

ORDINANCE NUMBER: 94-9

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM PRESENT ZONING
CLASSIFICATION OF CI, WITH CONDITIONS TO
PLANNED SPECIAL DEVELOPMENT (PSD)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONS OF ST. JOHNS COUNTY,
FLORIDA:

SECTION 1. That as requested by Y. Tim & Jolande N. Chiu in its application with supporting documents for zoning change, dated 8-25-93, and as amended dated on 9-27-93, January 26, 1994 and February 3, 1994, (hereinafter, the PSD, Planned Special Development application), the zoning classification of the lands described on the attached Exhibit "A" is hereby changed from CI with conditions to Planned Special Development.

SECTION 2. That the need and justification for approval of the PSD had been considered in accordance with Sections 11-10-4 and 8A of the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan, whereby:

- (a) The rezoning is consistent with development of property in the area and is compatible with the desired future development of the area, and;
- (b) The proposed intensity (or density) of development is consistent with the uses allowable by the Comprehensive Plan.
- (c) At the Public Hearing of Feb 3, 1994, St. Johns County Planning and Zoning Agency recommended approval by unanimous vote.

SECTION 3. That development of the lands within this PSD shall proceed in accordance with the Application and supporting documents which are a part of zoning file R-PSD-93-018 and which are incorporated by reference into and made a part of this ordinance. In the case of conflict between the Application or supporting documents and the below described provisions of this Ordinance, the below described provisions shall prevail.

SECTION 4. The applicant shall provide 6 parking spaces.

SECTION 5. The maximum number of rental trucks to be parked on site shall not exceed four.

SECTION 6. That all roads and parking areas within the project either public or private shall be constructed to approved County Standards.

In + Ret - Y. Carter
M + R -

Ordinance Book 13 Page 273

P. U. D. OFF. REC.
BOOK F PAGE 376

SECTION 7. That all easements required for drainage purpose shall be granted to the County at no cost, upon County's request.

SECTION 8. Minor modification may be made to the site plan to accomodate compliance with drinage and permitting requirements of jurisdditional Agencies subject to approval by the St. Johns County Public Works Department.

SECTION 9. All the building code, zoning Ordinance and other land use and development regulations of St. Johns County, as may be amended from time to time shall be applicable to this development, except those permitting variances and special exceptions and except to the extent that they conflict with specific provisions of the approved development plan or PSD Ordinance. Modification to approved development plans by variance or special exception shall be prohibited.

SECTION 10. 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, and any successor or new policies, financing mechanism, plans and ordinances adopted by St. Johns County after the date of the Flanned Unit Development Ordinance approval, including without limitation, any concurrency management programs adopted pursuant to Florida Statutes 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 developmenmt regulations adopted to implement Florida Statutes 163.3202 (2) (g)/

SECTION 11. The Zoning Official is authorized to issue zoning clearances allowed by zoning classification as rezoned hereby.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLA.

BY: Allen Roberts
CHAIRMAN-Allen Roberts

ATTEST: CARL "BUD" MARKEL, CLARK

BY: Orna Pasetti
DEPUTY CLERK

(Seal)

Adopted: March 22, 1994

Effective Date: APRIL 8, 1994

EXHIBIT "A" TO REZONING

P. U. D. OFF. REC.
BOOK F PAGE 377

Parcel One:

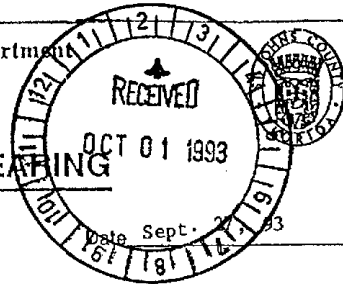
A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 0.5102 ACRE MORE OR LESS AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

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.

Parcel Two:

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, more fully described as follows: COMMENCING at the Northeast corner of said Northwest Quarter of the Southeast Quarter of Section 28; thence South 00 degrees 37 minutes West, on the East line of said Northwest Quarter of the Southeast Quarter of Section 28, a distance of 258.38 feet to the Point of Beginning at the Northeast corner of the herein described parcel of land; thence continuing South 00 degrees 37 minutes West, on said East line of the Northwest Quarter of the Southeast Quarter of Section 28, a distance of 81.98 feet; thence South 78 degrees 00 minutes 30 seconds West 218.98 feet; thence North 11 degrees 59 minutes 30 seconds West, on the East right of way line of State Road No. S-3 and A1A, a 100 foot width right of way, 80.0 feet; thence North 78 degrees 00 minutes 30 seconds East 236.87 feet to the Point of Beginning.

