

87 13997

ORDINANCE NO. 87-22

INTRODUCED BY COMMISSIONER WALDRON

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

WHEREAS, (Property Owners' names): Michael & LASKA K. Altosino

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on May 12, 1987 at 2:00 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 RMH-S, 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 RMH-S 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 Michael & Laska K. Altosino

zoning classification of OR

on the following described lands:

Legal Description:

All of the Southwest quarter of the Northwest quarter of Section 28, Township 8 South, Range 28 East, St. Johns County, Florida, lying Southwest of the Southwest right of way line of State Road #13, a 66-foot width right of way, excepting therefrom the following parcels "A" and "B":

Parcel "A": A parcel of land in the southwest quarter of the Northwest quarter of Section 28, Township 8 South, Range 28 East, St. Johns County, Florida, containing 1.07 acres more or less and being more fully described as follows: Beginning at the intersection of the North line of said Southwest quarter of the Northwest quarter with the Southwest right of way line of State Road #13, a 66-foot width right of way; thence South 40 degrees 08 minutes 30 seconds East, on said right of way line 160.00 feet; thence on a curve to the right with radius of 20.00 feet, through a central angle of 90 degrees 00 minutes, an arc distance of 31.42 feet; thence tangent to said curve South 49 degrees 51 minutes 30 seconds West 172.82 feet to the point of a curve to the right with radius of 75.00 feet; thence on said curve to the right, through a central angle of 40 degrees 26 minutes 50 seconds, an arc distance of 52.95 feet; thence North 16 degrees 50 minutes 21 seconds West 293.02 feet; thence South 89 degrees 41 minutes 40 seconds East, on said North line of the Southwest quarter of the Northwest quarter, 165.00 feet to the point of beginning.

Parcel "B": A parcel of land in the Southwest quarter of the Northwest quarter of Section 28, Township 8 South, Range 28 East, St. Johns County, Florida, containing 3.06 acres more or less and being more fully described as follows: Beginning at the intersection of the East line of said Southwest quarter of the Northwest quarter with the Southwest right of way line of State Road #13, a 66-foot width right of way; thence South 00 degrees 00 minutes 15 seconds West, on said East line of the Southwest quarter of the Northwest quarter, a distance of 496.90 feet; thence North 40 degrees 08 minutes 30 seconds West 535.00 feet; thence North 00 degrees 18 minutes 20 seconds East 117.30 feet; thence Northeasterly, on a curve with radius of 125.00 feet and concave Northwesterly, through a central angle of 24 degrees 18 minutes 17 seconds, an arc distance of 53.03 feet; thence North 49 degrees 51 minutes 30 seconds East, tangent to said curve, 172.82 feet to the point of a curve to the right with radius of 20.00 feet; thence on said curve to the right, through a central angle of 90 degrees 00 minutes, an arc distance of 31.42 feet; thence South 40 degrees 08 minutes 30 seconds East, on said Southwest right of way line of road, 213.35 feet to the point of beginning.

is hereby changed to RMH-S

subject to the following conditions:

1. Platting of the property for a ten lot subdivision with wetland areas surveyed and delineated.
2. Prohibition of construction within wetland areas.

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 12 day of May, 1987.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Phyllis L. Lyden
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent
Deputy Clerk

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

1987 MAY 22 PM 12:44

VERIFIED BY
AK

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Adopted regular meeting 5/12/87

Effective May 21, 1987

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 _____
Kristi Robertson who on oath says that he is
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 County Commission Meeting
 _____ in the matter of _____
Proposed Rezoning, OR to RMH-S
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
April 8, 1987

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 has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached 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 this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kristi Robertson
 this 9th day of April
 A.D. 19 87
[Signature]
 (SEAL) Notary Public

Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 Bonded Three Troy Fain - Insurance, Inc.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 12 DAY OF MAY 1987 AT 2:00 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, 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 RMH-S BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1: Pursuant to the application of Michael J. and Laska Altosino owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

ALL OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, LYING SOUTHWEST OF THE SOUTH WEST RIGHT OF WAY LINE OF STATE ROAD NO. 13, A 66 FOOT WIDTH RIGHT OF WAY, EXCEPTING THEREFROM THE FOLLOWING PARCELS "A" AND "B":

