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Public Records of
St. Johns County, FL
Clerk# 01-039499
O.R. 1634 PG 654
09:58AM 08/02/2001
REC \$13.00 SUR \$2.00

ORDINANCE NUMBER: 2001 - 45

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL, SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Bruce McClean, the owner of lands described herein, filed an application (File Number REZ 2001-03) for a zoning change dated March 07, 2001, as described hereinafter, and after required notice was published, a public hearing was held on the 17th day of July 2001, at 1:30 p.m. 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, supporting documents, statements from the applicant, correspondence received by the Growth Management Services Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3)
3. The rezoning to Residential, Single-Family (RS-2) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Residential, Single-Family (RS-2) is consistent with the land uses allowed in the land use designation of Residential C as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application (File Number REZ 2001-03) the zoning

Mark P. DeGardie
BCC Sec'y
Bill Co.

Ordinance Book 27 Page 215

classification of Open Rural (OR) of the lands described within the legal description, attached as EXHIBIT A,

is hereby changed to Residential, Single Family (RS-2)

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

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

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the by the Clerk of the Board of County Commissioners of St. Johns County, Florida, 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 maintained in the Growth Management Services Department by the Planning Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 17th DAY OF July, 2001.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Marc A. Jacalone
Marc A. Jacalone/Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE July 25, 2001

DATE:

DESCRIPTION: PARCEL 1

A PORTION OF THE MATHIAS PONS GRANT, SECTION 39, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT "E" AS SHOWN ON PLAT OF ST. AUGUSTINE SHORES, UNIT FOUR, RECORDED IN MAP BOOK 13, PAGES 31 THROUGH 38, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST, ON THE NORTH LINE OF BLOCK 120 OF SAID ST. AUGUSTINE SHORES, UNIT FOUR 20.15 FEET TO A POINT ON THE EASTERLY EDGE OF THE MARSH OF A CREEK AND THE WESTERLY BOUNDARY OF SAID MATHIAS PONS GRANT, SAID POINT BEING ON THE BOUNDARY LINE BETWEEN THE SAID MATHIAS PONS GRANT AND SECTION 8, TOWNSHIP 8 SOUTH, RANGE 30 EAST, AND ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 08 DEGREES 47 MINUTES 33 SECONDS EAST, 54.21 FEET; THENCE NORTH 12 DEGREES 09 MINUTES 35 SECONDS EAST, 96.02 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES 53 SECONDS EAST, 172.14 FEET; THENCE SOUTH 18 DEGREES 46 MINUTES 09 SECONDS EAST 72.00 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 51 SECONDS WEST 236.35 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.49 ACRES, MORE OR LESS.

DESCRIPTION: PARCEL 2

A PORTION OF THE MATHIAS PONS GRANT, SECTION 39, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT "E" AS SHOWN ON PLAT OF ST. AUGUSTINE SHORES, UNIT FOUR, RECORDED IN MAP BOOK 13, PAGES 31 THROUGH 38, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST, ON THE NORTH LINE OF BLOCK 120 OF SAID ST. AUGUSTINE SHORES, UNIT FOUR 20.15 FEET TO A POINT ON THE EASTERLY EDGE OF THE MARSH OF A CREEK AND THE WESTERLY BOUNDARY OF SAID MATHIAS PONS GRANT, SAID POINT ALSO BEING ON THE BOUNDARY LINE BETWEEN THE SAID MATHIAS PONS GRANT AND SECTION 8, TOWNSHIP 8 SOUTH, RANGE 30 EAST, THENCE CONTINUING NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST 676.35 FEET; THENCE NORTH 18 DEGREES 46 MINUTES 09 SECONDS WEST 95.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 18 DEGREES 46 MINUTES 09 SECONDS WEST, 90.00 FEET; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST, 250.11 FEET; THENCE SOUTH 52 DEGREES 07 MINUTES 43 SECONDS EAST, 107.15 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 51 SECONDS WEST, 309.36 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.58 ACRES, MORE OR LESS.

JUL 06 2001

THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT

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 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 Hearing in the matter of Kelly Estate REZ 2001-03 in the Court was published in said newspaper in the issues of July 2, 2001

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 2nd Day of July, 2001

by [Signature] 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 (Seal) BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

ORDINANCE BOOK 27 PAGE 218

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 17, 2001 at 1:30 p.m. by the Board of County Commissioners, County Administrative Complex, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider an ordinance to rezone land from Open Rural (OR) to Residential Single-Family (RS-2). The subject property is located at 101 and 3 Kelly Road, within St. Johns County, Florida. EXHIBIT "A" DESCRIPTION: PARCEL 1 A PORTION OF THE MATHIAS PONS GRANT, SECTION 39, TOWNSHIP 8 SOUTH, RANGE 3 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF TRACT "E" AS SHOWN ON PLAT OF ST. AUGUSTINE SHORES, UNIT FOUR, RECORDED IN MAP BOOK 13, PAGES 31 THROUGH 38 PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST, ON THE NORTH LINE OF BLOCK 120 OF SAID ST. AUGUSTINE SHORES, UNIT FOUR 20.15 FEET TO A POINT ON THE EASTERLY EDGE OF THE MARSH OF A CREEK AND THE WESTERLY BOUNDARY OF SAID MATHIAS PONS GRANT, SAID POINT BEING ON THE BOUNDARY LINE BETWEEN THE SAID MATHIAS PONS GRANT AND SECTION 8, TOWNSHIP 8 SOUTH, RANGE 30 EAST, AND ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 08 DEGREES 47 MINUTES 33 SECONDS EAST 54.21 FEET; THENCE NORTH 12 DEGREES 09 MINUTES 35 SECONDS EAST 72.12 FEET; THENCE NORTH 77 DEGREES 37 MINUTES 23 SECONDS EAST 193.38 FEET; THENCE SOUTH 07 DEGREES 55 MINUTES 06 SECONDS EAST 90.00 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 51 SECONDS WEST 237.39 FEET TO THE POINT OF BEGINNING; CONTAINING 0.50 ACRE MORE OR LESS. DESCRIPTION: PARCEL 2 A PORTION OF THE MATHIAS PONS GRANT, SECTION 39, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF TRACT "E" AS SHOWN ON PLAT OF ST. AUGUSTINE SHORES, UNIT FOUR RECORDED IN MAP BOOK 13, PAGES 31 THROUGH 38, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST, ON THE NORTH LINE OF BLOCK 120 OF SAID ST. AUGUSTINE SHORES, UNIT FOUR 20.15 FEET TO A POINT ON THE EASTERLY EDGE OF THE MARSH OF A CREEK AND THE WESTERLY BOUNDARY OF SAID MATHIAS PONS GRANT, SAID POINT ALSO BEING ON THE BOUNDARY LINE BETWEEN THE SAID MATHIAS PONS GRANT AND SECTION 8, TOWNSHIP 8 SOUTH, RANGE 30 EAST, THENCE CONTINUING NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST 676.36 FEET; THENCE NORTH 18 DEGREES 46 MINUTES 09 SECONDS WEST 90.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 18 DEGREES 46 MINUTES 09 SECONDS WEST 90.00 FEET; THENCE NORTH 71 DEGREES 13 MINUTES 51 SECONDS EAST 250.19 FEET TO A POINT ON THE WESTERLY EDGE OF THE MARSH OF THE MATANZAS RIVER; THENCE SOUTH 52 DEGREES 07 MINUTES 43 SECONDS EAST, ON SAID WESTERLY EDGE OF THE MARSH, 107.75 FEET; THENCE SOUTH 71 DEGREES 13 MINUTES 51 SECONDS WEST 309.44 FEET; TO THE POINT OF BEGINNING; CONTAINING 0.58 ACRES MORE OR LESS. This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing. NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting. If a person decides to appeal any decision made 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 appeal is to be based. IT IS ANTICIPATED THAT ONE OR MORE ST. JOHNS COUNTY COMMISSIONERS MAY ATTEND AND PARTICIPATE IN THE MEETING. THIS MATTER IS SUBJECT TO COURT IMPOSED QUASI-JUDICIAL RULES OF PROCEDURES. INTERESTED PARTIES SHOULD LIMIT CONTACT WITH THE BOARD OF COUNTY COMMISSIONERS OR THE PLANNING AND 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 DIVISION, P.O. DRAWER 349, ST. AUGUSTINE, FLORIDA, 32085. BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA BY MARC A. JACALONE, CHAIRMAN FILE NUMBER: REZ-2001-03. KNOWN AS KELLY ESTATE REZONING L1456-1 July 2, 2001

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Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
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Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

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RINGLING MUSEUM OF ART

July 25, 2001

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

Attention: Patricia DeGrande
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 July 23, 2001 and certified copies of Ordinance Nos. 2001-45 through 2001-47, which were filed in this office on July 25, 2001.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

ORDINANCE BOOK 27 PAGE 219

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