St. Johns County Planning & Zoning Department
4020 Lewis Speedway
St. Augustine, Florida 32095
(904) 823-2470



5E/28S

APPLICATION FOR ZONING HEARING

File No. R-PSD-93-018 Receipt No. 93-012846

1. Applicant Name: Y. Tim & Jolande N. CHIU Telephone: 904/471-9685
Street Address: 825 Anastasia Blvd., City: St. Augustine
2. Owner of Property: Y. Tim & Jolande N. Chiu Telephone: (904)471-9685
Street Address: 825 Anastasia Blvd., City: St. Augustine
3. Legal Description of Property: 1720 -1730 A1A South, St. Augustine, FL 32084
St. Johns County Parcels 14-7 & 14-8 Size of Property: 170' Hwy A1A E.F.
4. Address of Property: 1720- 1730 A1A South, St. Augustine, FL 32084
5. Engineering Department Comments*:

P. U. D. OFF. REC.

6. Jurisdictional Wetlands Map: _____ Required _____ Not Required **BOOK E PAGE 318**
7. Concurrency Determination**: X Required (File No: 93-CD-37) _____ Not Required
8. Current Zoning Classification: C-1 With Condition for truck rental
9. Present Use of Property: General Hardware Store & Trucks Rental.
10. Comprehensive Plan Designation: _____
11. Requested Change: psd, planned special development to add Mini-warehouse to existing uses.
12. Reason Change Is Requested: Mini Warehouse use to be added to existing
13. Statement of facts supporting requested change: 1. Taking good care of the empty lot.
2. Paying additional tax, 3. Hiring additional personnel.

14. Attach the following to this application:
 - a. List of adjacent property owners within 300 feet showing name, address and brief form legal description from current tax rolls: As attached
 - b. Proof of ownership (deed or certificate by lawyer or abstract company or title insurance company that verifies record owner as above): As attached deed.
 - c. If applicant is not the owner, a letter of authorization from the owner for applicant to represent the owner for all purposes related to this application.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of all owners or authorized person if proper letter of authorization is attached:
Y. T. Chiu

Printed or typed name(s): _____
Signature(s): [Signature]

ADDRESS AND TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION: Name: Dr. Y. Tim Chiu Telephone: (904) 471-9685

Mailing Address: 1730 A1A South, St. Augustine, FL 32084

* Engineering Department review is necessary before application is complete.
** If concurrency is required, request application form prior to filing this application; concurrency application must be deemed "complete" before this application is processed

Application For Planned Special Development

Submittal Date: August 25, 1993 (Revised on January 26, 1994)

Submitted By: Dr. and Mrs. Tim and Jolande Chiu
825 Anastasia Boulevard
St. Augustine, Florida 32084
Telephone: 904-471-9685
FAX: 904-471-8093

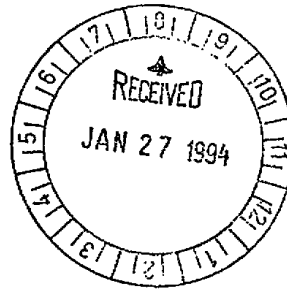
TABLE OF CONTENTS

P. U. D. OFF. REC.
BOOK F PAGE 379

Section I	- Introduction and Application
Section II	- Physical Site Characteristics
Section III	- Intended Plan of Development
Section IV	- Benefits to the Residents of St. Johns County
Section V	- Intended Schedule of Development
Section VI	- Ownership and Maintenance
Section VII	- Summary and Conclusion
Section VIII	- Agreement to Comply

LIST OF EXHIBITS

Exhibit A	- Application Form
Exhibit B	- Legal Description
Exhibit C	- Location Map
Exhibit D	- Proof of Ownership (Deed)



