

ORDINANCE NO. 88-36

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 CG to CI WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Carey Cowan and Mike and Teri Sargeant as applicants

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 28th day of June, 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 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 Mike and Teri Sargeant on behalf of Carey and Sara L. Cowan, owners

zoning classification of CG, Commercial General  
on the following described lands:

Legal Description:

The East 261.40 ft. of the South 150 ft. of the North 900 ft. of Government lot 5, Section 6 Township 8 South, Range 30 East, of St. Johns County, Florida, lying East of U.S. Highway # 1, Together with an access and drainage easement on the North 30 ft. of the South 150 ft. of North 900 ft. of said Government lot 5.

is hereby changed to CI, Commercial Intensive

subject to the following conditions:

1. The use of the property shall be limited to automotive repair/ service/ and incidental retail sales of automotive parts and accessories.
2. There shall be no outside storage.
3. All repair/installation, etc., shall be conducted within an enclosed building.
4. A six ft. solid fence shall be installed along the Eastern and Southern property line prior to commencement of use on the property.
5. There shall be a natural buffer 25 ft. wide along the Eastern property line.
6. Exterior lighting shall be directed so as not to shine on the neighboring properties.
7. The hours of operation shall be from 7:00AM to 7:00PM daily, with no activity on Sundays.

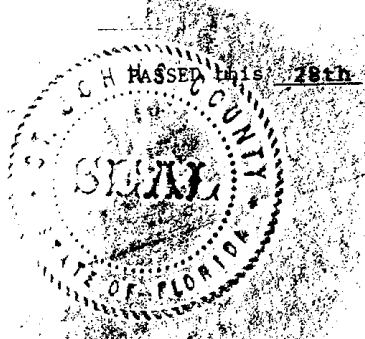
which conditions shall remain in full force and effect at all times until amended or changed by further ordinance of this Body.

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 Dept. 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 18th day of June, 1988

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley  
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

Carl "Bud" Markel  
Clerk

VERIFIED BY  
[Signature]

FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.  
88 JUL 18 PM 12:54  
Carl "Bud" Markel  
CLERK OF CIRCUIT COURT

Adopted regular meeting June 28, 1988  
Effective July 15, 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 \_\_\_\_\_  
LINDA MURRAY 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 PUBLIC HEARING  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
MIKE & TERI SARGEANT ON BEHALF OF CAREY COWAN  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
MAY 28, 1988

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 31st day of MAY  
 A.D. 19 88

[Signature]  
 (SEAL) Notary Public  
 Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded Through Troy Elin - 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 28 DAY OF JUNE 1988 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 C2 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 Mike and Teri Sargeant on behalf of Carey Cowan owners of the following described land, zoning classification of C2, Commercial General on the following described lands:

The East 261.40 ft. of the South 150 ft. of the North 900 ft. of Government lot 5, Section 6, Township 8 South, Range 30 East, of St. Johns County, Florida, lying East of U.S. Highway #1, Together with an access and drainage easement on the North 30 ft. of the South 150 ft. of North 900 ft. of said Government lot 5 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.

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.  
 L625, May 28, 1988