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Public Records of  
St. Johns County, FL  
Clerk # 2005005306,  
O.R. 2360 PG 72-81  
01/20/2005 at 03:57 PM,  
REC. \$41.00 SUR. \$45.50

ORDINANCE NUMBER: 2004-87

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF Commercial General (CG) TO COMMERCIAL INTENSIVE (CI); 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, Joy and Jim Kluckhohn, the owner of lands described herein, incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number REZ 2004-025 for a zoning change dated June 11, 2004, as described hereinafter, and after required notice was published, a public hearing was held on the 3rd day of November, 2004 at 9:00 a.m. 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 Commercial Intensive (CI) 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 Commercial Intensive (CI) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Intensive (CI) is consistent with the land uses allowed in the land use designation of Mixed Use (Md) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2004-025 the zoning classification of the lands described within the legal description, Exhibit "A",

*Handwritten signature: J. King*  
BCC Secty

is hereby changed to Commercial Intensive (CI).

**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.

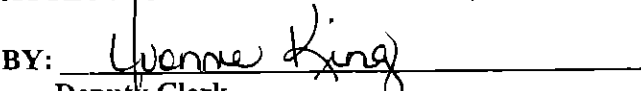
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 3<sup>rd</sup> DAY OF November 2004.**

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

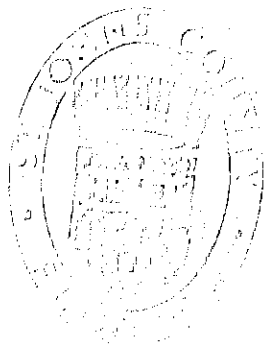
BY:   
Karen R. Stern, Its Chair

RENDITION DATE 11/06/04

ATTEST: **CHERYL STRICKLAND, CLERK**

BY:   
Deputy Clerk

EFFECTIVE DATE: 11/09/04

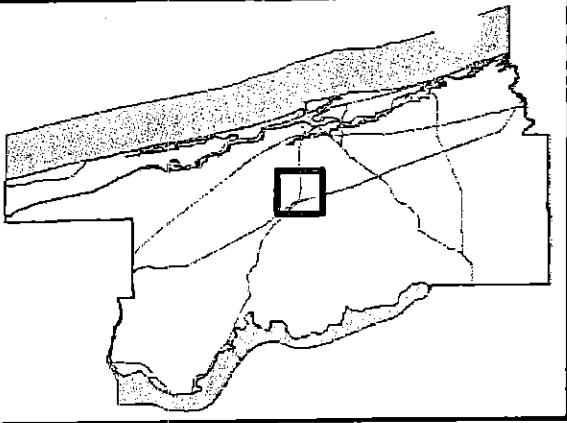


**Exhibit A**

The North 180 feet of the East 75 feet of Lot 24 of Green Acres Subdivision, which is part of Sections 5 and 8 of Township 7 South, Range 29 East, as per plat filed November 13, 1945, in Map Book 8, Page 5, public records of St. Johns County, Florida.

**PROPOSED FINDINGS OF FACT  
REZ-2004-025 2119 S.R. 16**

<b>APPROVES</b>	<b>DENIES</b>
1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.	1. The request for Rezoning has not been fully considered after public hearing with legal notice duly published as required by law because _____.
2. The rezoning to Commercial Intensive (CI) 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.	2. The rezoning is not consistent with County Comprehensive Plan because _____.
3. The rezoning to Commercial Intensive (CI) is consistent with the St. Johns County Land Development Code.	3. The rezoning to Commercial Intensive (CI) is not consistent with the St. Johns County Land Development Code because _____.
4. The zoning district designation of Commercial Intensive (CI) is consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2015 Future Land Use Map.	4. The zoning district designation of Commercial Intensive (CI) is not consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2015 Future Land Use Map because _____.



