

ORDINANCE NUMBER: 96-31

P. U. D. OFF. REC.  
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AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM PRESENT  
ZONING CLASSIFICATION OF RS-3, SINGLE FAMILY RESIDENTIAL,  
TO PLANNED SPECIAL DEVELOPMENT  
(PSD); PROVIDING FOR SPECIAL CONDITIONS;  
PROVIDING FINDINGS OF FACT;  
PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION;  
AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That, as requested by Karen M. Taylor, Land Planner, on behalf of the record title owner(s) Elzie Solano, Jr. in the application with supporting documents for zoning change dated March 18, 1996, as revised on April 19, 1996, (hereinafter the Discount Auto PSD application) the zoning classification of lands described as follows:

Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), and Eighteen (18) of Block One (1), of the Santa Rosa Subdivision, according to the Plat thereof recorded in Map Book 3, page 103 of the public records of St. Johns County, Fla.

is hereby changed from RS-3, Single Family Residential, to Planned Special Development, PSD.

SECTION 2. That development of the lands within this Planned Special Development shall proceed in accordance with the PSD application, dated March 18, 1996, and as revised April 19, 1996, and other supporting documents which are a part of zoning file number R-PSD-96-010 and which are incorporated by reference into and made a part hereof this ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 3. That the requirements as set forth at the Planning and Zoning Agency Hearing of April 18, 1996 and included in the motion, become requirements for the development.

SECTION 4. That construction of the development shall commence within three (3) years of approval of the Ordinance as stipulated within the application.

SECTION 5. Findings of Fact: that the need and justification for approval of the Planned Special Development has been considered in accordance with Section 11-10-4 of the St. Johns County

Zoning Ordinance and Comprehensive Plan, whereby, it is found that:

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- a. The proposed PSD does not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan or portion thereof adopted by the St. Johns County Board of County Commissioners.
- b. The proposed PSD will not adversely affect the health, safety, and welfare of the residents or visitors in the area and will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood.
- c. The proposed PSD will accomplish the objectives, standards and criteria set forth in Section 8A-4 of the St. Johns County Zoning Ordinance.
- d. The proposed PSD will be consistent with the development of property in the area and will be compatible with the desired development of the area.
- e. The lands described herein are within the Mixed Use Corridor as designated on the Future Land Use Map of St. Johns County Comprehensive Plan which allows a variety of uses. This development proposes a commercial building of 7,000 square feet of commercial use and a single family home for residential use, which does not conflict with any elements of the Plan.
- f. That at the public hearing of April 18, 1996 the St. Johns County Planning and Zoning Agency found the application to be consistent with the St. Johns County Comprehensive Plan and recommended approval of the PSD application by unanimous vote.

SECTION 6.

a) Except to the extent that they conflict with specific provisions of the approved development plan or PSD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or exception shall be prohibited. Particularly, no private land use covenant or restriction that may be incorporated into this Ordinance which is more strict than a particular Federal, State or County Statute, Ordinance, Regulation, Rule, or Resolution shall be enforced by the County under this ordinance except as is specifically provided for and described in the Ordinance or the incorporated PSD narrative.

b) Unless the Board of County Commissioners demonstrates that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this

section shall be deemed to : (a) supersede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may be provided in any such future building code, zoning ordinance or other land use and development regulations; or (b) supersede any Concurrency certificate or Concurrency exemption determination made by the Concurrency Review Committee or the Board as such may be limited at the time of issuance. Furthermore, nothing in this Section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance or other land development regulations as applied to this development under the Florida or United States Constitution.

SECTION 7. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 8. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the Official Records of St. Johns County, Florida, and indexed under the name of property owner listed in Section 1 hereof.

SECTION 8. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed in the office of Planning, by the Planning Director or his designee.

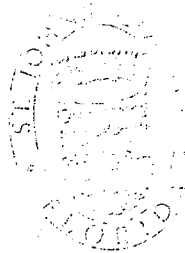
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 28th DAY OF May 1996.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Donald Jordan  
Its Chair - Donald Jordan

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Patricia DeGrande  
Deputy Clerk



EFFECTIVE DATE: June 5, 1996

Ordinance Book 17 Page 581

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DISCOUNT AUTO  
PLANNED SPECIAL DEVELOPMENT  
APPLICATION

SUBMITTAL DATE:

March 18, 1996  
Revised: April 19, 1996

SUBMITTED ON BEHALF OF:

Elzie Solano, Jr.  
410 Elrey Avenue  
St. Augustine, Florida 32084  
(904) 829-2337

AUTHORIZED AGENT FOR THE APPLICANT:

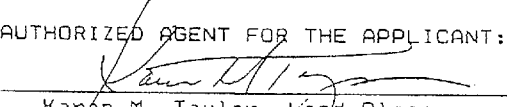
  
Karen M. Taylor, Land Planner  
3070 Harbor Drive  
St. Augustine, Florida 32095  
(904) 826-0600  
(904) 829-0396 FAX

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EXHIBIT B	- Legal Description
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EXHIBIT D	- Authorizations for Rezoning
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SECTION I  
INTRODUCTION AND APPLICATION

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 on behalf of the applicant:

Elzie Solano, Jr.  
412 El Rey Avenue  
St. Augustine, Florida 32084

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The property sought to be rezoned consists of 1.64 acres as described by the Legal Description - Exhibit B. It is situated in St. Johns County on the northwest side of the intersection of El Rey Avenue and State Road 16 (SR 16). The property along SR 16 is vacant and there are two (2) single family houses (on lots 13 and 15) along El Rey Avenue. The property is located in a mixed use area which includes business uses along SR 16 and residential uses along most of El Rey Avenue. Immediately surrounding the property is Parnell Martin Supply Company on the southeast corner (of SR 16 and El Rey), El Rey Mobile Home Park on the southwest corner, a vacant business (previously a pet store) on the northeast corner and Santa Rosa Subdivision (residential properties) directly to the north. The location of the property is shown on the Location Map - Exhibit C. The name of the proposed Planned Special Development (PSD) will be DISCOUNT AUTO PSD.

