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Public Records of  
St. Johns County, FL  
Clerk# 00-029130  
O.R. 1509 PG 1568  
09:12AM 07/10/2000  
REC \$25.00 SUR \$3.50

ORDINANCE NUMBER : 2000- 35  
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, HIGHWAY, TOURIST (CHT) TO RESIDENTIAL SINGLE FAMILY (RS-3) MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on behalf of Gregg Higgins, owner of lands described herein, filed an application for zoning change dated March 22, 2000, described hereinafter, and after required notice was published a public hearing was held on the 6<sup>th</sup> day of June, 2000 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-00-015, supporting documents, statements from the applicant, correspondence received by the Growth Management Services, Planning Division, 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 rezoning to RS-3 does not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan.
- c. The zoning district 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 zoning district classification will accomplish the objectives, standards and criteria of the St. Johns County 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.
- f. On April 20, 2000, 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.

Incket - P. Dequade  
BCC Secty  
- Bill Co -

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**SECTION 2.** Pursuant to the application of Gregg Higgins the zoning classification of CHT on the following described land:

*(INSERT LEGAL DESCRIPTION-EXHIBIT A)*

is hereby changed to RS-3.

**SECTION 3.** Except to the extent that they conflict with specific provisions of this Ordinance, all building code, Land Development Code, 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 development of those lands described herein.

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

**SECTION 5.** This Ordinance must be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners in accordance with Section 125.68, Florida Statutes.

**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 6<sup>th</sup> DAY OF June 2000.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: James C. Bryant  
Its Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: 6-12-00

OR1509P61570

## EXHIBIT "A"

A PART OF SECTION 74 AND 47, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

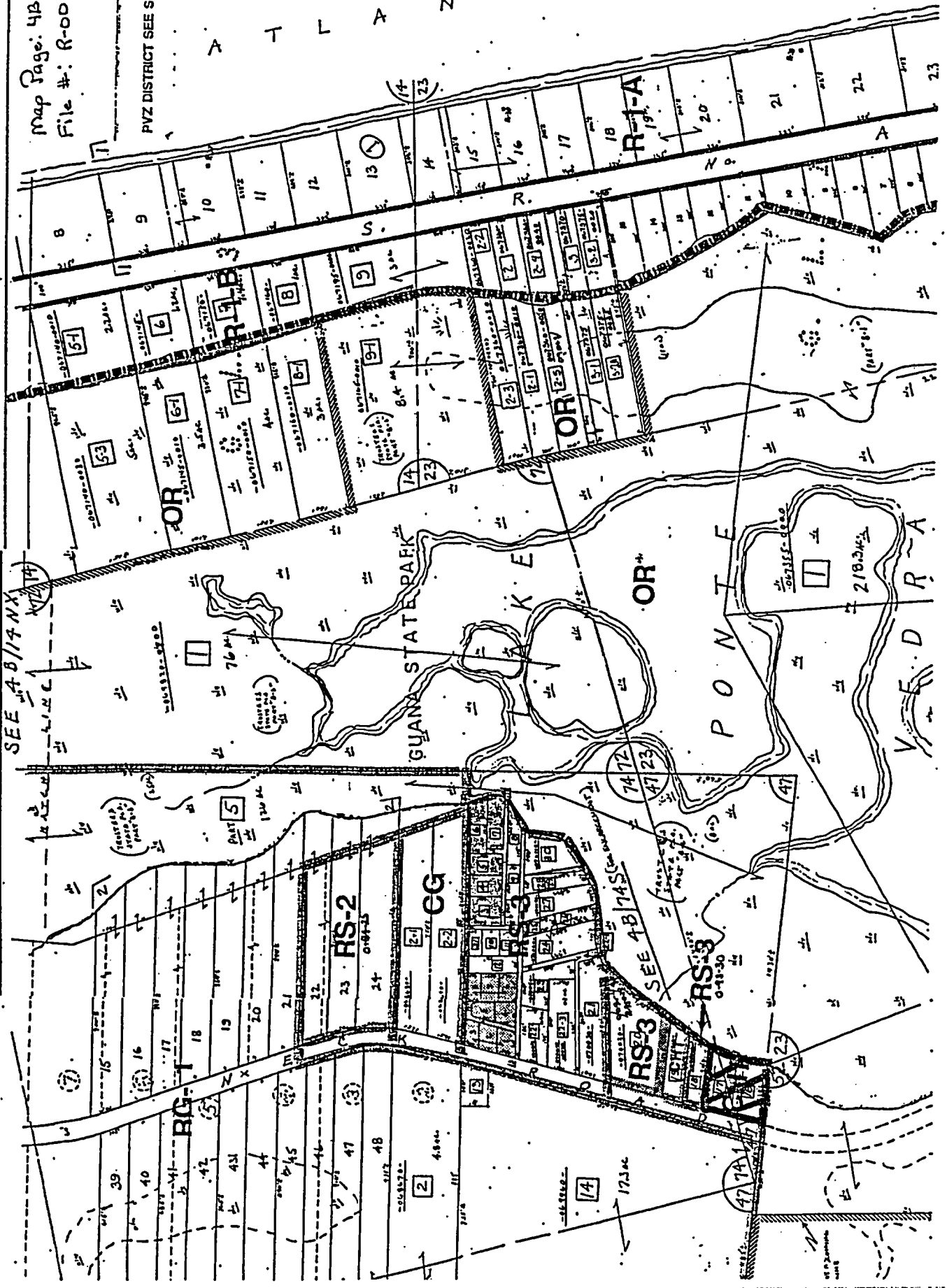
COMMENCE AT THE ORIGINAL NORTHEAST CORNER OF THE N. SANCHEZ GRANT, SECTION 52, TOWNSHIP 4 SOUTH, RANGE 29 EAST, SAID POINT BEING WHERE THE SOUTH LINE OF THE DEWEES GRANT INTERSECTS THE EDGE OF THE GUANO RIVER MARSH, FOR A POINT OF BEGINNING. THENCE NORTH 86°30' WEST ALONG THE SOUTH LINE OF THE DEWEES GRANT, A DISTANCE OF 210 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD (NECK ROAD); THENCE NORTH 12°29'56" EAST ALONG SAID ROAD RIGHT OF WAY, A DISTANCE OF 212.04'; THENCE SOUTH 86°30' EAST ALONG A LINE PARALLEL TO THE AFOREMENTIONED SOUTH LINE OF THE DEWEES GRANT, A DISTANCE OF 213 FEET, MORE OR LESS TO THE EDGE OF THE GUANO RIVER MARSH; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE EDGE OF SAID MARSH, A DISTANCE OF 212 FEET MORE OR LESS TO THE POINT OF BEGINNING. BEING THE SAME LANDS DESCRIBED IN OFFICIAL RECORDS 369, PAGE 183 AND OFFICIAL RECORDS 734, PAGE 0303.

