

ORDINANCE NO. 83-36

INTRODUCED BY COMMISSIONER PARKS

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR to RS-2 WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): PRN Investments and BML Investments (Residential Communities of America, applicant)

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 23rd day of August, 1983 at 1:30 o'clock P.m. on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found, as to the requested rezoning classification of RS-2, as follows: (a) the proposed rezoning promotes the public welfare and complements the St. Johns County Comprehensive Plan; (b) the requested change of zoning is justifiable or fairly debatable without special conditions; (c) the proposed rezoning is desirable at this time and in this general location; (d) prior to the enactment of this Ordinance and in the interest of the public health, safety and general welfare, and without promise, prerequisite, or inducement to the enactment of this Ordinance, applicants agreed to limit their use of said lands and have consented to restrictions or limitations on the applied for rezoning of RS-2 as hereinafter provided; and (e) such restrictions or limitations are for the benefit of the general public and not just the applicants, and they are reasonable and nondiscriminating;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of PRN Investments and BML Investments,

zoning classification of OR

see attached exhibit "A"

on the following described lands:

is hereby changed to RS-2

subject to the following conditions:

1. Minimum lot size of one acre
2. if there is not an existing artesian well in close proximity that would be satisfactory to the Switzerland Volunteer Fire Department, then developer will sink or dig a well that would be satisfactory to Switzerland Volunteer Fire Department, and deed the land where the well is situate to the County at the time of platting

which conditions shall remain in full force and effect at all times until amended or changed by further ordinance of this Body.

SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations, or requirements not applicable to all other land in the zoning district wherein said lands are located, except as provided in Section 1 above.

SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by classification as rezoned and conditioned hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official public records of St. Johns County, Florida, and indexed under the names of the property owners described on page one hereof.

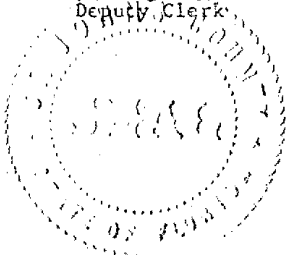
PASSED this 23rd day of August, 1983 .

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Robert E. Anton  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson  
Deputy Clerk



Adopted regular meeting 08/23/83

Effective 09-01-83

EXHIBIT "A"

# GREENBRIAR SECTION TW

ST. JOHNS COUNTY, FLORIDA

## DESCRIPTION:

THAT PART OF THE FRANCIS PHILLIP FAHO GRANT OF SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM A POINT IN THE CENTERLINE OF THE RIGHT OF WAY OF ST. JOHNS COUNTY ROAD NO. 11 AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF A TRACT OF LAND FORMERLY OWNED BY THE UNITED STATES OF AMERICA (ACQUIRED BY CONDEMNATION AT SUIT 602-J-CIVIL), THENCE RUN S 35° 03' 01" W, 5403 FEET ALONG SAID WESTERLY BOUNDARY TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. 11 AND THE NORTHERLY CORNER OF LOT 54 OF GREENBRIAR SECTION ONE AS RECORDED IN MAP BOOK PAGES AND PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF SAID TRACT FORMERLY OWNED BY THE UNITED STATES OF AMERICA, AND THE WESTERLY BOUNDARY OF SAID GREENBRIAR SECTION ONE THROUGH THE FOLLOWING COURSES, THENCE S 35° 03' 01" W, 1240.55 FEET, THENCE S 00° 00' 12" E, 2196.00 FEET TO THE SOUTHWEST CORNER OF SAID GREENBRIAR SECTION ONE AND THE POINT OF BEGINNING, THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID GREENBRIAR SECTION ONE THROUGH THE FOLLOWING COURSES, THENCE RUN N 71° 07' 43" E, 576.79 FEET, THENCE N 68° 02' 48" E, 705.28 FEET, THENCE S 76° 30' 15" E, 345.65 FEET TO THE SOUTHEAST CORNER OF SAID GREENBRIAR SECTION ONE, THENCE RUN N 14° 44' 06" E, ALONG THE EASTERLY BOUNDARY OF SAID GREENBRIAR SECTION ONE A DISTANCE OF 1062 FEET, THENCE RUN S 31° 35' 09" E, 448.41 FEET, THENCE S 05° 14' 36" W, 1426.80 FEET TO THE POINT OF CURVATURE OF A CURVE CURVING EASTERLY HAVING A RADIUS OF 858.32 FEET, THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 451.96 FEET THROUGH A CENTRAL ANGLE OF 30° 10' 11", THENCE RUN S 65° 14' 25" W, 457.84 FEET, THENCE S 69° 30' 47" W, 230.00 FEET, THENCE S 85° 25' 26" W, 194.85 FEET, THENCE S 89° 59' 48" W, 300.00 FEET, THENCE N 45° 29' 53" W, 200.00 FEET, THENCE N 69° 13' 38" W, 203.86 FEET, THENCE N 60° 42' 49" W, 300.00 FEET, THENCE S 89° 59' 48" W, 266.52 FEET TO A POINT ON THE ABOVE-MENTIONED WESTERLY BOUNDARY OF SAID TRACT FORMERLY OWNED BY THE UNITED STATES OF AMERICA, THENCE RUN N 00° 00' 12" W ALONG SAID WESTERLY BOUNDARY 1790.45 FEET TO THE POINT OF BEGINNING, CONTAINING THEREIN 102.23706 ± ACRES.

83-36

**The St. Augustine Record**  
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Robert E. James who on oath says that he  
Advertising Manager of the St. Augustine Record,  
daily newspaper published at St. Augustine in St. Johns County, Florida  
that the attached copy of advertisement, being a \_\_\_\_\_  
Notice of County Commission Meeting  
\_\_\_\_\_ in the matter of \_\_\_\_\_  
Proposed Rezoning, OR to RS-2  
\_\_\_\_\_ in the \_\_\_\_\_ Cou  
was published in said newspaper in the issues of \_\_\_\_\_  
July 23, 1983

Affiant further says that the St. Augustine Record is a newspaper  
published at St. Augustine, in said St. Johns County, Florida, and that th  
said newspaper has heretofore been continuously published in said S  
Johns County, Florida, each day, except Sundays, and has been entere  
as second class mail matter at the post office in the City of St. Augustin  
in said St. Johns County, Florida, for a period of one year next precedin  
the first publication of the attached copy of advertisement; and affia  
further says that he has neither paid nor promised any person, firm  
corporation any discount, rebate, commission or refund for the purpos  
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me  
this 26th day of July \_\_\_\_\_

A.D. 19 83  
Keith M. Wheeler  
(SEAL) Notary Public

Notary Public, State of Florida  
My Commission Expires May 13, 1985  
Bonded thru Troy Fair - Indorsement

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23 DAY OF AUGUST 1983, AT 1:30 O'CLOCK P.M. IN THE COUNTY COMMISSIONERS MEETING ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE:  
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO RS-2, WITH THE POSSIBILITY OF ADDED CONDITIONS.  
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA.  
SECTION 1. Pursuant to the application of FRN INV. 008581, of Investments OWNERS of the following described land, zoning classification of OR on the following described land:  
THAT PART OF THE FRANCIS PHILLIP FATIO GRANT OF SECTION 44, TOWNSHIP 5 SOUTH RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM A POINT IN THE CENTERLINE OF THE RIGHT OF WAY OF ST. JOHNS COUNTY ROAD NO. 11 AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF A TRACT OF LAND FORMERLY OWNED BY THE UNITED STATES OF AMERICA ACQUIRED BY CONDEMNATION SUIT 802-J-CIVIL; THENCE RUN S 33°03'01" W 540.8 FEET ALONG SAID WESTERLY BOUNDARY TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. 11 AND THE SOUTHERLY CORNER OF LOT 54 OF GREENBRIAR SECTION ONE AS RECORDED IN MAP BOOK PAGES AND PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN SOUTHERLY ALONG AFORESAID WESTERLY BOUNDARY OF SAID TRACT FORMERLY OWNED BY THE UNITED STATES OF AMERICA, AND THE WESTERLY BOUNDARY OF SAID GREENBRIAR SECTION ONE THROUGH THE FOLLOWING COURSES, THENCE S33°03'01" W 1280.55 FEET, THENCE S00°00'12" E 2196.00 FEET TO THE SOUTHWEST CORNER OF SAID GREENBRIAR SECTION ONE AND THE POINT OF BEGINNING; THENCE RUN EASTERLY ALONG THE SOUTHERLY LINE OF SAID GREENBRIAR SECTION ONE THROUGH THE FOLLOWING COURSES; THENCE RUN N81°28'45" E 288.28 FEET, THENCE N 71°07'30" E 578.78 FEET, THENCE N 68°02'48" E 705.28 FEET, THENCE S 79°30'18" E 385.65 FEET TO THE SOUTHEAST CORNER OF SAID GREENBRIAR SECTION ONE; THENCE RUN N 14°44'04" E ALONG THE EASTERLY BOUNDARY OF SAID GREENBRIAR SECTION ONE A DISTANCE OF 110.62 FEET, THENCE RUN S 31°35'09" E 448.41 FEET; THENCE S05°14'08" W 1428.80 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 888.35 FEET, THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 451.96 FEET THROUGH A CENTRAL ANGLE OF 30°10'11"; THENCE RUN S45°04'25" W 457.94 FEET, THENCE S 89°30'41" W 220.00 FEET; THENCE S45°28'28" W 198.85 FEET, THENCE S89°59'48" W 300.00 FEET; THENCE N 35°28'53" W 200.00 FEET, THENCE N89° 13'38" W 203.66 FEET, THENCE N 80°42'49" W 300.00 FEET; THENCE S88°59'48" W 286.52 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY BOUNDARY OF SAID TRACT FORMERLY OWNED BY THE UNITED STATES OF AMERICA, THENCE RUN N00°00'12" W ALONG SAID WESTERLY BOUNDARY 1796.48 FEET TO THE POINT OF BEGINNING, CONTAINING THEREIN 102,237.08 PLUS-MINUS

is hereby changed to RS-2 with the possibility of added conditions.  
SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in zoning district wherein said lands are located, except as provided in Section 1 above.  
SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by zoning classification as rezoned hereby.  
SECTION 4. This Ordinance shall take effect immediately upon receipt of the official acknowledgment of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.  
If a person desires to appeal any decision made by the Bd. of County Comm. with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such he 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.  
Board of County Commissioners  
St. Johns County, Florida  
By Carl "Bud" Marzel  
Clerk  
L020 July 23, 1983