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2739

Public Records of
St. Johns County, FL
Clerk# 01-064723
O.R. 1689 PG 1100
04:51PM 12/13/2001
REC \$21.00 SUR \$3.00

ORDINANCE NUMBER: 2001 - 60

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, Patrick Monaghan, on behalf of James B. McFauls, Nancy L. McFauls, W. Judson and Peggy V. Legtland, the owner of lands described herein, filed an application (File Number REZ 2001-14) for a zoning change dated August 3, 2001, as described hereinafter, and after required notice was published, a public hearing was held on the 6th day of November, 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 to Residential Single Family (RS-3) is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth. (Objective A.1.11)
3. The rezoning to Residential Single Family (RS-3) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Residential Single Family (RS-3) is consistent with the land uses allowed in the land use designation of Residential C-Coastal as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application (File Number REZ 2001-14) the zoning classification Commercial Highway Tourist (CHT) of the lands described within the legal description, attached as **EXHIBIT A**,
is hereby changed to Residential Single Family (RS-3).

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.

Robert P. Degraide
BCC Secty

Ordinance Book 27 Page 459

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 6th DAY OF Nov, 2001.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Marc A. Jacalone
Marc A. Jacalone, Chairman

Rendition Date. 11-09-01

ATTEST: CHERYL STRICKLAND, CLERK
BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 11-14-01



OR1689P61102

LEGAL DESCRIPTION

LOTS 1 AND 3, BLOCK "G" SURFSIDE SUBDIVISION, ACCORDING
TO PLAT OR MAP THEREOF RECORDED IN MAP BOOK 4, PAGE 32
OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA

ORDINANCE BOOK 27 PAGE 461



ST. JOHNS COUNTY

Application For Rezoning

FROM CNT TO RS-3

RECEIVED

AUG 3 2001

ST. JOHNS COUNTY
PLANNING DEPARTMENT

DATE JULY 7, 2001

PROJECT NAME: McFAULS SINGLE FAMILY AT SHERWOOD

OWNER/APPLICANT: JAMES B. Mc FAULS, NANCY L. McFAULS, W. JUDSON & PEGGY V. LEGRAND
ADDRESS: 3142 LAKE SHORE DRIVE

JACKSONVILLE, FL 32210
PHONE: (904) 388-5256 FAX: _____

ENGINEERING FIRM: _____
(If Applicable) ADDRESS: 13 ARBOR CLUB DRIVE #106
PONTE VEDRA, FL 32082

PHONE: (904) 280-2252 FAX: _____

CONTACT PERSON: PATRICK MONAGHAN

PLANNER: _____

ADDRESS: _____

PHONE: _____ FAX: _____

PROPERTY APPRAISERS PARCELNO. 146680 0000

SECTION: 4 TOWNSHIP: 7 RANGE: 30

CENSUS TRACT: _____ PROPERTY APPRAISERS MAP SHEET: 5E5N

LOCATION: SHERWOOD AVE BETWEEN FIRST STREET AND A1A

911 ADDRESS (IF KNOWN) _____

CITY ST. AUGUSTINE STATE FL ZIP CODE 3208A

MAJOR ACCESS _____

OVERLAY DISTRICT? NA IF YES, WHICH ONE NA
March 22, 2001 10-5

ONE CLASS _____ COMP. PLAN DSGN _____

PRESENT USE OF PROPERTY: VACANT PROPERTY WITHIN PLATED SUBDIVISION

WATER/SEWER: NORTH BEACH UTILITIES

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION): ROADS CURRENTLY MAINTAINED BY COUNTY

WHO WILL MAINTAIN DRAINAGE: COUNTY CURRENTLY MAINTAINS DRAINAGE WITHIN DEDICATED ROADS

TYPE OF DEVELOPMENT: SINGLE FAMILY RESIDENCE

ACRES: .43 ACRES NUMBER OF LOTS/ UNITS: 2 SQ. FOOTAGE NA
(SIZE OF PROPERTY) (IF SUBDIVISION) (OF EACH BUILDING)

ACRES TO BE CLEARED: .43 ACRES 1/4 MILE INCREMENTS OF ROADWAY: NA

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES _____ NO XX

IS THE PROJECT SEAWARD OF CCCL? YES _____ NO XX

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

THIS APPLICATION PROPOSES TO REZONE TWO LOTS FROM COMMERCIAL

TOURIST TO RS-3 SINGLE FAMILY RESIDENTIAL. BOTH LOTS ARE

LOCATED WITHIN THE SURFSIDE SUBDIVISION. THE CURRENT CONFIGURATION OF

THE LOTS WILL MEET THE DIMENSIONAL REQUIREMENTS SET FORTH IN SECTION VI

OF THE LAND DEVELOPMENT CODE. PUBLICLY DEDICATED ROADWAYS ARE

ADJACENT TO THE LOTS AS FOLLOWS LOT 1 IS BOUNDED BY FIRST STREET

AND SHERWOOD AVE., LOTS 3 IS BOUNDED BY SHERWOOD AVE.

WATER AND

SANITARY SEWER SERVICE WILL BE PROVIDED BY NORTH BEACH UTILITIES. THE

PROPOSED ZONING USE IS CONSISTENT WITH THE SURROUNDING LAND USES, WHICH

ARE PREDOMINENTLY SINGLE FAMILY RESIDENTIAL.



RECEIVED

OCT 26 2001

THE ST. AUGUSTINE RECORD

ST. JOHNS COUNTY PLANNING DEPARTMENT

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING 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

PROPOSED REZONING NOTICE

In the matter of FILE# REZ 2001-14

114 SHERWOOD AVENUE

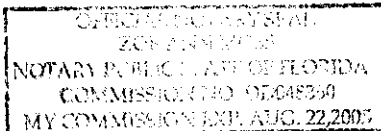
in the Court, was published in said newspaper in the issues of

OCTOBER 22, 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 25TH day of OCTOBER 2001 by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss (Signature of Notary Public)



(Seal)

Zoe Ann Moss

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, November 6, 2001 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider rezoning two lots from Commercial Highway Tourist (CHT) to Residential, Single Family (RS-3). The subject property is located at 114 Sherwood Ave. within St. Johns County, Florida. EXHIBIT A LOTS 1 AND 3, BLOCK "G" SURFSIDE SUBDIVISION, ACCORDING TO PLAT OR MAP THEREOF RECORDED IN MAP BOOK 4, PAGE 32 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. 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. 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 MAR A. JACALONE, CHAIRMAN FILE NUMBER: REZ-2001-14, McFauls Single Family at Sherwood L2265-1 Oct 22, 2001

ORDINANCE BOOK 27 PAGE 464