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MR-Pat DeGrande

**ORDINANCE NUMBER : 99-13
AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF
INDUSTRIAL WAREHOUSING (IW) WITH CONDITIONS
TO INDUSTRIAL WAREHOUSING (IW) WITH CONDITIONS;
MAKING FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Maguire Land Corporation requests a zoning change on lands described hereinafter and after required notice was published a public hearing was held on the _23rd_ day of February, 1999 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-98-027B, supporting documents, statements from the applicant, correspondence received by the Planning Department, recommendation of the Planning and Zoning Agency, and comments from the staff 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 IW with conditions does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and the Comprehensive Plan.
- c. The proposed IW with conditions 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 IW with conditions 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.

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f. The proposed intensity of development is consistent with the uses allowable by the Industrial Comprehensive Plan designation.

g. On January 7, 1999, the Planning and Zoning Agency held a public hearing on the matter and has unanimously recommended approval, as reflected in its report and recommendation.

SECTION 2. Pursuant to the application of St. Johns County the zoning classification of Industrial Warehousing (IW) with conditions on the lands described in Exhibit A, attached hereto and made apart of, is hereby changed to Industrial Warehousing (IW) with the following conditions: (1) the maximum height of structures will be limited to 35 feet except a silo to be constructed which may be 80 feet in height, and (2) chemical manufacturing, fertilizer manufacturing, pulp and paper processing, petroleum refining will not be permitted.

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 23rd DAY OF February 1999.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Marc A. Jacalozie
Marc A. Jacalozie, Its Chair



ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 03-01-99

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EXHIBIT A

A parcel of land located in Section 4, Township 6 South, Range 29 East, St. Johns County, Florida, more fully described as follows: All of fractional Section 4 West of the Florida East Coast Railway Right-of-Way and South of Nine Mile Road, except two acres described as follows: Commencing at the intersection of West line of said Right-of-Way and North line of said Section 4, thence Southeast 2,512 feet along the West line of said Right-of-Way for a Point of Beginning; thence Southeasterly along said West line of Right-of-Way 435.6 feet; thence South 66 degrees 20 minutes West 200 feet; thence North 38 degrees West 435.6 feet to the South side proposed County road; thence North 66 degrees 30 minutes East 200 feet to the Point of Beginning.

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 98 027 B _____

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

issues of JANUARY 2, 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 4th day of JANUARY, 19 99,

by Zoe Ann Moss who is personally

known to me or who has produced _____ PERSONALLY KNOWN _____ as

identification.

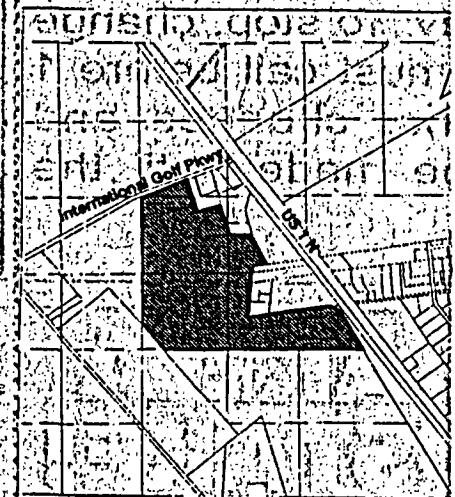
Zoe Ann Moss _____
(Signature of Notary Public) (Seal)
ZOE ANN MOSS

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

Ordinance Book 22 Page 100

Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on the 26th of January, 1999 at 1:30 PM, in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 9A) and US1 North, St. Augustine, Florida, will consider passage of the following ordinances:

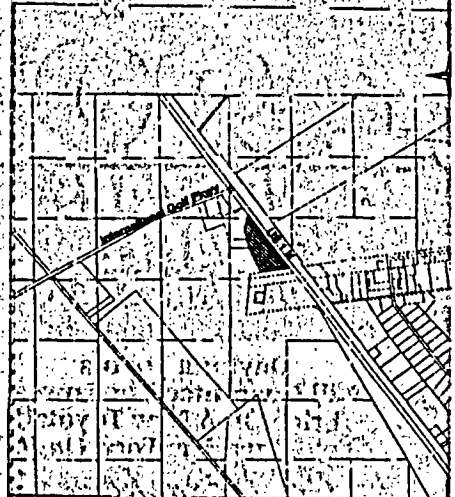
ORDINANCE #1 - See Figure 1:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF IW WITH CONDITIONS TO OPEN RURAL (OR) MAKING FINDINGS OF FACT, REQUIRING RECORDATION, AND PROVIDING EFFECTIVE DATE.



SUBJECT PROPERTY
File Number: R-98-027B

Figure 1

ORDINANCE #2 - See Figure 2:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF IW WITH CONDITIONS TO OPEN RURAL (OR) MAKING FINDINGS OF FACT, REQUIRING RECORDATION, AND PROVIDING EFFECTIVE DATE.



SUBJECT PROPERTY
File Number: R-98-

Figure 2

The purpose of the above ordinance (Ordinance #2) is to change the maximum height of structures to 80 feet.

Applicant: St. Johns County and Maguire Land Corp.

Location: 125 International Golf Parkway, Lot J within Section 8, Township 8 South, Range 29 East, 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: Cheryl Strickland, Its Clerk

FILE NUMBER: R-88-27B

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32086. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501, 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, 32086.

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 Administrative Complex, 4020 Lewis Speedway (County Road 16-A and US1 North), St. Augustine, Florida.

L784A Jan. 2, 1999

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 _____
PATRICIA BERGQUIST

_____ 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 _____ REZONING OF LANDS TO CHANGE MAXIMUM HEIGHT S

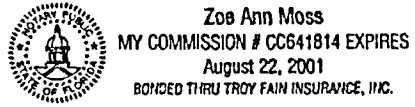
in the _____ Court, was published in said newspaper in the
issues of JANUARY 27, 1999

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 24 day of FEB., 1999

by Patricia Bergquist who is personally

known to me or who has produced _____ PERSONALLY KNOWN _____ as
identification. (Type of Identification)



Zoe Ann Moss
(Signature of Notary Public)

(Seal)

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

NOTICE OF PROPOSED REZONING
NOTICE IS HEREBY GIVEN that a public hearing of the Board of County Commissioners of St. Johns County, Florida scheduled for January 26, 1999 at 1:30 p.m. has been rescheduled for February 23, 1999 at 1:30 p.m. in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 18-A) and US1 North, St. Augustine, Florida, to consider passage of the following ordinances:
ORDINANCE #1 - See Figure 1
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ORDINANCE #2 - See Figure 2
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The purpose of the above ordinance (Ordinance #2) is to change the maximum height of structures to 80 feet.
Applicant: St. Johns County and Maguire Land Corp.
Location: 125 International Golf Parkway, Lot J within Section 4, Township 8 South, Range 29 East, 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: Cheryl Strickland, Its Clerk
FILE NUMBER: R-98-27B
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Interested parties may appear at the meeting and be heard with respect to the proposed request.
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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, 32095.
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 Administrative Complex, 4020 Lewis Speedway (County Road 18-A and US1 North), St. Augustine, Florida.
L 931A Jan. 27, 1999

