

ORDINANCE NUMBER: 2017 - 62

Public Records of St. Johns County, FL
Clerk number: 2018001886
BK: 4488 PG: 1062
1/9/2018 12:05 PM
Recording \$27.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) 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 March 1, 2017 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2017-07 Walberg & Dzuck House**, 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 Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, 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 conforming adjacent land uses. (Objective A.1.3.11)
 - (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 2025 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 zone district of **Residential, Single Family (RS-3)** is consistent with the land uses allowed in the land use designation of Residential-C as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2017-07 the zoning classification of the lands described within the attached legal description, Exhibit "A",

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. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

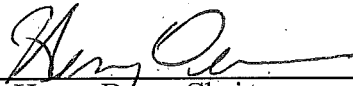
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

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.

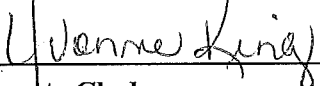
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19th DAY OF December 2017.

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

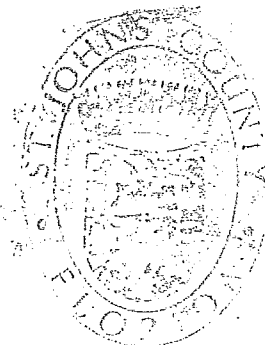
BY: 
Henry Dean, Chairman

REVISION DATE DEC 21 2017

ATTEST: HUNTER S. CONRAD, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: DEC 21 2017



BOUNDARY SURVEY

Date of Field Work: 02/02/2017

Drawn By: A.B.

Order #: 1000006058

File #: 17-0032L

5000 A1A S, SAINT AUGUSTINE, FLORIDA 32080

LEGAL DESCRIPTION:

LOTS 10 AND 11, BLOCK 19, BIERA MAR (BY THE SEA) SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN MAP BOOK 3, PAGE(S) 69, OF THE PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA.

CERTIFIED TO:

- RONALD WALBERG AND VALERIE DZUCK
- J. HUNT BOWMAN, III AND JUDITH A. GINN
- LAND TITLE OF AMERICA
- WESTCOR LAND TITLE INSURANCE COMPANY

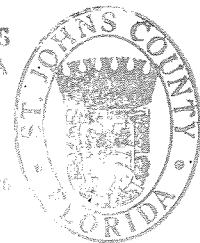
FLOOD ZONE:

12109C0392H
 ZONE: B
 EFF. 9/2/2004

SURVEY NOTES:

- This survey is for conveyance purposes only and not intended for construction purposes without permission of this surveyor.
- NO NOTABLE CONDITIONS FOUND

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 8th DAY OF January 20 18 ST. JOHNS COUNTY CLERK OF COURT Ex-Officio Clerk of the Board of County Commissioners



BY: J. Venne King J.C.

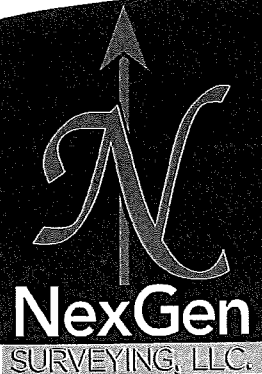
LEGEND

A/C -AIR CONDITIONER
 AL -ARCLength
 (C) -CALCULATED
 D.E. -DRINAGE EASEMENT
 (M) -MEASURED
 P.O.B. -POINT OF BEGINNING
 P.O.C. -POINT OF COMMENCING

P.B. -PLAT BOOK
 P.G. -PAGE
 P.U.E. -PUBLIC UTILITY EASEMENT
 R -RADIUS
 (R) -RECORD
 U.E. -UTILITY EASEMENT
 WM -WATER METER

--- FENCE
 # -NUMBER
 [] -ASPHALT
 [] -CONCRETE
 [] -PAVER/BRICK
 [] -WOOD
 [] -LIGHT POLE
 [] -WELL

⊗ -WATER VALVE
 ⊕ -CENTER LINE
 [] -CATCH BASIN
 [] -FIRE HYDRANT
 [] -POLE
 [] -MANHOLE
 XXX -TOPOGRAPHIC ELEVATION



www.NexGenSurveying.com

(561) 508-6272

5601 Corporate Way
 Suite 103

West Palm Beach, FL 33407



THE ST. AUGUSTINE RECORD

RONALD WALBERG/VALERIE DZUCK
12915 ARBOR LAKES PARKWAY
NORTH MAPLE GROVE MN 55369

Ref.#: 17467418D
P.O.#:

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **JAMIE WILLIAMS**
who on oath says that he/she is an Employee 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 of **REZ 2017-07 WALBERG - REZ 2017-07 WALBERG**
was published in said newspaper on **10/24/2017**

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 has 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
City of St. Augustine, in said St. Johns County, for a period of one year prece
the first publication of the copy of advertisement; and affiant further says that
he/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 day of OCT 24 2017

by *Jamie Williams* who is personally known to me
or who has produced as identification

ERIC DAMIEN MCBRIDE
MY COMMISSION # FF925198
EXPIRES October 07, 2019
FloridaNotaryService.com

(Signature of Notary Public)

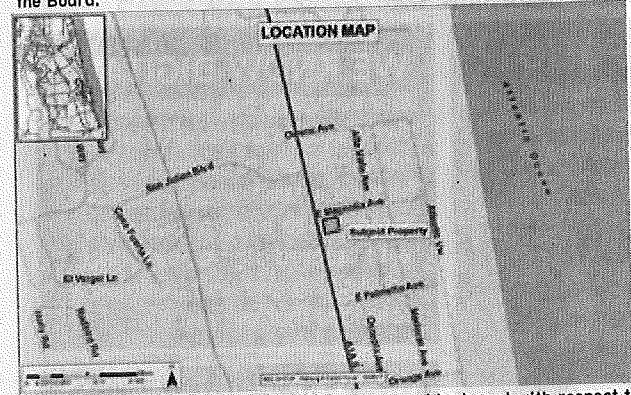
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 11/16/2017 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 12/19/2017 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request to rezone approximately 0.29 acres from Commercial, General (CG) to Residential, Single-Family (RS-3) to allow for the construction of a Modular Home.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO RESIDENTIAL SINGLE FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 5000 A1A S, St. Augustine, FL 32080. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.



Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
JEFF MARTIN, CHAIR
FILE NUMBER: REZ-2017000007
PROJECT NAME: Walberg & Dzuck House

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES K. JOHNS, CHAIR
17467418D October 24, 2017



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 21, 2017

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2017-62, which was filed in this office on December 21, 2017. Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED DEC 21 2017
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK