

ORDINANCE NO. 90-13

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

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

WHEREAS, (Property Owners' names): Thomas E. Bennet, Sr. and Thomas E. Bennett, Jr.

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 March, 1990, 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 Thomas E. Bennett, Sr. and Thomas E. Bennett, Jr.

zoning classification of RS-3, single family on the following described lands:

Lots 3, 4 and 4A and part of lot 5, East 1/2 of Huertas Grant Subdivision, St. Johns County, Fla. more fully described as follows:

COMMENCING at the Southwest corner of Lot 1, Block 20, E 1/2 HUERTAS GRANT SUBDIVISION thence North 150 feet more or less; thence West 150 feet more or less; thence South 100 feet more or less; thence West 30 feet more or less; thence South 50 feet more or less; thence East 180 feet more or less to the POINT OF BEGINNING. BEING the same property in Deed Book 158 page 566, Deed Book 211 page 22 and in Official Records Book 45 page 693, all of the public records of St. Johns County, Florida.

IS HEREBY CHANGED TO: CI, Commercial Intensive

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Permitted Uses and Structures shall be limited to the following:
 - a. Retail outlets for the sale of general merchandise including new or used automobiles, trucks and tractors, mobile homes, boats, automotive vehicle parts, heavy machinery and equipment, plant nursery, lumber and building supplies and similar products.
 - b. Service establishments including repair and service garage, rental of automotive vehicles, trailers and trucks, carpenter or cabinet shop, home equipment rental, ice delivery, job printing or newspaper.
 - c. All types of professional and business offices.
2. Permitted Accessory Uses and Structures, any uses by exception when approved by the Planning and Zoning Agency in accordance with section 5-9-3 of the County Zoning Ordinance.
3. Maximum Height of Structure will be 35 feet.
4. Only one sign on South Dixie Highway, and the building will sit back 15' off Columbus Street.

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 13th day of March, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Christie A. Maguire*
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: *Carl-Bud Markel*
Clerk

Adopted Regular meeting of March 13, 1990, Board of County Commissioners

Effective: March 23, 1990

RECORDED
INDEXED
ST. JOHNS COUNTY, FLA.

MAR 23 1990

Carl-Bud Markel
CLERK OF COUNTY COURT

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 15TH DAY OF MARCH 1990 AT 1:45 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 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 Thomas E. Bennett Sr./Thomas E. Bennett Jr. owners of the following described land, zoning classification of RS-3 on the following described lands:

Lots 3, 4, and 4A, and part of lot 5, East 1/2 of Huertas Grant Subdivision, St. Johns County, Fla., more fully described as follows:

COMMENCING at the Southwest corner of Lot 1, Block 20, E/V HUERTAS GRANT SUBDIVISION thence North 150 feet more or less; thence West 150 feet more or less; thence South 100 feet more or less; thence West 30 feet more or less; thence South 50 feet more or less; thence East 180 feet more or less to the POINT OF BEGINNING, BEING the same property in Deed Book 158 page 564, Deed Book 211 page 22 and in Official Records Book 45 page 674, all of the public records of St. Johns County, Florida, is hereby changed to C1 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 reasoned 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 hearings, 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. L354 Feb. 8, 1990

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: THOMAS E BENNETT SR

in the _____ Court,

was published in said newspaper in the issues of FEBRUARY 8, 1990

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 _____

this 8th day of FEBRUARY

A.D. 19 90

(SEAL) [Signature] Notary Public

8/22/93

\$36.71