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ORDINANCE NUMBER : 98- 72
AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF OPEN RURAL (OR)
TO COMMERCIAL GENERAL (CG)
MAKING FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Frank and Selena Young, owners lands described herein, filed an application for zoning change dated September 9, 1998, described hereinafter, and after required notice was published a public hearing was held on the 10 day of November, 1998 at 1:30 PM on said application.

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

SECTION 1. Upon consideration of the application, R-98-028, supporting documents, statements from the applicant, correspondence received by the Planning Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

- a. The request for rezoning has been fully considered after public hearing pursuant to legal notice duly published as required by the law.
- b. The proposed rezoning to CG does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and the Comprehensive Plan.
- c. The proposed CG classification will not adversely affect the health, safety, and welfare of residents or workers in the area and will not be detrimental to the natural environment, development of adjacent properties, or general neighborhood.
- d. The proposed CG classification will accomplish the objectives, standards and criteria of the Zoning Ordinance.
- e. The rezoning is consistent with the development of 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 Commercial Comprehensive Plan designation.

Ordinance Book 21 Page 734

Janet P. Degrande

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g. On October 15, 98 the Planning and Zoning Agency held a public hearing on the matter, and has recommended approval by a unanimous vote as reflected in its report and recommendation.

SECTION 2. Pursuant to the application of Frank and Selena Young the zoning classification of Open Rural (OR) on the land described on Exhibit A, attached hereto and made a part of, is hereby changed to Commercial General (CG).

SECTION 3. Except to the extent that they conflict with specific provisions of this Ordinance, all building code, Zoning Ordinance, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development.

SECTION 4. This Ordinance shall take effect upon receipt by Secretary of State.

SECTION 5. 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.

SECTION 6. 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 10 DAY OF November 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Moses A. Floyd
Its Chair, Moses A. Floyd

ATTEST: CHERYL STRICKLAND, CLERK

BY: Christina A. Grande
Deputy Clerk



EFFECTIVE DATE: 11-16-98
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EXHIBIT "A"

O.R. 1170 PG 1085

A part of Government Lot 3, Section 15, Township 8 South, Range 29 East, St. Johns County, Florida, lying East of State Road 210 and South of Hickler Road, more particularly described as follows: Commence at the Northwest corner of said Section 15, thence South 85 degrees 49 minutes East, a distance of 1154.94 feet to the East line of State Road 210, thence curvilinear North 85 degrees 49 minutes East, a distance of 437.20 feet; thence North 7 degrees 47 minutes 30 seconds West, a distance of 127.14 feet to the Point of Beginning; thence continue North 7 degrees 47 minutes 30 seconds West, a distance of 7.87 feet; thence North 34 degrees 01 minutes 30 seconds West, a distance of 150.8 feet to the southerly line of Hickler Road, thence North 35 degrees 08 minutes 30 seconds East, along the southerly right-of-way line of Hickler Road, a distance of 14.19 feet to the Point of Curvature of a curve commencing Northwesterly having a radius of 1179.28 feet; thence along the arc of said curve a chord bearing of North 49 degrees 20 minutes 49 seconds East, and a chord distance of 238.14 feet; thence South 3 degrees 12 minutes 20 seconds East, a distance of 105.56 feet; thence South 85 degrees 47 minutes 19 seconds West, a distance of 150.79 feet to the Point of Beginning.

BCC
Ord. 98-72

COPY OF ADVERTISEMENT

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 _____

LINDA Y MURRAY 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 FILE # R-98-028

in the _____ Court, was published in said newspaper in the

issues of OCTOBER 23, 1998

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 23rd day of OCTOBER, 19_98_,

by Linda Y Murray who is personally
known to me or who has produced PERSONALLY KNOWN as
identification. (Type of Identification)

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # CC641814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

(Seal)

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

NOTICE OF PROPOSED REZONING
Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on the 10th day of November, 1998, at 1:30 p.m. in the County Auditor's County Administration Building, 4020 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 TRACTS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG), MAKING FINDINGS OF FACT, REQUIRING RECORDATION, AND PROVIDING AN EFFECTIVE DATE.

Applicant: Frank & Selma Young
Location: 3845 Mickler's Cut-off within Section 13, Township 4 North, Range 23, St. Johns County, Florida, as generally depicted on the map. (A complete legal description is available in the St. Johns County Planning Department.)

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By _____
Clerk

FILE NUMBER: R-98-028
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: ADA Coordinator, at (904) 822-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32093. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 822-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

Interested parties may appear at the meeting and be heard with respect to the proposed request.

If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings and for such purpose he/she 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.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners and Planning & Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32093.

Subject to a proper and timely objection of a party at the beginning of the hearing, the record of the Planning & Zoning Agency hearing of this matter, including the tape recording of the proceedings before the Planning & Zoning Agency, shall be part of the record and file of this matter submitted to the Board of County Commissioners for its consideration in this hearing. The Planning & Zoning Agency record and file of this case is available for review by the public in the Planning Department and/or office of the Clerk to the County Commission located at the St. Johns County Administration Complex, 4020 Lewis Speedway (County Road 16-A and US1 North), St. Augustine, Florida, 32093.

L219 Oct 23, 1998