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ORDINANCE NUMBER: 2006-46

Public Records of
St. Johns County, FL
Clerk # 2006051270,
O.R. 2740 PG 477-481
07/10/2006 at 11:13 AM,
REC. \$21.00 SUR. \$23.00

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-3) 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 December 5, 2005, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2005-66 Osceola Landing, 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 in the land use designation of Residential-B (B) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2005-66 the zoning classification

Dr. Let - y. King
M+R

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 2nd DAY OF May, 2006.

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

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

RENDITION DATE 05/04/06

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wenne King
Deputy Clerk

EFFECTIVE DATE: 05/10/06



RECEIVED

DEC 05 2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT

EXHIBIT A
LEGAL DESCRIPTION
Osceola Landing Rezoning

DESCRIPTION PLAT PARCEL

THAT PART OF PARCEL NUMBER 10, ACCORDING TO PLAT SHOWING THE PARTITION OF THE DUPONT ESTATES PROPERTY BETWEEN THE HEIRS, DATED OCTOBER 28, 1952, CERTIFIED BY J.W. SUMMERVILLE, REGISTERED SURVEYOR NUMBER 22, A COPY OF SAID PLAT BEING RECORDED IN DEED BOOK 202, PAGE 134, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID PORTION OF LOT 10 BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL NUMBER 10 WITH THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NUMBER 1 (STATE ROAD NUMBER 5), A 200 FOOT WIDE RIGHT OF WAY; THENCE SOUTH 08 DEGREES 24 MINUTES 00 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 381.10 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE SOUTH 85 DEGREES 56 MINUTES 28 SECONDS EAST 109.41 FEET; THENCE NORTH 88 DEGREES 58 MINUTES 00 SECONDS EAST 146.67 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 75.00 FEET; THENCE EASTERLY 0.28 FEET, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 12 MINUTES 48 SECONDS; THENCE NORTH 08 DEGREES 24 MINUTES 00 SECONDS WEST 390.40 FEET TO THE NORTH LINE OF SAID PARCEL NUMBER 10; THENCE NORTH 89 DEGREES 04 MINUTES 42 SECONDS EAST, ALONG SAID NORTH LINE, 932.86 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 10; THENCE SOUTH 01 DEGREES 07 MINUTES 18 SECONDS EAST, ALONG THE EAST LINE OF SAID PARCEL 10, A DISTANCE OF 472.92 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 10; THENCE SOUTH 89 DEGREES 27 MINUTES 59 SECONDS WEST, ALONG THE SOUTH LINE OF SAID PARCEL 10, A DISTANCE OF 280.09 FEET TO THE SOUTHEAST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 782, PAGE 355, OF SAID PUBLIC RECORDS; THENCE NORTH 61 DEGREES 16 MINUTES 37 SECONDS WEST, ALONG LAST SAID PARCEL, 124.69 FEET, TO AN ANGLE POINT IN SAID PARCEL; THENCE SOUTH 88 DEGREES 55 MINUTES 25 SECONDS WEST, ALONG LAST SAID PARCEL, 103.25 FEET TO AN ANGLE POINT IN SAID PARCEL; THENCE SOUTH 58 DEGREES 44 MINUTES 55 SECONDS WEST, ALONG LAST SAID PARCEL, 123.29 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, SAID CORNER ALSO BEING ON THE SOUTH LINE OF SAID PARCEL NUMBER 10; THENCE SOUTH 88 DEGREES 58 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE, 529.05 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE NORTH 08 DEGREES 24 MINUTES 00 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 95.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.99 ACRES, MORE OR LESS.