The subject property is owned by Elzie Solano, Jr., (Zadie Solano is deceased) as shown by the Proof of Ownership - Exhibit E. Said property owner has authorized Karen M. Taylor, Land Planner to act as his agent and to file the application for seeking the rezoning change indicated. Authorizations are attached as Exhibit D. Adjacent property owners for notification purposes are included as Exhibit G.

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

Except to the extent that they conflict with specific provisions of the approved development plan, PSD ordinance, all building code, zoning ordinance, and other land use and

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development regulations of St. John County including, without limitation Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time, shall be applicable to this development except modification to approved development plans by variance or special exception shall be prohibited. Particularly, no private land use covenant or restriction that may be incorporated into this Ordinance shall take precedence over a Federal, State or County Statute, Ordinance, Regulation, Rule or Resolution except as such precedence is specifically provided for and described in the Ordinance or the incorporated PSD narrative.

Unless the Board of County Commissioners demonstrates that compliance with the land development regulations is essential to the public health, safety or welfare, nothing in this section shall be deemed to: (a) supercede any applicable "grandfathering" or "vested rights" provisions contained in Florida law or that may be provided in any such future building code, zoning ordinance or other land use and development regulations; or (b) supercede any concurrency certificate or concurrency exemption determination made by the Concurrency Review Committee or the Board as such may be limited at the time of issuance. Furthermore, nothing in this section shall be deemed to constitute a waiver of the applicant's right to contest application of any such building code, zoning ordinance or other land development regulations as applied to this development under the Florida or United States constitutions.

SECTION II  
PHYSICAL SITE CHARACTERISTICS

The property is located on the northwest corner of the intersection of El Rey Avenue and SR 16. The site is very flat with only two (2) feet of change in elevation over the entire site. The site elevation ranges from 13.0 to 15.0 feet msl. The Soil Survey of St. Johns County Florida identifies one (1) soil type for the site: 53 Immokalee - Urban land complex. This soil type is generally poorly drained, nearly level Immokalee soils and urban lands. The Immokalee soils have a seasonal high water table of less than 10 inches and rapid permeability, with a medium potential for community development. The urban land category describes areas with streets, sidewalks, parking lots, buildings, etc., which obscure or have altered the soils to such a degree that identification of specific soils is not feasible. Vegetation is sparse, except for planted trees and shrubs (residential in character).

SECTION III  
INTENDED PLAN OF DEVELOPMENT

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The real property to be considered for rezoning consists of 1.64 acres located at the intersection of El Rey Avenue and SR 16. The development will be known as DISCOUNT AUTO PSD. The property is currently zoned RS-3 (Residential Single Family Three). This request is to rezone to Planned Special Development to allow for one (1) commercial building to accommodate a Discount Auto Store and for one (1) single family residence (to remain).

The development plan calls for construction of a total of 7,000 square feet of building space for commercial use, maintenance of an existing single family home for residential use, the associated required parking spaces, landscape and buffer areas and a retention/detention area as indicated on the Site Plan. Access to the site is planned from both State Road 16 and El Rey Avenue, at three (3) driveway locations (one on SR 16 and two on El Rey Avenue). The project will be constructed in one phase over five (5) years. The applicant hereby requests that minor alterations to the site plan be allowed to accommodate permitting requirements and to allow expansion of the residence, providing it does not exceed the requirements set forth within the St. Johns County Zoning Code for RS-3 property.

Permitted Uses and Restrictions

The development will be constructed in an orderly manner, and allow the following uses (as defined by the St. Johns County Zoning Ordinance):

A. Commercial Building

1. Retail outlets and service establishments for the sale of general merchandise including automotive vehicle parts (entirely within an enclosed building), home furnishings (including interior decorator), appliances (including repair incidental to sales), office equipment, furniture, hardware and similar uses.

2. Retail outlets for the sale of food and drugs, including restaurants (but not drive-thru), wearing apparel, toys, sundries and notions, books and stationery, leather goods, luggage, jewelry (including watch repair but not a pawnshop) art supplies, cameras or photographic supplies (including camera repair and photographic studio), sporting goods, hobby shops, musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs and similar products.

3. Professional and business offices.

No uses will be permitted that require the use or storage of toxic, hazardous or flammable chemicals without such permits as may be required from time to time by all State and Federal Agencies. St. Johns County shall be furnished copies of all permits issued. In addition, the St. Johns County Fire Service shall be furnished with copies of all Material Safety Data Sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of Flammable and Combustible Liquids shall comply with the latest National Fire Protection Association Publication 30, as adopted by St. Johns County.

Any uses allowable within the previously listed categories shall not emit air pollutants so as to be subject to review by the State Department of Environmental Protection (FDEP), shall not create noise levels which exceed the levels established for such uses by the St. Johns County Noise Ordinance.

