

ORDINANCE NO. 88-2

INTRODUCED BY COMMISSIONER

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

WHEREAS, (Property Owners' names): Davis and Leanne MacDonald

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 12th day of January, 1988 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 IW, 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 IW 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 Davis and Leanne MacDonald

zoning classification of OR

on the following described lands:

Legal Description:

Lots 30,32,34, 36, 38, and 40, Block Nine and lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 , and 40 of Block 10, Subdivision of Hilden, according to plat thereof recorded in Map Book 3, page 59, of the public records of St. Johns County, Florida, and that portion of Second Avenue lying between lots 29, 31, 33, 35, 37, and 39, Block 10, and lots 30, 32, 34, 36, 38, and 40 of Block 9, being located in Hilden according to plat thereof recorded in Map Book 3, page 59, public records of St. Johns County, Fla.

IS HEREBY CHANGED TO IW;

Subject to the following Conditions:

1. Permitted principal uses and structures will be those permitted in the IW Industrial and Warehousing District, as may be amended from time to time, excluding the following uses as currently set forth in Section 5-10-1 of the zoning ordinance:
5-10-1(b); (d); (f); (k); (m): also excluding all uses permitted by exception in section 5-10-3.
2. No structure will exceed 35' high
3. A natural uncleared buffer and building set-back will be maintained as follows: 60' along west (US-1) boundary and 5' along all other side and rear property lines. Provided Fourth Ave. is vacated the 5' buffer/set back shall move northward to any newly established property line.

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 12th day of January, 1988



BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Ann M. McDonald
Deputy Clerk

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

RECORD VERIFIED
[Signature]

1988 JAN 26 AM 9:49

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Adopted regular meeting January 12, 1988

Effective January 25, 1988

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 Hearing
 _____ in the matter of _____
rezoning from OR to IW w/ possibility of added conditions
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
November 27, 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 30th day of November
 A.D. 19 87
[Signature]
 (SEAL) [Signature] Notary Public
 Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 - Bonded thru Troy Fair - 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 12 DAY OF JANUARY 1988 AT 2:00 O'CLOCK 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 OR TO IW 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 Davis and Leanne MacDonald owners of the following described land, zoning classification of OR, Open Rural on the following described lands:
 Lots 30, 32, 34, 36, 38, and 40, Block Nine and Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 of Block 10, Subdivision of Hilden, according to plat thereof recorded in Map Book 3, page 59, of the public records of St. Johns County, Florida, and that portion of Second Avenue lying between lots 29, 31, 33, 35, 37, and 39, Block 10, and lots 30, 32, 34, 36, 38, and 40 of Block 9, being located in Hilden according to plat thereof recorded in Map Book 3, page 59, public records of St. Johns County, Fla., is hereby changed to IW, Industrial Warehousing 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" Merkel
 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.

L638 Nov. 27, 1987