

ORDINANCE NO. 90-49

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR TO RS-3 WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(9/11/90 - 8 - 3.0463)

Hearing on R-90-024 - Don Buffkin applicant (owner Harry Rinehart); rezoning from OR to CHT with exception for sales and service of recreational vehicles; located in southwest quadrant of I-95 and SR-210, Ordinance No. 90-50. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on August 10, 1990; motion by Brubaker, seconded by Waldron, carried 5/0, was ordered filed. Robert Davenport, 1321 San Mateo, representing the applicant, requested approval of this application. Motion by Waldron, seconded by Brubaker, carried 5/0, to approve Ordinance No. 90-50, with conditions.

ORDINANCE NO. 90-50

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

(9/11/90 - 8 - 3.0576)

Hearing on Major Modification to PUD (Planned Unit Development, Ordinance No. 89-51) - applicant St. Augustine Outlet Mall, Sembler Co.; located at SR-16 and I-95, Resolution No. 90-167. Robert Incanish (?), representative of the Sembler Company, 5858 Central Avenue, St. Petersburg, requested approval of the application. Motion by Brubaker, seconded by Waldron, carried 5/0, to approve Resolution No. 90-167.

RESOLUTION NO. 90-167

RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MODIFICATION OF THE ORDINANCE FOR ST. AUGUSTINE OUTLET MALL LOCATED WITHIN THAT PARCEL OF LAND ZONED PUD PURSUANT TO ORDINANCE NO. 89-51.

(9/11/90 - 8 - 3.0665)

Hearing on R-90-028 - Fruit Cove Ltd., Tom Turner; located west of Cunningham Creek III, to be developed as a single family subdivision; request for rezoning from RS-E and OR to RS-1 with conditions, Ordinance No. 90-51. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on August 11, 1990; motion by Brubaker, seconded by Herold, carried 5/0, was ordered filed. Tom Turner, 3030 Hartley Road, requested approval of this application. Discussion followed. Motion by Bailey, seconded by Herold, carried 5/0, to approve Ordinance No. 90-51, with conditions.

ORDINANCE NO. 90-51

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR AND RS-E TO RS-1 WITH CERTAIN CONDITIONS: REQUIRING RECORDATION: AND PROVIDING AN EFFECTIVE DATE.

(9/11/90 - 8 - 3.1258)

Hearing on ordinance amending Zoning Code, Ordinance No. 90-33 which disallowed the erection of more than one main use structure; this amendment adds grandfather and exception provisions, Ordinance No. 90-52. Proof of publication of notice of hearing was received, having been published in The St. Augustine Record on August 22, 1990; motion by Bailey, seconded by Brubaker, carried 5/0, was ordered filed. Napier reported that Ordinance No. 90-33 was adopted on July 10, 1990, however, there are two changes to this; one, repairs a glitch in the ordinance; thus, subsection (aaa) was added. The second addition was in paragraph B, recommended by the BCC. Robert ?, Stump Hollow Road, questioned this ordinance

IS HEREBY CHANGED TO: RS-1

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Maximum number of lots will be sixty-four (64).
2. All lots will be served by a central water and sewer system.
3. There will be a homeowners' association to maintain drainage and common areas.
4. The development will be in general conformance with the site plan attached hereto.
5. The owner will reserve one parcel or lot to accommodate a recreation/play area, and once the 40th certificate of occupancy is issued in the subdivision, ownership of the recreation/play area will be transferred to the homeowners' association. The deed shall contain a reverter provision whereby the recreation/play area will be reconveyed to the owner in the event the homeowners' association chooses not to construct a recreational facility or if it chooses not to have a recreation area within the subdivision, as decided by a majority vote of the homeowners' association within six (6) months from date of issuance of the fortieth (40th) certificate of occupancy in the subdivision. In any event, if no recreational facility has been constructed within three years from date of *final plat approval*, then the recreation/play area shall be reconveyed to the owner for use as a residential lot.
6. There will be a homeowners' association to maintain the roads unless said roads are accepted by the County for dedication at the time of platting.

[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 11th day of September, 1990

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Craig A. Haguni
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl "Bud" Markel
Clerk

Adopted at a Regular meeting September 11, 1990

Effective: _____

