1:15  
[Stamp]

Adopted regular meeting June 27, 1989  
Effective: July 7, 1989

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 27 DAY OF JUNE 1989 AT 1:45 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 Thomas N. and Francis J. Burns owners of the following described land, zoning classification of OR, Open Rural or the following described land:

EXHIBIT "A"  
A parcel of land lying in Government Lot 3, Section 33, Township 8 South, Range 30 East, 31st Johns County, Florida, being that portion of lands as described in Official Records Book 727, Page 1431 of the Public Records of said county described as follows:

For a POINT-OF-REFERENCE commence at the Southwest corner of said Section 33; thence run North 00 degrees 22 minutes 38 seconds West along the West Line of said Section 33 for a distance of 75.44 feet to a point on the North right-of-way line of State Road Number 206 (200 foot wide right-of-way as now established); thence North 09 degrees 11 minutes 16 seconds East along said North right-of-way line for a distance of 1996.08 feet to the POINT-OF-BEGINNING of the herein described parcel; thence North 00 degrees 29 minutes 12 seconds West along the East line of lands as described in Official Records Book 546, Page 352 of said St. Johns County Public Records for a distance of 613.00 feet; thence South 89 degrees 11 minutes 16 seconds West for a distance of 255.00 feet to a point in the center of a natural creek; thence the following courses along the centerline of said creek:  
North 07 degrees 49 minutes 55 seconds West for a distance of 70.04 feet; North 10 degrees 32 minutes 54 seconds West for a distance of 58.54 feet; North 09 degrees 11 minutes 30 seconds East for a distance of 31.53 feet; North 24 degrees 15 minutes 20 seconds West for a distance of 33.61 feet; North 29 degrees 58 minutes 27 seconds West for a distance of 30.10 feet; North 04 degrees 03 minutes 48 seconds West for a distance of 68.17 feet; North 61 degrees 10 minutes 34 seconds West for a distance of 27.10 feet; North 12 degrees 44 minutes 14 seconds West for a distance of 49.93 feet; North 49 degrees 36 minutes 54 seconds East for a distance of 42.02 feet; North 05 degrees 55 minutes 27 seconds West for a distance of 50.38 feet; North 36 degrees 44 minutes 13 seconds West for a distance of 39.00 feet; North 05 degrees 20 minutes 19 seconds West for a distance of 70.13 feet; North 09 degrees 54 minutes 51 seconds East for a distance of 48.39 feet; North 24 degrees 39 minutes 22 seconds West for a distance of 82.66 feet; North 03 degrees 05 minutes 24 seconds West for a distance of 46.02 feet; North 35 degrees 25 minutes 53 seconds West for a distance of 180.55 feet; North 32 degrees 38 minutes 51 seconds East for a distance of 32.77 feet; North 01 degrees 05 minutes 56 seconds West for a distance of 53.99 feet; North 24 degrees 24 minutes 06 seconds East for a distance of 52.55 feet; North 06 degrees 17 minutes 06 seconds West for a distance of 69.38 feet; North 07 degrees 50 minutes 05 seconds East for a distance of 46.21 feet; North 05 degrees 54 minutes 01 seconds East for a distance of 71.63 feet; North 15 degrees 09 minutes 02 seconds West for a distance of 45.61 feet; North 35 degrees 24 minutes 24 seconds West for a distance of 59.28 feet; North 27 degrees 29 minutes 37 seconds East for a distance of 51.78 feet; North 09 degrees 36 minutes 30 seconds West for a distance of 54.19 feet; North 60 degrees 25 minutes 52 seconds West for a distance of 33.43 feet; North 04 degrees 00 minutes 34 seconds West for a distance of 73.51 feet; North 11 degrees 20 minutes 57 seconds East for a distance of 88.61 feet; North 36 degrees 15 minutes 55 seconds West for a distance of 62.49 feet; North 15 degrees 26 minutes 06 seconds East for a distance of 33.40 feet; North 00 degrees 45 minutes 45 seconds East for a distance of 66.65 feet; North 31 degrees 52 minutes 37 seconds West for a distance of 33.47 feet; North 14 degrees 49 minutes 55 seconds West for a distance of 30.29 feet; North 08 degrees 43 minutes 37 seconds East for a distance of 41.66 feet; North 54 degrees 12 minutes 05 seconds West for a distance of 22.34 feet; North 04 degrees 07 minutes 36 seconds West for a distance of 19.82 feet; North 73 degrees 55 minutes 25 seconds West for a distance of 27.31 feet; North 37 degrees 53 minutes 29 seconds East for a distance of 44.69 feet; North 06 degrees 37 minutes 28 seconds West for a distance of 55.52 feet; North 77 degrees 47 minutes 12 seconds West for a distance of 33.61 feet; North 22 degrees 25 minutes 56 seconds East for a distance of 55.35 feet; North 62 degrees 41 minutes 23 seconds West for a distance of 29.89 feet; North 43 degrees 11 minutes 35 seconds East for a distance of 20.41 feet; North 09 degrees 25 minutes 06 seconds West for a distance of 130.28 feet; North 42 degrees 34 minutes 22 seconds West for a dis-

**The St. Augustine Record**

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_  
Becky Hesson \_\_\_\_\_ who on oath says that she 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 Meeting \_\_\_\_\_

\_\_\_\_\_ in the matter of \_\_\_\_\_  
RE. Lot 3 Section 33/Thomas Burns \_\_\_\_\_

\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
May 20, 1989 \_\_\_\_\_

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 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me \_\_\_\_\_  
this \_\_\_\_\_ 22nd \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_  
A.D. 19 \_\_\_\_\_ 89 \_\_\_\_\_

*J. Ann Johns*  
(SEAL) \_\_\_\_\_ Notary Public

Notary Public, State of Florida  
My Commission Expires Aug. 4, 1989  
Bounded Then They Fall: Insurance, Inc.

distance of 55.02 feet; North 13 degrees 53 minutes 53 seconds West for a distance of 80.00 feet to the North line of said Government Lot 3 of Section 32; thence departing from said centerline of a natural creek run South 63 degrees 21 minutes 41 seconds East along North line of Government Lot 3 for a distance of 1438.67 feet to the Northeast Corner of said Government Lot 3; thence South 00 degrees 29 minutes 12 seconds East along the East line of said Government Lot 3 for a distance of 1091.96 feet to the Northeast corner of THE PINES, a subdivision as recorded in Map Book 18, Pages 70 and 71 of the said Public Records of St. Johns County, Florida; thence South 89 degrees 11 minutes 16 seconds West along the North line of THE PINES for a distance of 600.00 feet to the Northwest corner of THE PINES; thence South 00 degrees 29 minutes 12 seconds East along the West line of THE PINES for a distance of 1100.00 feet to the said North right-of-way line of State Road Number 205; thence South 89 degrees 11 minutes 16 seconds West along said North right-of-way line for a distance of 60.00 feet to the POINT-OF-BEGINNING. Containing 40.87 acres of land, 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 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.

L124 May 20, 1989