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Public Records of  
St. Johns County, FL  
Clerk # 2005005891,  
O.R. 2361 PG 462-464  
01/24/2005 at 10:35 AM,  
REC. \$13.00 SUR. \$14.00

ORDINANCE NUMBER: 2005-4

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

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

WHEREAS, Mandee Elliot and Justin Elliot, the owner(s) of lands described herein, incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number REZ 2004-17 for a zoning change dated May 25, 2004, as described hereinafter, and after required notice was published, a public hearing was held on the 12<sup>th</sup> day of January, 2005 at 9:00 a.m. on said application.

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 the general public 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 Open Rural (OR) 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 and economic development. (Objective A.1.11)
  - (c) The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Open Rural (OR) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Open Rural (OR) is consistent with the land uses allowed in the land use designation of Rural/Silvaculture (R/S) as depicted on the 2015 Future Land Use Map.

Jackel BCC Secty  
Y. King

SECTION 2. Pursuant to this application File Number REZ 2004-17 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Open Rural (OR)

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.

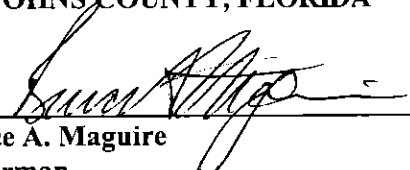
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained 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.

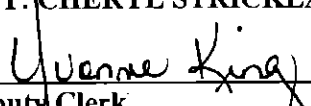
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 12<sup>th</sup> DAY OF January 2005.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY:   
Bruce A. Maguire  
Chairman

RENDITION DATE 01/14/05

ATTEST: CHERYL STRICKLAND, CLERK

BY:   
Deputy Clerk

EFFECTIVE DATE: 01/18/05

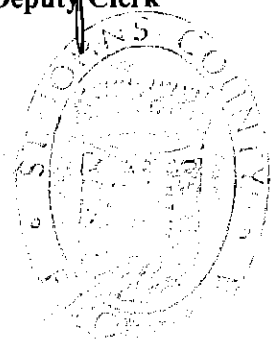


EXHIBIT "A"

A parcel of land lying in Section 12, Township 7 South, Range 27 East, St. Johns County, Florida, being more fully described as follows:

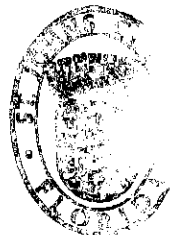
COMMENCING at the Southeast corner of the Northeast 1/4 of said Section 12, thence along the South line of the said Northeast 1/4 of Section 12, South 88 degrees 25 minutes 17 seconds West, 1321.86 feet to Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence continue along said South line, South 88 degrees 15 minutes 02 seconds West, 330.05 feet to the POINT OF BEGINNING; thence continue South 88 degrees 15 minutes 02 seconds West, 330.05 feet; thence North 00 degrees 44 minutes 34 seconds West, 1290.50 feet; thence North 88 degrees 20 minutes 09 seconds East, 330.04 feet; thence South 00 degrees 44 minutes 34 seconds East, 1290.00 feet to the POINT OF BEGINNING.

Together with easement for Ingress and Egress lying in Sections 1 & 12, Township 7 South, Range 27 East, St. Johns County, Florida, being more fully described as follows:

COMMENCING at the Southeast corner of the Northeast 1/4 of said Section 12, thence along the South line of the said Northeast 1/4 of Section 12, South 88 degrees 25 minutes 17 seconds West, 1321.86 feet to the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence along the said East line, North 00 degrees 44 minutes 34 seconds West, 1289.51 feet to the POINT OF BEGINNING; thence South 88 degrees 20 minutes 09 seconds West, along a line being 30 feet South of and parallel to the North line of the said Southwest 1/4 of the Northeast 1/4 of Section 12, 1320.17 feet; thence North 00 degrees 44 minutes 34 seconds West, 30.00 feet to the Northwest corner of said Southwest 1/4 of the Northeast 1/4; thence North 01 degrees 53 minutes 18 seconds West, 30.00 feet; thence North 88 degrees 20 minutes 09 seconds East, along a line being 30 feet North of and parallel to the North line of said Southwest 1/4 of the Northeast 1/4 of said Section 12, 1290.20 feet; thence North 01 degrees 50 minutes 09 seconds West, along a line being 30 feet West of and parallel to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 12, 1329.55 feet to the Southerly Right-Of-Way line of State Road No. 208 (Picolata Road); thence South 79 degrees 28 minutes 31 seconds East, along said Southerly Right-Of-Way, 61.42 feet; thence South 01 degrees 50 minutes 09 seconds East, along a line being 30 feet East of and parallel to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 12, 1347.65 feet; thence North 89 degrees 37 minutes 20 seconds West, 30.02 feet to the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12, thence South 00 degrees 44 minutes 34 seconds East, 30.00 feet to the POINT OF BEGINNING.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS OF RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS 24<sup>th</sup> DAY OF January 20 05  
 EMERYL STRICKLAND, CLERK  
 Ex Officio Clerk of the Board of County Commissioners

BY: Yvonne King D.C.



COPY OF ADVERTISEMENT

THE ST. AUGUSTINE RECORD

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 CHARLES BARRETT who on oath says that he 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 NOTICE OF HEARING in the matter of REZ 04-17 JUSTIN ELLIOTT was published in said newspaper in the issues of DECEMBER 27, 2004.

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 27TH day of DECEMBER, 2004.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Patricia A. Bergquist]

(Signature of Notary Public)

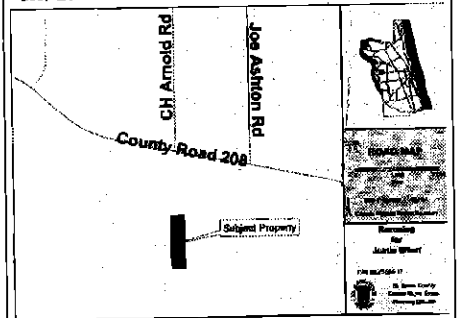


Patricia A. Bergquist My Comm. Expires 02/27/2007 Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, January 12, 2005 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Residential, Single Family (RS-E) to Open Rural (OR). The subject property is located at 6445 County Road 208, Lot L within 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 special accommodations or an interpreter to participate in this proceeding should contact David Haislead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084 For hearing impaired individuals, call Florida Relay Service at 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 BRUCE MAGUIRE, CHAIRMAN FILE NUMBER: REZ 2004-17 Justin Elliott L3106-4 Dec 27, 2004



FILED

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FLORIDA DEPARTMENT OF STATE

**Glenda E. Hood**

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

January 20, 2005

Ms. Cheryl Strickland  
Clerk  
St. Johns County  
Minutes & Records Division  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 18, 2005 and corrected copy of St. Johns County Ordinance No. 2005-3, which was received in this office on January 20, 2005.

Sincerely,

Liz Cloud  
Program Administrator

LC/kcs

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