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ORDINANCE NUMBER: 2006-139

Public Records of  
St. Johns County, FL  
Clerk # 2006086936,  
O.R. 2825 PG 623-625  
11/29/2006 at 04:29 PM,  
REC. \$13.00 SUR. \$14.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL SINGLE FAMILY (RS-3) AND AMENDING ORDINANCE 2004-35 TO REMOVE SAID LANDS FROM THE LEGAL DESCRIPTION CONTAINED HEREIN; 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, the development of the lands within this rezoning shall proceed in accordance with the application, dated September 27, 2006 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-37, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

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 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 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 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

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*M + R*

allowed in the land use designation of Residential-B as depicted on the 2015 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number REZ 2006-37 the zoning classification  
**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 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 14<sup>th</sup> DAY OF November 2006.**

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

BY: James E. Bryant  
James E. Bryant, Chairman

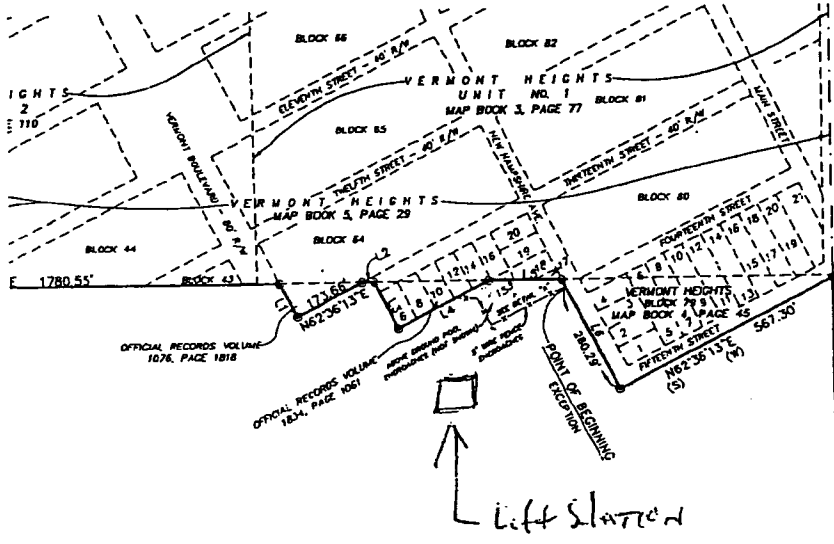
RENDITION DATE 11/16/06

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: 11/21/06

# Exhibit A



165.300 ACRES  
(OVERALL)  
SOUTHEAST 1/4

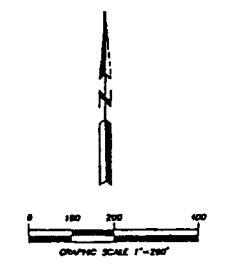
A portion of Section 17, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: BEGINNING at a four (4) inch square concrete monument at the Southeast corner of said Section 17; thence South 89°44'14" West, along the South line of said Section 17, a distance of 1203.77 feet; thence North 83°45'04" West, departing said South line, a distance of 1203.25 feet; thence North 00°43'51" West, 1760.03 feet to a point situate on the North line of the Southwest 1/4 of said Section 17; thence North 89°59'56" East, along said North line and along the North line of the Southeast 1/4 of said Section 17, and along the South line of boundary of Vermont Heights Unit No. 2, as recorded in Map Book 1, Page 110 of the Public Records of said St. Johns County, and along the South line of Vermont Heights Unit No. 1, as recorded in Map Book 3, Page 77 of said Public Records and along the South line of Vermont Heights (combining Vermont Heights Units 1 and 2) as recorded in Map Book 5, Page 29 of said Public Records, 1780.55 feet to a point situate in the Southwest line of Block 61, said plot of Vermont Heights Unit No. 1; thence South 27°16'25" East, along the Southeastly prolongation of said Southwest line of Block 64 and along the Southwestly line of those certain lands described in Official Records Book 1076, Page 1818 of said Public Records, 88.80 feet; thence North 82°36'13" East, along the Southwestly prolongation of the Southeastly line of said Block 64 and along the Southeastly line of said last mentioned lands, 173.86 feet to said Northerly line of the Southeast 1/4; thence North 89°59'56" East, along said last mentioned line, 29.64 feet; thence South 27°16'25" East, along the Southeastly line of those certain lands described in Official Records Volume 1834, Page 1061 of said Public Records, 128.36 feet; thence North 82°36'13" East, along the Southeastly line of said last mentioned lands, 244.10 feet to a point situate on said Northerly line of the Southeast 1/4 and the South line of said Vermont Heights Unit No. 1; thence North 89°59'56" East, along said last mentioned line, 175.40 feet to a point situate in the Southwestly right of way line of New Hamazee Avenue as shown on said plot of Vermont Heights, Unit No. 1; thence South 27°16'25" East, along said Southwestly right of way line, and along the Southwestly boundary of Block 78, Vermont Heights, as recorded in Map Book 4, Page 45 of said Public Records, 299.29 feet; thence North 82°36'13" East, along the Southeastly right of way line of Fifteenth Street as shown on said last mentioned plot, 567.30 feet to a point situate in the East line of said Southeast 1/4, said point being situate South 00°41'00" East, 4.98 feet from a four (4) inch square concrete monument (R.L.S. 2020) of the Northeast corner of said Southeast 1/4; thence South 00°41'00" East, along said East line of the Southeast 1/4, the same being the East line of said Section 17, a distance of 2614.03 feet to the POINT OF BEGINNING.

