

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF CG, COMMERCIAL GENERAL, TO CI, COMMERCIAL INTENSIVE, WITH CERTAIN CONDITIONS; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Y. Tim and Jolande M. Chiu, owners of land hereinafter described, filed application for change of zoning on lands hereinafter described, and after required notice was published, a public hearing was held on the 7th day of January 1993, at _____ o'clock p.m. on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, upon consideration of the application, R-93-001, supporting documents, statements from the applicant, comments from staff at the public hearing, and correspondence from neighboring landowners, finds as follows:

- a. R-93-001 has been fully considered after public hearing pursuant to legal notice duly published as required by law and the St. Johns County Zoning Ordinance;
- b. The proposed rezoning from CG to CI does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and the Comprehensive Plan;
- c. The proposed CI classification will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the natural environment, development of adjacent properties, or the general neighborhood;
- d. The proposed CI classification will accomplish the objectives, standards and criteria of the Zoning Ordinance;
- e. The rezoning is consistent with the development of the property in the area and is compatible with the desired future development of the area;
- f. The proposed intensity of development is consistent with the uses allowable by the Comprehensive Plan with regard to commercial development within the coastal area, Comprehensive Plan Policy A.01.03.09;

Recorded in Public Records St. Johns County, FL
Clerk # 93012333 O.R. 989 PG 784 11:10AM 04-29-93
Recording 21.00 Surcharge 3.00

Jarlet - Yvonne Carter
BCC
lec - 21⁰⁰
sur - 3⁰⁰
Bill Co.

Ordinance Book 12 Page 274

RECORDED BY
SK

g. On January 7, 1993, the St. Johns County Planning and Zoning Agency held a public hearing on this matter, and has recommended approval by 6-1 vote as reflected in its report and recommendation of January 14, 1993;

h. 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

i. Such restrictions or limitations are for the benefit of the general public and not just the applicant(s), and 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 Y. Tim and Jolande Chiu, zoning classification of CG, Commercial General, on the lands described on Exhibit "A" to R-93-001, attached hereto and made a part hereof, IS HEREBY CHANGED TO CI, COMMERCIAL INTENSIVE, subject to the following conditions:

A. Use of the property shall be limited to U-haul rental business;

B. Development and use shall be in accordance with Exhibit "B" to R-93-001, attached hereto and made a part hereof;

WHICH CONDITIONS shall remain in full force and effect at all times until amended or changed by further ordinance.

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. This project shall comply with the standards, policies and requirements in effect at the time of final approval and permitting of this project for development, including any successor or new policies, financing mechanism, plans or ordinances

adopted by St. Johns County after the date of approval of this ordinance, including, without limitation, any concurrency management programs adopted pursuant to Florida Statute 163.3202 (2)(g), as amended and Objective J.01.05 of the St. Johns County Comprehensive Plan dated September 14, 1990, including any amendments or successor policies of land development regulations adopted to implement Florida Statutes 163-3202 (2)(g).

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) listed in Section 1 hereof.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 13th DAY OF April, 1993.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lucina Babbage
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl Bud Markel
Clerk



EFFECTIVE DATE OF ORDINANCE: April 23, 1993

O.R. 989 PG 0787

DESCRIPTION:

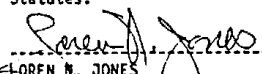
A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 0.5102 ACRE MORE OR LESS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SOUTHEAST QUARTER, 0.05 FEET TO THE SOUTH LINE OF SAN JUAN DRIVE (FISH ISLAND ROAD) A 66 FOOT WIDTH ROAD CONVEYED TO SAID COUNTY BY DEED RECORDED IN DEED BOOK 151, PAGE 359, PUBLIC RECORDS OF SAID COUNTY; THENCE CONTINUING SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON SAID EAST LINE OF NORTHWEST QUARTER OF SOUTHEAST QUARTER, A DISTANCE OF 166.10 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 92.23 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 30 SECONDS WEST 236.87 FEET; THENCE NORTH 11 DEGREES 59 MINUTES 30 SECONDS WEST, ON THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. S-3 (NOW STATE ROAD NO. A-1-A), A 100 FOOT WIDTH RIGHT OF WAY, 90.00 FEET; THENCE NORTH 78 DEGREES 00 MINUTES 30 SECONDS EAST 257.00 FEET TO THE POINT OF BEGINNING.

TO Y. TIM CHIU AND TO ATTORNEY'S TITLE
INSURANCE FUND, INC.

Loren N. Jones, P.E./L.S.
906 Anastasia Blvd.
St. Augustine, FL 32084

I HEREBY CERTIFY: That this Survey meets
the minimum technical standards set forth
by the Florida Board of Land Surveyors,
pursuant to Section 472.027, Florida
Statutes.


LOREN N. JONES
P.E. NO. 4213, L.S. NO. 894

LAST FIELD DATE 2/13/90

EXHIBIT "A" to R-93-001

- * AT&T Phones, FAX & UPS
- * Aluminum Awnings, Doors & Windows
- * ECU/ESP Heat Recovery Units
- * Western Union & Postal Stamps

AIA Servista Hardware

1730 Hwy. A1A South
 St. Augustine, FL 32084
 TEL (904) 471-9685
 FAX (904) 471-8093

- * Appliance & Plumbing Repairs
- * Pool Chemicals & Rubber Stamps
- * Rescreening, Photocopy & Key-made
- * Solar Energy & Water Engineering

