

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 78-38 AS PREVIOUSLY AMENDED, WHICH IS THE ST. JOHNS COUNTY SUBDIVISION ORDINANCE. THIS AMENDMENT PROVIDES THAT IN THE GRANTING OF WAIVERS, THE GOVERNING BODY MAY REQUIRE SUCH CONDITIONS THAT WILL SECURE SUBSTANTIALLY THE OBJECTIVES OF THE STANDARDS OR REQUIREMENTS SO VARIED OR MODIFIED. IT ALSO PROVIDES THAT NOTICE OF TIME AND PLACE OF PUBLIC HEARINGS WITH RESPECT TO WAIVERS SHALL BE POSTED AT LEAST FIFTEEN DAYS IN ADVANCE OF THE HEARING BY THE UNITED STATES MAIL TO ALL OWNERS OF REAL PROPERTY WITHIN THREE HUNDRED FEET OF THE BOUNDARIES OF THE LAND UPON WHICH WAIVER IS REQUESTED AND THAT FURTHER NOTICE OF PUBLIC HEARING SHALL BE PUBLISHED IN A ST. JOHNS COUNTY NEWSPAPER NOT LESS THAN 15 DAYS EXCLUDING HOLIDAYS AND SUNDAYS, IN ADVANCE OF THE DATE OF SUCH HEARING; AND IT PROVIDES AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. St. Johns County Ordinance 78-38, as previously amended, which is the ordinance described in the above title, is hereby amended by deleting Article XI - Waivers & variations in its entirety and by adding and substituting the following in its stead: Article XI - Waivers & Variations. Section 110.0 General After a report from the Planning & Zoning Agency, the Board of County Commissioners may waive the requirements of these regulations where compliance would be a practical impossibility or would cause unnecessary hardship and/or where the owner proposes an alternative which conforms to the general intent and spirit of these regulations. In the granting of waivers, the Board of County Commissioners shall weigh the benefits or hardships against the general standards and objectives of this ordinance, and may require such conditions that will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Section 110.1 - Mailed Notice

Notice of the time and place of any public hearing with respect to waivers to these regulations shall be posted at least fifteen days in advance of the hearing by the United States Mail to all owners of real property within three hundred feet of the boundaries of the land upon which the waiver is requested, provided however, that where the applicant is the owner of land not included in such application and such land that is not included in the application is a part of or adjoins the parcel upon which such request is made, the Planning and Zoning Agency, in its discretion may require that mailed notice be posted to such owners as the Planning and Zoning Agency may determine. For the purpose of notice requirements to adjoining owners, the names, addresses, and legal descriptions shall be provided by the applicant and shall be those listed on the current tax records in the Office of the St. Johns County Appraiser.

Section 110.2 Published Notice

Notice of public hearing shall be published in a St. Johns County Newspaper and others as deemed necessary not less than 15 days excluding holidays and Sundays, in advance of the date of such hearing.

Section 2. This ordinance shall take effect immediately upon receipt of official acknowledgement by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA this 25th day of March, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Boulaker  
Its Chairman

ATTEST:  
CARL "BUD" MARKEL, CLERK

Cheryl Kent  
By: Deputy Clerk

Adopted regular meeting 03/25/86

Effective: March 31, 1986

COPY OF ADVERTISEMENT

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 Sandra G. Russ who on oath says that he is Legal Advertising 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 Public Hearing in the matter of Will hold Regular Meeting, Lewis Speedway in the Court, was published in said newspaper in the issues of March 5, 1986

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 5th day of March 86 A.D. 1986. Notary Public, State of Florida My Commission Expires Aug. 4, 1986 Bonded 1000 Dollars

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON MARCH 25, 1986, AT 10:30 O'CLOCK A.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:

An ordinance of the County of St. Johns, State of Florida, amending St. Johns County Ordinance 78-38 as previously amended, which is the St. Johns County Subdivision Ordinance. This Amendment provides that in the granting of waivers, the governing body may require such conditions that will secure substantially the objectives of the standards or requirements so varied or modified. It also provides that notice of time and place of public hearings with respect to waivers shall be posted at least fifteen days in advance of the hearing by the United States Mail to all owners of real property within three hundred feet of the boundaries of the land upon which waiver is requested and that further notice of public hearing shall be published in a St. Johns County Newspaper not less than 15 days excluding holidays and Sundays, in advance of the date of such hearing; and it provides an effective date.

The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing. All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

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.

Board of County Commissioners of St. Johns County, Florida Carl "Bud" Markel, Its Clerk By Cheryl Kent Deputy Clerk L047 March 4, 1986



FLORIDA DEPARTMENT OF STATE  
George Firestone  
Secretary of State

RECEIVED  
ST. JOHNS COUNTY, FLORIDA

'86 MAR 31 P2:25

March 28, 1986

Honorable Carl "Bud" Markel  
Clerk of Circuit Court  
St. Johns County Courthouse  
Post Office Drawer 300  
St. Augustine, Florida 32084

*Carl Bud Markel*  
CLERK, COUNTY COMMISSION

Attention: Tami J. Tedder, Deputy Clerk

Dear Mr. Markel:

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

1. Receipt of letter/s of March 26, 1986  
and certified copy/ies of St. Johns  
County Ordinance(s) 86-24, 86-25, 86-26, 86-27  
86-28, 86-29, and 86-30
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these Ordinance(s) in this office  
on March 28, \_\_\_\_\_ 1986.
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

**FLORIDA-State of the Arts**

**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 \_\_\_\_\_  
 Sandra G. Russ \_\_\_\_\_ who on oath says that he is  
 Legal Advertising 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 Rezoning \_\_\_\_\_  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
 Frank and Mary Mitchell-CG to RS-3.  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
 February 22, 1986.

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 24th day of February  
 A.D. 19 86  
 \_\_\_\_\_  
 (SEAL) Notary Public  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded thru Troy Egin 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 25 DAY OF MARCH 1986 AT 1:30 o'clock PM, 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 CG TO RS-3, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:  
 SECTION 1. Pursuant to the application of Frank and Mary Mitchell owners of the following described land, zoning classification of CG, Commercial General on the following described lands:  
 Lot 4 of Block 82, Afro American Subdivision of the Dancy Tract, St. Augustine, St. Johns County, Florida being a part of Avic and Viel Grant, Section 41, Township 7 South, Range 29 East, recorded in Map Book 3, page 47, public records of St. Johns County, Fla.  
 IS HEREBY CHANGED TO: RS-3, single family residential.  
 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.  
 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: s/ Carl "Bud" Markel  
 Its 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.  
 L992 Feb. 22, 1986