

ORDINANCE NO. 88-75
INTRODUCED BY COMMISSIONER

O.R. 806 PG 0339

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

WHEREAS, (Property Owners' names):

Hiran H. Peck for owners Roy and Marjorie Peck

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 13th day of December, 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 (B), 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 (B) 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 Hiran H. Peck for owners Roy and Marjorie Peck,

zoning classification of OR, Open Rural

on the following described lands:

Legal Description:

See Exhibit "A-1"

MAP SHOWING SURVEY OF

A parcel of land in the East half of the Northwest quarter of Section 3, Township 8 South, Range 29 East, St. Johns County, Florida, more fully described as follows:

Beginning at the intersection of the South line of said East half of the Northwest quarter of Section 3 with the Northwest quarter of Section 3; thence North 89°57'25" West, on said South line of East half of the Northwest quarter of Section 3; right-of-way line of State Road No. 207; thence North 89°57'25" West, on said South line of East half of the Northwest quarter of Section 3; thence North 10°33' East, on the West line of said East half of the Northwest quarter of Section 3, a distance of 950.34 feet; thence North 52°49' East, on the West line of said East half of the Northwest quarter of Section 3, a distance of 950.34 feet; thence South 52°49' East, 1129.66 feet; thence South 37°11' West, on said Northwest right-of-way line of State Road No. 207, a distance of 162.99 feet to an angle point in said right-of-way line; thence South 52°49' East, on said right-of-way line, 10 feet; thence South 37°11' West, on said Northwest right-of-way line of State Road No. 207, a distance of 165.58 feet to the Point of Beginning; and containing 12.28 acres more or less. Excepting however that part of the above described property conveyed to State of Florida for the use and benefit of the State Road Department by Special Warranty Deed recorded in Deed Book 230, page 455, Public Records of St. Johns County, Florida.

I HEREBY CERTIFY that I have surveyed the lands as shown in the above caption and there are no above ground encroachments to the best of my knowledge except as shown and this sketch is an accurate representation thereof. This survey complies with Section 472.027 Florida Statutes and Chapter 21:HH-6FAC.

Paul L. Taylor

Paul L. Taylor, P.L.S.
Registered Land Surveyor #2674FL
133 South Dixie Highway
St. Augustine, FL 32086
1-904-824-1427

FIELD WORK: 5/29/88
SIGNED: 6/7/88
SCALE: 1" = 50'
JOB NO: 88-0453
TYPE SURVEY: Boundary

I HEREBY CERTIFY that the property as described on this survey lies in Flood Zone C according to the Flood Insurance Rate Map for St. Johns County, Fl. Community Panel No. 125147-0137D.

Reference Bearing: South 37°11' West on SR No. 207 (Deed).

FOR: Hiron H. Peck

is hereby changed to CI-(B)

