

(5)
214

Public Records of
St. Johns County, FL
Clerk# 01-001462
O.R. 1557 PG 1128
01:56PM 01/10/2001
REC \$21.00 SUR \$3.00

ORDINANCE NUMBER: 2000- 70

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF COMMERCIAL
HIGHWAY TOURIST (CHT) TO COMMERCIAL
INTENSIVE (CI); MAKING FINDINGS OF FACT;
REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Susan Bloodworth on behalf of , Logan Nye, Inc. owner(s) of lands described herein,
filed an application for zoning change dated, November 14, 2000, described hereinafter, and after
required notice was published a public hearing was held on the 19th day of December,
2000 at 9:00 AM 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 Intensive 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 Zoning Ordinance.
- 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.

Forker - P. Seguard
BCC Secty
Ordinance Book 26 Page 446

SECTION 2. Pursuant to the application of the zoning classification of Commercial Highway Tourist (CHT) on the following described land:

See Exhibit A

is hereby changed to Commercial Intensive (CI) .

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 19th DAY OF December 2000

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

BY: Patricia DeGrande
Deputy Clerk

EFFECTIVE DATE: 12-22-2000

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Ordinance Book 26 Page 447

PAGE 3-8

O.R. 849 PG 1434

OR1557PG1130

St. Augustine Outlet Mall - Job #5433-1

A portion of Section 6, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at I-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38°29'40" East, along said Southwesterly right of way line, a distance of 1235.87 feet to I-95 Station 8272+06.47, said point being the Point of Curvature of a curve to the right concave Southwesterly and having a radius of 5579.59 feet; thence Southeasterly around and along the arc of said curve and continuing along said Southwesterly right of way line, a distance of 46.68 feet, said arc being subtended by a chord bearing and distance of South 38°15'17" East, 46.67 feet to the most Easterly corner of those certain lands described in Official Records Book 661, Page 1483 and the most Northerly corner of those certain lands described in Official Records Book 688, Page 1995, both of the Public Records of said County; thence South 53°44'20" West, along the Northwesterly boundary of said last mentioned lands and the Southeasterly boundary of said lands in Official Records Book 661, Page 1483, a distance of 570.26 feet for a POINT OF BEGINNING; thence continue South 53°44'20" West, along said last mentioned line, a distance of 270.00 feet to a point situate in the Northeasterly right of way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right of way as now established); thence South 36°16'19" East, along said Northeasterly right of way line, a distance of 200.00 feet; thence North 53°44'20" East, a distance of 270.00 feet; thence North 36°16'19" West, a distance of 200.00 feet to the POINT OF BEGINNING.

Containing 1.2397 acres, more or less.

EXHIBIT "A"

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

NOV 21 PM 1:36

Wm. J. Huber
 CLERK OF COUNTY COURT

ORDINANCE BOOK 26 PAGE 448

OR1557PG1131

Parcel 2-B

D.R. 849 PG 1436

St. Augustine Outlet Mall - Job #3433-Z

A portion of Section 6, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at I-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38°29'40" East, a distance of 717.78 feet to the most Northerly corner of those certain lands described in Official Records Book 688, Page 1698 (Parcel B) of the Public Records of said County; thence South 53°44'20" West, along the Northwesterly boundary of said last mentioned lands, a distance of 618.85 feet for a POINT OF BEGINNING; thence continue South 53°44'20" West, along said last mentioned line, a distance of 200.00 feet to the Northeasterly right of way line of State Road No. 18 and/or Mill Creek Road (a 200 foot right of way as now established); thence South 36°18'19" East, along said Northeasterly right of way line, a distance of 564.34 feet; thence North 53°44'20" East, a distance of 270.00 feet; thence North 36°18'19" West, a distance of 60.00 feet; thence North 81°15'40" West, a distance of 99.01 feet; thence North 38°16'19" West, a distance of 434.33 feet to the POINT OF BEGINNING.

Containing 2.7438 acres, more or less.

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

20 MAR 21 PM 1:40

EXHIBIT "A" *Paul "Bud" Hunkel*
CLERK OF COUNTY COURT

ORDINANCE BOOK 26 PAGE 449

OR1557PG1132

Parcel 1-B

O.R. 849 PG 1439

St. Augustine Outlet Mall - Job #5433-G

A portion of Section 6, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at T-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38°29'40" East, a distance of 717.78 feet to the most Northerly corner of those certain lands described in Official Records Book 688, Page 1695 (Parcel B) of the Public Records of said County; thence South 53°44'20" West, along the Northwesterly boundary of said last mentioned lands, a distance of 618.55 feet for a POINT OF BEGINNING; thence continue South 53°44'20" West, along said last mentioned line, a distance of 200.00 feet to the Northeastly right of way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right of way as now established); thence North 36°16'19" West, along said Northeastly right of way line, a distance of 532.21 feet; thence North 18°32'20" East, a distance of 294.58 feet; thence South 36°16'19" East, 439.91 feet; thence South 11°56'03" West, 54.65 feet; thence South 36°16'19" East, a distance of 225.67 feet to the POINT OF BEGINNING.

Containing 3.1825 acres, more or less.

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

NOV 21 PM 1:40

W. Earl Mark
CLERK OF CIRCUIT COURT

EXHIBIT "A"

ORDINANCE BOOK 26 PAGE 450

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 PUBLIC HEARING

in the matter of FILE# R 00 042

FAMILY FUN FACTORY

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

DECEMBER 1, 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 1ST day of DECEMBER 2000,

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Notary Public]



Zoe Ann Moss MY COMMISSION # CC641814 EXPIRES August 22, 2001 (Seal) BONDED THRU TROY FAIR INSURANCE, INC.

Zoe Ann Moss

ORDINANCE BOOK 26 PAGE 451

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on the 7th day of December 2000 at 1:30 p.m. by the St. Johns County Planning & Zoning Agency and the 19th day of December, 2000 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider rezoning of land located at State Road 16 more particularly described as follows:

EXHIBIT "A" A portion of Section 6, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

COMMENCING at I-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38 degrees 29'40" East, a distance of 717.78 feet to the most Northerly corner of those certain lands described in Official Records Book 688, Page 1695 (Parcel B) of the Public Records of said County; thence South 53 degrees 44'20" West, along the Northwesterly boundary of said last mentioned lands, a distance of 618.55 feet for a POINT OF BEGINNING; thence continue South 53 degrees 44'20" West, along said last mentioned line, a distance of 200.00 feet to the Northwesterly right of way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right of way as now established); thence North 36 degrees 16'19" West, along said Northeastly right of way line, a distance of 532.21 feet; thence North 36 degrees 32'20" East, a distance of 294.58 feet; thence South 36 degrees 16'19" East, 439.19 feet; thence South 11 degrees 56'03" West, 54.65 feet; thence South 36 degrees 16'19" East, a distance of 225.67 feet to the POINT OF BEGINNING.

Containing 3.1825 acres, more or less; and COMMENCING at I-95 Station 8284+42.34 on the Southwesterly right of way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38 degrees 29'40" East, a distance of 717.78 feet to the most Northerly corner of those certain lands described in Official Records Book 688, Page 1698 (Parcel B) of the Public Records of said County; thence South 53 degrees 44'20" West, along the Northwesterly boundary of said last mentioned lands, a distance of 618.55 feet for a POINT OF BEGINNING; thence continue South 53 degrees 44'20" West, along said last mentioned line, a distance of 200.00 feet to the Northwesterly right of way line of State Road No. 16 and/or Mill Creek Road (a 200 foot right of way as now established); thence North 36 degrees 16'19" East, along said Northeastly right of way line, a distance of 564.34 feet; thence North 36 degrees 44'20" East, a distance of 270.00 feet; thence North 36 degrees 16'19" West, a distance of 60.00 feet; thence North 81 degrees 15'40" West, a distance of 99.01 feet; thence North 38 degrees 16'19" West, a distance of 434.33 feet to the POINT OF BEGINNING.

Containing 2.7438 acres, more or less; and COMMENCING at I-95 Station 8284+42.34 on the Southwesterly Right of Way line of Interstate Highway No. 95 (according to Florida Department of Transportation Right of Way Map, Section 78080-2405); thence South 38 degrees 29'40" East, along said Southwesterly right of way line; a distance of 1235.87 feet to I-95 Station 8272+06.47, said point being the point of curvature of a curve to the right concave Southwesterly and having a radius of 5579.59 feet; thence Southeasterly around and along the arc of said curve and continuing along said Southwesterly Right of Way line, a distance of 46.68 feet, said arc being subtended by a chord bearing in distance of South 38 degrees 15'17" East, 46.67 feet to the most Easterly corner of those certain lands described in Official Records Book 661, Page 1483 and the most Northerly corner of those certain lands described in Official Records Book 688, Page 1995 both of the public records of said county; thence South 53 degrees 44'20" West, along the Northwesterly boundary of said last mentioned lands and the Southeasterly boundary of said lands in Official Records Book 661, Page 1483, a distance of 570.24 feet for a POINT OF BEGINNING; thence continue South 53 degrees 44'20" West, along said last mentioned line, a distance of 270.00 feet to a point situate in the Northeastly Right of Way line of State Road No. 16 and/or Mill Creek Road (a 200 foot Right of Way as now established); thence South 36 degrees 60'19" East, along said Northeastly Right of Way line, a distance of 200.00 feet; thence North 53 degrees 44'20" East, a distance of 270.00 feet; thence North 36 degrees 16'19" West, a distance of 200.00 feet to the POINT OF BEGINNING.

Containing 1.2397 acres, more or less. The aforementioned property is currently zoned Commercial Highway Tourist (CHT) and it is proposed that it be rezoned to Commercial Intensive (CI).

The application for rezoning, FILE NUMBER R-00-042 (Family Fun Factory), 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 Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 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.

PLANNING & ZONING AGENCY ST. JOHNS COUNTY, FLORIDA By Don House, Its Chairman FILE NUMBER: R-00-042, Family Fun Factory (L3222 Dec 1, 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



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

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

December 22, 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 21, 2000 and certified copy of Ordinance No. 2000-70, which was filed in this office on December 22, 2000.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

FILED
00 DEC 28 PM 3:21
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

ORDINANCE BOOK 26 PAGE 452

BUREAU OF ADMINISTRATIVE CODE

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FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us