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ORDINANCE NUMBER: 2002 - 77

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), INDUSTRIAL WAREHOUSING (IW) AND RESIDENTIAL SINGLE FAMILY (RS-3) TO PUBLIC SERVICE (PS) MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Karen M. Taylor, on behalf of St. Johns County, a political subdivision of the State of Florida, the owner of lands described herein, filed an application (File Number REZ 2002-28) for a zoning change dated November 13, 2002, as described hereinafter, and after required notice was published, a public hearing was held on the 16th day of December, 2002, 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 to Public Service (PS) 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 encourages an efficient and compact land use pattern and supports balanced growth. (Objective A.1.11)
3. The rezoning to Public Service (PS) is consistent with the St. Johns County Land Development Code.
4. The zoning district designations of Public Service (PS) is consistent with the land uses allowed in the land use designation of Public (P) and Mixed Use District (Md) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application (File Number REZ 2002-28) the zoning classification of Open Rural (OR), Industrial Warehousing (IW) and Residential Single Family (RS-3) of the lands described within the legal description, attached as EXHIBIT A,

is hereby changed to Public Service (PS).

In + Ret - BCC Secty  
Robin Platt

Ordinance Book 30 Page 205

**SECTION 3.** To the extent that they do not conflict with the 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.

**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 17 DAY OF December, 2002.**

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

BY: James E. Bryant  
James E. Bryant, Chairman

RENDITION DATE 12-19-02

ATTEST: CHERYL STRICKLAND, CLERK

BY: Uvanne King  
Deputy Clerk

EFFECTIVE DATE: 12/23/2002



*Handwritten signature*  
11/14/02

EXHIBIT A  
LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 38, THE FRANCIS J. FATO GRANT SECTIONS 55, 56 AND THE JOE DELESRODE GRANT SECTION 57, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, BEGIN AT A 1/2" IRON PIPE AT THE NORTHWESTERLY CORNER OF GOVERNMENT LOT 3, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1851 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 08°52'40" WEST, ALONG THE WEST LINE OF SAID SECTION 38, A DISTANCE OF 478.39 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#824" ON THE SOUTHERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY (COUNTY ROAD 16-A, FORMERLY STATE ROAD 16-A) A VARIABLE WIDTH RIGHT OF WAY; THENCE NORTH 81°43'28" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 577.76 FEET TO A 4"x4" CONCRETE MONUMENT, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 168 OF SAID PUBLIC RECORDS; THENCE NORTH 81°43'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY AND THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 5.31 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#8187" AND THE NORTHEASTERLY CORNER OF SAID LANDS AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF FLORIDA EAST COAST RAILWAY COMPANY, A 100 FOOT WIDE RIGHT OF WAY; THENCE SOUTH 27°36'43" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS AND SAID SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 142.89 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#8824" AND THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS 2814.93 FEET; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID FLORIDA EAST COAST RAILWAY COMPANY AND ALONG SAID NORTHEASTERLY LINE OF SAID LANDS, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 165, THE NORTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCEL 2) ALL OF SAID PUBLIC RECORDS AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°07'18", AN ARC DISTANCE OF 1135.97 FEET; SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 16°23'04" EAST, 1128.28 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167" AND THE SOUTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1185, PAGE 171; THENCE NORTH 83°51'30" WEST, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1165, PAGE 171, (PARCELS 1 AND 2) AND OFFICIAL RECORDS BOOK 1165, PAGE 176, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 1,388.20 FEET TO A 5/8" IRON ROD IDENTIFIED AS "LB#5167", SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1551. SAID POINT ALSO BEING THE WESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1185, PAGE 171, ALL OF SAID PUBLIC RECORDS; THENCE SOUTH 82°04'10" WEST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 528.61 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#8824", SAID POINT BEING THE SOUTHWESTERLY CORNER OF OF SAID LANDS AND THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 81, PAGE 505, OF SAID PUBLIC RECORDS; THENCE NORTH 28°39'04" WEST, ALONG SAID SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1551 AND DEED BOOK 81, PAGE 505, A DISTANCE OF 545.03 FEET TO THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 823, PAGE 481, OF SAID PUBLIC RECORDS, AND THE MOST WESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 831, PAGE 1551, OF SAID PUBLIC RECORDS; THENCE SOUTH 81°48'52" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 15 FEET MORE OR LESS TO THE WESTERLY LINE OF SAID LANDS, SAID WESTERLY LINE ALSO BEING THE CENTERLINE OF A CREEK; THENCE NORTHERLY, ALONG SAID CENTERLINE AND THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 910, PAGE 897, OF SAID PUBLIC RECORDS, A DISTANCE OF 740 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY OF SAID LEWIS SPEEDWAY; THENCE NORTH 81°44'52" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 155 FEET MORE OR LESS TO A 4"x4" CONCRETE MONUMENT AT THE NORTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772, PAGE 1482, OF SAID PUBLIC RECORDS, SAID POINT ALSO BEING AT THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE AND THE SOUTHWESTERLY LINE OF SECTION 55, OF SAID TOWNSHIP AND RANGE; THENCE SOUTH 31°27'38" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, ALONG THE SOUTHWESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 772 PAGE 1482, THE SOUTHWESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324, ALL OF SAID PUBLIC RECORDS, AND THE SOUTHWESTERLY LINE OF SAID SECTION 55, A DISTANCE OF 506.90 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6624", SAID POINT BEING THE SOUTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 372, PAGE 324; THENCE NORTH 81°45'45" EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1118, PAGE 38 AND THE NORTHERLY LINE SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 651, PAGE 1551, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 773.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,582,782 SQUARE FEET OR 35.88 ACRES, MORE OR LESS.

