

ORDINANCE NUMBER: 2004-03

7
6315

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) TO INDUSTRIAL WAREHOUSING (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

WHEREAS, Richard J. Davis, the owner of lands described herein, incorporated by reference as Exhibit "A", (legal description), filed an application, incorporated by reference as File Number REZ 2003-20 for a zoning change dated September 8, 2003, as described hereinafter, and after required notice was published, a public hearing was held on the 2nd day of December, at 1:30 on said application.

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 the general public 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 Industrial Warehousing (IW) 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 and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Industrial Warehousing (IW) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Industrial Warehousing (IW) is consistent with the land uses allowed in the land use designation of Industrial (I) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2003-20 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Industrial Warehousing (IW).

J. King
BCC Secty

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 the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained 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 13 DAY OF January, 2004.

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

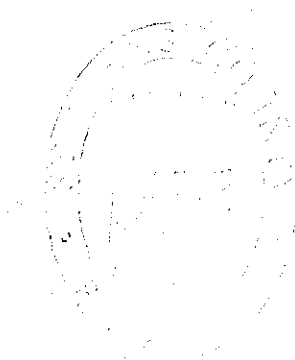
BY: *Karen R. Stern*
Karen R. Stern, Chair

RENDITION DATE 01-16-04

ATTEST: CHERYL STRICKLAND, CLERK

BY: *Juanne King*
Deputy Clerk

EFFECTIVE DATE: January 21, 2004



LEGAL DESCRIPTION BY SURVEYOR**(for Davis Industrial Park, Phase III)**

A parcel of land situated in the southeast quarter of section 22, township 7 south, range 29 east, St. Johns County, Florida and being more particularly bounded and described as follows:

Begin at the southeast corner of said section 22; thence S 89°21'48" W along the south line of said section 22 a distance of 1,222.09 feet to the southeasterly right-of-way line of the Florida East Coast Railway; thence N 49°39'09" E along said southeasterly right-of-way line 1,033.44 feet; thence N 89°21'48" E, 426.77 feet to the east line of said section 22; thence S 00°39'48" E along said east line of section 22 a distance of 660.28 feet to the point of beginning.

The aforescribed parcel contains 12.3 acres more or less.

TAX PARCEL NUMBER**095870-0000**



ST. JOHNS COUNTY
Application For Rezoning
FROM OR TO IW

RECEIVED
SEP 08 2003
ST. JOHNS COUNTY
PLANNING DEPARTMENT

DATE 9-8-03

PROJECT NAME: DAVIS INDUSTRIAL PARK- PHASE III

OWNER/APPLICANT: RICHARD J. DAVIS

ADDRESS: 5 INDIAN MOUND DR.
ST. AUGUSTINE, FL 32084

PHONE: (904) 826-3808 FAX: (904) 826-3808 CALL FIRST

E-MAIL ADDRESS: c(904)669-9197 davis7156@bellsouth.net

CONTACT PERSON: RICHARD J. DAVIS

ADDRESS: 5 INDIAN MOUND DR.
ST. AUGUSTINE FL 32084

PHONE: (904) 669-9197 FAX: (904) 826-3808 (Call first)

E-MAIL ADDRESS: davis7156@bellsouth.net

PROPERTY APPRAISERS PARCELNO. 095870-0000

SECTION: 22 TOWNSHIP: 7S RANGE: 29 E

CENSUS TRACT: _____ PROPERTY APPRAISERS MAP SHEET: 4E/22SX

LOCATION: NORTHWOOD DRIVE

911 ADDRESS (IF KNOWN) _____

CITY ST. AUG. STATE FL ZIP CODE 32084

TAZ _____ MAJOR ACCESS HOLMES BLVD.