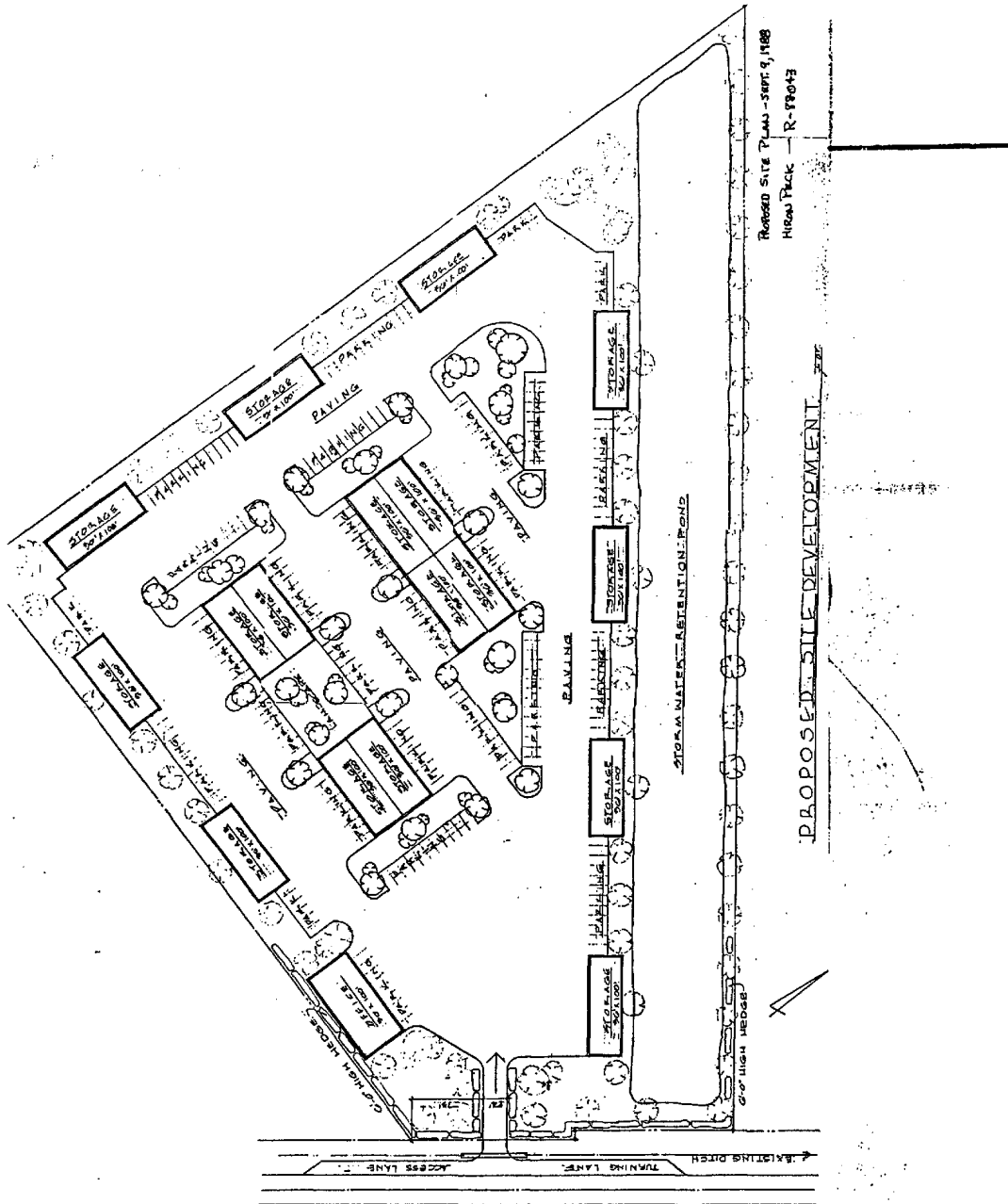
subject to the following conditions:

See Exhibit "A" and Exhibit "B"

A) Zoning change from OR, Open Rural to CI(B), Commercial Intensive, maximum height of 35 ft., with conditions as follows:

1. The site will be developed in general conformance with the site plan dated September 9, 1988 and attached hereto as Exhibit B, as may be adjusted to conform with all zoning conditions and other applicable State and County Land Development regulations.
2. Uses shall be limited to mini-warehouse storage facilities, for the storage of personal property only, when approved by Exception consistent with the provisions of Section 7-16-11 of the Zoning Ordinance.
3. All material storage shall be within an enclosed building. The storage of vehicles, RV's, Trucks or Boats may be permitted if accessory to the mini-warehouse use, when properly located, buffered and approved after site plan review by the Planning and Zoning Agency.
4. A 50ft. strip of land will be reserved along the property frontage for the future widening of SR #207. Said land or portion thereof shall be deeded to St. Johns County by warranty deed with opinion of title showing merchantable title, all at no cost to the county, for right-of-way purposes when requested by St. Johns County.
5. In addition to the 50 ft. reservation for future right-of-way set forth in Condition # 4, an additional 50 ft. building setback line shall be maintained along the SR#207 frontage. Said additional 50 ft. shall remain free of structures except for one sign set back a minimum of 15 feet from the future right-of-way line for SR#207.
6. Access/egress shall be limited to one point on SR#207. Said access/egress shall be designed and constructed by the Developer in accord with State DOT Standards including accell/decell or turn lanes as may be required.
7. Should an exception for the sole use (personal property mini-warehouse storage facility) not be obtained and commenced within 24 months from the date of rezoning, the property shall automatically revert to OR, Open Rural zoning classification.

