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ORDINANCE NUMBER: 2007--8

Public Records of
St. Johns County, FL
Clerk # 2007010880,
O.R. 2867 PG 1347-1349
02/15/2007 at 03:20 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 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 2, 2006, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-32 Charles Street Subdivision, 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-3 (RS-3) is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3.12)
 - (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-3 (RS-3) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Residential, Single Family -3 (RS-3) is consistent with the land uses allowed in the land use designation of Residential C as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2006-32 the zoning classification

Handwritten signature: J. King
M+R

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is hereby changed to Residential, Single Family – 3 (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 6th DAY OF February 2007.

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

BY: Ben Rich
Ben Rich, Chairman

RENDITION DATE 02/08/07

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 02/12/07

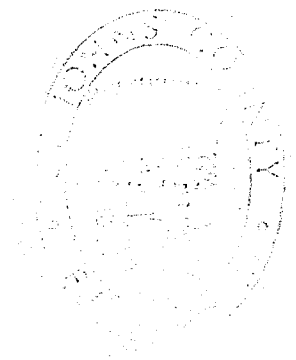


EXHIBIT A
LEGAL DESCRIPTION
Charles Street Subdivision Rezoning

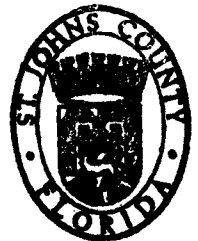
DESCRIPTION (by Surveyor)

A parcel of land situated in Government Lots 10 and 11, Section 12, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly bounded and described as follows:

COMMENCE at the Southwest corner of said Government Lot 11; thence North 00°06'59" East, along the West line of said Government Lot, a distance of 418.57 feet to the South Line of those lands described in Official Records Book 1078, pages 1044-1053 of the Public Records of said County; thence North 89°42'32" West along said South Line and along the North Lines of those lands described in Official Records Book 822, page 1694 and Deed Book 348, page 555 of said Public Records, a distance of 1755.79 feet; thence North 00°56'04" East, along the West Line of those lands described in Official Records Book 524, page 148 of said Public Records, a distance of 117.96 feet; thence South 89°39'31" East, along the North Line of said lands described in Official Records Book 524, page 148, a distance of 414.72 feet to the Point of Beginning for the herein described parcel; thence North 00°06'59" East, a distance of 164.73 feet; thence South 89°42'32" East, along the South line of those lands described in Official Records Book 49, page 371 of said Public Records, a distance of 434.47 feet to the Westerly Right of Way Line of Dorthler Avenue; thence South 07°32'43" East, along said Westerly Line, a distance of 40.24 feet; thence South 89°42'32" East, along the South Right of Way Line of Charles Street, a distance of 326.50 feet; thence South 08°01'53" East, along the Westerly Right of North Whitney Street, a distance of 126.88 feet; thence North 89°39'31" West, along said North Line of Official Records Book 524, page 148 a distance of 784.33 feet to the POINT OF BEGINNING.
The aforescribed Parcel contains 2.629 acres, more or less.

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 15th DAY OF February 20 07
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: L. Vanessa King D.C.



ORDINANCE BOOK 42 PAGE 904

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 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 **NOTICE OF HEARING** in the matter **REZ 2006-32 CHARLES ST** was published in said newspaper in the issues of

JANUARY 22, 2007.

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 **22ND** day of **JANUARY, 2007.**

by *Charles Barrett* 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 DU275991
Expires December 18, 2007

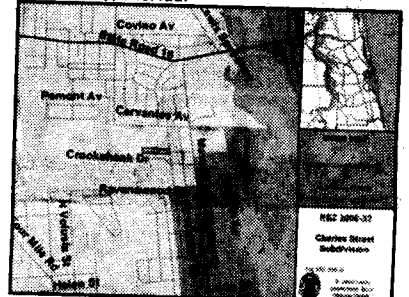
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 6, 2007 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 West of N. Whitney Street and North of Crookshank Drive 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. If 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
BEN RICH, CHAIRMAN
FILE NUMBER: REZ 2006-32 Charles Street
Subdivision
L154-7 Jan 22, 2007

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