

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF CHT, COMMERCIAL HIGHWAY TOURIST TO RS-3, SINGLE FAMILY RESIDENTIAL; REQUIRING RECORDATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Martha Mabee on behalf of the owner, James Martin Cooper, III, has filed an application with supporting documents for change of zoning on lands hereinafter described; and after required notice was published, a public hearing before the Board of County Commissioners of St. Johns County was held on the 8th day of June 1993, at 3:00 o'clock P.M. on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, upon consideration of the application, R-93-003, supporting documents, statements from the applicant, comments from staff at the public hearing, and correspondence from neighboring landowners, finds as follows:

VERIFIED BY  
*[Signature]*

Recorded in Public Records St. Johns County, FL  
Clerk # 93018344 O.R. 997 PG 1557 12:54PM 06-22-93  
Recording 15.00

- a. R -93-003 has been fully considered after public hearing pursuant to legal notice duly published as required by law and the St. Johns County Zoning Ordinance;
- b. The proposed rezoning from CHT to RS-3 does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and the Comprehensive Plan;
- c. The proposed RS-3 classification will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment, development of adjacent properties, or general neighborhood;
- d. The proposed RS-3 classification will accomplish the objectives, standards and criteria of the Zoning Ordinance;
- e. The rezoning is consistent with development of property in the area and is compatible with the desired future development of the area;
- f. The proposed intensity of development is consistent with the uses allowable by the Comprehensive Plan with regard to development within the coastal area and Comprehensive Plan designation ML-4D;
- g. On April 15, 1993, the St. Johns County Planning and Zoning Agency held a public hearing on this matter, and has recommended approval by unanimous vote as reflected in its report and recommendation dated April 19, 1993. The findings within the report and recommendation are hereby adopted herein.

*Janet Y. Carter*  
*Rec-1360 Sur-200*  
*Bill Co.*

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

SECTION 1. Pursuant to the application of Martha Mabee, on behalf of James Martin Cooper, III, owner, zoning classification of CHT on the lands described as follows:  
1260 Neck Rd.  
Parcel 18, Sec 74,T4S  
Range 29E as recorded in Official Records  
Vol. 6, pg. 281 and Official Vol. 10 pg. 386  
St. Johns County, Florida, and fully described in  
"Exhibit A" attached hereto and made a part hereof  
IS HEREBY CHANGED TO RS-3, SINGLE FAMILY RESIDENTIAL.

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.

SECTION 3. This project shall comply with the standards, policies and requirements in effect at the time of final approval and permitting of this project for development, including any successor or new policies, financing mechanism, plans or ordinances adopted by St. Johns County after the date of approval of this ordinance, including, without limitations, any concurrency management programs adopted pursuant to Florida Statute 163.3202 (2) (g), as amended and Objective J.01.05 of the St. Johns County Comprehensive plan dated September 14, 1990, including any amendments or successor policies or land development regulations adopted to implement Florida Statute 163.3202 (2) (g).

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Department of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 5. The 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 of James Martin Cooper, III, listed in Section 1 hereof.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, FLORIDA, THIS 8th  
day of June 1993.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Debra Roberts Its Vice Chair

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Wonne Carter  
Deputy Clerk

EFFECTIVE DATE OF ORDINANCE: June 21, 1993



## EXHIBIT "A"

Being a part of Section 74, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows:

For a point of reference commence at the Northeast corner of Sanchez Grant, Section 52 of said Township and Range; thence run North 86 degrees 30 minutes West along the line dividing Section 47 and said Section 52, a distance of 210 feet to the Easterly right of way line of a 60 foot City Road known as Neck Road; thence run North 12 degrees 45 minutes East along said Easterly right of way line a distance of 212.13 feet to the point of beginning; thence continue along said Easterly right of way line North 12 degrees 45 minutes East a distance of 70 feet; thence run South 85 degrees 8 minutes East a distance of 231 feet, more or less, to the Westerly edge of Guano Lake (also known as Guano River Marsh); thence run Southwesterly along said Westerly edge of Guano Lake a distance of 65 feet, more or less, to a point that bears South 86 degrees 30 minutes East from the point of beginning; thence run 86 degrees 30 minutes West, a distance of 230 feet, more or less, to point of beginning. Being the same lands as lands described in O.R. Volume 10 page 386, together with a part of land described in O.R. Volume 6 page 281, both as recorded in the public records of St. Johns County, Florida.

# 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 \_\_\_\_\_

SHERRY R. FREE 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 PUBLIC HEARING

\_\_\_\_\_ in the matter of \_\_\_\_\_  
MEETING ON JUNE 8, 1993

\_\_\_\_\_ in the \_\_\_\_\_ Court,

was published in said newspaper in the issues of \_\_\_\_\_  
May 4, 1993

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.

*Sherry R. Free*

Sworn to and subscribed before me Zoe Ann Moss

this 5th day of May

A.D. 19 93

*Zoe Ann Moss*  
(SEAL) **NOTARY PUBLIC**  
MY COMMISSION EXPIRES  
AUGUST 22, 1993  
#CC 247239  
NOTARY PUBLIC, STATE OF FLORIDA

Ordinance Book 12 Page 370

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 8 DAY OF JUNE 1993 AT 3:00 P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY COUNTY ROAD 16-A AND U.S. 91 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 CH1 TO RS-3.

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

SECTION 1. Pursuant to the application of Marlene Mabee on behalf of James M. Cooper III owners of the following described land, zoning classification of CH1 on the following described lands:

EXHIBIT "A"  
Being a part of Section 74, Township 4 S, Range 29 East, St. Johns County, Florida, more particularly described as follows:

For a point of reference commence at the Northeast corner of Sanchez Grant, Section 52 of said Township and Range; thence run North 86 degrees 30 minutes West along the line dividing Section 47 and said Section 52, a distance of 210 feet to the Easterly right of way line of a 60 foot City Road known as Neck Road; thence run North 12 degrees 45 minutes East along said Easterly right of way line a distance of 212.13 feet to the point of beginning; thence continue along said Easterly right of way line North 12 degrees 45 minutes East a distance of 70 feet; thence run South 85 degrees 8 minutes East a distance of 231 feet, more or less, to the Westerly edge of Guano Lake (also known as Guano River Marsh); thence run Southwesterly along said Westerly edge of Guano Lake a distance of 65 feet, more or less, to a point that bears South 66 degrees 30 minutes East from the point of beginning; thence run 66 degrees 30 minutes West a distance of 230 feet, more or less, to point of beginning. Being the same lands as lands described in O.R. Volume 10 page 386, together with a part of land described in O.R. Volume 6 page 281, as both as recorded in the public records of St. Johns County, Florida.

IS HEREBY CHANGED TO: RS-3, single family residential.

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 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  
its 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.

Notice to all hearing impaired persons: Anyone planning to attend this meeting and needs the services of an interpreter, please contact David Holstved, ADA Coordinator at (904) 823-2505 at least 5 days prior to date of this meeting.

L391 May 4, 1993