Containing 165.300 acres, more or less.

Excepting therefrom a portion thereof being more particularly described as follows: A portion of Section 17, Township 8 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: BEGINNING at a four (4) inch square concrete monument at the Southeast corner of said Section 17; thence North 00°41'00" West, along the East line of said Section 17, a distance of 2614.03 feet; thence South 82°36'13" West, along the Southeastly right of way line of Fifteenth Street as shown on the plot of Vermont Heights, as recorded in Map Book 4, Page 45 of the Public Records of said County, 567.30 feet; thence North 27°16'25" West, along the Southwestly right of way line of New Hamazee Avenue as shown on said plot of Vermont Heights, 299.29 feet to a POINT OF BEGINNING; thence continue North 27°16'25" West, along said Southwestly right of way line, 18.00 feet to the North line of the Southeast 1/4 of said Section 17; thence South 89°59'56" West, along said last mentioned line and along the South line of Vermont Heights Unit No. 1 as recorded in Map Book 3, Page 77 of said Public Records, 175.40 feet; thence South 82°36'13" West, along the Southwestly line of those lands recorded in Official Records Volume 1834, Page 1061 of said Public Records, 83.20 feet; thence North 89°59'56" East, 54.68 feet; thence South 26°30'23" East, 74.54 feet; thence North 82°36'13" East, 201.20 feet to the POINT OF BEGINNING.

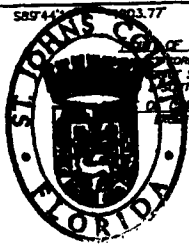
Containing 0.5271 acres, more or less.

CERTIFIED TO: COUNTRYWALK, L.L.C.  
COMMONWEALTH LAND TITLE INSURANCE COMPANY.  
CULBANK, ALAN B. ALMADO, P.A.; ROGERS, TOMERS, P.A.



LINE	DIRECTION	DISTANCE
L1	S27°16'25"E	89.80'
L2	N89°59'56"E	29.64'
L3	S27°16'25"E	128.36'
L4	N82°36'13"E	244.10'
L5	N89°59'56"E	175.40'
L6	S27°16'25"E	299.29'

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 29<sup>th</sup> DAY OF November 20 06 CHERYL STRICKLAND, CLERK Ex-Officio Clerk of the Board of County Commissioners



BY: L. W. King D.C.

ORDINANCE BOOK 42 PAGE 690

NOTES: 1. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 2. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 3. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 4. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 5. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 6. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 7. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 8. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 9. This map is based on the 2004 Census of Population and Housing, Florida, 2004. 10. This map is based on the 2004 Census of Population and Housing, Florida, 2004.

LEGEND: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

RICHARD A. MILLER & ASSOCIATES, INC. 1000 BAYVIEW BLVD., SUITE 200 JACKSONVILLE, FLORIDA 32216 Tel: (904) 771-0000 Fax: (904) 771-0000

# The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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 **REZ 06-37 SJC GROWTH MGT** was published in said newspaper in the issues of **OCTOBER 31, 2006.**

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 he 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 31<sup>ST</sup> day of **OCTOBER 2006.**

by *Patricia A. Bergquist* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A. Bergquist*

(Signature of Notary Public)



Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

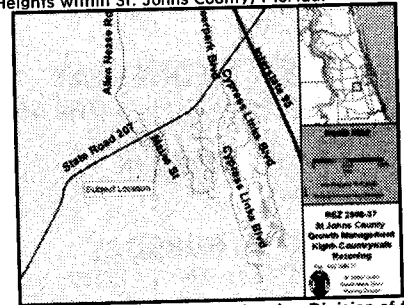
(Seal)

PATRICIA A. BERGQUIST

## CORRECTION NOTICE OF A PROPOSED REZONING AND PLANNED UNIT DEVELOPMENT MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, November 2, 2006 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and on Tuesday, November 14, 2006 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Planned Unit Development (PUD) to Residential Single Family (RS-3) and modify the PUD to exclude subject property.

The subject property is located at Lots 13, 15, 17 and 18, the Northerly 30 feet of Lot 19, the Southerly 20 feet of Lot 19, and Lot 20 of Block 63 of Vermont Heights 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 the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. 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. It is anticipated that one or more County Commissioners may attend this meeting. 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.

PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
HENRY GREEN, CHAIRMAN  
FILE NUMBER: REZ 2006-37 St. Johns County  
Growth Management  
L3170-6 Oct 31, 2006