

ORDINANCE NO. 89- 54

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF CG/ RS-3 to CI

WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Joseph and Jeanette Jacalone

filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on 14th day of Nov. , 1989 at 1:45 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 public health, safety and general welfare, and without promise, prerequisite, or inducement to the enactment of this Ordinance, applicant(s) 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 limitation are for the benefit of the general public and not just the applicant(s), and they are reasonable and nondiscriminating;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION I. Pursuant to the application of Joseph and Jeanette Jacalone

zoning classification of CG/ RS-3 on the following described lands:

Lots One (1), Two (2) and Three (3) of Block "A", Unit No. One (1) Araquay Park, according to plat thereof recorded in Plat Book 3, page 66, public records of St. Johns County, Fla., except so much thereof as lies within the right of way of U.S.Road No. 1, also known as State Road No. 5.

IS HEREBY CHANGED TO: CI, Commercial Intensive

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Permitted Uses shall be restricted to automobile Sales only and Auto repair associated with auto sales facility. Further there shall be no gasoline sales on the property. A mobile home for occupancy by owners or employees of the principal use shall be permitted if approved by exception in accordance with Article 11 of the Zoning Ordinance. The existing mobile home on the property shall be removed within 90 days of the effective date of rezoning unless an Application for Exception is submitted and approved as stated, in accordance with the provisions of Section 5-9-3 (f) and Article 11 of the Zoning Ordinance and subject to compliance with any conditions as may be set-forth by the Planning and Zoning Agency in granting of said exception.
2. Hours of operation shall be 7:00AM to 6:00 PM Monday through Friday; 7:00 AM to 4:00 PM Saturday, with no business on Sunday.
3. A six foot solid opaque fence shall be installed on the Eastern boundary which is adjacent to residential in addition to requirements for buffering per section 7-9 zoning code.
4. There shall be a maximum of two access/egress points to the site,, one on U.S.#1 and one on Indian Bend, subject to compliance with D.O.T. and County Regulations, Ordinance 86-4 in terms of location, design and construction.
5. Associated Auto Repair will be conducted within enclosed building only. No extended storage of wrecked/disabled vehicles or parts thereof will be permitted on the property. The temporary parking of wrecked/disabled motor vehicles will be restricted to that normal and reasonable time period required to effect repair.
6. No structure will exceed 35 ft. height.
7. Any security lighting will be installed and directed as not to pose a nuisance to residential properties to the rear.
8. There shall be only one sign and such sign shall be no larger than 8 ft. x 10 ft. and shall be limited to maximum height of 15 ft. The sign shall not be lighted. All Balloons, Banners and portable signs shall be prohibited.

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

SECTION 2. Nothin 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 St. Johns County Building Department is authorized to issue construction permits allowed by classification as rezoned and conditions hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Department 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 name(s) of the property owner(s) described in Section 1 hereof.

PASSED THIS 14 day of November 1989.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: CARL "BUD" MARTEL, CLERK

BY: [Signature]
Deputy Clerk

08 NOV 20 PM 3:21
CLERK OF COUNTY COMMISSIONERS

Adopted regular meeting November 14, 1989
Effective: November 27, 1989

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 14th DAY OF NOVEMBER 1989 AT 1:45 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 CG/RS-3 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 JOSEPH AND JEANNETTE JACALONE owners of the following described land, zoning classification of CG/RS-3 on the following described lands:

Lots One (1) Two (2) and Three (3) of Block "A," Unit No. One (1) Araguay Park, according to plat thereof recorded in Plat Book 3, page 66, public records of St. Johns County, Fla., except so much thereof as lies within the right of way of U.S. Road No. 1, also known as State Road No. 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, 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.

L0649 Oct. 11, 1989

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 _____

Ann Jackson _____ 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 Public Hearing _____

_____ in the matter of _____

RE: Jacalone _____

_____ in the _____ Court,

was published in said newspaper in the issues of _____

October 11, 1989 _____

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 Ann Jackson

this 13th day of October

A.D. 19 89

(SEAL)

Notary Public