

ORDINANCE NO. 85-52

INTRODUCED BY COMMISSIONER BAILEY

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

o.k

WHEREAS, (Property Owners' names): Vance Q. and Dawn Evans

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 JULY, 1985 at 1:30 o'clock .m. on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found, as to the requested rezoning classification of CN, 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 CN 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 Vance Q. and Dawn Evans

zoning classification of OR

on the following described lands:

Legal Description:

A part of the Gomez Grant, Section 45, Township 6 South, Range 27 East, from the point of intersection of the West line of said Grant with the Northerly right of way line of State Number 13; thence North 4 degrees 28 minutes 17 seconds East and along the said Grant line 482.10 feet; thence South 69 degrees 29 minutes 00 seconds East, 123.00 feet to the Point of Beginning; thence continue South 69 degrees 29 minutes East 349.6 feet; thence South 20 degrees 18 minutes 25 seconds East, 590.24 feet to a point in the Northerly right of way line of SR 13 as now established; thence North 69 degrees 29 minutes West and along said right of way 607.00 feet; thence North 4 degrees 28 minutes 17 seconds East 464.75 feet to The Point of Beginning and to close. Said parcel containing 4.904 acres and being those same lands conveyed in O. R. Book 154, page 233, public records of St. Johns County, Florida.

Less and Except the following described property to-wit:

A tract of land lying in and being a part of the Gomez Grant, Section 45, Township 6 South, Range 27 East, being more particularly described as follows: Commencing at the intersection of the West line of the said Gomez Grant with the Northerly right of way line of State Road #13 (as now established); thence South 69 degrees 29 minutes 00 seconds East and along said Northerly right of way line, 307.0 feet to the POINT OF BEGINNING; thence continue South 69 degrees 29 minutes 00 seconds East, and along said right of way line 423.0 feet; thence North 20 degrees 18 minutes 25 seconds West 327.44 feet; thence North 69 degrees 29 minutes 00 seconds West, 200.21 feet; thence South 4 degrees 28 minutes 17 seconds West, 257.82 feet to the Point of Beginning and to close. Containing 2.0 acres.

Based on a search of the public records as maintained in the Office of the Clerk of the Circuit Court of St. Johns County, Florida, and records maintained in this office we find the apparent owners of the above described land to be Vance Q. Evans, Sr. and Dawn B. Evans, Husband and wife, by virtue of deed filed and recorded in Official Records Book 300, page 21, public records of St. Johns County, Florida.

IS HEREBY CHANGED TO : CN, Commercial Neighborhood

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Sole use of property allowed under CN classification shall be antique shop, permissible by exception, and mobile home for occupancy by owner or employee
2. Upon discontinuance of use of antique shop, the property shall revert to OR zoning.

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 23 day of JULY, 1985



BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Way Walton  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kert  
Deputy Clerk

VERIFIED BY  
[Signature]

FILED AND RECORDED IN  
PUBLIC RECORDS  
1985 AUG -5 PM 2:16  
Carl "Bud" Markel  
CLERK

Adopted regular meeting 07/23/85  
Effective July 30, 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 \_\_\_\_\_  
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 \_\_\_\_\_  
Ordinance for rezoning  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
June 22, 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 Virginia L. Goodrich  
 this 24th day of June

A.D. 19 85 Shirley Bullman  
 (SEAL) Notary Public Notary Public, State of Florida  
 My Commission Expires April 20, 1987

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 23 DAY OF JULY 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 CN, 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 Vance G. Evans Sr. and Dawn D. Evans OWNERS of the following described land, zoning classification of OR on the following described lands:

A part of the Gomez Grant, Section 45, Township 8 South, Range 27 East, from the point of intersection of the West line of said Grant with the Northerly right of way line of State Number 13; thence North 4 degrees 28 minutes 17 seconds East and along the said Grant line 482.10 feet; thence South 69 degrees 28 minutes 00 seconds East, 123.00 feet to the Point of Beginning; thence continue South 88 degrees 28 minutes East 349.8 feet; thence South 20 degrees 18 minutes 23 seconds East, 590.24 feet to a point in the Northerly right of way line of SR 13 as now established; thence North 88 degrees 29 minutes West and along said right of way 507.50 feet; thence North 4 degrees 28 minutes 17 seconds East 464.75 feet to the Point of Beginning and to close. Said parcel containing 4.804 acres and being those same lands conveyed in O. R. Book 154, page 233, public records of St. Johns County, Florida.

Less and Except the following described property to-wit:

A tract of land lying in and being a part of the Gomez Grant, Section 46, Township 8 South, Range 27 East, being more particularly described as follows: Commencing at the intersection of the West line of the said Gomez Grant with the Northerly right of way line of State Road 413 (as now established); thence South 69 degrees 28 minutes 00 seconds East and along said Northerly right of way line, 307.0 feet to the POINT OF BEGINNING; thence continue South 69 degrees 28 minutes 00 seconds East, and along said right of way line 429.0 feet; thence North 20 degrees 18 minutes 25 seconds West 327.44 feet; thence North 88 degrees 29 minutes 00 seconds West, 286.21 feet; thence South 4 degrees 28 minutes 17 seconds West, 237.83 feet to the Point of Beginning and to close. Containing 2.0 acres.

Based on a search of the public records as maintained in the Office of the Clerk of the Circuit Court of St. Johns County, Florida, and records maintained in this office we find the apparent owners of the above described land to be Vance G. Evans, Sr. and Dawn D. Evans, husband and wife, by virtue of deed filed and recorded in Official Records Book 500, page 21, public records of St. Johns County, Florida is hereby changed to CN 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 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: w/ Carl "Bud" Martel  
 CLERK

If a person decides to appeal any decision made by the Board of County Commissioners 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.

L210 June 22, 1985