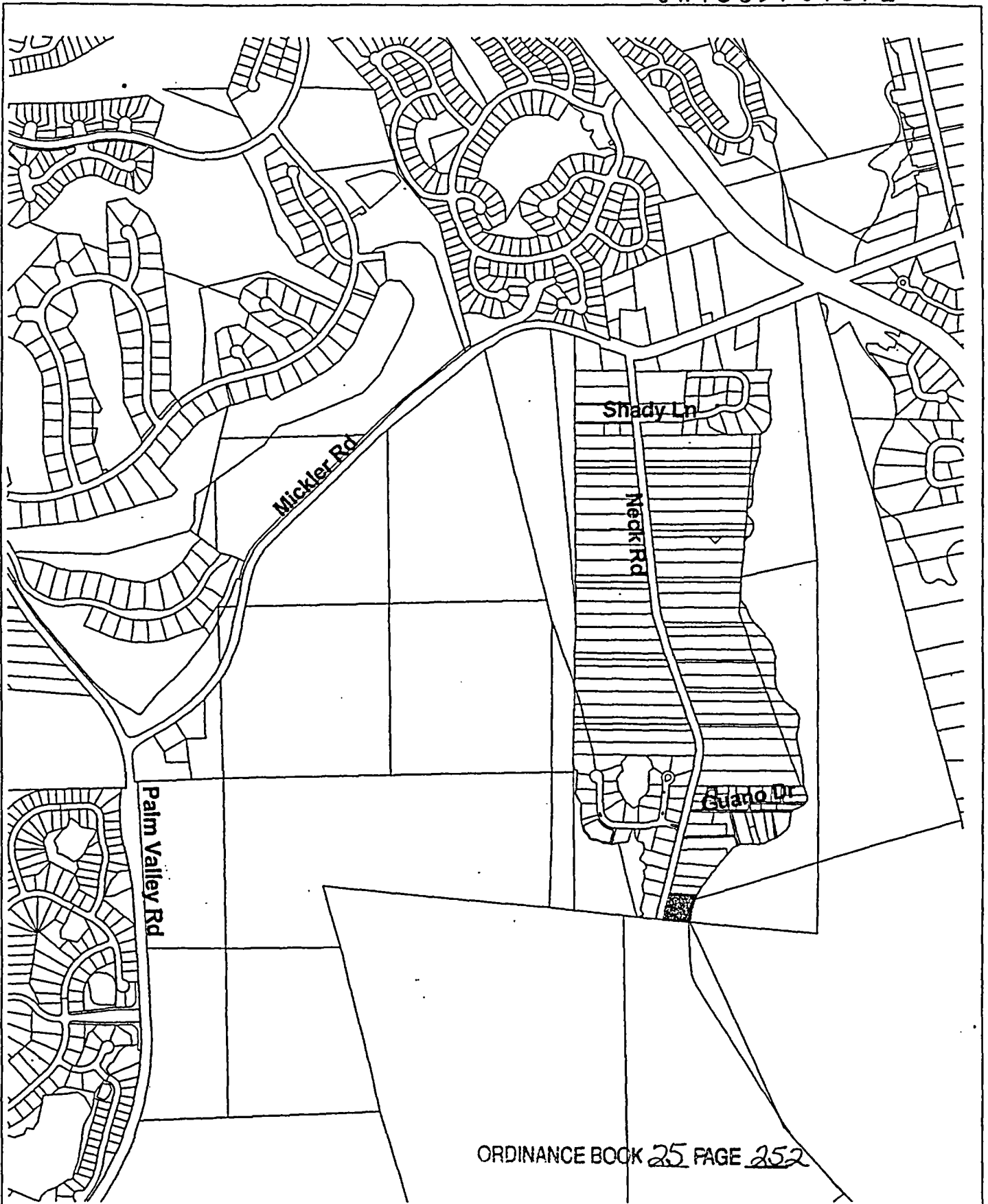
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Map Page: 4B / 14 SX  
File #: R-00-015