# Project Location Map

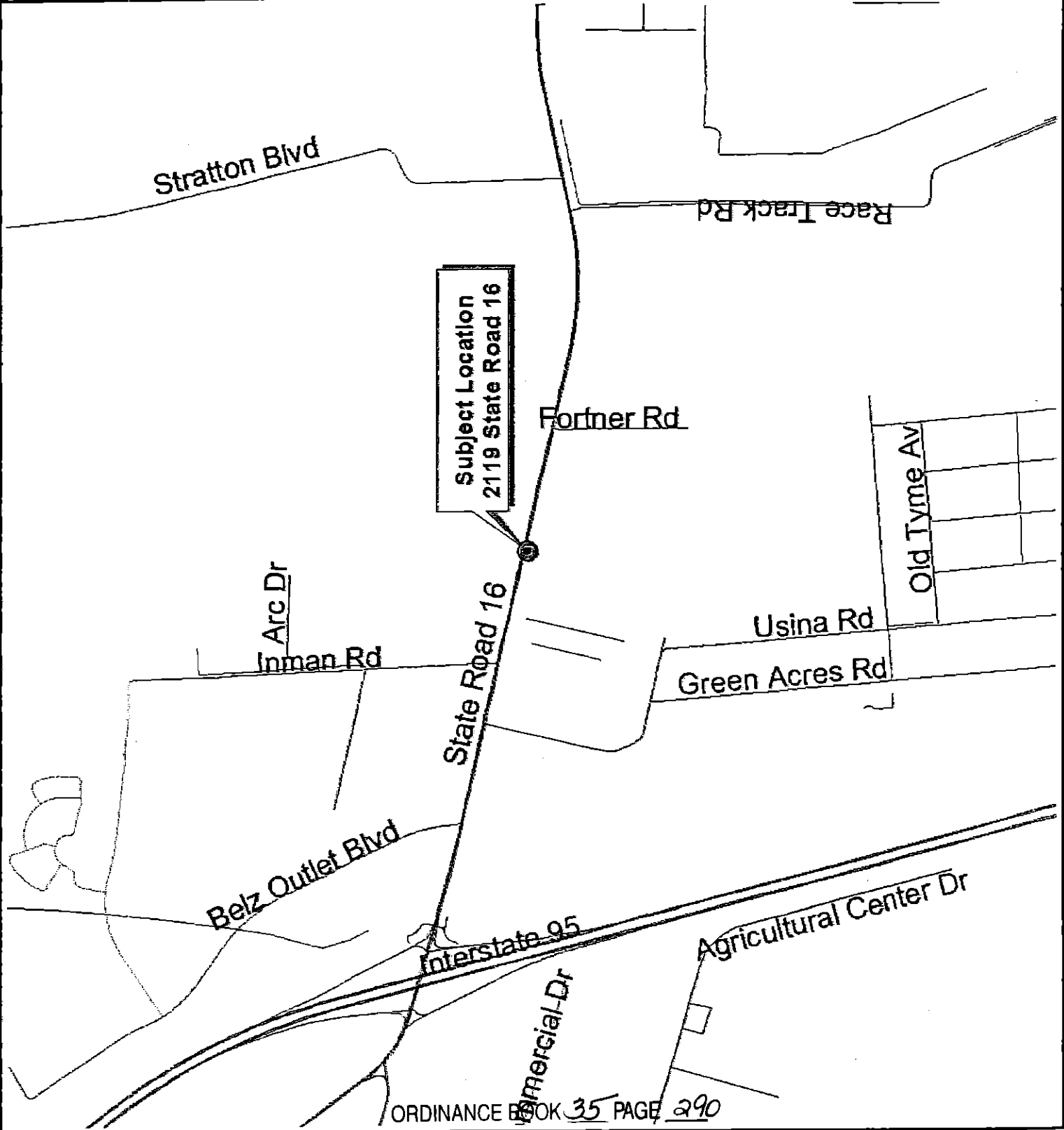


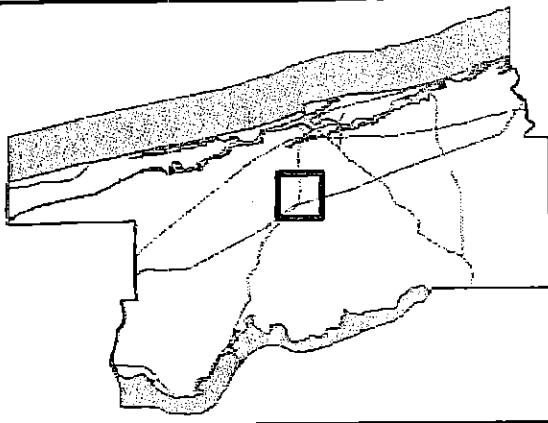
Map Prepared: Aug 09, 2004  
\*Depicts General Project Bound.