B. Residential Building:

1. Residential in accordance with Residential Single Family Three (RS-3) requirements and all permitted accessory uses as listed within the St. Johns County Zoning Code.

Site Development Constraints

The following requirements and conditions shall be met for development of the site:

1. Coverage: The total ground area to be occupied by all buildings and structures shall not exceed thirty-five (35) percent. Total commercial building ground area coverage shall not exceed 7,000 square feet and the total impervious surface will not exceed 75%.

2. Height: Buildings shall be no more than two (2) stories and not exceed thirty-five (35) feet in height.

3. Building Setbacks: The commercial building shall be setback a minimum of twenty-five (25) feet from SR 16 and E1 Rey Avenue, and a minimum of twenty (20) feet from the north and west property lines. Setbacks will be measured from the property line to the wall. The residential building shall be setback a minimum of fifteen (15) feet from E1 Rey Avenue and shall have a minimum side yard of five (5) feet.



4. Commercial Buffers: For the commercial property, a ten (10) foot landscaped buffer will be provided along the rear (north) boundary and between the commercial and residential property, a ten (10) foot landscaped buffer will be provided along the east and south property boundaries and along the west boundary (buffer may include the retention pond) to allow for the required landscaping. The north and north center property buffer (between the commercial and residential property) will include the required fencing to provide an opaque visual barrier to the residential properties. These buffers, as well as the remainder of the site, shall be landscaped to comply with the St. Johns County Landscape Ordinance 86-80 and with the St. Johns County Tree Protection Ordinance 90-11. All landscaping shall be installed prior to receipt of a Certificate of Occupancy from the County.

5. Residential buffers: There will be no specific buffering or landscape requirements for the residential portion of the property.

6. Fencing: A six (6) foot high opaque fence will be provided within the buffer area along the north and west boundaries and between the commercial portion and residential portion of the PSD (north center). Should the property to the west be rezoned from residential use, then the fence along this boundary may be removed. In addition, if deemed necessary for security purposes, the applicant reserves the right to fence the retention area and/or the site.

7. Parking: A minimum of 14 parking spaces will be provided for the commercial building in conformance with Article 9 of the St. Johns County Zoning Code, based upon a minimum of one (1) space per five hundred (500) square feet of floor space for gross business, service or retail space based upon 7000 square feet (the applicant plans to exceed this number as indicated on the Development Plan). All spaces shall be constructed to all applicable County regulations and standards. In addition, the single family residence shall provide a driveway sufficient for parking two (2) vehicles.

8. Sidewalks: Sidewalks will be provided along the south and east sides of the commercial building between the parking lot and the building front. Sidewalks will be a minimum of five (5) feet in width.

9. Access: A total of three driveway entrance/exits will be provided on site: one (1) on SR 16 and two (2) on

El Rey Avenue, as shown on the Development Plan. The single family home will use its existing driveway and the business will use two (2) new driveway accesses, one (1) on SR 16 and the other on El Rey Avenue. Both new driveways will be installed in accordance with all Florida Department of Transportation (FDOT) and St. Johns County Public Works Department regulations and permits, as applicable.

10. Signage: Sign size and construction will conform to all St. Johns County Sign Ordinance requirements as listed:

A. One (1) development identification sign will be allowed at the southeast corner of the site as indicated on the Development Plan. The sign shall conform to the criteria established in the St. Johns County Sign Ordinance. The sign may be lighted, will indicate the name of the development and the name of the business or businesses located within the development. The sign shall be no less than five (5) feet from any property line and shall not obstruct visibility.

B. Each business will be allowed to erect one (1) building sign in accordance with the St. Johns County Sign Ordinance.

C. Various locational and directional signs shall be allowed on site to direct traffic and indicate the locations of various activities. Any such sign will be a maximum of two (2) square feet in size.

11. Potable water: Water service will be provided by the City of St. Augustine (the property is within their service district). All connections will be in accordance with all applicable standards and all fire protection requirements will be met. Fire protection will be provided by City hydrants, and the buildings shall be so located that no building is more than 500 feet from the hydrant.

12. Sanitary sewer: The property is located within the City of St. Augustine Franchise Service District and such, sewer service will be provided by the City of St. Augustine.

13. Stormwater/Drainage: Stormwater will be retained/detained on site within the retention pond located along the west side of the site with overflow to the FDOT stormwater system. The drainage structures and facilities will be designed and constructed in compliance with the St. Johns County Paving and Drainage Ordinance and all other

applicable permitting requirements. Construction plans will be filed for Development Review which will include FDOT and SJRWMD permits.

14. Other Utilities: All electrical and telephone lines will be installed underground on the site. Electricity will be provided for by Florida Power and Light Company.

15. Solid Waste: Commercial solid waste will be handled by the licensed franchisee in the area. All trash and solid waste will be collected at a central dumpster location as shown on the Development Plan. The dumpster will be placed upon an accessible concrete pad and screened from outside view by a fence, wall, or landscape material. The residence will use standard residential service.

16. Temporary Uses: A temporary construction trailer shall be allowed to be placed on the commercial site during construction for a period of up to nine (9) months. The trailer must be removed within 30 days of issuance of a Certificate of Occupancy by the County.

17. Minor Alterations: Minor changes to the Development Plan, Exhibit H, to accommodate permitting requirements, may be allowed (with concurrence of staff) provided the integrity of the original application is maintained.