RECEIVED

DEC 05 2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT

**St. Johns County Growth Management Services Department
Planning Division**

**P.O. Drawer 349, 4020 Lewis Speedway
St. Augustine, Florida 32084**

Phone: 904 823-2480 Fax: 904 823-2498 E-mail: plandept@co.st-johns.fl.us

APPLICATION FOR REZONING

Date December 5, 2005 PUD File Number _____ Receipt Number _____

- 1. Project Name Osceola Landing Subdivision
- 2. Applicant's Name, Address, and Phone No.: John Ruggeri, Ruggeri Construction, 815 State Road 206 East, St. Augustine, Florida 32086 (904) 797-0201 / (904) 797-2982 fax
- 3. Owner's Name, Address, and Phone No. Same
- 4. Property Location: On the east side of U.S. One South, north of SR 206 and the Southeast Branch Library
- 5. Legal Description: See Exhibit A
- 6. Present Use of Property: Vacant (undeveloped)
- 7. Parcel ID Number: 183470-0000 8. Current Zoning: Open Rural (OR) 9. 2015 FLUM designation: Residential B
- 10. Section 31 11. Township: 8 South 12. Range 30 East
- 13. Requested Change: Rezone from Open Rural (OR) to Residential Single Family Three (RS3) to allow for up to eighteen (18) residential lots
- 14. Is Concurrency review required? Yes 15. Zoning Map Page # 5F/31 16. Size of Property 9.99 acres
- 17. Utility Provide: St. Johns County Utility Department

18. Provide all of the following:

- a. List of adjacent property owners within 300 feet of the parcel to be rezoned showing name, address and brief legal description from current tax rolls. Address two legal size envelopes to each property owner on the list. Do not include a return address. Each envelope must contain proper postage. The order of the envelopes must match the order in which the names appear on the list.
- b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application must be provided.
- c. Legal description (attach as Exhibit A)
- d. Master Development Plan Map (attach as Exhibit C and provide as specified in attached guidelines) and Text (attach as Exhibit D) as required by Section 5.03.02.G of the Land Development Code.
- e. Eighteen (18) copies of the complete application.
- f. Application Fee. (A pre-application review fee may also be required.)

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner(s) or authorized person if owner's authorization form is attached:

Printed or typed name(s): Karen M. Taylor

Signature(s): 

ADDRESS AND CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS REGARDING THIS APPLICATION

Name: Karen M. Taylor, Land Planner

Mailing Address: 3070 Harbor Drive St. Augustine, FL 32084

Phone: (904) 826-0600 Fax: (904) 825-4180 Email: 4taylors@aug.com

Owner's Authorization For Agent

Jonathan Wood is hereby authorized TO ACT ON BEHALF OF Ancient City Mortgage, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- | | | | |
|--------------------------|-------------------------|--------------------------|-------------------------|
| <input type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit |
| <input type="checkbox"/> | Zoning Variance | <input type="checkbox"/> | Non-Zoning Variance |
| <input type="checkbox"/> | Appeal | <input type="checkbox"/> | Overlay District Review |
| <input type="checkbox"/> | Concurrency | <input type="checkbox"/> | Other |

BY: *Jonathan Wood*
Signature of Owner

Jonathan Wood
Print Name

Signature of Owner

Print Name

904-826-0096
Telephone Number

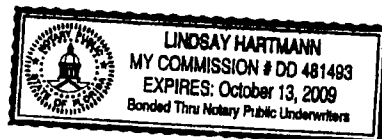
State of Florida
County of St. Johns

Signed and sworn before me on this 25th day of, January 2006
By John Wood (Jonathan)

Identification verified: yes

Oath sworn: Yes No

Lindsay Hartmann
Notary Signature



My Commission expires: 10/13/09

I HEREBY CERTIFY THAT THE FOREGOING DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS 7th DAY OF July 2006
CHERRY STRICKLAND, CLERK
Clerk of the Board of Commissioners



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 REZ 05-66 OSCEOLA LANDING was published in said newspaper in the issues of APRIL 17, 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 17TH day of APRIL, 2006.

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

[Signature of Brian Fike]

(Signature of Notary Public)



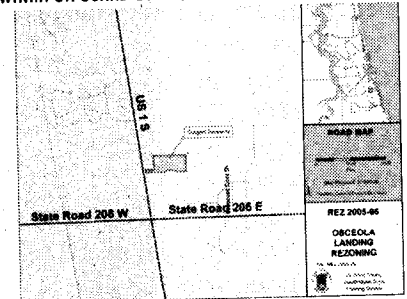
Brian Fike My Commission DD327588 Expires June 09, 2008

(Seal)

BRIAN FIKE

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, May 2, 2006 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 Open Rural (OR) to Residential Single Family (RS-3). The subject property is located at 6624 US1 South 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.

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES BRYANT, CHAIRMAN FILE NUMBER: REZ 2005-66 Osceola Landing L1000-6 Apr 17, 2006