## Rezoning For 2119 SR 16



FILE: 086840-0000  
St. Johns County  
Growth Mgmt. Svcs.  
Planning Division





# Future Land Use Map



Map Prepared: Aug 09, 2004  
\*Depicts General Project Boundary

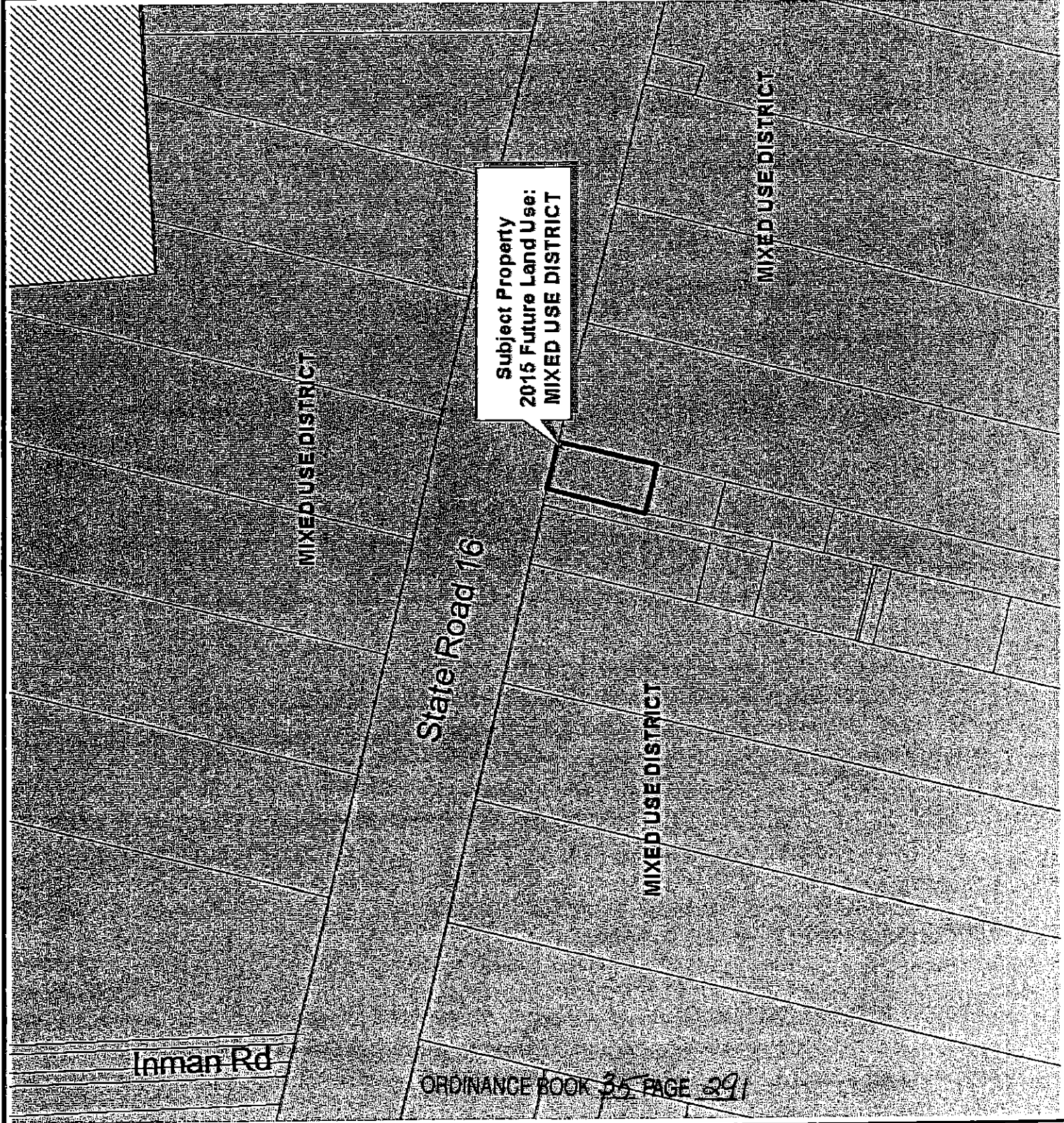
## Rezoning For

### 2119 SR 16

FILE: 086840-0000



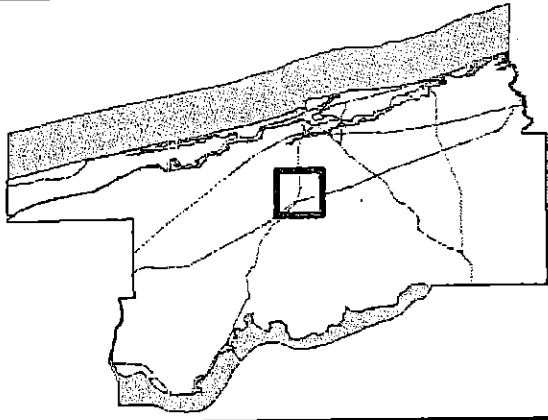
St. Johns County  
Growth Mgmt. Svcs.  
Planning Division