Plus

A parcel of land in Government Lot 1, Section 36, Township 6 South, Range 29 East, St. Johns County, Florida. Being a part of that Tract described in Deed Book 262, page 154 - 156, of the public records of said County, and being more particularly described as follows: Commencing at the intersection of the Southerly boundary of said Government Lot 1 with the Westerly right-of-way line of the Florida East Coast Railway Company, being a line parallel with and 30.0 feet Westerly from the center line of the Main Track when measured at right angles thereto, and run North 27 degrees 55 minutes 50 seconds West, along said Railway right-of-way line, A distance of 1,081.30 feet; thence South 81 degrees 44 minutes 50 seconds West, along a line parallel with said County Road C-16A, A distance of 620.09 feet to a concrete monument found and Point of Beginning of the herein described parcel of land; thence South 8 degrees 15 minutes 10 seconds East, a distance of 337.40 feet to a concrete monument found at the Northerly right-of-way line of said County Road C-16A; thence along said Right-of-way line South 81 degrees 44 minutes 50 seconds West, a distance of 731.20 feet; thence North 8 degrees 15 minutes 10 seconds West, 10 feet; thence South 81 degrees 44 minutes 50 seconds West, 80.46 feet; thence North 00 degrees 02 minutes 00 seconds East, along a line being also the Easterly right-of-way line of Avenue "D", having a right-of-way width 60 feet, a distance of 330.85 feet; thence North 81 degrees 44 minutes 50 seconds East, a distance of 763.98 feet to the Point of Beginning.

Also, South Forty (40) acres of Lot One (1) Section Thirty-six (36) Township Six (6) South Range Twenty-nine (29) East, containing Forty (40) acres, more or less.

Plus

A portion of Government Lot 1, Section 36, Township 4 South, Range 29 East, St. Johns County, Florida being a portion of that certain tract now occupied by the St. Johns County Prison Farm and described in deed to St. Johns County, Florida, by deed dated November 24, 1922, and recorded in Deed Book 46, page 103, of the public records of said County, the portion herein described being more particularly described as follows: For point of reference, commence at a concrete monument set in the southerly boundary of said Government Lot 1, where said boundary is intersected by the westerly right of way line of the Florida East Coast Railway Company, being a line parallel with and 30 feet westerly from the centerline of the main, or north-bound track when measured at right angles thereto and run North 27°55'50" West along said Railway right of way line 1081.30 feet to a concrete monument set in a line which is parallel with and distant 377.4 feet northerly from the centerline of Florida State Road Number S-16-A as said road is now established and paved for point of beginning. From the Point of Beginning thus described, run South 81°44'50" West parallel with said State Road centerline a distance of 620.09 feet to a concrete monument; run thence South 09°15'10" East at right angles to said State Road centerline; 377.40 feet to a point in said State Road center line; run thence South 81°44'50" West along said State Road center line, 818.95 feet to a point on the southerly prolongation of a fence; run thence North 00°02' East along said prolongation and along said fence 917.04 feet to an iron pipe set at a fence corner; run thence North 12°19'50" East continuing along said fence, a distance of 337.88 feet to an iron pipe set where said fence is intersected by the southerly boundary of the Weina and Kuhn subdivision as said subdivision is recorded in Map Book 3, page 35 of the aforesaid County Records; run thence in an easterly direction, along that certain boundary described in a boundary line agreement recorded in the Public Records of said County in Deed Book 266, page 210 through 218, inclusive as follows: First Course, South 88°52'30" East along the southerly boundary of said subdivision, a distance of 474.17 feet to an iron pipe; continue thence along the first course South 88°52'30" East a distance of 84.13 feet to an iron pipe; Second Course, South 27°18'30" East, a distance of 159.6 feet to the corner of a chain link fence; Third Course, North 87°14'50" East a distance of 335.18 feet along an existing chain link fence to the southeast corner of said chain link fence; continue thence North 87°14'50" East a distance of 77.34 feet to a concrete monument set in the aforesaid Railway right of way; run thence South 27°55'50" East along said Railway right of way 605.43 feet to the Point of Beginning; excepting from above described tract any portion thereof lying within the right of way of said State Road Number S-16-A.