Section I
Introduction and Application

P. U. D. OFF. REC.
BOOK F PAGE 380

Enclosed herein, please find an application for rezoning to Planned Special Development (PSD) with accompanying documents, as required by the St. Johns County Zoning Ordinance. The application form is attached as Exhibit A. This petition is filed by the applicants:

Dr. & Mrs. Tim & Jolande Chiu
825 Anastasia Boulevard
St. Augustine, Florida 32084
Tel: 904-471-9685
Fax: 904-471-8093

The real property sought to be rezoned consists of .95 acre (41,905 square feet), described by the Legal Description, attached as Exhibit B. The property is situated in St. Johns County at 1720 - 1730 A1A South, St. Augustine, Florida. The property accesses to A1A at the front and abuts Santiago Street in the rear. The location of the property is shown on the location map, attached as Exhibit C. The name of the proposed PSD is A1A Hardware. The property is owned by the applicant as shown in the Proof of Ownership, Exhibit E.

The applicant hereby stipulates and agrees to proceed with proposed development in accordance with the PSD Ordinance, as adopted by the St. Johns County Board of County Commissioners. The applicant agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns Board of County Commissioners regarding the said PSD, as outlined in the Agreement to Comply, Section VII of this PSD and as listed below:

All building code, zoning ordinance, and other land use and development regulations of St. Johns County, as may be amended from time to time, shall be applicable to this development except those permitting variances and special exceptions and except to the extent that they conflict with the specific provisions of the application and final PSD Ordinance. Modifications to the approved PSD Ordinance by variance or special exception shall be prohibited.

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, and ordinances adopted by St. Johns County after the date of the PSD Ordinance approval, including without limitation, any Concurrency Management programs adopted pursuant to Florida Statutes 163.3202 (2) (g), as amended, and Objective J.1.5 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 Statute 163.3202 (2) (g).

Section II
Physical Site Characteristics

P. U. D. OFF. REC.
BOOK E PAGE 381

The property is located at 1720 - 1730 A1A South, parcels 14-7 and 14-8, Section 28, Township 7 South, Range 30 East, St. Johns County, Florida.

The property consists of 41,905 square feet and is currently occupied by an existing Hardware Store, owners apartment, and truck rental operation. The property is located within a FB-2 Commercial area, as designated by the Comprehensive Plan. The surrounding zoning includes RS-2, RS-3, and PSD.

The site is relatively flat. The property to the rear (east) is fenced with some small trees and shrubs. A new wooded fence has been installed recently by Southern Horticulture Company, a new neighbor/owner at the north side of the property.

Section III
Intended Plan of Development

The property is currently zoned CI with conditions. This request is to rezone to PSD to allow for a general hardware store, three manager apartments, tool and truck rentals, and a mini-warehouse facility.

Development will be accomplished in a single phase. Total construction is estimated as 24 months. Development will be constructed in an orderly manner with the following standards and restrictions:

1. Allowable uses for the PSD include:

- a. the existing Hardware Store
- b. the existing truck rental operation
- c. the construction of two offices for tool and truck rental with two upstairs dwelling units
- d. the construction of a mini-warehousing facility

P. U. D. OFF. REC.
BOOK E PAGE 382

The existing Hardware Store building contains 6,000 square feet which occupies 14.88 percent of the land area. The truck rental operation currently occurs from the hardware store.

2. There will be a maximum of two (2) offices for tool and truck rental. The size of each office is 30 feet x 33 feet or 990 square feet. The total land used for the two office buildings is 1,800 square feet or 4.44 percent of the land area. A concrete walkway will be provided between the hardware store and the offices. Two (2) managers apartments will be installed on top of each office. A small storage/utility room will be installed on top of the passageway. The total building height will not exceed 35 feet.

3. There will be three (3) sections of mini-warehouses with a construction area of 1,200 square feet, 1,800 square feet, and 1,200 square feet, respectively. The total land used for the mini-warehouse facility is 9.53 percent. The height of of the mini-warehouse facility will not exceed 35 feet. The mini-warehouse facility will be limited to personal property usages. No commercial storage or use will be allowed. Materials and construction will comply with all St. Johns County fire and building code requirements. An eight (8) foot privacy/security fence will be provided at the back of the mini-warehouse. There will be no access onto Santiago Street.

4. Building walls will be located at least 72 feet from the property line on A1A and five (5) feet at the north side of the property line. The south side has an existing 16 feet setback. A ten (10) feet setback, consisting of a vegetative buffer will be located at the rear (east) property line. The rear (east) property line is fenced/buffered with small trees and shrubs which will be installed on the property line.

5. Traffic: The proposed project directly accesses Segment 140, SR A1A from SR 312 to the St. Augustine City Limits. Segment 140 is classified as a State maintained, urban, minor arterial with

an adopted LOS of D. The existing LOS is A. The proposed project generates 19 daily trips and two (2) peak trips. The 1993 LOS with the project's trips is A. There is sufficient capacity.

6. Potable Water and Sanitary Sewer: Potable water and sanitary sewer is supplied by St. Johns County Utilities. There is sufficient capacity subject to payment of connection fees and execution of an utility agreement, if required.

7. Drainage: The applicant will comply with all applicable local, regional, state, and federal drainage rules and regulations prior to construction. A swale and collection pond system will be used as positive legal outfall subject to the Public Works Department review. A "one inch rainwater to covering all Expansion lot" concept will be used as a guideline in designing the swale and pond system.

8. Solid Waste: The proposed project will generate 74 pounds per day of solid waste, consisting of paper products, plastics, and cardboard. There is sufficient landfill capacity.

9. Recycling and Environmental Concepts: The applicant shall respect both the recycling and the environmental affairs for the economic benefits. A central solar hot water system may be installed to supply all the hot water for the offices and apartments for energy conservation.

10. Development Schedule: The applicant shall start to apply for the building permits as soon as the PSD approval is granted. Total construction time is estimated as 24 months.

11. Building Coverage: The total ground area occupied by all buildings and structures will not exceed 35 percent.

12. Impervious Surface Ratio: The total ground area occupied by all buildings and impervious surface area will not exceed 70 percent, as provided by the Comprehensive Plan.

13. No Tool Sale: There will be no tool sales from the rental office.

14. Access: The project is accessed by A1A. There is an existing access onto Santiago Street which serves as the applicant's residence driveway. There will be no commercial or mini-warehouse access onto Santiago Street. The rear of the property will be fenced/buffered by small trees and shrubs.

P. U. D. OFF. REG.
BOOK E PAGE 384

15. Signage: The existing lighted sign will be utilized with no change in the existing location, size or setbacks. The existing sign measures 8 feet in width x 15 feet, encompassing three (3) sections. The existing sign is 25 feet in height.

16. Parking: ~~Four~~ ^{Six} (6) additional parking places will be provided for the truck and tool rental offices. All parking area and, driveways and circulation system between the mini-warehouses will be paved.

17. Building Height: The maximum building and structure height will not exceed 35 feet.

18. Landscaping: The project shall comply with the St. Johns County Landscaping Ordinance and Tree Removal and Land Clearing requirements. Small trees and shrubs shall be planted in the front of the property adjacent to A1A and in the rear. There is an existing cedar tree at the rear of the property. The applicant requests to remove this tree and provide a suitable replacement.

Section IV Benefits to the County

The applicant estimates hiring approximately eight (8) to ten (10) persons to assist in the operation of the expansion. There will be more tax revenue income to the County, as a result of the expansion. The applicant also anticipates the creation of additional green spaces by planting trees and shrubs which contributes to the overall environmental health and improved living conditions of the County.

Section V Schedule of Development

The applicant will apply for building permits as soon as the PSD is approved. Total construction is estimated at 24 months.

Section VI
Ownership and Maintenance

P. U. D. OFF. REC.
BOOK F PAGE 385

The property will be owned and maintained by the applicant. The applicant will be responsible for all improvements made to the site and shall maintain the property in a clean and orderly manner in accordance with the provisions of this PSD and conditions within the adopting ordinance.

Section VII
Summary and Conclusion

The property is located in a FB-2 commercial future land use area as designated by the Comprehensive Plan. The surrounding zoning includes CG, RS-2 and PSD.

The hardware store has been on the location since 1987 and the truck rental operation has been in place since 1992. The applicants have been providing service to the public in a very harmonic manner. The neighbors are very happy with all the services which the applicant provide.