#### SECTION IV SCHEDULE OF DEVELOPMENT

The DISCOUNT AUTO PSD is to be permitted and constructed in one (1) phase over a period of five (5) years and will consist of the construction of all buildings, driveways, parking areas and retention pond, as well as erection of all required fencing. Development will commence within three (3) years of approval of this PSD. Commencement is defined as approval of Construction Plans for the site.

#### SECTION V OWNERSHIP AND MAINTENANCE

The DISCOUNT AUTO PSD will be owned and operated by the applicant. The applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the property in a clean and orderly manner in accordance with all provisions of this Planned Special Development and conditions included with the adopting ordinance. All facilities will remain privately owned and will NOT be dedicated to St. Johns County.

SECTION VI  
SUMMARY AND CONCLUSION

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The property is located within the Mixed Use District of the St. Johns County Comprehensive Plan, which allows the types uses included in this application. This general area is emerging with a variety of commercial and business uses (Parnell Martin Supply Company is directly across SR 16 and the building directly across El Rey, although vacant, is zoned commercial with allowable uses similar to the uses included in this application. This general area is emerging with a variety of commercial and business uses and the applicant feels that the types of uses included in the application are compatible with the surrounding zoning and are consistent with the St. Johns County Comprehensive Plan, as well as the overall development trend for the area. The applicant believes that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that the PSD will allow the County to control the development of a significantly located tract of land in a rapidly expanding area and will be able to exert control over the appearance and maintenance of the property.

Justification for approval of this Planned Special Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, includes the following:

1. The project will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Zoning Ordinance and the St. Johns County Comprehensive Plan 1990-2005.
2. The project will not adversely affect the health, safety, and welfare of the residents or visitors in the area and will not be detrimental to the natural environment or to development of adjacent properties or the general neighborhood.
3. The project will accomplish the objectives, standards and criteria set forth in Section 8A-4 of the St. Johns County Zoning Ordinance.
4. The project will conform to the requirements of the St. Johns County Concurrency Review Committee in accordance with the procedures set forth in Section 7 of the Concurrency Management Ordinance of St. Johns County, Florida. Construction will commence only upon confirmation by this committee of the availability of adequate public facilities

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and services to support the proposed PSD and issuance of a Certificate of Concurrency.

5. The conditions stipulated in the PSD Application and imposed by this Ordinance provide for strict regulation and maintenance of the project.

6. When developed in accordance with the conditions stipulated in the PSD application and imposed by this Ordinance, the proposed PSD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

7. The land described by the attached Exhibit A - Legal Description, is within the Mixed Use Corridor as designated on the Future Land Use Map of the St. Johns County Comprehensive Plan and so described within the text to:

"provide for large concentrated areas of commercial, office, manufacturing, high density residential, recreation, and cultural facilities at a scale which is capable of serving large segments of the County and the region. Mixed Use Areas reflect established or emerging development areas along major roadway corridors."

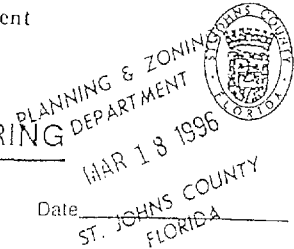
A mixture of land uses is encouraged by the establishment of the conceptual guidelines in the Plan, which are intended to represent the goal towards which the Mixed Use Areas will develop. Accordingly, as previously mentioned, this area along State Road 16 is "filling in" with commercial and business uses, which are very much the same as the development request and because the property is within the Mixed Use District, the proposed rezoning is consistent with the Comprehensive Plan as well as, the emerging development trend of the area.

Therefore, this Planned Special Development request meets all of the above listed St. Johns County requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Plan and is consistent with the Plan.

EXHIBIT A

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



APPLICATION FOR ZONING HEARING

File No. R-PSD-96-010

Receipt No. 96-024421

Date MAR 18 1996  
ST. JOHNS COUNTY  
FLORIDA

1. Applicant Name: Elzie Solano, Jr. Telephone: (904) 829-2337  
Street Address: 412 El Rey Avenue City: St. Augustine
2. Owner of Property: Elzie Solano, Jr. Telephone: (904) 829-2337  
Street Address: 412 El Rey Avenue City: St. Augustine
3. Legal Description of Property: Lots 12, 13, 14, 15, 16, 17 & 18, Block 1  
Santa Rosa Subdivision (MB 3, Page 103) Size of Property: 1.64 acres
4. Address of Property: 410 El Rey Avenue
5. Engineering Department Comments\*:
6. Jurisdictional Wetlands Map: \_\_\_\_\_ Required  Not Required By: \_\_\_\_\_
7. Concurrency Determination\*\*:  Required (File No: to be filed) \_\_\_\_\_ Not Required
8. Current Zoning Classification: RS-3 (Residential Single Family Three)
9. Present Use of Property: Two (2) single family residences (lots on SR 16 vacant)
10. Comprehensive Plan Designation: Mixed Use Corridor
11. Requested Change: Rezone to PSD to allow for 7000 sq. ft. commercial building & one (1) single family residence (to remain)
12. Reason Change is Requested: To allow for commercial use
13. Statement of facts supporting requested change: See attached application text
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;
  - b. Proof of ownership (deed or certificate by lawyer or abstract company or title insurance company that verifies record owner as above);
  - 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:

Printed or typed name(s): Elzie Solano, Jr. (Karen M. Taylor)

