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Public Records of
St. Johns County, FL
Clerk# 00-055064
O.R. 1552 PG 682
03:28PM 12/20/2000
REC \$25.00 SUR \$3.50

ORDINANCE NUMBER: 2000- 69

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF IW (INDUSTRIAL
WAREHOUSE) TO CG (COMMERCIAL GENERAL;
MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, Mr. James & Ms. Linda S. Hurley, owner(s) of lands described herein, filed an application for zoning change dated, June 14, 2000 described hereinafter, and after required notice was published a public hearing was held on the 12th day of December, 2000 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, 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 Commercial General (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 classification will accomplish the objectives, standards and criteria of the Land Development Code.
- d. The rezoning is consistent with the development of property in the area and is compatible with the desired future development of the area.
- e. The proposed intensity of development is consistent with the uses allowable by the Comprehensive Plan designation.

Walter P. Segrado
- Bill Co -

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SECTION 2. Pursuant to the application of the zoning classification of Commercial General on the following described land:

All that Part of the west 1/2 of lot 1, Section 31, Township 4 South, Range 27 East, lying West of the West line of State Road 13 and North of a line drawn parallel to and 300 feet south of the North line of said lot 1.

is hereby changed to CG (Commercial General)

SECTION 3. Except to the extent that they conflict with specific provisions of the approved development plan or PUD 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, except modification to approved development plans by variance or exception shall be prohibited.

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 12th DAY OF December 2000.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Mary F. Kohnke
Mary F. Kohnke, Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: Juanne King
Deputy Clerk



EFFECTIVE DATE: 12-15-2000

APPLICATION FOR PLANNING/ZONING HEARING

Date 6/14/00 File # _____ Parent # _____ Receipt # _____

1. Project Name THE "HURLEY" PROJECT - Whilden Valve Repair Company
2. Applicant's Name, Address, and Phone # James M. & Linda S. Hurley: 522 State Road 13, Jacksonville, FL 32259; (904) 287-5793
3. Owner's Name, Address, and Phone same
4. Property Location 522 State Road 13; 3/5 acre tract on W side of SR 13, iso. of new Publ:
5. Legal Description SEE ATTACHED EXHIBIT "A"
6. Present Use of Property Valve Repair & Machinist Shop - Metal Fabrication
7. Parcel # 005130-0000 8. Zoning IW 9. Comp Plan Community Commercial
10. Section 31 11. Township 4S 12. Range 27 E
13. Requested Change Down zone Property from IW to Commercial General
14. Minor or Major Modification, what Ordinance or Resolution Number is being modified? N/A
15. Reason Change is Requested Present zoning is incompatible with surrounding uses and future proposed uses for Property.
16. Statement of Facts for Requested Change SEE ATTACHED EXHIBIT "B"
17. Concurrency Required _____ 18. Map Page # 2B-31 19. Size of Property 3.5 acres

20. Utility Provider JEA

21. Attach the following to application:

- a. List of adjacent property owners within 300 feet showing name, address and brief legal description from current tax rolls; address one long envelope to each person on the list, no return address needed, but proper postage on each. Two envelopes are needed if the application requires two public hearings. The order of the envelopes must match the order in which the names appear on the list.
- b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application.
- c. Legal description
- d. Tax Assessment map showing location of property
- e. Site Plan (if applicable)
- f. Application Fee
- g. If rezoning to PUD/PSD, additional information must be submitted under rezoning guidelines.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of all owners or authorized person if letter of authorization is attached:

Printed or typed name(s): JAMES M. HURLEY and LINDA S. HURLEY

Signature(s): [Handwritten signatures]

