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Public Records of
St. Johns County, FL
Clerk# 99057598
O.R. 1460 PG 1705
12:45PM 12/13/1999
REC \$13.00 SUR \$2.00

ORDINANCE NUMBER: 99- 67

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (Cg) TO RESIDENTIAL SINGLE FAMILY (RS-3) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Subject minimized

WHEREAS, Michael Seybold on behalf of Seymor, Inc., owner of lands described herein, filed an application for zoning change dated September 1, 1999, 1999, described hereinafter, and after required notice was published a public hearing was held on the 30th day of November 1999 at 1:30 PM on said application.

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

SECTION 1. Upon consideration of the application, R-99-023, supporting documents, statements from the applicant, correspondence received by the Planning Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

- a. The request for rezoning has been fully considered after public hearing pursuant to legal notice duly published as required by the law.
- b. The proposed rezoning 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 adversely affect the health, safety, and welfare 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 Land Development Code.
- e. The rezoning is consistent with the development of property in the area and is compatible with the desired future development of the area.

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f. The proposed intensity of development is consistent with the uses allowable by the D-Residential Comprehensive Plan designation.

g. On October 21, 1999, the Planning and Zoning Agency held a public hearing on the matter and has recommended approval by a unanimous vote as reflected in its report and recommendation.

SECTION 2. Pursuant to the application of Michael Seybold, the zoning classification of Commercial General (CG) on the lands described as Lots 1 through 7, inclusive, Block 17 and Osceola Avenue between Orange and Satsuma Avenues, less and except Right of Way of Road A1A; Lots 1 through 8, inclusive, Block 18, Bierra Mar Subdivision, Anastasia Island, being a part of Government Lot 1, Section 22, Township 8 South, Range 30 East, according to map recorded in Map Book 3, Page 69, public records of St. Johns County, Florida, is hereby changed to Residential Single Family (RS-3) subject to the following condition:

The applicant will access the driveways for Block 17 in the following manner: Lot 1 will access on Orange Avenue; Lots 2&3 and Lots 4&5 will have shared access on SR A1A; Lot 6 will be single or shared access with Lot 7 on SR A1A, and Lot 7 may access on Satsuma Avenue.

SECTION 3. Except to the extent that they conflict with specific provisions of this Ordinance, all building code, Zoning Ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development.

SECTION 4. This Ordinance shall take effect upon receipt by Secretary of State.

SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official records of St. Johns County, Florida.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed in the office of Planning by the Planning Director or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 30th DAY OF November 1999.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
Its Chair

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OR1460PG1707

ATTEST: CHERYL STRICKLAND, CLERK

BY: *Christina De Grand*
Deputy Clerk

EFFECTIVE DATE: *December 3, 1999*

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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 Linda Y. Murray who on oath says that she is an 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 PROPOSED REZONING

in the matter of FILE # R 99-023

5101 OSCEOLA AVENUE

in the Court, was published in said newspaper in the issues of

NOVEMBER 15, 1999

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 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, for a period of one year preceding the first publication of the 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 15TH day of NOVEMBER 1999,

by Linda Y. Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

(Signature of Notary Public)



Zoe Ann Moss MY COMMISSION # CC641814 EXPIRES AUGUST 22, 2001 BONDED THRU TROY FAJN INSURANCE, INC.

Zoe Ann Moss

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COPY OF

NOTICE HEREBY GIVEN... BOARD OF COUNTY COMMISSIONERS... 30th day of November 1999... 1:30 p.m. in the County Auditorium... 4020 Lewis Speedway... U.S. North St. Augustine, Florida... ORDINANCE NUMBER 99-023... VAN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA... REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO RESIDENTIAL SINGLE FAMILY (RS-3) MAKING FINDINGS OF FACT REQUIRING RECORDATION AND PROVIDING AN EFFECTIVE DATE... Applicant: Michael Seybold on behalf of Seymour... Location: 5101 Osceola Avenue, more particularly described as Lots 1 through 7, inclusive, Block 17, and Osceola Avenues between Orange and Satsuma Avenues, less and except Right of Way of Road A1A, Lots 1 through 9, inclusive, block 18, Sierra Mar Subdivision, Anastasia Island, being part of Government Lot 17, Section 22, Township 8 South, Range 30, East, according to map recorded in Map Book 3, page 67, of the public records of St. Johns County, Florida... NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL UNIMPAIRED PERSONS in accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact ADA Coordinator at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD) (904) 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 15 days prior to the date of the hearing... Interested parties may appear at the meeting and be heard with respect to the proposed request... This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners and Planning & Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32095... If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings and for such purpose he/she 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. Subject to a proper and timely objection of a party at the beginning of the hearing, the record of the Planning & Zoning Agency hearing of this matter, including the tape recording of the

proceedings... Before the Planning & Zoning Agency shall be part of the record and file of this matter submitted to the Board of County Commissioners for its consideration in this hearing. The Planning & Zoning Agency record and file of this case is available for review by the public in the Planning Department and/or office of the Clerk to the County Commission located at the St. Johns County Administrative Complex, 4020 Lewis Speedway (County Road 16-A and U.S. North St. Augustine, Florida). BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA By Cheryl Strickland, Its Clerk FILE NUMBER: R-99-023 Michael Seybold 1355 Nov. 15, 1999