EXHIBIT "B"



Revised Site Plan - Sept. 9, 1988
Hiram Park - R-18003

PROPOSED SITE DEVELOPMENT

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 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.

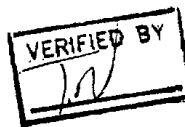
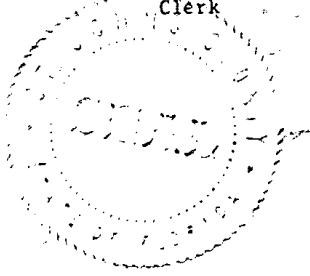
PASSED this 13th day of December, 1988

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ray Walden
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl Bud Markel
Clerk



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

88 DEC 22 AM 10:34

Carl Bud Markel
CLERK OF CIRCUIT COURT

Adopted regular meeting December 13, 1988

Effective December 21, 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 _____

LINDA MURRAY 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 _____
HIRON PECK

_____ in the _____ Court,
was published in said newspaper in the issues of _____
NOVEMBER 5, 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 _____
ZOE ANN JOHNS

this 7th day of NOVEMBER

A.D. 19 88

Zoe Ann Johns
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires _____
Bonded thru _____

NOTICE IS HEREBY
THAT THE BOARD OF
COUNTY COMMISSIONERS,
ST. JOHNS COUNTY,
AT ITS REGULAR MEETING
ON THE 5th DAY OF NOVEMBER
1988 AT 10:00 A.M.
IN THE COUNTY ADMINISTRATIVE
BUILDING, LEWIS
SPEEDWAY (COUNTY ROAD
M-4) 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 CI (B) 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 Hiron Peck for
Roy E. and Marjorie Peck owners
of the following described
land, zoning classification of
Open Rural on the following
described lands:

A parcel of land in the East
half of the Northwest quarter of
Section 3, Township 8 South,
Range 29 East, St. Johns County,
Florida, more fully described as
follows:

Beginning at the intersection
of the South line of said East half
of the Northwest quarter of
Section 3 with the Northwest
right-of-way line of State Road No.
207; thence North 89°57'25"
West, on said South line of East
half of the Northwest quarter of
Section 3 a distance of 735.10
feet to the Southwest corner of
said East half of the Northwest
quarter of Section 3; thence
North 1°33' East, on the West
line of said East half of the
Northwest quarter of Section 3, a
distance of 950.34 feet; thence
South 52°49' East, 1129.66 feet;
thence South 37°11' West, on said
Northwest right-of-way line of
State Road 207, a distance of
162.99 feet to an angle point in
said right-of-way line; thence
South 52°49' East, on said right-
of-way line, 10 feet; thence South
37°11' West, on said Northwest
right-of-way line of State Road
No. 207, a distance of 145.58 feet
to the Point of Beginning, and
containing 12.28 acres more or
less.

Excepting however that part
of the above described property
conveyed to State of Florida for
the use and benefit of the State
Road Department by Special
Warrant Deed recorded in
Deed Book 230, page 455, Public
Records of St. Johns County,
Florida.

Is hereby changed to CI (B),
Commercial with the possibility
of added conditions.

SECTION 2. Nothing herein
contained shall be deemed to im-
pose 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 acknowl-
edgment of the office of the Sec-
retary 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 re-
spect to any matter considered
at the meeting or hearing, he
will need a record of the pro-
ceedings, and for such purpose
he may need to ensure that a
verbatim record of the proceed-
ings is made, which record in-
cludes the testimony and evi-
dence upon which the appeal is
to be based.

L754 Nov. 5, 1988