ADDRESS & TELEPHONE NUMBER OF PERSON TO RECEIVE ALL CORRESPONDENCE

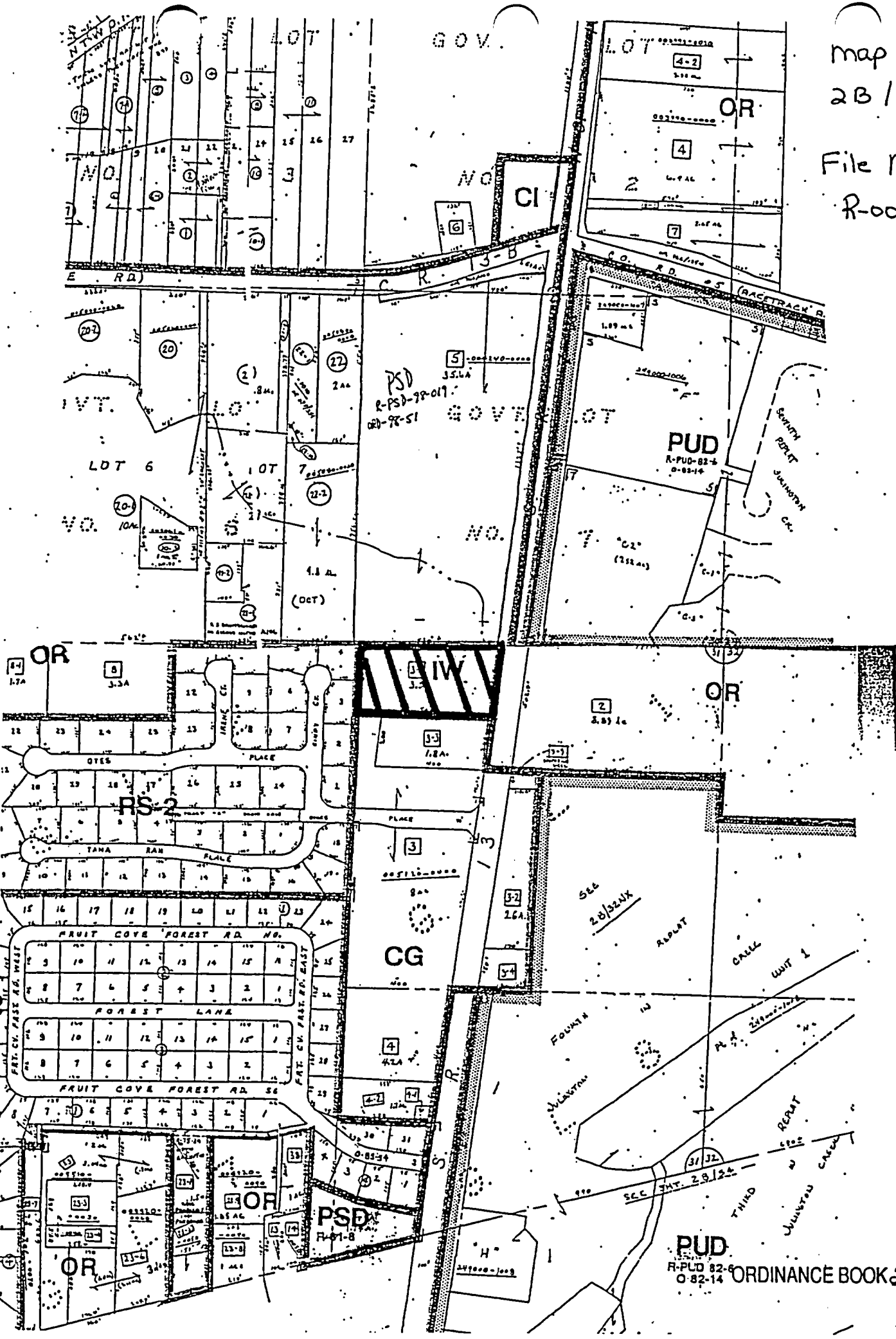
REGARDING THIS APPLICATION: Name: Richard G. Hathaway, P.A. Phone: (904) 996-1122

