

ORDINANCE NO. 85-22

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, GRANTING AN EXCEPTION FOR SAUSAGE PROCESSING UNDER SECTION 5-11-4(P) OF THE ST. JOHNS COUNTY ZONING ORDINANCE ON LANDS ZONED OR AS HEREINAFTER DESCRIBED AS PARCEL I; AND ALSO REZONING LANDS AS DESCRIBED HEREINAFTER AS PARCEL II FROM THE PRESENT ZONING CLASSIFICATION OF OR TO IW WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, JACK CHEEK, has filed application for grant of an exception for sausage processing under Section 5-11-4 (p) on lands zoned OR as described hereinafter as Parcel One; and has filed application for change of zoning from OR to IW on lands hereinafter described as Parcel Two;

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found as to the requested sausage processing exception and rezoning, as follows: (a) the proposed exception and rezoning promotes the public welfare and compliments the St. Johns County Comprehensive Plan; (b) the requested exception and change of zoning is justifiable or fairly debatable without special conditions; (c) the proposed exception and rezoning are 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, applicant agreed to limit its use of said lands and has consented to restrictions or limitations on the applied for exception and rezoning to IW as hereinafter provided; and (e) such restrictions or limitations are for the benefit of the general public and not just the applicant, 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 JACK CHEEK, an exception for sausage processing is hereby granted under \$5-11-4 (p) of the St. Johns County Zoning Ordinance

for the lands described as Parcel One in the Attached Exhibit One. Said exception to be transferable and run with the land. The exception is conditioned upon there being only one access entrance from Old Dixie Highway to said Parcel One.

SECTION 2. Pursuant to the application of JACK CHEEK, the zoning classification of OR on the lands described as Parcel Two in the attached Exhibit Two is hereby changed to IW, subject to the following conditions:

(1) Access to Parcel Two shall be restricted in that there shall be no access to said Parcel Two from Ray Road.

(2) There shall be no more than one access to Parcel Two from Old Dixie Highway (which access is in addition to the one access on Old Dixie Highway to Parcel One). There shall be access to Parcel Two from U. S. Highway No. 1, and there is no limit to the number of accesses which may be created from Parcel Two onto Highway No. 1.

(3) The following uses otherwise permitted under IW shall not be permitted uses for Parcel Two: all uses described in paragraphs (d), (f), (k), and (m) of Section 5-10-1 of the St. Johns County Zoning Ordinance.

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

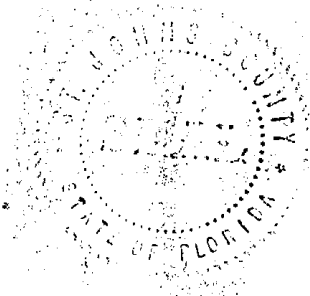
SECTION 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located, except as provided in Section 1 above.

SECTION 4. The Zoning Inspector is authorized to issue construction permits allowed by classification as rezoned and conditioned hereby.

SECTION 5. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 6. 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 name of the property owner described on page one hereof.

PASSED this 19th day of March, 1985.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Way Walker
Chairman

ATTEST: CARL "BUD" MARKEL, Clerk

BY: Cheryl Kent
Deputy Clerk

Adopted regular meeting 3/19/85.

Effective 03/28/85.

EXHIBIT ONEPARCEL I:

A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:

COMMENCING at a concrete monument being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N $01^{\circ}13'57''$ W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the intersection of the Northeasterly R/W of U. S. Highway No. 1 and the West R/W line of Ray Road; thence continue N $01^{\circ}18'52''$ W for a distance of 720.88 feet along the said East line Line of Section 11 to an iron pin said point being the intersection of the West R/W of Ray Road (East line of Section 11) and the Southwesterly R/W of Old Dixie Highway; thence run N $40^{\circ}02'47''$ W for a distance of 1,148.80 feet along the Southwesterly R/W of Old Dixie Highway to the point of beginning of this description; from said point of beginning thence continue N $40^{\circ}02'47''$ W for a distance of 250.00 feet along the Southwesterly R/W of Old Dixie Highway to an iron pipe; thence run S $48^{\circ}44'47''$ W for a distance of 135.00 feet to a point; thence run S $40^{\circ}02'47''$ East for a distance of 250.00 feet to a point; thence run N $48^{\circ}44'47''$ E a distance of 135.00 ft. to the point of beginning of this description and to close.

PARCEL II

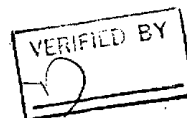
A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:

COMMENCING at a concrete monument, being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N 01°13'57" W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the POINT OF BEGINNING of this description and the intersection of the Northeasterly R/W of U. S. Highway No. 1 and the West R/W of Ray Road; thence continue N 01°18'52" W, for a distance of 720.88 ft. along said Eastline of Section 11, to an iron pin said point being the intersection of the West R/W of Ray Road (East line of Section 11) and the Southwesterly R/W of Old Dixie Highway; thence run N 40°02'47" W for a distance of 1398.80 ft. along the Southwesterly R/W of Old Dixie Highway to an iron pipe; thence run S 48°44'47" W for a distance of 492.80 ft. to an iron pipe and to the intersection of the North-easterly R/W of U. S. Highway No. 1; thence run S 41°14'47" E for a distance of 1950.55 ft. to an iron pin and the point of beginning of this description and to close.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:

COMMENCING at a concrete monument being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N 01°13'57" W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the intersection of the Northeasterly R/W of U. S. Highway No. 1 and the West R/W line of Ray Road; thence continue N 01°18'52" W for a distance of 720.88 feet along the said East line Line of Section 11 to an iron pin said point being the intersection of the West R/W of Ray Road (East line of Section 11) and the Southwesterly R/W of Old Dixie Highway; thence run N 40°02'47" W for a distance of 1,148.80 feet along the Southwesterly R/W of Old Dixie Highway to the point of beginning of this description; from said point of beginning thence continue N 40°02'47" W for a distance of 250.00 feet along the Southwesterly R/W of Old Dixie Highway to an iron pipe; thence run S 48°44'47" W for a distance of 135.00 feet to a point; thence run S 40°02'47" East for a distance of 250.00 feet to a point; thence run N 48°44'47" E a distance of 135.00 ft. to the point of beginning of this description and to close.



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

1965 MAR 25 PM 1:44

Paul "Bud" Minkler
CLERK OF DISTRICT COURT

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 _____
Virginia L Goodrich _____ who on oath says that he is
Advertising Manager _____ 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 _____
Public Notice _____

_____ in the matter of _____
Regular Meeting March 19th 1985 _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
February 16, 1985 _____

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 _____
this _____ 18th _____ day of _____ February _____
Virginia L Goodrich

A.D. 19 85
Ruth M Walker
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires May 13, 1985
Bonded Third Troy Fain - Insurance, Inc.

RECEIVED FEB 21 1985

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 19 DAY OF MARCH 1985, 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 IW, WITH THE POSSIBILITY OF ADDED CONDITIONS ON PARCEL TWO, AND EXCEPTION FOR SAUSAGE PROCESSING ON PARCEL ONE.
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SECTION 1. Pursuant to the application of investors, Jack Creek OWNERS of the following described land, zoning classification of OR on the following described lands:

PARCEL A
A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:
COMMENCING at a concrete monument being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N 91°18'57" W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the intersection of the Northeastery NW of U.S. Highway No. 1 and the West NW line of Ray Road; thence continue N 91°18'52" W for a distance of 720.88 feet along the said East line of Section 11 to an iron pin said point being the intersection of the West NW of Ray Road (East line of Section 11) and the Southwestery NW of Old Dixie Highway; thence run N 40°02'47" W for a distance of 1,148.80 feet along the Southwestery NW of Old Dixie Highway to the point of beginning of this description; from said point of beginning thence continue N 40°02'47" W for a distance of 1,148.80 feet along the Southwestery NW of Old Dixie Highway to the point of beginning of this description; from said point of beginning thence continue N 40°02'47" W for a distance of 250.00 feet to an iron pin; thence run S 48°44'47" W for a distance of 135.00 feet to a point; thence run S 40°02'47" East for a distance of 135.00 feet to a point; thence run N 48°44'47" E a distance of 135.00 ft. to the point of beginning of this description and to close.

PARCEL B
A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:
COMMENCING at a concrete monument being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N 91°18'57" W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the POINT OF BEGINNING of this description and the intersection of the Northeastery NW of U.S. Highway No. 1 and the West NW of Ray Road; thence continue N 91°18'52" W for a distance of 720.88 ft. along said East line of Section 11 to an iron pin said point being the intersection of the West NW of Ray Road (East line of Section 11) and the Southwestery NW of Old Dixie Highway; thence run N 40°02'47" W for a distance of 1,148.80 ft. along the Southwestery NW of Old Dixie Highway to an iron pin; thence run S 48°44'47" W for a distance of 135.00 ft. to an iron pin and to the intersection of the Northeastery NW of U.S. Highway No. 1; thence run S 41°14'47" E for a distance of 1,148.80 ft. to an iron pin and the point of beginning of this description and to close.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:
A parcel of land lying in and being a part of the Southeast 1/4 of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows:
COMMENCING at a concrete monument being the Southeast corner of Section 11, Township 5 South, Range 28 East, thence run N 91°18'57" W for a distance of 270.92 ft. along the East line of said Section 11 to an iron pin said point being the intersection of the Northeastery NW of U.S. Highway No. 1 and the West NW line of Ray Road; thence continue N 91°18'52" W for a distance of 720.88 feet along the said East line of Section 11 to an iron pin said point being the intersection of the West NW of Ray Road (East line of Section 11) and the Southwestery NW of Old Dixie Highway; thence run N 40°02'47" W for a distance of 1,148.80 feet along the Southwestery NW of Old Dixie Highway to the point of beginning of this description; from said point of beginning thence continue N 40°02'47" W for a distance of 1,148.80 feet along the Southwestery NW of Old Dixie Highway to an iron pin; thence run S 48°44'47" W for a distance of 135.00 feet to a point; thence run S 40°02'47" East for a distance of 135.00 feet to a point; thence run N 48°44'47" E a distance of 135.00 ft. to the point of beginning of this description and to close.

is hereby changed to RW with the possibility of added conditions. AND EXCEPTION for sewage processing is hereby granted on parcel one, subject to 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 recited hereby.

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

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BY: Carl "Bud" Bartel
Clerk

If a person decides 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 purpose 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.

LS44-Feb. 16, 1985