PVZ DISTRICT SEE SHEET -2

A T L A N T I C





ORDINANCE BOOK 25 PAGE 252

**Gregg Higgins**  
**File Number: R-00-015**

General Location Map:  
 St. Johns County  
 Planning Department  
 April 3, 2000



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 00 015

GREG HIGGINS 1266 & 1270 NECK ROAD

in the Court, was published in said newspaper in the issues of May 22, 2000

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 22ND day of MAY 2000,

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



200 Ann (Seal) MY COMMISSION # CC041814 EXPIRES August 22, 2001 BONDED THRU TROY FAIN INSURANCE, INC.

ORDINANCE BOOK 25 PAGE 253

COPY OF

NOTICE OF A PROPOSED REZONING... BOARD OF COUNTY COMMISSIONERS... SPECIAL MEETING... ORDINANCE NUMBER: 20000... AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA... REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, HIGHWAY, TOURIST (CHT) TO RESIDENTIAL SINGLE FAMILY (RS-3), MAKING FINDINGS OF FACT REQUIRING RECORDATION AND PROVIDING AN EFFECTIVE DATE... Applicant: Greg Higgins, Location: 1266 & 1270 Neck Road, a portion of Section 74 & 47, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described in attached Exhibit A... EXHIBIT A... PART OF SECTION 74 AND 47, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE ORIGINAL NORTHEAST CORNER OF THE SANCHEZ GRANT, SECTION 52, TOWNSHIP 4 SOUTH, RANGE 29 EAST, SAID POINT BEING WHERE THE SOUTH LINE OF THE DEWEES GRANT INTERSECTS THE EDGE OF THE GUANO RIVER MARSH, FOR A POINT OF BEGINNING; THENCE NORTH 86°30' WEST ALONG THE SOUTH LINE OF THE DEWEES GRANT, A DISTANCE OF 210 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD (NECK ROAD); THENCE NORTH 12 DEGREES 29'56" EAST ALONG SAID ROAD RIGHT OF WAY, A DISTANCE OF 212.04'; THENCE SOUTH 86°30' EAST ALONG A LINE PARALLEL TO THE AFOREMENTIONED SOUTH LINE OF THE DEWEES GRANT, A DISTANCE OF 213 FEET MORE OR LESS TO THE EDGE OF THE GUANO RIVER MARSH; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE EDGE OF SAID MARSH, A DISTANCE OF 212 FEET MORE OR LESS TO THE POINT OF BEGINNING, BEING THE SAME LANDS DESCRIBED IN OFFICIAL RECORDS, 369, PAGE 183 AND OFFICIAL RECORDS, 734, PAGE 0303... The application for rezoning is maintained in the Growth Management Services Planning Division, County Administrator Building, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing, and all interested parties shall be granted an opportunity to be heard at said public hearing... NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO A BLIND OR IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact ADA Coordinator, at (904) 823-2501, or at the County Administrator Building, 40200 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Florida Relay Service, 1-800-955-8770, no later than 5 days prior to the date of the hearing.

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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 declines 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 36-A and US 1 North), St. Augustine, Florida.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
By Cheryl Strickland, Its Clerk  
FILE NUMBER: R00-015  
1997  
L800 May 22, 2003

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS  
Historic Florida City Preservation Board  
Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County  
Preservation Board  
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE  
Katherine Harris  
Secretary of State  
DIVISION OF ELECTIONS

June 12, 2000

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne King  
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 8, 2000 and certified copies of Ordinance Nos. 2000-35 and 2000-36, which were filed in this office on June 12, 2000.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

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BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427  
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: [election@mail.dos.state.fl.us](mailto:election@mail.dos.state.fl.us)

FILED  
00 JUN 14 PM 2:14  
CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL