

3  
③

Public Records of  
St. Johns County, FL  
Clerk # 2006067718,  
O.R. 2779 PG 1319-1321  
09/11/2006 at 09:58 AM,  
REC. \$13.00 SUR. \$14.00

ORDINANCE NUMBER: 2006-85

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION 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 May 12, 2006 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-13, 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 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 RS-3 is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of RS-3 is consistent with the land uses 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 2006-13 the zoning classification is hereby changed to Residential Single Family (RS-3).

*Jack + Beth Y. King*  
*MJK*

Ordinance Book 41 Page 302

**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 immediately upon receipt of the Ordinance 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 25 DAY OF July 2006.**

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

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

RENDITION DATE 07-26-06

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Uvonne King  
Deputy Clerk

EFFECTIVE DATE: 08/03/06

EXHIBIT A

Legal Description  
For File: 6252

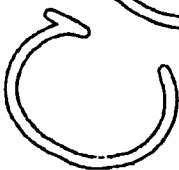
All that certain land situated in St. Johns County, Florida, viz:

A tract of land lying in Government Lot 3, Section 4, Township 4 South, Range 29 East, St. Johns County, Florida, and being more particularly described as follows:

For a point of reference, commences at the Southeast corner of said Section 4, as established by Robert M. Angus; thence run North 39 degrees 51 minutes 53 seconds East, a distance of 577.73 feet to an old cedar post (and concrete monument) accepted and used by old settlers in Diego (later Palm Valley) as the Southeast corner of Section 4, probably since about 1895; thence run South 89 degrees 39 minutes 27 seconds West, a distance of 868.50 feet to the point of beginning for this description, said point also being the Southwest corner of the land of J.M. Roberts, as described in Deed Book 21, Page 367, of said Public Records; thence run North 00 degrees 20 minutes 40 seconds West, along the Westerly line of the land of said J.M. Roberts, a distance of 192.08 to the Southeast corner of the lands described in Official Records Book 1199, Page 283, of said Public Records; thence South 89 degrees 39 minutes 27 seconds West, along the Southerly line of said lands described in Official Records Book 1199, Page 283, a distance of 1087.45 feet (1100 feet more or less) to the Easterly right-of-way line of Palm Valley Road (State Road 218) being established as a 66 foot right-of-way; thence run Southerly along the Easterly right-of-way line of said road, a distance of 198 feet more or less to the South line of said Section 4, as established by possession, and to the Northwest corner of land of Hughes, as described in Deed Book 258, Page 88, of said Public Records, and also described in Boundary Agreement and Quit-Claim recorded July 17, 1980 in Official Records Book 457, Page 757; thence run North 89 degrees 39 minutes 27 seconds East, along said South line of said Section 4, as established by possession, and North line of land of Hughes, a distance of 1126.95 feet (1126.95 feet more or less) to the point of beginning.

Being the same land as conveyed to Charles E.R. Watson and Donna Leah Watson, his wife by Warranty Deed dated April 24, 1968 and recorded in Official Records Book 124, Page 351, and also described in Boundary Agreement and Quit-Claim recorded July 17, 1980 in Official Records Book 457, Page 751, of said Public Records of St. John's County, Florida.

Property Address: 4955 Palm Valley Rd. Ponte Vedra Beach, FL 32082  
Parcel # 066430-0000



I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY ON RECORD IN THE PUBLIC RECORDS OF ST. JOHN'S COUNTY, FLORIDA, THIS 8th September 1986 CHERYL CLARK Ex-Officio Clerk of the Board of County Commissioners

BY: Lizanne King



# The St. Augustine Record

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

COPY OF ADVERTISEMENT

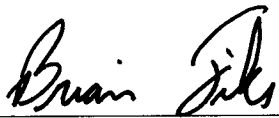
STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

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 6-13 HIGHTOWER**  
was published in said newspaper in the issues of  
**July 10, 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 10<sup>TH</sup> day of **JULY, 2006.**

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



(Signature of Notary Public)



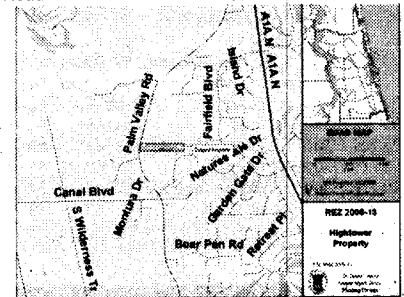
Brian Fike  
My Commission DD327588  
Expires June 09, 2008

(Seal)

BRIAN T. FIKE

## NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 25, 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 4955 Palm Valley Road 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 notified 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 2006-13 Hightower Property  
L1908-6 July 10, 2006