

ORDINANCE NO. 89-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF

OR TO IW

WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING
AN EFFECTIVE DATE.

WHEREAS, (Property Owners' names): Robert Drashin and Gregory
Scott Bailey and applicant joined Michael Pounds

filed application for change of zoning on lands hereinafter described, and after required
notice was published, a public hearing was held on 22 day of
AUGUST, 1989 at 1:45 o'clock p.m. on said application; and,

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY,
FLORIDA, found, as to the requested rezoning classification of IW as follows:
(a) the proposed rezoning promotes the public welfare and complements 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 public health, safety and general welfare, and without promise, prerequisite, or
inducement to the enactment of this Ordinance, applicant(s) agreed to limit their use
of said lands and have consented to restrictions or limitations on the applied for rezoning
of IW as hereinafter provided; and (e) such restrictions or limitation are for the
benefit of the general public and not just the applicant(s), and they are reasonable and
nondiscriminating;

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

SECTION I. Pursuant to the application of Gregory Scott Bailey, Robert
Drashin and Michael Pounds

zoning classification of OR, Open Rural
on the following described lands:

Lots 3 and 4, Kingswood Estates, Also known as part of Tracts
29 and 30, St. Augustine Heights, Unit 2, in plat thereof in
Map Book 10, page 28, of the public records of St. Johns County, Fla.

IS HEREBY CHANGED TO: IW, Industrial Warehousing

SUBJECT TO THE FOLLOWING CONDITIONS:

Although we are requesting all the uses permissible under I.W. zoning we would accept the following:

1. Exclude all uses within IW except Section 5-10-1 (a), (b) and (e) with "b" light manufacturing, "b" to include only the assembly of retail merchandise associated with the said business, and additionally associated office use will also be permitted as an accessory use in accordance with Section 7-17-1 St. Johns County Zoning Ordinance.
2. Sign - one sign for each piece of property, maximum size, 6' x 8'.
3. Maximum height of all structures will be 35 feet.
4. Set back, 25 feet, front and rear. 20 foot buffer of natural vegetation, each side.
5. Hours - normal hours of operation (7:00 a.m. to 9:00 p.m. seven days a week.)
6. Site plan will be submitted for staff review and approval prior to any construction or land clearing occurring on the site for both lots. Present plan allows for one access to subject property. If at the time the second lot is developed another site plan will be submitted to possibly include an additional access.

which conditions shall remain in full force and effect at all times until amended or changed by further ordinance of this Body.

SECTION 2. Nothin 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 St. Johns County Building Department is authorized to issue construction permits allowed by classification as rezoned and conditions hereby.

SECTION 4. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Office of the Department 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 name(s) of the property owner(s) described in Section 1 hereof.

PASSED THIS 22nd day of August 1989.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: [Signature]
Clerk

89 SEP -5 PM 3:00
[Signature]
CLERK OF THE DIST COURT

Adopted regular meeting August 22, 1989
Effective: August 30, 1989



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 _____

Becky Hesson _____ 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 Hearing _____

_____ in the matter of _____

RE: Gregory Bailey _____

_____ in the _____ Court,

was published in said newspaper in the issues of _____

July 13, 1989 _____

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 for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Becky Hesson

this 13th day of July

A.D. 19 89

[Signature]
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires Aug. 4, 1989
Bonded Three Thousand Dollars Insurance, Inc.

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 22 DAY OF AUGUST 1989 AT 1:45 o'clock PM, IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) 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 OR TO IW 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 Gregory S. Bailey, Robert Dreshin and Michael Rouns owners of the following described land, zoning classification of OR, Open Rural on the following described lands:

Lots 3 and 4, Kingswood Estates, Also known as part of Tracts 29 and 30, St. Augustine Heights, Unit 2, in plat thereof in Map Book 10, page 28, of the public records of St. Johns County, Fla., is hereby changed to IW, Industrial Warehousing 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, except as provided in Section 1 above.

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

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.

L0087 July 13, 1989



FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

August 29, 1989

RECEIVED
ST. JOHNS COUNTY, FLORIDA

'89 AUG 30 AM 11:26

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County Courthouse
Post Office Drawer 300
St. Augustine, Florida 32085

Carl B. Markel
CLERK, COUNTY COMMISSION

Attention: Connie E. McDaniel, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes,
this will acknowledge:

1. Receipt of letter/s of August 23, 1989
and certified copy/ies of St. Johns
County Ordinance(s) Numbers 89-40, 89-41 & 89-42
2. Receipt of _____ County Ordinance(s)
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed ~~this~~/these ordinances in this office
on August 29, 1989. (11:14 am)
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Sincerely,

Liz Cloud
Liz Cloud, Chief
Bureau of Administrative Code

LC/mb