Subject Property  
2015 Future Land Use:  
MIXED USE DISTRICT

State Road 16

Inman Rd



# General Zoning Map

N 0 100 200 Feet

Map Prepared: Aug 09, 2004

\*Depicts General Project Boundary

## Rezoning For 2119 SR 16

FILE: 086840-0000



St. Johns County  
Growth Mgmt. Svcs.  
Planning Division

Subject Property Zoned: CG

State Road 16

Inman Rd

ORDINANCE BOOK 35 PAGE 292

OR

OR

PUD

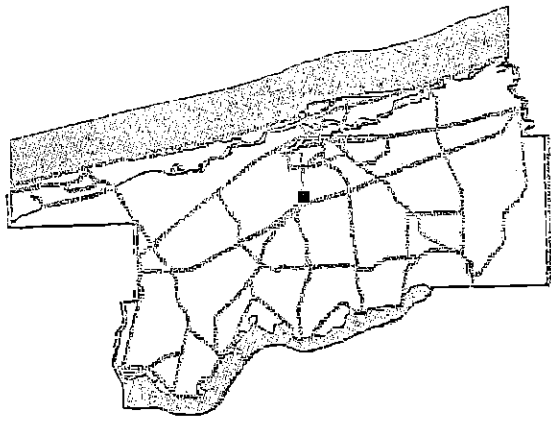
PUD

OR

CHT

OR

OR



# 2002 CIR AERIAL IMAGERY MAP



Map Prepared: 8/9/2004

\*Depicts General Project Boundary

## Rezoning For

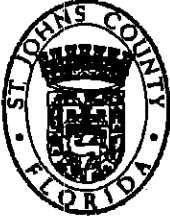
### 2125 State Road 16 REZ 2004-25

File: 20040721

St. Johns County  
Growth Mgmt. Svcs.  
Planning Division







**DECISION GRANTING**  
**FINAL CERTIFICATE OF CONCURRENCY WITH CONDITIONS**

**RE: 2119 SR 16 REZONING**  
**Joy Kluckhohn**  
**J. Kluckhohn, LLC**  
**2125 SR 16**  
**St. Augustine, FL 32084**

**FILE NUMBER: CONMINPDRA 2004-23**

Upon review of the application made by **J. Kluckhohn, LLC** for Rezoning pursuant to that certain application being submitted to the St. Johns County Planning Division (REZ 2004-25) for the project known as **2119 SR 16 Rezoning** legally described on Exhibit A and generally depicted on Exhibit B, which exhibits are attached hereto, incorporated and made a part hereof, the Director of Planning decides as follows:

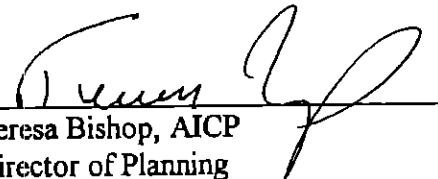
1. Based on the Findings of Fact listed on Exhibit C, attached hereto, incorporated and made a part hereof, the application for a Final Certificate of Concurrency is granted with conditions, pursuant to Section 11.03.02.B, Ord. No. 99-51, for the development of **500 square feet of used car sales space and 1,300 square feet of auto repair/detailing space** located on the property legally described on Exhibit A and shown on Exhibit B (Location Map), attached hereto, conditioned upon the following:
  - (1) The applicant obtaining approval of the proposed Rezoning (REZ 2004-25). If the proposed rezoning is denied by the St. Johns County Board of County Commissioners and all appeals have been exhausted, this concurrency certificate shall cease to be effective;
  - (2) The applicant providing a copy of the Florida Department of Environmental Protection permits necessary for connection to central water and wastewater service prior to Construction Plan approval;
  - (3) The applicant obtaining approval of engineered Construction Plans through the St. Johns County Development Review Committee prior to commencement of construction;
  - (4) The payment of all applicable fees to St. Johns County for connection to central water and wastewater service prior to issuance of a Certificate of Occupancy; and