OVERLAY DISTRICT? No IF YES, WHICH ONE _____

ZONE CLASS OR COMP. PLAN DSGN Current: Resi-B Proposed: IND

PRESENT USE OF PROPERTY: Vacant & grassed

WATER/SEWER: Water: SJCD Sewer: Septic
 WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) ST. JOHNS Co. OR2129PG1666
 WHO WILL MAINTAIN DRAINAGE: OWNER
 TYPE OF DEVELOPMENT: INDUSTRIAL PARK
 ACRES: 12.3± (SIZE OF PROPERTY) NUMBER OF LOTS/ UNITS: N/A (IF SUBDIVISION) SQ. FOOTAGE 140,000sf (OF EACH BUILDING)
 ACRES TO BE CLEARED: 11.5± 1/4 MILE INCREMENTS OF ROADWAY: 1
 IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES _____ NO ✓
 IS THE PROJECT SEAWARD OF CCCL? YES _____ NO ✓

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

A proposed third phase of a 3-phase light industrial/warehousing park. A total of 140,000 s.f. building coverage for phase III is proposed. The 12.3± acres may be divided up for multiple businesses. Drainage will be treated on-site.

Please list below any applications currently under review or recently approved which may assist in the review of this application: CPA 2003-01

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signature: Richard F. Davis Deborah M. Davis

Printed or typed name(s): Richard F. Davis Deborah M. Davis

Revised September 10, 2002

10-7

RECEIVED
 SEP 24 2003
 ST. JOHNS COUNTY

*Ms. Davis signed
 9-24-03/cws*

[Space Above this Line for Recording Data]

THIS WARRANTY DEED

made this **October 18, 2000 A.D.** By
DRMAN JOHN SATTICH AND CAROL M. SATTICH, INDIVIDUALLY, AND AS CO-TRUSTEES OF THE DRMAN JOHN SATTICH AND CAROL M. SATTI TRUST DATED 5/92 hereinafter called the grantor,
DEBORAH M. DAVIS, AMARRIED PERSON,, whose post office address is: 1570 Northwood Dr. St. Augustine, FL 32087
 hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **St. Johns County, Florida**, viz:

ALL OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4 AND PART OF THE SOUTH 1/2 OF GOVERNMENT LOT 3 LYING SOUTHEASTERLY OF COUNTY ROAD NO. 214 BOTH LYING IN SECTION 22, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING USE THE CONCRETE MONUMENT SET BY LOREN JONES, REGISTERED SURVEYOR NO. 894, ON THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 21 MINUTES 48 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 22, 1704.71 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 214 (AS NOW ESTABLISHED FOR AN 80 FOOT RIGHT-OF-WAY LINE); THENCE NORTH 28 DEGREES 57 MINUTES 31 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 758.96 FEET TO THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4; THENCE NORTH 89 DEGREES 20 MINUTES 56 SECONDS EAST ALONG SAID LINE AND ITS EXTENSION EAST, 1329.58 FEET TO A CONCRETE MONUMENT ON THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4, SAID MONUMENT BEING ON THE EAST LINE OF SAID SECTION 22; THENCE SOUTH 01 DEGREES 39 MINUTES 47 SECONDS EAST ALONG SAID EAST LINE, 660.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILROAD AS DESCRIBED BELOW:

A 100 FOOT RIGHT-OF-WAY LYING IN THE SOUTH 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOTS 3 AND 4, OF SECTION 22, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT USE THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 21 MINUTES 48 SECONDS WEST, 1220.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO THE POINT OF BEGINNING; THENCE NORTH 49 DEGREES 37 MINUTES 11 SECONDS EAST, 1032.60 FEET TO THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4; THENCE SOUTH 89 DEGREES 20 MINUTES 56 SECONDS WEST ALONG SAID NORTH LINE, 156.57 FEET; THENCE SOUTH 49 DEGREES 37 MINUTES 11 SECONDS WEST, 960.51 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS, CHORD, AND CHORD BEARING OF 2914.91 FEET, 70.96 FEET AND SOUTH 48 DEGREES 55 MINUTES 28 SECONDS WEST; THENCE AROUND THE ARC OF SAID CURVE, 70.96 FEET TO THE SOUTH LINE OF SAID SECTION 22; THENCE NORTH 89 DEGREES 21 MINUTES 48 SECONDS EAST ALONG SAID SOUTH LINE 156.42 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 095870-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this deed does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any. Subject to taxes and assessments for the current year.

Have and to Hold, the same in fee simple forever.

property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that the Grantor(s) or any members of the household of Grantor(s) reside thereon.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of encumbrances except taxes accruing subsequent to December 31, 1999.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

signed, sealed and delivered in our presence:

(2) SEPARATE WITNESSES ARE REQUIRED TO SIGN AND PRINT NAMES!

Zach Smith
Printed Name Zach Smith

Norman John Sattich (Seal)
NORMAN JOHN SATTICH
Address: _____

Bradley K. Cunningham
Printed Name Bradley K. Cunningham

Carol M. Sattich (Seal)
CAROL M. SATTICH

(2) SEPARATE WITNESSES ARE REQUIRED TO SIGN AND PRINT NAMES!

Zach Smith
Printed Name Zach Smith

Norman John Sattich (Seal)
NORMAN JOHN SATTICH, CO-TRUSTEE
Address: _____

Bradley K. Cunningham
Printed Name Bradley K. Cunningham

Carol M. Sattich (Seal)
CAROL M. SATTICH, CO-TRUSTEE

County of St. Johns

The foregoing instrument was acknowledged before me this October 18, 2000, by NORMAN JOHN SATTICH AND CAROL M. SATTICH, INDIVIDUALLY, AND AS CO-TRUSTEES OF THE NORMAN JOHN SATTICH AND CAROL M. SATTICH TRUST DATED 2/5/92, who is/are personally known to me or who has produced A VALID DRIVER'S LICENSE(S) as identification and has taken an oath.

[Signature]
Notary Public
Print Name: Wanda M. [Signature]
My Commission Expires: 9-8-2002

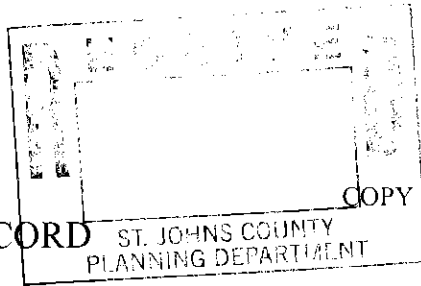
[NOTARY SEAL]

Prepared by:
AIG M. HERZOG
Independent Title of St. Augustine, Inc.
65 US 1 South, St. Augustine, Florida 32086
PHONE NUMBER: 00-18886

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA. I WITNESS MY HAND AND OFFICIAL SEAL THIS 27th DAY OF January 2004.
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



BY: Wanda King DC



COPY OF ADVERTISEMENT

THE ST. AUGUSTINE RECORD

ST. JOHNS COUNTY
PLANNING DEPARTMENT

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 2003-20/DAVIS INDUSTRIAL PARK**

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

December 22, 2003

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 **24TH** day of **DECEMBER 2003**

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

[Signature]

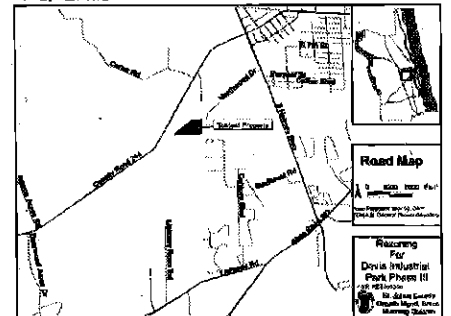
(Signature of Notary Public)



(Seal)

Zoe Ann Moss

NOTICE OF A PROPOSED REZONING
NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, January 13, 2004 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Open Rural (OR) to Industrial, Warehousing (IW).
The subject property is located at 1595 Northwood Drive within St. Johns County, Florida. See attached map Exhibit A.



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 Halsead, 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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
KAREN STERN, CHAIR
FILE NUMBER: REZ 2003-20
Davis Industrial Park Phase III
L2850-3 Dec. 22, 2003



FILED

STATE OF FLORIDA
DEPARTMENT OF STATE

04 JAN 23 AM 9:35
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST JOHNS COUNTY FL

GLEND A. HOOD
Secretary of State

JEB BUSH
Governor

January 21, 2004

Honorable Cheryl Strickland
Clerk to Board of Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Yvonne King
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 January 20, 2004 and certified copies of St. Johns County Ordinance Nos. 2004-3 through 2004-5, which were filed in this office on January 21, 2004.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/mp

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