The applicant believes that the proposed PSD will be a benefit to the future occupants of the project and to the residents of St. Johns County. The applicant has owned and operated the hardware store in its present location for almost seven (7) years. They have proven to be conscientious business owners who operate a quite business seven (7) days per week and maintain a clean and tidy site. They plan to continue in this tradition with their new buildings and site.

Section VIII
Agreement to Comply

I, the undersigned do hereby agree to proceed with the PSD in accordance with all written information, drawings, and exhibits attached hereto and with such conditions and safeguards, as may be set forth by the Board of County Commissioners of St. Johns County, Florida, in such Ordinance. In addition, I agree to bind

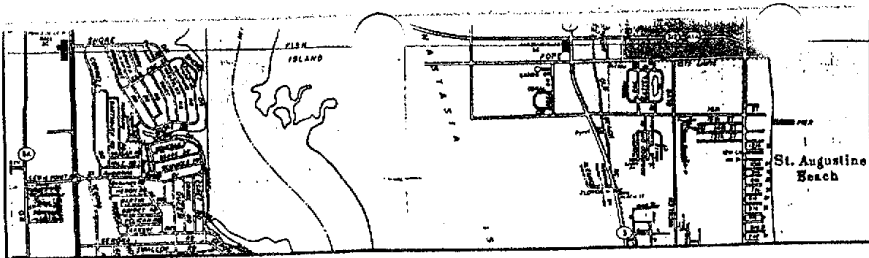
all my successors in title to any of the commitments made in this Application or Ordinance adopting this PSD.

Y. Tim Chiu, Ph.D. Ch.E.

Jan 27, 1994
Date

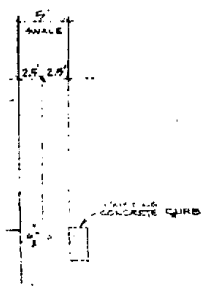
P. U. D. OFF. REC.
BOOK F PAGE 386

revised by pza staff 1/11/94



LOCATION MAP
SCALE: 1" = 2,500'

P. U. D. OFF. REC.
BOOK E PAGE 387



NOTES:

1. BUILDINGS AND RETAINING WALL TO BE DESIGNED BY OTHERS.
2. PROPOSED PAVEMENT SHALL BE:
ALTERNATE A: 6" CONCRETE (3,000 PSI)
8" STABILIZATION, LBR 90, MODIFIED PROCTOR 95%
ALTERNATE B: 1 1/4" ASPHALTIC CONCRETE (TYPE S-I OR II)
6" LIMEROCK, MODIFIED PROCTOR 98%
8" STABILIZATION, LBR 90, MODIFIED PROCTOR 95%
3. ALL PEROUS AREAS AND RETENTION AREAS AND SWALES TO BE SODDED.
4. TWO HANDICAP PARKING SPACES EXIST AS SHOWN ON THIS PLAN.
5. LANDSCAPING SHALL BE IN ACCORDANCE WITH COUNTY REQUIREMENTS.
6. PROJECT AREA BREAKDOWN IS AS FOLLOWS:

EXISTING BUILDINGS	=	6,664	SQ. FT.
EXISTING PAVEMENT, WALKS, WALLS, ETC.	=	8,232	SQ. FT.
PROPOSED BUILDINGS	=	6,180	SQ. FT.
PROPOSED PAVEMENT & WALLS	=	10,126	SQ. FT.
OVERALL GREEN AREA	=	12,227	SQ. FT.
TOTAL OVERALL SITE	=	40,543	SQ. FT.
7. OVERALL IMPERVIOUS AREA = 69.8%
8. PROPOSED STORMWATER STORAGE = 2310 CU. FT.