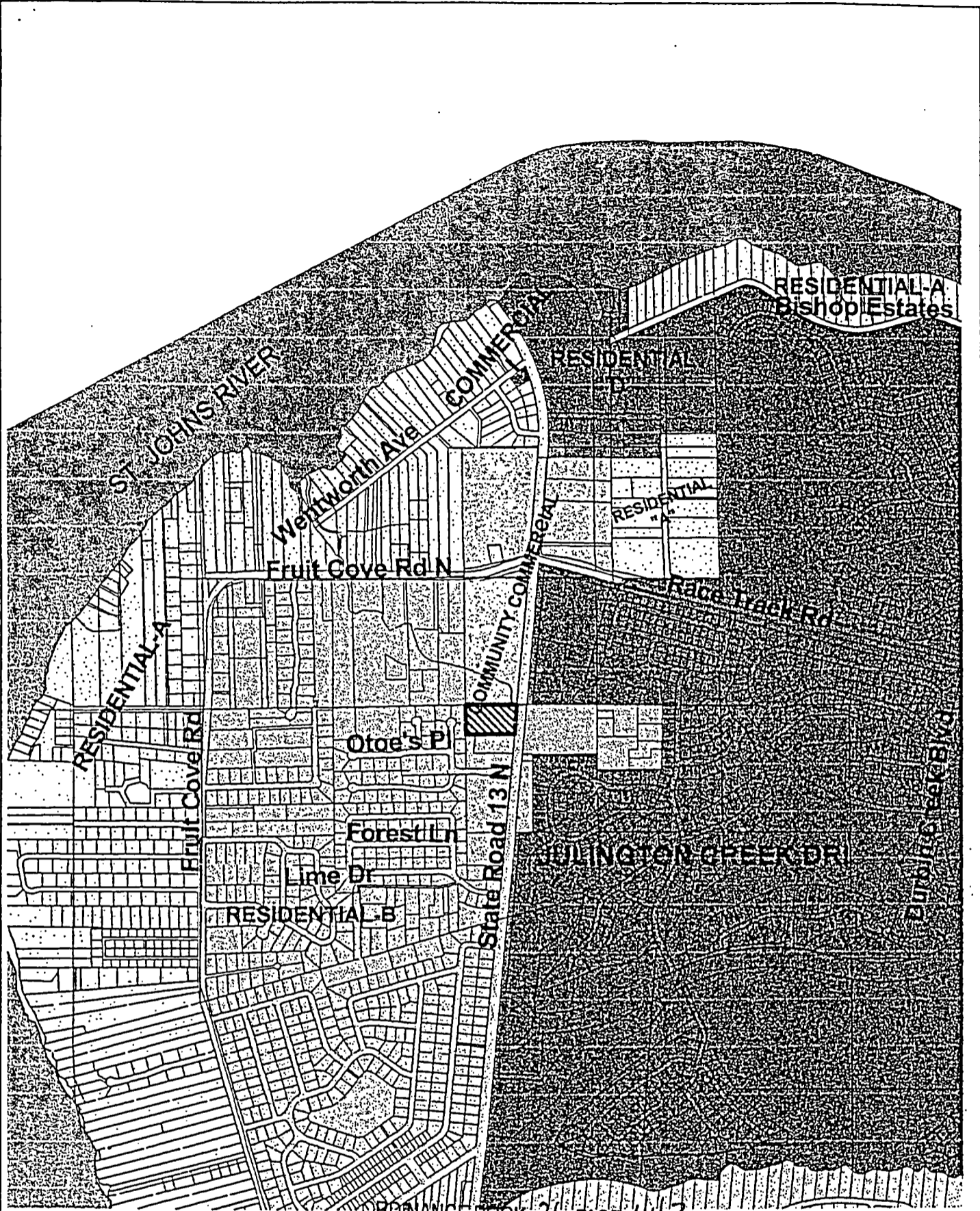
Mailing Address: 10151 Deerwood Park Blvd., Bldg. 100, Suite 250, Jacksonville, FL 32256 Fax: (904) 996-1130

STATEMENT OF FACTS AND REASONS FOR REQUESTED CHANGE OF ZONING:

1. The property immediately to the north is a public shopping center with outparcels. The commercial zoning and development of the Hurley Property is consistent.
2. The property immediately across the street is the Julington Creek DRI and several existing shopping centers. Commercial zoning and development of the Hurley Property would be consistent with that property.
3. The property immediately the south is already zoned commercial.
4. The property immediately west is a residential subdivision and the Homeowners and Hurley's have agreed on deed restrictions to go along with commercial zoning. See attached letter.
5. Down zoning the property from industrial to commercial would be a less intense use, supported by the community as a whole.
6. SR 13 is a 4-lane / divided highway which is consistent with commercial zoning and development.

EXHIBIT B

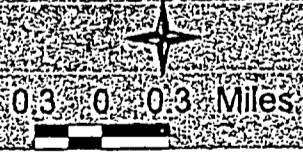




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Hurley Rezoning
File Number: R-00-034

General Location Map
 St. Johns County
 Planning Department
 October 4, 2000



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 an 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 **R 00 034**

HURLEY REZONING

in the Court, was published in said newspaper in the issues of

NOVEMBER 27, 2000

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, for a period of one year 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 28TH day of **NOVEMBER** 2000,

by *Linda Y Murray* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # CCG 43814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

COPY C

NOTICE OF A PROPOSED REZONING. NOTICE IS HEREBY GIVEN that a public hearing will be held on the 12th day of December, 2000 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4024 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider rezoning of land located at 522-A State Road 13 North more particularly described as follows:
All that part of the West 1/2 of lot 1, section 31, township 4 South, Range 27 East, lying west of the West line of State Road No. 13 and North of a line drawn parallel to 300 feet South of the North line of said lot 1.
The aforementioned property is currently zoned Industrial Warehouse (IW) and it is proposed that it be rezoned to Commercial General (CG).
The application for rezoning, FILE NUMBER R-00-034 (Hurley Rezoning) is maintained in the Growth Management Services Planning Division, County Administration Building, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing; and all interested parties shall be granted an opportunity to be heard at said public hearing.
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 Haislead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4024 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.
If a person decides to appeal any decision made 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.
It is anticipated that one or more St. Johns County Commissioners may attend and participate in the meeting.
This matter is subject to court imposed quasi-judicial rules of procedures. 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, 32095.
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
By Jim Bryant,
Its Chairman
FILE NUMBER: R-00-034
L3192 Nov. 27, 2000

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

December 15, 2000

Honorable Cheryl Strickland
Clerk to Board of Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 14, 2000 and certified copy of Ordinance No. 2000-69, which was filed in this office on December 15, 2000.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

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