- (5) Compliance with all other applicable federal, state, regional, and local land development regulations in effect at the time of permitting.
2. The concurrency determination granted herein shall remain in effect for two (2) years pursuant to Section 11.03.02.B and its subparts, and Section 11.03.03 and 11.03.05 of Ord. No. 99-51, and will expire on July 15, 2006 unless the applicant obtains Construction Plan approval for horizontal or vertical improvements for the amount of development approved in this certificate prior to the expiration date, then the Certificate of Concurrency shall remain in effect until the expiration of the approved Construction Plan to which it applies; or the Certificate of Concurrency is extended by a reservation of capacity pursuant to Sections 11.03.02.B(3), 11.03.04.A, and 11.03.056 of Ordinance 99-51;

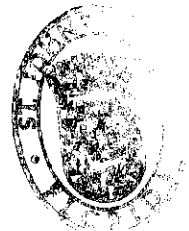
If the Certificate of Concurrency expires, then a new Final Certificate of Concurrency must be obtained prior to any further development of the project.

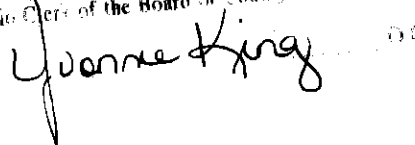
3. This decision does not affect any other aspect of development and improvement standards or requirements, or any other aspect of the development of land or provision of public improvements subject to the County Land Development Regulations or Comprehensive Plan, or other County regulations, which shall be operative and remain in full force and effect without limitation with respect to all such development pursuant to Part 11.01, Ord. No. 99-51. A Final Certificate of Concurrency does not relieve the applicant from applying for other applicable permits or complying with any land development regulation or governmental requirement, nor does the Final Certificate of Concurrency guarantee the granting of other applicable development permits such as rezonings, variances, or special uses.
4. This decision may be appealed to the St. Johns County Concurrency Review Committee. Any appeal must be filed with the Planning Division of the Growth Management Services Department within 30 calendar days of the decision pursuant to Part 11.06, Ord. No. 99-51.
5. This decision shall serve as the Final Certificate of Concurrency to be issued by the County Administrator pursuant to Section 11.02.06.B, Ord. No. 99-51.

DATED THIS 21 DAY OF July, 2004.

  
 Teresa Bishop, AICP  
 Director of Planning

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 2005.  
 CHERYL STRICKLAND, CLERK  
 ex-Officio Clerk of the Board of County Commissioners





OCT 21

COPY OF ADVERTISEMENT

# 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 **CHARLES BARRETT** who on oath says that he 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 **NOTICE OF HEARING** in matter **REZ 04-25 STATE RD 16** was published in said newspaper in the issues of **OCTOBER 18, 2004.**

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 **18TH** day of **OCTOBER, 2004.**

by *Patricia A. Bergquist* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A. Bergquist*  
(Signature of Notary Public)

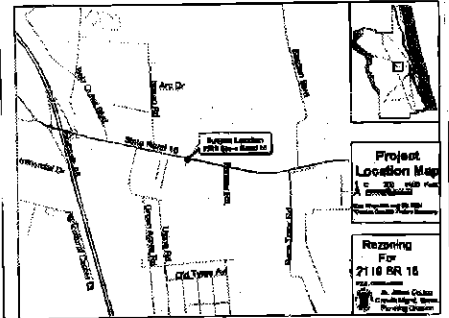


Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

**NOTICE OF A PROPOSED REZONING**  
NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, November 3, 2004 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a request to rezone from Commercial, General (CG) to Commercial, Intensive (CI).  
The subject property is located at 2119 State Road 16 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 procedure. 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  
KAKREN STERN, CHAIRMAN  
FILE NUMBER: REZ 2004-25  
2119 State Road 16  
L2510-4 Oct 18, 2004



FILED

04 NOV 12 AM 11:13

FLORIDA DEPARTMENT OF STATE

**Glenda E. Hood**

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES ST. JOHNS COUNTY FL

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

November 9, 2004

Ms. Cheryl Strickland  
Clerk  
St. Johns County  
Minutes & Records Division  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 8, 2004 and certified copies of St. Johns County Ordinance Nos. 2004-87 through 2004-107, which were filed in this office on November 9, 2004.

Sincerely,

Liz Cloud  
Program Administrator

LC/kcs

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