NOTES

ON VARIES

COUNTY'S COMMENTS

GRADING & DRAINAGE PLAN

FOR: A-1-A HARDWARE STORE EXPANSION

1730 STATE ROAD A-1-A SOUTH
SECTION 28, TOWNSHIP 7 SOUTH, RANGE 8 EAST
ST. JOHNS COUNTY, FLORIDA

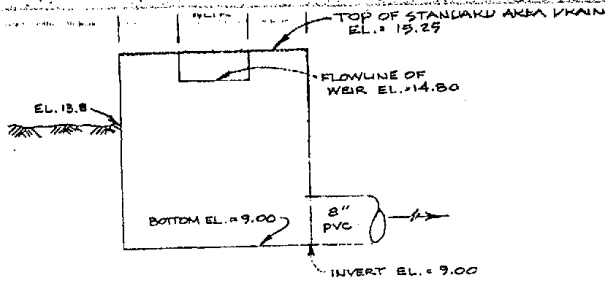


JONES & PELLICER, INC.
906 ANASTASIA BLVD., SUITE A
ST. AUGUSTINE, FL 32084

Ordinance Book 13 Page 285

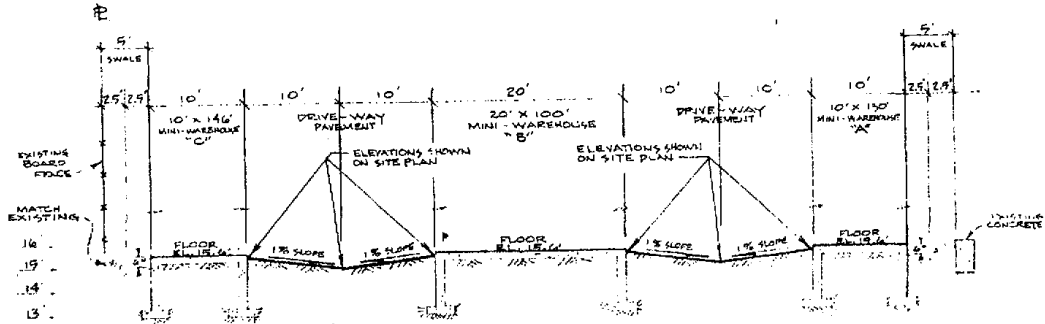
DECEMBER 28, 1993

Ordinance Book _____ Page _____ SCALE: AS SHOWN

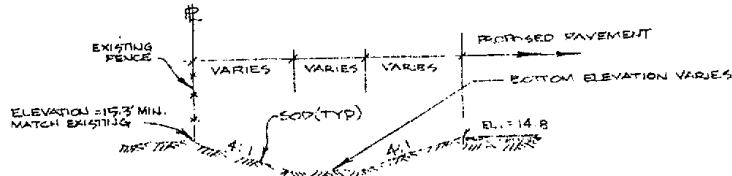


OUTFALL WEIR DETAIL
SCALE: NONE

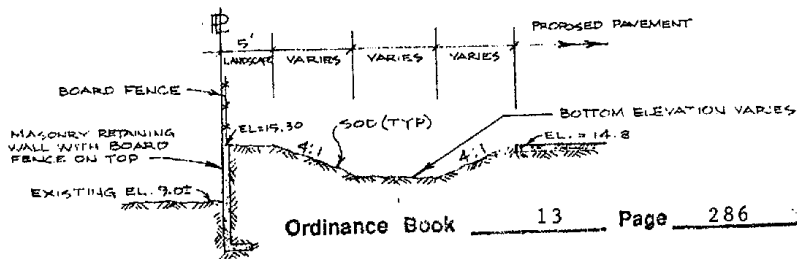
P. U. D. OFF. REC.
BOOK E PAGE 388



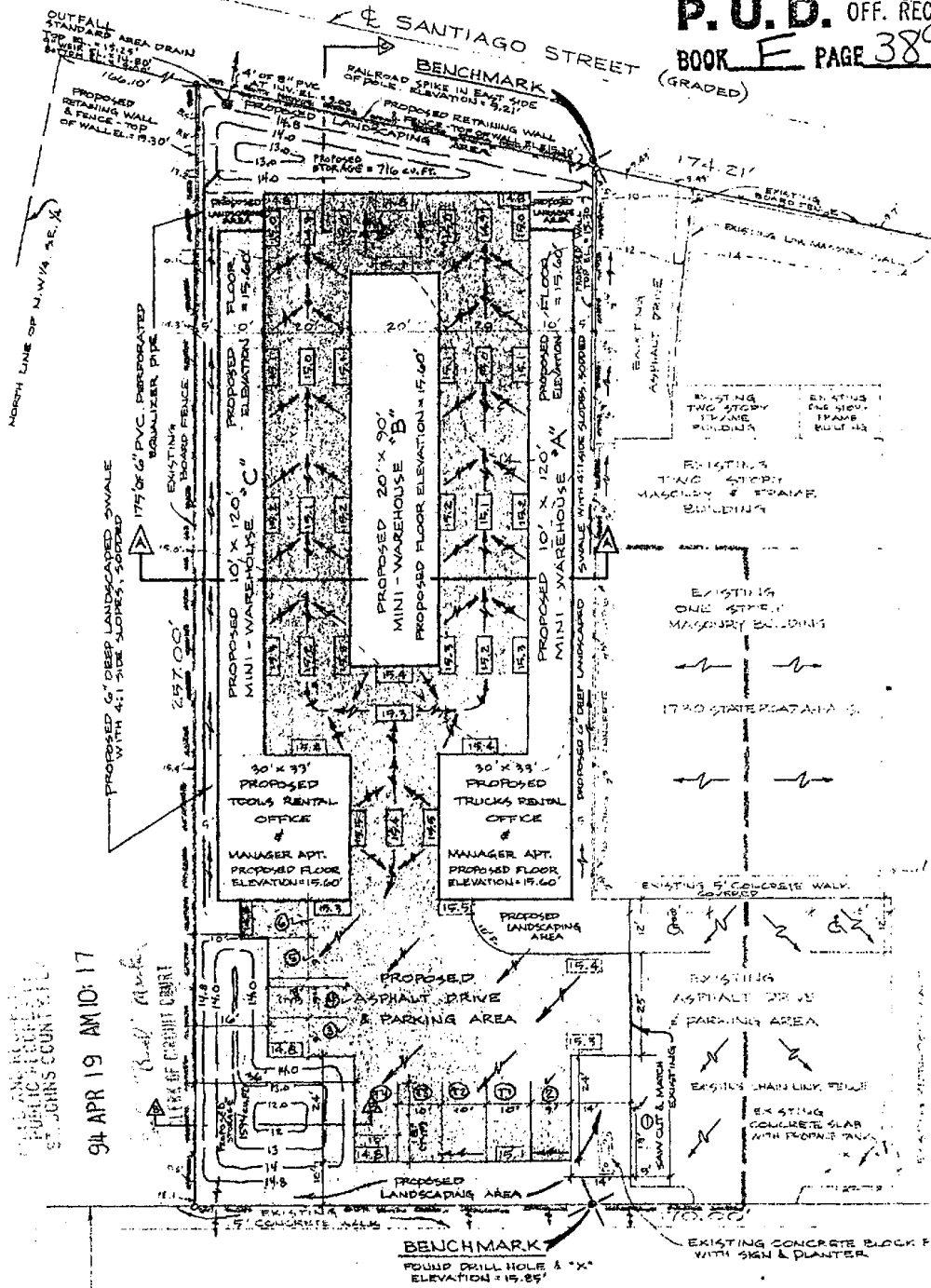
SECTION "A-A"
SCALE: HORIZONTAL - 1" = 10'
VERTICAL - 1" = 4'



SECTION "B-B"
SCALE: NONE



SECTION "C-C"



94 APR 19 AM 10:17
PUBLIC RECORDS
ST. JOHNS COUNTY CLERK

8" STABILIZATION, LBR 30, MODIFIED PROCTOR 95%

- 3. ALL PERVIOUS AREAS AND RETENTION AREAS AND SWALES TO BE SODDED.
- 4. TWO HANDICAP PARKING SPACES EXIST AS SHOWN ON THIS PLAN.
- 5. LANDSCAPING SHALL BE IN ACCORDANCE WITH COUNTY REQUIREMENTS.
- 6. PROJECT AREA BREAKDOWN IS AS FOLLOWS:

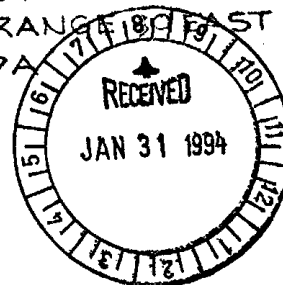
EXISTING BUILDINGS	=	6,664	SQ. FT.	
EXISTING PAVEMENT, WALKS, WALLS, ETC.	=	7,236	SQ. FT.	
PROPOSED BUILDINGS	=	6,180	SQ. FT.	
PROPOSED PAVEMENT & WALLS	=	10,236	SQ. FT.	
OVERALL GREEN AREA	=	12,227	SQ. FT.	
TOTAL OVERALL SITE		=	40,543	SQ. FT.

- 7. OVERALL IMPERVIOUS AREA = 69.8%
- 8. PROPOSED STORMWATER STORAGE = 2310 CU.FT

GRADING & DRAINAGE PLAN

FOR: A-1-A HARDWARE STORE EXPANSION

1730 STATE ROAD A-1-A SOUTH
SECTION 28, TOWNSHIP 7 SOUTH, RANGE 18 EAST ST
ST. JOHNS COUNTY, FLORIDA



JONES & PELLICER, INC.
906 ANASTASIA BLVD., SUITE A
ST. AUGUSTINE, FL 32084

DECEMBER 28, 1993
SCALE: AS SHOWN

Ordinance Book 13 Page 288

A-23

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 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

he attached copy of advertisement, being a _____
NOTICE OF PUBLIC HEARING _____

_____ in the matter of _____
HEARING ON MARCH 22, 1994 _____

_____ in the _____ Court,

was published in said newspaper in the issues of _____
February 18, 1994 _____

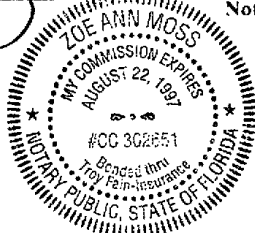
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 or the purpose of securing the advertisement for publication in the said newspaper.

sworn to and subscribed before me Sherry R. Free
Zoe Ann Moss

his _____ 21st _____ day of February _____

A.D. 19 _____ 94

Zoe Ann Moss
Notary Public



Ordinance Book 13 Page 289

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22nd DAY OF MARCH 1994 AT 1:30 o'clock PM, IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16A) 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 CL WITH CONDITIONS TO PSD, Planned Special Development.

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

SECTION 1. Pursuant to the application of Dr. Y. Tin and Jolande N. Chiu owners of the following described land, zoning classification of CL, with conditions on the following described lands:

EXHIBIT "A"
Parcel One:
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 ACRES 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 15, 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 186.10 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 NORTHEAST 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-10); A 100 FOOT WIDTH RIGHT OF WAY, 90.00 FEET; THENCE NORTH 18 DEGREES 00 MINUTES 30 SECONDS EAST 297.00 FEET TO THE POINT OF BEGINNING.

Parcel Two:
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, more fully described as follows: COMMENCING at the northeast corner of said Northwest Quarter of the Southeast Quarter of Section 28; thence South 00 degrees 37 minutes West, on the East line of said Northwest Quarter of the Southeast Quarter of Section 28, a distance of 258.38 feet to the Point of Beginning of the Northwest Quarter of the Southeast Quarter of Section 28; thence South 00 degrees 37 minutes West, on said East line of the Northwest Quarter of the Southeast Quarter of Section 28, a distance of 81.98 feet; thence

South 78 degrees 00 minutes 30 seconds West 218.98 feet; thence North 11 degrees 39 minutes 30 seconds West, on the East right of way line of State Road No. 3-3 and A1A, a 100 foot width right of way, 80.0 feet; thence North 78 degrees 00 minutes 30 seconds East 237.87 feet to the Point of Beginning.

IS HEREBY CHANGED TO: PSD, Planned Special Development in accordance with documents in file # PSD-93-018.

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 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" Merkel
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 PERSONS NEEDING SPECIAL ACCOMMODATION AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act persons needing a special accommodation or an interpreter, to participate in this proceeding should contact David Hattstead, ADA Coordinator, at (904) 823-2300 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095, not later than 5 days prior to the date of this meeting.

L797 Feb. 18, 1994



FLORIDA DEPARTMENT OF STATE

Jim Smith, Secretary of State
DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
Tallahassee, Florida 32399-0250
(904) 488-8427

April 1, 1994

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 March 29, 1994 and certified copies of St. Johns County Ordinance Numbers 94-9, 94-10, 94-11 and 94-12, which were received and filed in this office on April 1, 1994.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

CLERK OF THE CIRCUIT COURT
St. Johns County
Carl Markel

94 APR -8 3:11

RECEIVED

Ordinance Book 13 Page 291