

ORDINANCE NO. 85-68

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 RS-3 to CG WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Albert and Mildred Thomas

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 10th day of September, 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 Albert and Mildred Thomas

zoning classification of RS-3

on the following described lands:

Parcel 1: A part of Lots 9 and 14 of Re-Plat of Blocks 9, 10 and 13, San Sebastian Subdivision, recorded in Map Book 3, page 106, of the public records of St. Johns County, Florida; Beginning at the Northeast corner of the aforesaid Lot 9 and run Southerly along the East line of Lots 9 and 14, a distance of 140 feet to a point; run thence Westerly parallel to the North line of Lot 9, a distance of 44 feet to a point, run thence Northerly parallel to the East line of Lots 9 and 14, a distance of 140 feet to a point, run thence Easterly along the North line of Lot 9, a distance of 44 feet to the point of beginning.

Parcel 2: A part of Lots 9, 10 and 14 of Re-Plat of Blocks 9, 10 and 13, San Sebastian Subdivision, recorded in Map Book 3, page 106, of the public records of St. Johns County, Florida; Beginning at a point on the north line of said Lot 9, which point is 44 feet west of the northeast corner of said Lot 9, run thence southerly parallel to the east line of said Lots 9 and 14 a distance of 140 feet to a point; run thence westerly parallel to the north line of Lots 9 and 10, a distance of 44 feet to a point, run thence northerly parallel to the east line of Lots 9 and 14 a distance of 140 feet to a point; run thence easterly along the north line of Lots 10 and 9, a distance of 44 feet to the point of beginning.

is hereby changed to

subject to the following conditions:

1. The developer of the land shall not create drainage problems on adjacent lands.
2. Limited to useage described in Section 5-8-1 a. of the zoning code or a sandwich shop.

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.

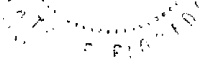
PASSED this 10 day of SEPTEMBER, 1985

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Nancy Walden  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Cheryl Kent  
Deputy Clerk



VERIFIED BY  
[Signature]

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

1985 SEP 24 AM 9:02

Carl "Bud" Markel  
CLERK OF CIRCUIT COURT

Adopted regular meeting 09/10/85

Effective September 20, 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 \_\_\_\_\_  
Land Rezoning  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
August 9, 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 12th day of August  
 A.D. 19 85

E. Elizabeth Beckman  
 Notary Public  
 Notary Public, State of Florida  
 My Commission Expires April 20, 1987  
 Bonded Thru Troy Fain - Insurance, Inc.

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 10 DAY OF SEPTEMBER 1985 AT 1:30 O'CLOCK P.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. NO. 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 HEREAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RS-3 TO CQ 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 Albert and Mildred Thomas.

Owners of the following described land, zoning classification of RS-3, on the following described lands:

Parcel 1: A part of Lots 9 and 14 of Re-Plot of Blocks 9, 10 and 13, San Sebastian Subdivision, recorded in Map Book 3, page 108, of the public records of St. Johns County, Florida; Beginning at the northeast corner of the aforesaid Lot 9 and run southerly along the East line of Lots 9 and 14, a distance of 140 feet to a point; run thence westerly parallel to the North line of Lot 9, a distance of 44 feet to a point; run thence northerly parallel to the East line of Lots 9 and 14, a distance of 140 feet to a point; run thence easterly along the North line of Lot 9, a distance of 44 feet to the point of beginning.

Parcel 2: A part of Lots 9, 10 and 14 of Re-Plot of Blocks 9, 10 and 13, San Sebastian Subdivision, recorded in Map Book 3, page 108, of the public records of St. Johns County, Florida; Beginning at a point on the north line of said Lot 9, unless point is 44 feet west of the northeast corner of said Lot 9, run thence southerly parallel to the east line of said Lots 9 and 14 a distance of 140 feet to a point; run thence westerly parallel to the north line of Lots 9 and 10, a distance of 44 feet to a point; run thence northerly parallel to the east line of lots 9 and 14 a distance of 140 feet to a point; run thence easterly along the north line of Lots 10 and 9, a distance of 44 feet to the point of beginning.

IS HEREBY CHANGED TO: CQ, 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 Building Department 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  
 of St. Johns County, Florida  
 By: a/Carl "Bud" Martel

If a person desires 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.

L415 Aug. 9, 1985