

ORDINANCE NUMBER: 87-55

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

WHEREAS, HOWARD W. ALLGOOD and SHIRLEY S. ALLGOOD, his wife, as applicants, have filed application for change of zoning on lands hereinafter described on attached Exhibit "A", and after required notice was published, a public hearing was held on October 13, 1987 at 2:00pm, on said application; and

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, found, as to the requested rezoning classification of "CI", as follows: (a) the proposed rezoning promotes the public welfare and compliments the St. Johns County Comprehensive Plan; (b) the requested change of zoning is justifiable or fairly debatable without special conditions; (c) the proposed rezoning is desirable at this time and in this general location; (d) prior to the enactment of this Ordinance and in the interest of the public health, safety and general welfare, and without promise, prerequisite, or inducement to the enactment of this Ordinance, the applicants agreed to limit their use of said lands and have consented to restrictions or limitations on the applied for rezoning of "CI" as hereinafter provided; and (e) such restrictions or limitations are for the benefit of the general public and not just the applicants and they are reasonable and nondiscriminating.

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

SECTION 1. Pursuant to the application of HOWARD W. ALLGOOD and SHIRLEY S. ALLGOOD, his wife, the zoning classification of "OR" on the lands described on the attached Exhibit "A" is hereby changed to "CI", subject to the following conditions:

(1) The permitted uses on said real property shall be limited to those specified in the Section 5-9-1, sub-section (a), sub-section (b) excepting automobile service stations, truck stops, repair and service garages and motor vehicle body shops, and sub-section (f), St. Johns County Zoning Code as enacted and existing as of the date hereof. No other uses specified in Section 5-9-1 shall be permitted on the real property.

(2) The maximum height of the structures situated on said real property shall be sixteen (16') feet.

(3) A six (6') foot high opaque or wooden fence shall be constructed on the northern, southern and western boundary lines of the subject property.

(4) All structures shall be set back a minimum of ten (10') feet from the northern, southern and western boundary lines of the subject property.

SECTION 2. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located, except as provided in Section 1 above.

SECTION 3. The Zoning Inspector is authorized to issue construction permits allowed by classification as rezoned and conditioned hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Secretary of State to the Clerk of the Board of County Commissioners that same has been filed.

SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official public records of St. Johns County, Florida, and indexed under

the names of the property owners described on page one hereof.

PASSED this 13th day of October, 1987.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Phillip L. Lydon
CHAIRMAN

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent
Deputy Clerk

Adopted regular

Meeting October 13, 1987

Effective October 20, 1987

EXHIBIT "A"

A parcel of land in Government Lot 1, Section 7, Township 8 South, Range 30 East, St. Johns County, Florida, more fully described as follows:

Commencing at the Northwest Corner of said Section 7; thence North 88 degrees, 46 minutes, 20 seconds East, on the North Line of said Section 7, being also the North Line of said Government Lot 1, a distance of 1,235.50 feet to the West Right-of-Way Line of U.S. Highway No. 1 (State Road No. 5); thence South 1 degree, 13 minutes, 40 seconds East, on said West Right-of-Way Line of Highway, 466.00 feet; thence South 88 degrees, 46 minutes, 20 seconds West, 366.00 feet to the Point of Beginning at the Southeast Corner of the herein described parcel of land; thence continuing South 88 degrees, 46 minutes, 20 seconds West, 403.50 feet; thence North 1 degree, 13 minutes 40 seconds West, on the East Line of lands described in Deed Book "EE", Page 50, Public Records of said County, 233.00 feet; thence North 88 degrees, 46 minutes, 20 seconds East, 403.50 feet; thence South 1 degree, 13 minutes, 46 seconds East, 233.00 feet to the Point of Beginning.

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

VERIFIED BY
[Signature]

1987 OCT 22 AM 9:25

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

The St. Augustine Record
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Kristi Robertson who on oath says that he 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 Meeting
 _____ in the matter of _____
H. W. Allgood _____ Court,
 was published in said newspaper in the issues of _____
September 10, 1987

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, except Sundays, 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 he has neither paid nor promised any person, firm or
 corporation any discount, rebate, commission or refund for the purpose
 of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Kristi Robertson
 this 10th day of September
 A.D. 19 87
[Signature]
 Notary Public
 Notary Public, State of Florida
 My Commission Expires Aug. 4, 1989
 Bonded thru Troy Fair Insurance, Inc.

COF NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 13 DAY OF OCTOBER 1987 AT 2:00 O'CLOCK P.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 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 OR TO CI WITH THE POSSIBILITY OF ADDED CONDITIONS.

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

SECTION 1. Pursuant to the application of Howard W. and Shirley S. Allgood owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

A parcel of land in Government Lot 1, Section 7, Township 8 South, Range 30 East, St. Johns County, Florida, more fully described as follows:

Commencing at the North-west Corner of said Section 7; thence North 88 degrees, 46 minutes, 20 seconds East, on the North line of said Section 7, being also the North Line of said Government Lot 1, a distance of 1,235.30 feet to the West Right-of-Way Line of U.S. Highway No. 1 (State Road No. 5); thence South 1 degree, 13 minutes, 46 seconds East, on said West Right-of-Way Line of Highway, 466.00 feet; thence South 88 degrees, 46 minutes, 20 seconds West, 366.00 feet to the Point of Beginning at the Southeast Corner of the herein described parcel of land; thence continuing South 88 degrees, 46 minutes, 20 seconds West, 403.30 feet; thence North 1 degree, 13 minutes 40 seconds West, on the East Line of lands described in Deed Book "EE", Page 50, Public Records of said County, 233.00 feet; thence North 88 degrees, 46 minutes, 20 seconds East, 403.30 feet; thence South 1 degree, 13 minutes, 46 seconds East, 233.00 feet to the Point of Beginning.

is hereby changed to: CI, Commercial Intensive with the possibility of added conditions.

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" Markel 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.

L210 Sept. 10, 1987