PARCEL "A": A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 1.87 ACRES MORE OR LESS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER WITH SOUTHWEST RIGHT OF WAY LINE OF STATE ROAD NO. 13, A 66 FOOT WIDTH RIGHT OF WAY; THENCE SOUTH 40 DEGREES 00 MINUTES 20 SECONDS EAST, ON SAID RIGHT OF WAY LINE, 100.00 FEET; THENCE ON A CURVE TO THE RIGHT WITH RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 40 DEGREES 30 MINUTES, AN ARC DISTANCE OF 31.42 FEET; THENCE TANGENT TO SAID CURVE SOUTH 40 DEGREES 31 MINUTES 20 SECONDS WEST 172.42 FEET TO THE POINT OF A CURVE TO THE RIGHT WITH RADIUS OF 75.00 FEET; THENCE ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 26 MINUTES 30 SECONDS, AN ARC DISTANCE OF 12.8 FEET; THENCE NORTH 16 DEGREES 30 MINUTES 21 SECONDS WEST 20.12 FEET; THENCE SOUTH 69 DEGREES 41 MINUTES 40 SECONDS EAST, ON SAID NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 145.80 FEET TO THE POINT OF BEGINNING.

PARCEL "B": A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 3.86 ACRES MORE OR LESS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER WITH THE SOUTHWEST RIGHT OF WAY LINE OF STATE ROAD NO. 13, A 66 FOOT WIDTH RIGHT OF WAY; THENCE SOUTH 80 DEGREES 30 MINUTES 15 SECONDS WEST, ON SAID EAST LINE OF THE SOUTHWEST

QUARTER OF THE NORTH-
WEST QUARTER, A DIS-
TANCE OF 496.90 FEET;
THENCE NORTH 40 DEGREES
20 MINUTES 30 SECONDS
WEST 235.80 FEET; THENCE
NORTH 80 DEGREES 18 MIN-
UTES 30 SECONDS EAST 117.30
FEET; THENCE NORTHEAST-
ERLY, ON A CURVE WITH RA-
DIUS OF 125.90 FEET AND
CONCAVE NORTHWESTER-
LY, THROUGH A CENTRAL
ANGLE OF 24 DEGREES 18
MINUTES 17 SECONDS, AN
ARC DISTANCE OF 23.23
FEET; THENCE NORTH 49
DEGREES 31 MINUTES 30
SECONDS EAST, TANGENT
TO SAID CURVE, 172.82 FEET,
TO THE POINT OF A CURVE
TO THE RIGHT WITH RADIUS
OF 30.00 FEET; THENCE ON
SAID CURVE TO THE RIGHT,
THROUGH A CENTRAL AN-
GLE OF 90 DEGREES 10 MIN-
UTES, AN ARC DISTANCE OF
31.10 FEET; THENCE SOUTH
40 DEGREES 08 MINUTES 30
SECONDS EAST, ON SAID
SOUTHWEST RIGHT OF WAY
LINE OF ROAD, 213.35 FEET
TO THE POINT OF BEGIN-
NING.

IS HEREBY CHANGED TO:
R2MH-S, residential mobile home
or single family home

SECTION 2. Nothing herein con-
tained shall be deemed to im-
pose conditions, limitations or
requirements not applicable to
all other land in zoning district
wherein said lands are located.

SECTION 3. The Building De-
partment is authorized to issue
construction permits allowed by
zoning classification as reasoned
hereby.

SECTION 4. This Ordinance
shall take effect immediately
upon receipt of official acknowl-
edgment of the office of the Sec-
retary of State to the Clerk of the
Board of County Commissioners,
that same has been filed.

BOARD OF COUNTY
COMMISSIONERS OF ST.
JOHNS COUNTY, FLORIDA
By: Carl "Bud" Markel
Its Clerk

If a person decides to appeal any
decision made by the Board of
County Commissioners with re-
spect to any matter considered
at the meeting or hearing he will
need a record of the proceed-
ings, and for such purpose he
may need to ensure that a verba-
lim record of the proceedings is
made, which record includes the
testimony and evidence upon
which the appeal is to be based.

1319 April 8, 1987



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

RECEIVED
ST. JOHNS COUNTY, FLORIDA

'87 MAY 21 A9:43

DOROTHY W. JOYCE
Deputy Secretary For Elections
1802-E The Capitol

Carl Bud Markel
CLERK, COUNTY COMMISSION

May 19, 1987

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County Courthouse
Post Office Drawer 300
St. Augustine, Florida 32085

Attention: Lynn M. McDonald, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of May 13, 1987
and certified copy/ies of St. Johns
County Ordinance(s) Nos. #87-22 and 87-23
Rezoning
2. Receipt of _____ County Ordinance(s) relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this/these ordinances in this office on
May 18, 1987.
4. The original/duplicate copy/ies showing the filing date is/are being returned for your records.

Cordially,

Liz Cloud

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

DIVISION OF ELECTIONS, Room 1801, The Capitol, Tallahassee, Florida 32301
Bureau of Laws & Adm. Code (904) 488-7690
1802-E