

ORDINANCE NO. 85-37

INTRODUCED BY COMMISSIONER BRUBAKER

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

WHEREAS, (Property Owners' names): David and Ellen Meyer

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 21 day of May, 1985 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 CG, 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 CG 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 David and Ellen Meyer

zoning classification of OR

on the following described lands:

Legal Description:

The Easterly 300 ft. of the following described land:

A parcel of land lying in Section 17, Township 9 South, Range 30 East St. Johns County, Florida, and being more particularly described as follows:

Beginning at the Northwest corner of Section 17, bear South 00 degrees 53 minutes 22 seconds East along the West line of said Section 17, a distance of 1036.18 feet to the POINT OF BEGINNING; thence bear North 88 degrees 52 minutes 11 seconds East a distance of 870.26 feet to a point on a curve, being the West right-of-way line of U.S. Highway #1; thence Southerly along curve of said right-of-way line, having a radius of 5847.90 feet and a central angle of 07 degrees 12 minutes 32 seconds a distance of 220.43 feet to a POINT OF TANGENCY; thence bear South 15 degrees 55 minutes 45 seconds East a distance of 28.93 feet to a point; thence bear South 88 degrees 52 minutes 11 seconds West a distance of 931.34 feet, more or less, to a point; thence bear North 00 degrees 53 minutes 22 seconds West along the West line of said Section 17, a distance of 242.10 feet to the POINT OF BEGINNING of this description.

is hereby changed to : CG

Subject to the following conditions;

1. the Sole use allowed under the CG classification shall be a permissible exception of retail/ and wholesale nursery (plant nursery)
2. Upon discontinuance of the above specified use, the property shall revert to OR zoning classification if however the land is sold, the owner shall have thirty days ^{from} ~~for~~ transfer of property to allow the continued use of plant nursery.

new
prior to discontinuance of the use,

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 21 day of MAY, 1985

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Nancy Wood
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent
Deputy Clerk

Adopted regular meeting 05/21/85

Effective May 24, 1985

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 _____
Lynn Rains who on oath says that he is
National 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 _____
Meeting May 21 1985 to consider passage or ordinance
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
April 19 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 Lynn Rains
 this 26th day of April
 A.D. 19 85
Kurt M. Walker
 (SEAL) Notary Public

Notary Public, State of Florida
 My Commission Expires May 13, 1989
 License File No. FA-100-1064

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 21 DAY OF MAY 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 DR TO CO, 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 David and Ellen Meyer OWENS of the following described land, zoning classification DR to the following described lands: The Easerty 300 ft. of the following described land:

A parcel of land lying in Section 17, Township 9 South, Range 20 East St. Johns County, Florida, and being more particularly described as follows:

Beginning at the Northwest corner of Section 17, bear South 80 degrees 55 minutes 22 seconds East along the West line of said Section 17, a distance of 1936.15 feet to the POINT OF BEGINNING; thence bear North 83 degrees 32 minutes 11 seconds East a distance of 870.28 feet to a point on a curve, being the West right-of-way line, line of U.S. Highway 81; thence Southward along curve of said right-of-way line, having a radius of 8947.90 feet and a central angle of 07 degrees 12 minutes 32 seconds a distance of 220.43 feet to a POINT OF TANGENCY; thence bear South 15 degrees 55 minutes 46 seconds East a distance of 32.33 feet to a point; thence bear South 88 degrees 32 minutes 11 seconds West a distance of 911.34 feet, more or less, to a point; thence bear North 50 degrees 53 minutes 22 seconds West along the West line of said Section 17, a distance of 242.10 feet to the POINT OF BEGINNING of this description.

It is hereby changed to CO with the possibility of added conditions. (limited use of retail/wholesale plant nursery)

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 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: a/Carl "Bud" Merkel
 Clerk

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 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.

1985 April 19, 1985