

ORDINANCE NO. 87-68

INTRODUCED BY COMMISSIONER

87 31561

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF CI with conditions to CI with change in CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): A.J. Mc Guinness

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 November, 1987 at 2:00 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 CI, 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 CI 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 A.J. Mc Guinness

zoning classification of CI with conditions

on the following described lands:

Legal Description:

PARCEL 1:
A parcel of land in the Northeast Quarter of the Northeast Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, said parcel of land being more fully described as follows:

Commencing at the intersection of the West right-of-way line for State Road No. S-3 with the North line of a county road, said North line of County road being 50 feet North of and parallel with the South line of said Northeast Quarter of the Northeast Quarter of Section 33; thence North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line for State Road, 260.35 feet to the Point of Beginning at the Southeast corner of the herein described parcel of land; thence continuing North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line, 100 feet; thence South 70 degrees 00 minutes 30 seconds West 100 feet; thence South 19 degrees 59 minutes 30 seconds East 100 feet; thence North 70 degrees 00 minutes 30 seconds East 100 feet to the Point of Beginning.

PARCEL 2:
A parcel of land in the Northeast Quarter of the Northeast Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, said parcel of land being more fully described as follows:

Commencing at the intersection of the West right-of-way line for State Road No. S-3 with the North line of a County road, said North line of County road being 50 feet North of and parallel with the South line of said Northeast Quarter of the Northeast Quarter of Section 33, thence North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line for State Road, 360.35 feet to the Point of Beginning at the Southeast corner of the herein described parcel of land; thence continuing North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line, 100 feet; thence South 70 degrees 00 minutes 30 seconds West 100 feet; thence South 19 degrees 59 minutes 30 seconds East 100 feet; thence North 70 degrees 00 minutes 30 seconds East 100 feet to the Point of Beginning.

is hereby changed to CI

subject to the following conditions:

1. Use as Carwash and Oil Change business only
2. Existing driveway in middle of property to be the only access to the businesses located on the land described herein.
3. A tree shall be planted every 25 feet all around the property.

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.

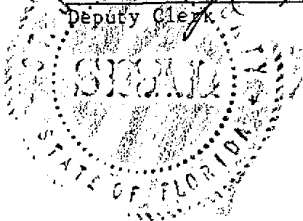
SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official public records of St. Johns County, Florida, and indexed under the names of the property owners described on page one hereof.

PASSED this 10th day of November, 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


RECORD VERIFIED
AK

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

1987 NOV 19 PM 1:50

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Adopted regular meeting 11/10/87
Effective November 18, 1987

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 _____
Public Notice
_____ in the matter of _____
zoning variance for A.J. McGuinness
_____ in the _____ Court,
was published in said newspaper in the issues of _____
October 8, 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 8th day of October
A.D. 19 87
[Signature]
(SEAL) [Signature] Notary Public

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded thru Troy Cain - 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 NOVEMBER 1987 AT 2:00 P.M. 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 C1 WITH COND. 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 A.J. McGuinness owner of the following described land, zoning classification of C1 with conditions on the following described lands:

PARCEL 1:
A parcel of land in the Northeast Quarter of the Northeast Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, said parcel of land being more fully described as follows:
Commencing at the intersection of the West right-of-way line for State Road No. 5-3 with the North line of a county road, said North line of County road being 50 feet North of and parallel with the South line of said Northeast Quarter of the Northeast Quarter of Section 33; thence North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line for State Road, 260.35 feet to the Point of Beginning at the Southeast corner of the herein described parcel of land; thence continuing North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line, 100 feet; thence South 70 degrees 00 minutes 30 seconds West 100 feet; thence South 19 degrees 59 minutes 30 seconds East 100 feet; thence North 70 degrees 00 minutes 30 seconds East 100 feet to the Point of Beginning.

PARCEL 2:
A parcel of land in the Northeast Quarter of the Northeast Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, said parcel of land being more fully described as follows:
Commencing at the intersection of the West right-of-way line for State Road No. 5-3 with the North line of a County road, said North line of County road being 50 feet North of and parallel with the South line of said Northeast Quarter of the Northeast Quarter of Section 33; thence North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line for State Road, 360.35 feet to the Point of Beginning at the Southeast corner of the herein described parcel of land; thence continuing North 19 degrees 59 minutes 30 seconds West, on said West right-of-way line, 100 feet; thence South 70 degrees 00 minutes 30 seconds West 100 feet; thence South 19 degrees 59 minutes 30 seconds East 100 feet; thence North 70 degrees 00 minutes 30 seconds East 100 feet to the Point of Beginning. It hereby changed to C1, Commercial Int. 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: s/Carl "Bud" Merkel
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.
L361, Oct. 8 1987