

ORDINANCE NO. 88-71

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

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

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on *22 November, 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 A.J. Mc Guinness

zoning classification of CI with conditions (Ordinance 87-68)
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, Commercial Intensive

subject to the following conditions:

1. Use as Carwash **business**.
2. Existing driveway in middle of property to be the only access to the business located on the land described herein.
3. A tree be planted every 25 feet all around the property.
4. One off site sign which will conform to St. Johns county sign requirements.
5. Professional and business offices excluding Doctor's offices.
6. Retail outlets for sale of food and drugs, books and stationery, leather goods, and luggage, jewelry (including watch repair but no pawnshop) art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, and pet shops (but not kennel or veterinarian) musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs and similar products.
7. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, (but not drive in restaurant), interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, self-service laundry or dry cleaner, tailor or dressmaker, drycleaning and laundry package plants in completely enclosed building using nonflammable liquids such as perchlorethylene and with no odor, fumes or steam detectable tonormal senses from off the premises and similar activities.
8. Limit the height of all buildings to 35 feet maximum

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 Bldg. Dept. 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 22nd day of November, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ray Walden
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl "Bud" Markel
Clerk

VERIFIED BY
IN

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

88 DEC -6 AM 10:53

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Adopted Regular meeting November 22, 1988

Effective December 2, 1988

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____
Kimberly Loveday _____ who on oath says that she 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 Regular Meeting _____
_____ in the matter of _____
A.J. McGuinness _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
October 20, 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 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kimberly Loveday
Zoe Ann Johns
this 17th day of November
A.D. 19 88

Zoe Ann Johns
(SEAL) Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded thru Jry Feil Insurance, Inc.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22 DAY OF NOVEMBER 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 C1/Conditions To C1 WITH THE POSSIBILITY OF ADDED CONDITIONS, TO BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Pursuant to the application of A.J. McGuinness owners of the following described land, zoning classification of C1, 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. 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, 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 OF 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.

L26A Oct. 20, 1988



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State
DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

November 30, 1988 RECEIVED ST. JOHNS COUNTY FLORIDA

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085

'88 DEC -2 P3:19

Carl Bud Markel
CLERK COUNTY COMMISSION

Attention: Connie E. McDaniel, Deputy Clerk

Dear Mr. Markel:

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

1. Receipt of letter/s of _____ November 28, 1988
and certified copy/ies of _____ St. Johns
County Ordinance(s) Numbers 88-71, 88-72 & 88-73

2. Receipt of _____ County Ordinance(s)
relative to:

(a) _____
which we have numbered _____
(b) _____
which we have numbered _____

3. We have filed ~~this~~/these ordinances in this office
on _____ November 30, 1988. (11:09 am)

4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Sincerely,

Liz Cloud
Liz Cloud, Chief
Bureau of Administrative Code

LC/mb