Signature(s): \_\_\_\_\_

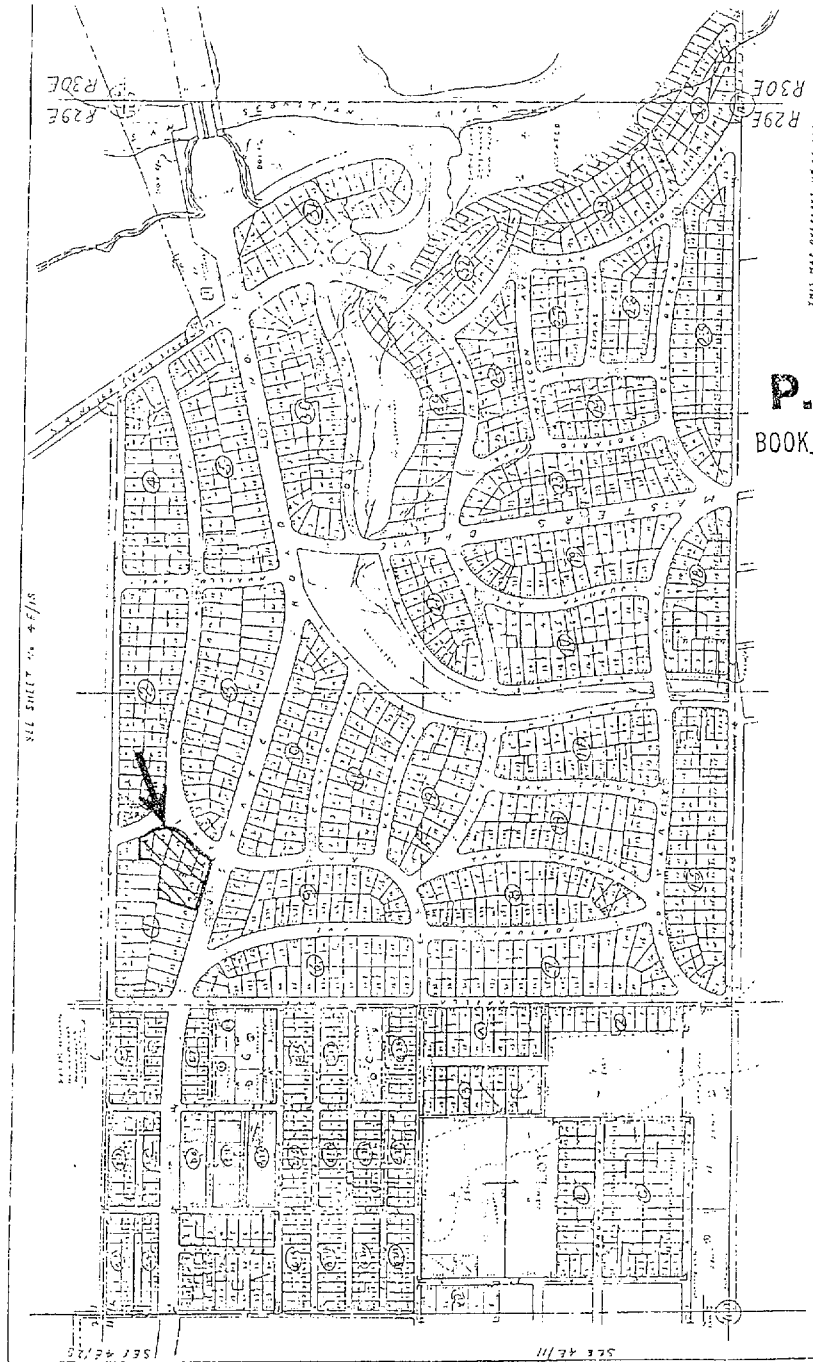
ADDRESS AND TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION: Name: Karen M. Taylor Land Planner Telephone: (904) 826-0600

Mailing Address: 3070 Harbor Drive, St. Augustine, FL 32005 Fax 829-0396

EXHIBIT B  
Legal Description

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Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), and Eighteen (18), of Block One (1), of the Santa Rosa Subdivision, according to the Plat thereof recorded in Map Book 3, Page 103 of the Public Records of St. Johns County, Florida.



THIS MAP OVERLAYS MAPS ALDAM 2299 & D32  
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SEE SHEET NO. 4E/DS

REQUIREMENT FOR THE ASSISTANCE OF THE  
 ST. JOHNS COUNTY, FLORIDA  
 IN THE COUNTY PROPERTY APPRAISAL  
 BY THE COUNTY PROPERTY APPRAISER  
 IN THE COUNTY PROPERTY APPRAISAL

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EXHIBIT C  
 Location Map



EXHIBIT D

AUTHORIZATION TO REZONE  
OWNER TO APPLICANT

RE: DISCOUNT AUTO PSD

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Karen M. Taylor is hereby authorized to act on behalf of Elzie Solano, Jr., owner of the property described in the following applications, in applying to St. Johns County, Florida, for rezoning of the property to Planned Special Development (PSD), for a certificate of concurrency, and in making representations to St. Johns County related to the applications. In authorizing the agent named above to represent me, I attest that the application is made in good faith and that any information contained herein is accurate and complete to the best of my knowledge and belief.

Elzie J. Solano Jr.  
Signature

March 5, 1996  
Date

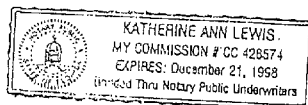
State of: Florida  
County of: St. Johns

Signed and sworn to before me on the 5<sup>th</sup> day of March, 1996, by \_\_\_\_\_.

Identification Presented: \_\_\_\_\_  
Oath Taken: \_\_\_\_\_ Yes  No

Katherine Ann Lewis  
Notary Signature

My commission expires: December 31, 1998



Form 4 (Rev. January 1955)  
27974

RECORDS SECTION  
DEED 191 40321

# Quit Indenture

Made this 17<sup>th</sup> day of April, A. D. 1961

Between FRANK C. GASTON and HELFH E. GASTON, husband and wife

of the County of St. Johns and State of Florida,  
parties of the first part, and FRANK SOLANO, JR. and ZADIE SOLANO,  
husband and wife, hereinafter called the second Florida person,  
(or persons).

of the County of St. Johns and State of Florida  
parties of the second part.

**Witnesseth**, that the said parties of the first part, for and in consideration of the sum of 300 Dollars and other valuable consideration, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, conveyed, sold and transferred, and by these presents do grant, convey, sell and transfer unto the said parties of the second part, one acre, less more or less, more or less, all that certain parcel of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

South half (1) of Lot Fourteen (14) and all of Lots Fifteen (15), sixteen (16), Seventeen (17), and Eighteen (18) of Block No. (1) of South 42nd subdivision, according to the plat thereof recorded in Map Book 3, page 101, of the Public Records of St. Johns County, Florida.



Together with all the covenants, conditions and appurtenances, with every power, right, title, interest and estate, power and right of lease, reversion, remainder and easement thereto belonging or in anywise appertaining.

To Have and to Hold the same in fee simple forever, unto the said parties of the second part, their heirs, assigns and lawful successors, that their heirs, assigns and lawful successors, and that they have, and right and lawful authority to sell the same and the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Signed, Sealed and Delivered in Our Presence:

*Charles H. Martin*  
*Charles R. Bennett*

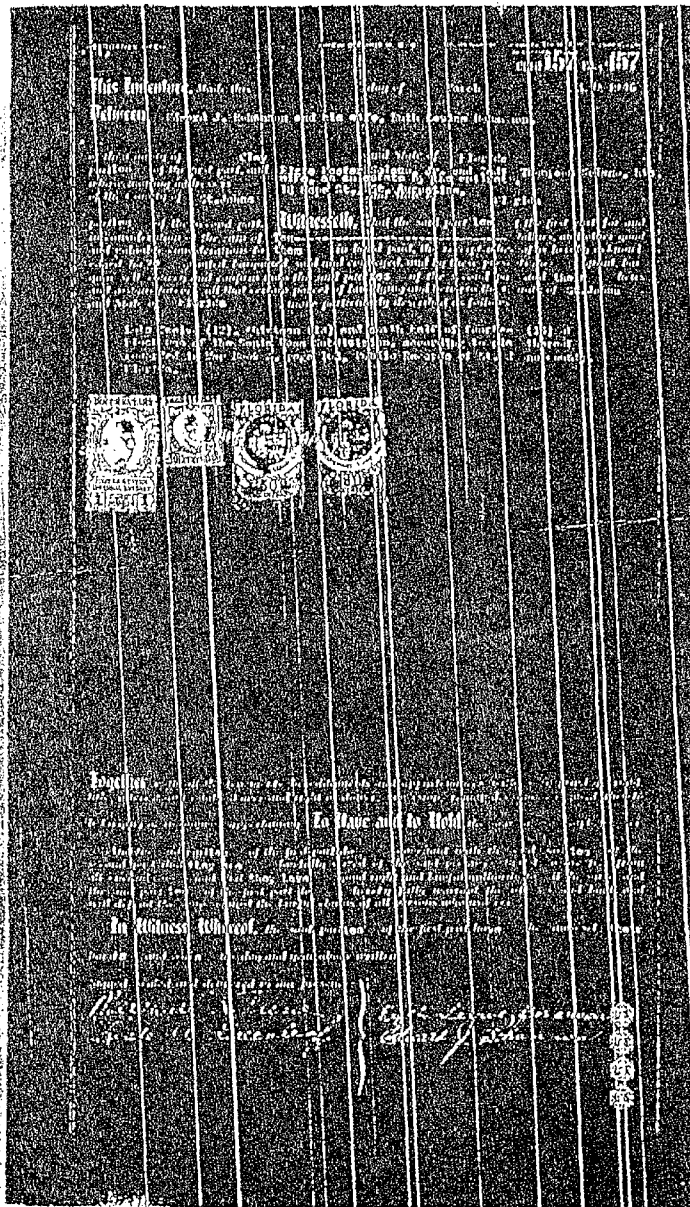
*Patricia C. Sharp*  
*Helen E. Sharp*

EXHIBIT E  
Proof of Ownership

P. U. D. OFF. REC  
BOOK J PAGE 181

P. U. D. OFF. REC.  
BOOK J PAGE 189

EXHIBIT E  
Continued



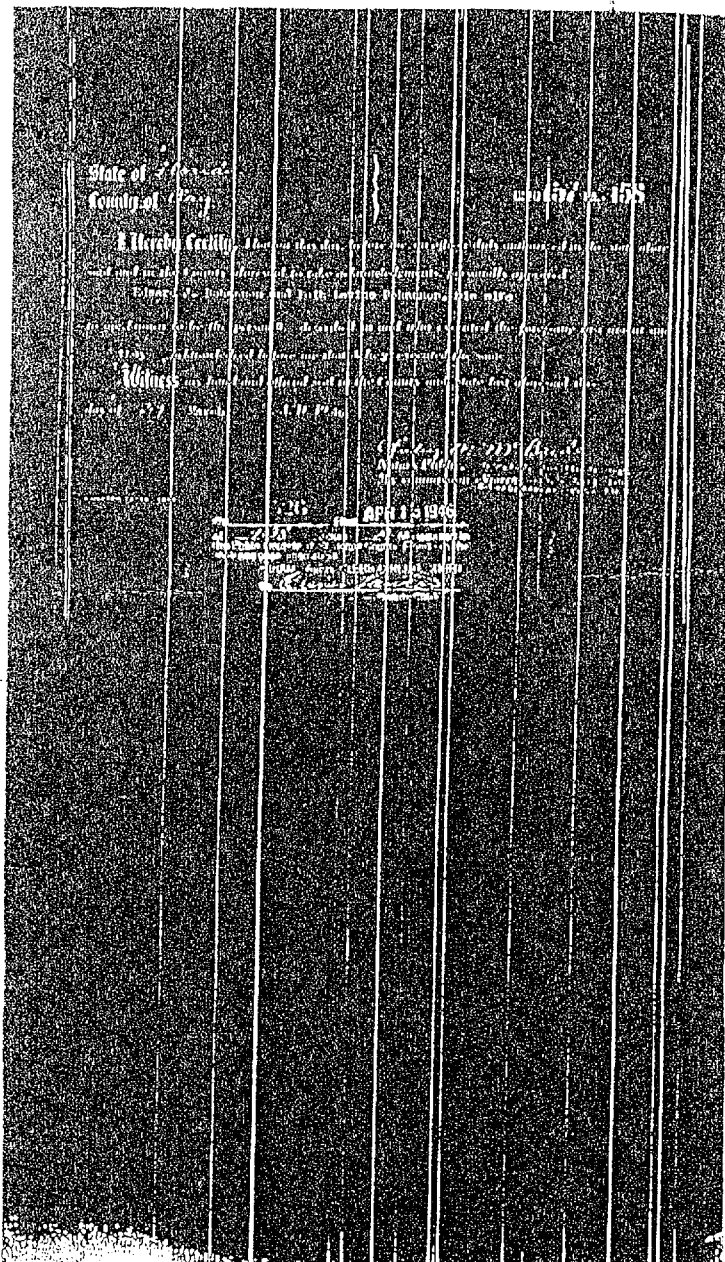


EXHIBIT F  
AGREEMENT TO COMPLY

P. U. D. OFF. REC.  
BOOK J PAGE 191

RE: DISCOUNT AUTO PSD APPLICATION

I, the undersigned, do hereby agree to proceed with the Planned Special Development 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 the Ordinance adopting this Planned Special Development.

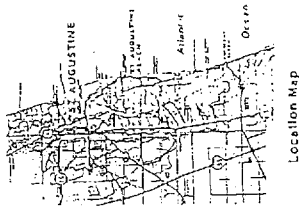
Elzie Solano, Jr.  
Elzie Solano, Jr.

3-14-86  
Date

EXHIBIT G  
 ADJACENT OWNERS WITHIN 300 FEET

P.U.D. OFF. REC.  
 BOOK J PAGE 192

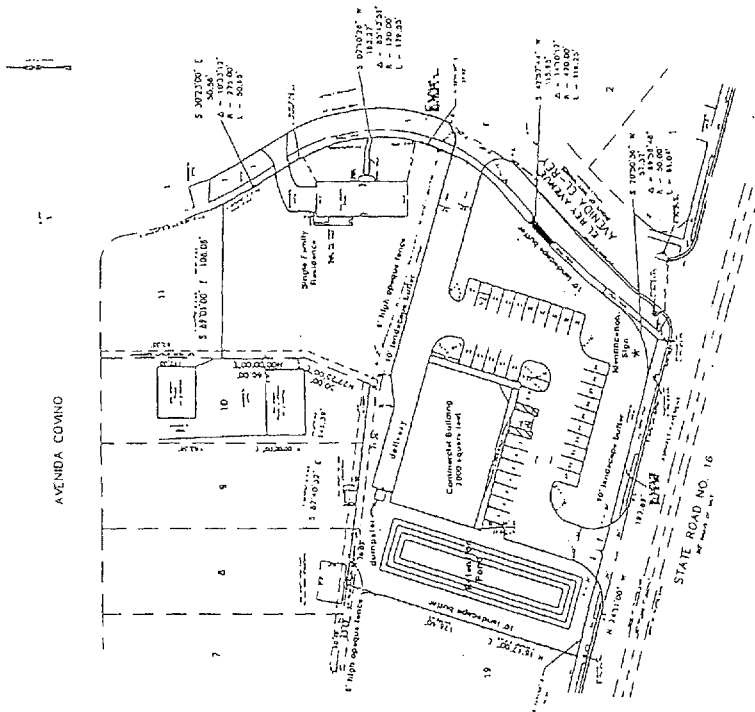
084570-0000 St. Johns County School Board 40 Orange Street St. Augustine, FL 32085	090330-0000 Lawrence Mitchell c/o Walter Mitchell 278 SR 16 St. Augustine, FL 32095	090720-0000 Duane Kittleson 8551 Miller Road Mt. Hope, WA 53816
084590-0000 C.A. & Audrey Bravo 286 Covino Ave. St. Augustine, FL 32095	090340-0000 Stephen & Melody Aten 280 SR 16 St. Augustine, FL 32095	091150-0000 Margie Craig 285 SR 16 St. Augustine, FL 32095
084600-0000 Pansy Merritt 284 Covino Ave. St. Augustine, FL 32095	090380-0000 James & Irene Sagner 4505 Carter Road St. Augustine, FL 32095	091160-0000 Charles Rentz, Sr. c/o Craig Mitchell 285 SR 16 St. Augustine, FL 32095
090260-0000 Marcus & Lisa Meade 277 Covino Ave. St. Augustine, FL 32095	090390-0000 Robert Webb, Jr. 248 Estrada Ave. St. Augustine, FL 32095	091170-0000 Donald Masters 402 Fortuna Ave. St. Augustine, FL 32095
09860-0070 Kimberly Asbury ETAL c/o Eric Burchfield 275 Covino Ave. St. Augustine, FL 32095	090490-0310 Michael & Laura Shepard 256 Estrada Ave. St. Augustine, FL 32095	091670-0000 Charles & Carolyn 8567 Royal Lakes Drive jacksonville, FL 32256
090270-0000 James Blount 273 Covino Ave. St. Augustine, FL 32095	090500-0000 Antonio & Emily De Rego 388 Varella Ave. St. Augustine, FL 32095	091680-0000 Old City Equity Corp. P.O. Box 245 St. Augustine, FL 32095
090280-0000 Gladys Solano 271 Covino Ave. St. Augustine, FL 32095	090520-0000 Emmett & Bolena Pierce 251 Estrada Ave. St. Augustine, FL 32095	091800-000 Parnell Martin Supply Co. of FL P.O. Box 1085 Jacksonville, FL 32201
090290-0000 William Dekle, Jr. P.O. Box 15 St. Augustine, FL 32095	090530-0000 Sylvia Harris 249 Estrada Ave. St. Augustine, FL 32095	091910-0000 George & Barbara Spengler 256 Cantio Ave. St. Augustine, FL 32095
090300-0000 Alfred & Linda Tank 259 Estrada Ave. St. Augustine, FL 32095	090540-0000 Randall & Lynn Cox 245 Estrada Ave. St. Augustine, FL 32095	091920-0000 Sally Ostopowitz 399 El Rey Ave. St. Augustine, FL 32095
090310-0000 Elzie Solano	090710-0000 Ernest & Susan Smith 1604 Rt. 152 Chalfont, PA 18914	091900-0000 Lucille Smith 253 SR 16 St. Augustine, FL 32095



Location Map

NOTE:  
ALL DIMENSIONS TAKEN FROM THE 1951 P.C. 129

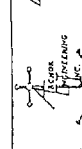
P. U. D. OFF. REC  
BOOK **J** PAGE **193**



OWNER	ANCHOR ENGINEERING, INC.	EXHIBIT	H
DATE	12-27-55		
BY	J. J. B.		
FOR	R. J. B.		
SCALE	AS SHOWN		
PROJECT	DISCOUNT AUTO PLANNED SPECIAL DEVELOPMENT		
FILE NO.	12-27-55		

DISCOUNT AUTO  
PLANNED SPECIAL DEVELOPMENT  
Development/Phasing Map

**ANCHOR ENGINEERING, INC.**  
CIVIL ENGINEERS - LAND PLANNERS  
1400 BROADWAY, SUITE 1000  
ANN ARBOR, MICHIGAN 48106



# 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 \_\_\_\_\_

Julia Meeks 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 Proposed Rezoning

in the matter of May 28, 1996 @ 1:30 consider passage of ordinance

in the \_\_\_\_\_ Court, was published in said newspaper in the

issues of April 26, 1996

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 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 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 26th day of April, 1996,

by Julia Meeks who is personally

known to me or who has produced \_\_\_\_\_ personally known as

(Type of Identification)

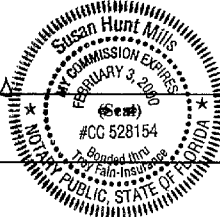
identification.

Susan Hunt Mills

(Signature of Notary Public)

Susan Hunt Mills

(Print, Type or Stamp Commissioned Name of Notary Public)



members on this topic, except with compliance with Resolution 95-126 to properly noticed public hearing or to written communication care of St. Johns County Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32095.

### COPY OF ADVERTISEMENT

NOTICE OF PROPOSED REZONING  
Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on the 26th day of May, 1996 at 1:30 p.m. in the County Auditorium, County Administration Building, Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, will consider 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, Single Family Residential, 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 Elzic Solano Jr., owners of the following described land, zoning classification of RS-3, Single Family Residential, on the following described lands:

Lots 12, 13, 14, 15, 16, 17, and 18, Block 1, Santa Rosa Subdivision, according to the Plat thereof recorded in Map Book 3, page 103 of the public records of St. Johns County, Fla.

IS HEREBY CHANGED TO: Planned Special Development, allowing commercial development as described within application R-PSD-96-010.

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: The 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  
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 appeal is to be based.

Notice to persons needing special accommodations and to all hearing impaired persons: In accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact David Holsted, ADA Coordinator, at (904) 823-2500 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.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties limit contact with County Commissioners. Plan-