

87 26913

ORDINANCE NUMBER: 87-49

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

WHEREAS, MAR-WAYNE, a partnership, as applicant, has filed application for change of zoning on lands owned by ANDREW P. SPERLANES and JANICE SPERLANES, his wife, hereinafter described on attached Exhibit "A", and after required notice was published, a public hearing was held on _____ on said application; and

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found, as to the requested rezoning classification of "CI", as follows: (a) the proposed rezoning promotes the public welfare and compliments 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, the applicant agreed to limit its use of said lands and has consented to restrictions or limitations on the applied for rezoning of "CI" 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 MAR-WAYNE, a partnership, the zoning classification of "CG" on the lands described on the attached Exhibit "A" is hereby changed to "CI", subject to the following conditions:

(1) The subject property shall be used only ancillary parking for the existing business located contiguous thereto, and no buildings may be placed upon said property.

(2) No more than one (1) curb cut shall be permitted on Highway U.S. 1 South for ingress and egress to the subject real property.

(3) A ten (10') foot wide natural buffer or green buffer consisting of plantings and grass shall be situated along the entire eastern boundary of the subject real property outside the required fence.

(4) If determined necessary by the Department of Transportation, a right turn lane shall be installed at applicant's expense.

(5) Any lights being installed on the property will be shielded from the residential area lying east of the property.

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 22 day of September, 1987.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Phyllis L. Lydon
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

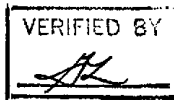
By: Cheryl Kent
Deputy Clerk

Adopted Regular
Meeting September 22, 1987
Effective October 1, 1987

EXHIBIT "A"

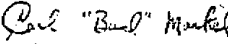
A parcel of land in Section 6, Township 8 South, Range 30 East, St. Johns County, Florida, containing 0.5672 acre, more or less, and being more fully described as follows:

Commencing at the Northeast corner of Lot 3207 in ST. AUGUSTINE SOUTH, UNIT NO. 11, as recorded in Map Book 8, Page 46, public records of said County; thence South 73 degrees, 07 minutes West, on the North line of said Lot 3207, a distance of 100.00 feet; thence South 16 degrees, 53 minutes East, on the Westerly line of said ST. AUGUSTINE SOUTH, UNIT NO. 11, a distance of 104.58 feet to the Point of Beginning at the Northeast corner of the herein described parcel of land; thence continuing South 16 degrees, 53 minutes East, on said Westerly line of ST. AUGUSTINE SOUTH, UNIT NO. 11, a distance of 156.87 feet; thence North 89 degrees, 52 minutes West 187.66 feet; thence North 00 degrees, 08 minutes East, on the East Right of way line of U.S. Highway No. 1, a distance of 150.00 feet; thence South 89 degrees, 52 minutes East 141.76 feet to the Point of Beginning.



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

1987 OCT -2 AM 11: 26


CLERK OF CIRCUIT 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 _____
KRISTI ROBERTSON who on oath says that he is
ACCOUNTING 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 MEETING
 _____ in the matter of _____
MAR WAYNE
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
AUGUST 22, 1987

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 Kristi Robertson
 this 24th day of AUGUST

A.D. 19th 87

[Signature]
 (SEAL) Notary Public

Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 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 22 DAY OF SEPTEMBER 1987 AT 2:00 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 THE 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 C1 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 Mar-Wayne, a partnership on behalf of Andrew and Janice Sperlanes, owners of the following described land, zoning classification of CG, Commercial General on the following described lands:

A parcel of land in Section 6, Township 8 South, Range 30 East, St. Johns County, Florida, containing 0.5672 acre, more or less, and being more fully described as follows:

Commencing at the Northeast corner of Lot 3207 in ST. AUGUSTINE SOUTH, UNIT NO. 11, as recorded in Map Book 8, Page 46, public records of said County; thence South 73 degrees, 07 minutes West, on the North line of said Lot 3207, a distance of 100.00 feet; thence South 16 degrees, 53 minutes East, on the Westerly line of said ST. AUGUSTINE SOUTH, UNIT NO. 11, a distance of 104.50 feet to the Point of Beginning at the Northeast corner of the herein described parcel of land; thence continuing South 16 degrees, 53 minutes East, on said Westerly line of ST. AUGUSTINE SOUTH, UNIT NO. 11, a distance of 156.87 feet; thence North 89 degrees, 52 minutes West 187.66 feet; thence North 00 degrees, 08 minutes East, on the East Right of way line of U.S. Highway No. 1, a distance of 120.00 feet; thence South 89 degrees, 52 minutes East 141.76 feet to the Point of Beginning is hereby changed to C1, Commercial intensive 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 ST. JOHNS COUNTY, FLORIDA
 BY /s/ Carl "Bud" Markel
 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.

L-103 Aug. 22, 1987