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LESS AND EXCEPT THE FOLLOWING PARCEL OF LAND:

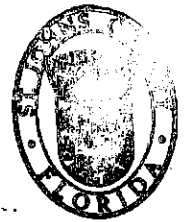
A parcel of land in Government Lot 1, Section 36, Township 6 South, Range 29 East, St. Johns County, Florida. Being a part of that Tract described in Deed Book 262, page 184 - 186, of the Public Records of said County, and being more particularly described as follows: Commencing at the intersection of the southerly boundary of said Government Lot 1 with the westerly right of way line of the Florida East Coast Railway Company, being a line parallel with and 30.0 feet westerly from the center line of the Main Track when measured at right angles thereto, and run North 27°55'50" West, along said Railway right of way line, a distance of 1081.30 feet; thence South 81°44'50" West, along a line parallel with said County Road C-16A, a distance of 620.09 feet to a concrete monument found and point of beginning of the herein described parcel of land; thence South 08°15'10" East, a distance of 337.40 feet to a concrete monument found at the northerly right of way line of said County Road C-16A; thence along said right of way line South 81°44'50" West, a distance of 731.20 feet; thence North 08°15'10" West, 10 feet; thence South 81°44'50" West, 80.44 feet; thence North 00°02'00" East along a line being also the easterly right of way line of Avenue "D", having a right of way width 60 feet, a distance of 330.05 feet; thence North 81°44'50" East a distance of 743.98 feet to the point of beginning.

ALSO LESS AND EXCEPT THE FOLLOWING ROAD RIGHT OF WAY:

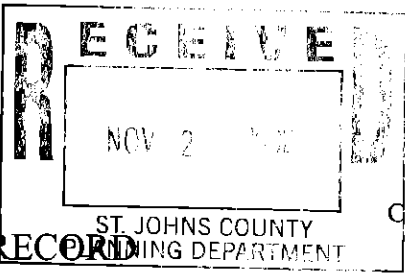
A strip of land seventy (70) feet in width in Government Lot 1, section 36, Township 6 South, Range 29 East, St. Johns County, Florida, said strip of land being more particularly described as follows: For point of reference, commence at a concrete monument set in the southerly boundary of said Government Lot 1, where said boundary is intersected by the westerly right of way line of the Florida East Coast Railway Company, being a line parallel with and 30 feet westerly, as measured at right angles, from the center line of the northbound main track, and run North 27°55'50" West on said Railway right of way line 1081.30 feet to a concrete monument set in a line which is 377.40 feet northerly, as measured at right angles, from the center line of Florida State Road Number S-16-A for the point of beginning at the southeasterly corner of the herein described strip of land; thence South 81°44'50" West, 74.34 feet to a line which is 70 feet westerly as measured at right angles, from said Railway right of way line; thence North 27°55'50" West, parallel with said Railway right of way line, 613.30 feet; thence North 87°14'50" East 77.34 feet to the said Railway right of way line; thence South 27°55'50" East, 608.43 feet to the point of beginning.

Page Two.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 20th DAY OF January 20 03 CHERYL STRICKLAND, CLERK Ex-Officio Clerk of the Board of County Commissioners



BY: Rolva S. Platt D.C.



THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT

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 FILE # REZ 2002-28 4015 LEWIS SPEEDWAY

ST JOHNS COUNTY COMPLEX & SHERIFFS COMPLEX

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

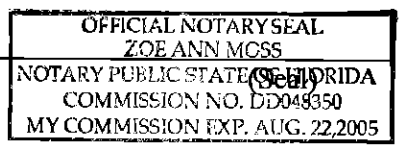
NOVEMBER 20, 2002

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 20TH day of NOVEMBER 2002

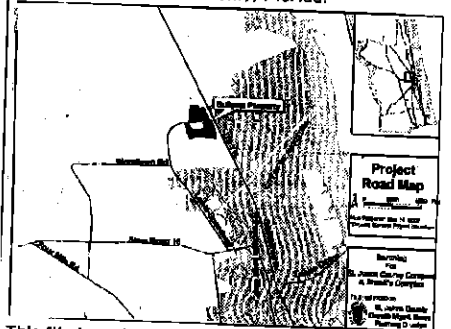
by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss (Signature of Notary Public)



Zoe Ann Moss

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on the Thursday, December 5, 2002 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, December 17, 2002 at 1:30 p.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to bring zoning into conformance with Comprehensive Plan. The subject property is located at 4015 Lewis Speedway within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, 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 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, 32084. For hearing impaired individuals, call Florida Relay Service at 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. This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and 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 Division, P.O. Drawer 349, St. Augustine, Florida, 32085. PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA DAVID WILES, CHAIRMAN BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA JAMES E. BRYANT, CHAIRMAN FILE NUMBER: REZ 2002-28 St. Johns Co. Complex & Sheriff's Complex L2521-2 Nov 20, 2002