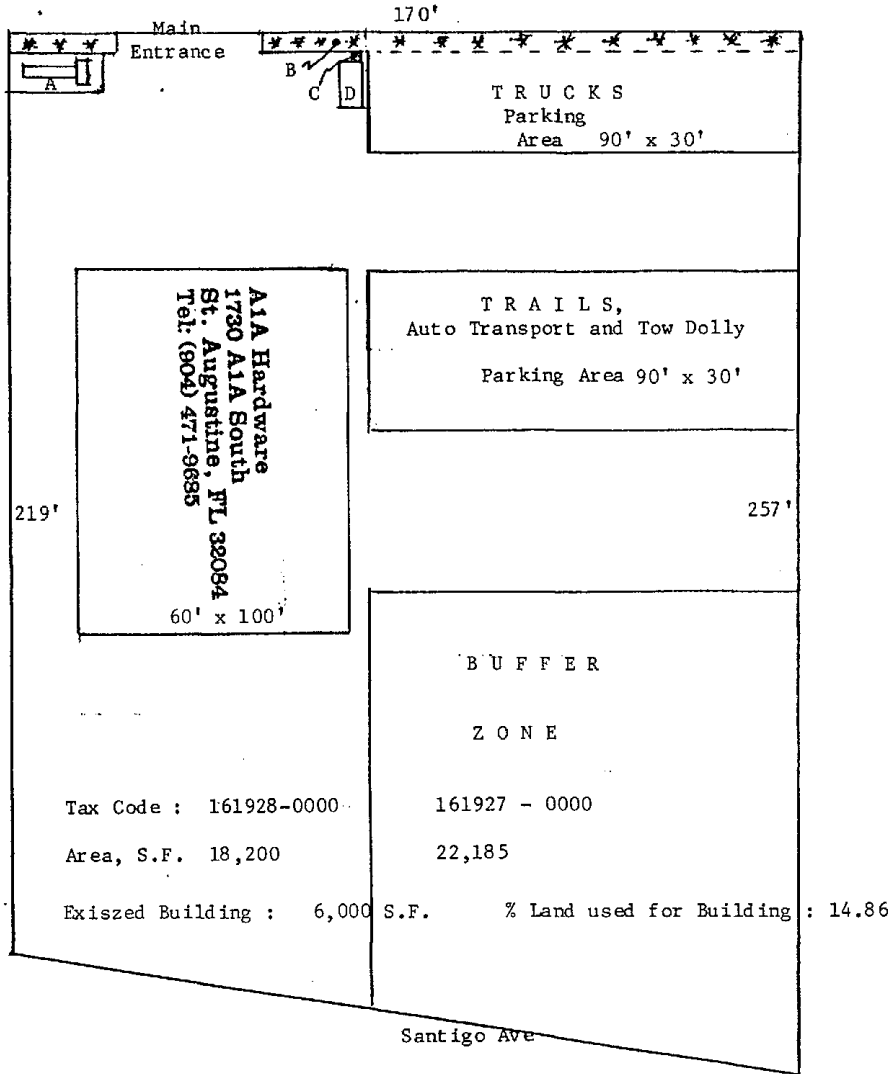
General Layout Plan

O.R. 989 PG 0788

11/92

Hwy A1A

North



- A : LPG Station
- B : Flag Pole
- C : U. S. Mail Box
- D : Sign Area
- * : Buffer Zone & Plant

EXHIBIT "B" to R-93-001

YTC

Ordinance Book 12 Page 278

The St. Augustine Record

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

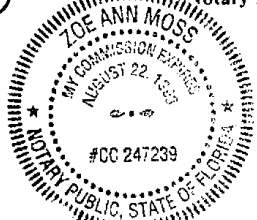
STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared SHERRY R. FREE 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 MEETING in the matter of MEETING ON APRIL 13, 1993 in the Court, was published in said newspaper in the issues of March 10, 1993

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 10th day of March 1993 A.D. 1993

Zoe Ann Moss Notary Public



COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 13 DAY OF APRIL 1993 AT 3:00 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 CG 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 Y. Tim and Jolande Chiu owners of the following described land, zoning classification of CG, Commercial General on the following described lands:

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 0.5102 ACRE MORE OR LESS AND BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SOUTHEAST QUARTER, 0.05 FEET TO THE SOUTH LINE OF SAN JUAN DRIVE (FISH ISLAND ROAD) A 66 FOOT WIDTH ROAD CONVEYED TO SAID COUNTY BY DEED RECORDED IN DEED BOOK 151, PAGE 359, PUBLIC RECORDS OF SAID COUNTY; THENCE CONTINUING SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON SAID EAST LINE OF NORTHWEST QUARTER OF SOUTHEAST QUARTER, A DISTANCE OF 166.10 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST, ON SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 92.23 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 30 SECONDS WEST 236.87 FEET; THENCE NORTH 11 DEGREES 59 MINUTES 30 SECONDS WEST, ON THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. 5-3 (NOW STATE ROAD-NO. A-1-A), A 100 FOOT WIDTH RIGHT OF WAY, 90.00 FEET; THENCE NORTH 78 DEGREES 00 MINUTES 30 SECONDS EAST 257.00 FEET TO THE POINT OF BEGINNING.

IS HEREBY CHANGED TO: C1, Commercial Intensive, with certain condition.

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 office acknowledgment of the office of the Secretary of State, the Clerk of the Board of County Commissioners, and the Clerk of the Board of County Commissioners, that same be 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.

Notice to all hearing impaired persons: Anyone planning to attend this meeting and needs the services of an interpreter, please contact David Holstead, ADA Coordinator at (904) 823-2505 at least 5 days prior to date of this meeting.

L048 March 10, 1993



FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF ELECTIONS
Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

April 21, 1993

Honorable Carl "Bud" Markel
Clerk of the Circuit Court
St. Johns County Courthouse
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Yvonne Carter, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of April 16, 1993 and certified copies of St. Johns County Ordinance Numbers 93-19, 93-20 and 93-21, which were received and filed in this office on April 21, 1993.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb