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ORDINANCE NUMBER: 2001 - 38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) AND OPEN RURAL (OR) WITH ESSENTIAL PUBLIC SERVICE (EPS) ZONING EXCEPTION TO PUBLIC SERVICE (PS); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lori Tipton, on behalf of PS Partnership, the owner of lands described herein, filed an application (File Number REZ 2001-01) for a zoning change dated January 12, 2001, as described hereinafter, and after required notice was published, a public hearing was held on the 22nd day of May, 2001, at 1:30 p.m. 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 Growth Management Services Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3)
 - (b) The rezoning shall provide land for necessary utilities in future development or redevelopment areas. (Objective A.1.8)
3. The rezoning to Public Service (PS) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Public Service (PS) is consistent with the land uses allowed in the land use designation of Residential-B Coastal as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application (File Number REZ 2001-01) the zoning classification of Open Rural (OR) of the lands described within the legal description as follows:

Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 of Block 33 within the Pine Crest Estates subdivision, according to map thereof as recorded in Map Book 3, 144 of the Public Records of St. Johns County, Florida.

is hereby changed to Public Service (PS).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect upon receipt by Secretary of State, and the Order of Exception granted pursuant to EPS-84-4 shall become null and void upon the effective date of this Ordinance.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed maintained in the Growth Management Services Department by the Planning Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 22nd DAY OF MAY, 2001.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

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

ATTEST CHERYL STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: May 29, 01

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 PROPOSED REZONING

in the matter of **REZ 2001-01**

PINE CREST REZONING

in the Court, was published in said newspaper in the issues of
MAY 4, 2001

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 **8TH** day of **MAY** 2001

by Linda Y Murray who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Zoe Ann Moss
(Signature of Notary Public)



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

Zoe Ann Moss

COPY OF

**NOTICE OF A
PROPOSED REZONING
NOTICE IS HEREBY
GIVEN** that a public hearing will be held on **May 22, 2001** at **1:30 p.m.** before the **St. Johns County 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 the rezoning of land generally located at 25570 Marsh Landing Parkway and more particularly described as follows:

Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 of Block 33 within the Pine Crest Estates subdivision, according to map thereof as recorded in Map Book 3, 144 of the Public Records of St. Johns County, Florida.

The aforementioned property is currently zoned Open Rural (OR) and it is proposed that it be rezoned to Public Service (PS) to allow for expansion of the existing utility site.

The file is maintained in the Planning Division of the Growth Management Services Department, County Administration Building, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodations 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 procedure. Interested parties should limit contact with the County Commissioners and Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY,
FLORIDA**
By **MARY F. KOHNKE**,
CHAIR
FILE NUMBER:
**REZ-2001-01, KNOWN AS
PINE CREST REZONING
L976-1 May 4, 2001**