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Public Records of  
St. Johns County, FL  
Clerk # 2005038050,  
O.R. 2439 PG 220-222  
05/18/2005 at 08:35 AM,  
REC. \$13.00 SUR. \$14.00

ORDINANCE NUMBER: 2005-41

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE FAMILY (RS-3) 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, Bruce Bennett authorized agent for John and Linda Anderson the owners of lands described herein, filed an application, incorporated by reference as File Number REZ 2004-35 for a zoning change dated October 25, 2004, as described hereinafter, and after required notice was published, a public hearing was held on the 4<sup>th</sup> day of May, 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 2004-35 the zoning classification is hereby changed to Commercial Intensive (CI).

*Charles E. King*  
*Y. King*

**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 4<sup>th</sup> DAY OF May, 2005.**

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

BY: Bruce A. Maguire  
Bruce A. Maguire, Chairman

RENDITION DATE 05/05/05

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: 05/11/05

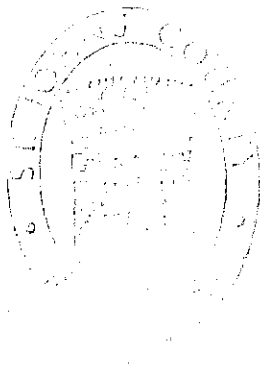


EXHIBIT A

LOT 23, BLOCK 3 OF SANTA ROSA  
SUBDIVISION, ACCORDING TO MAP BOOK 3,  
PAGE 103, PUBLIC RECORDS OF ST. JOHNS  
COUNTY, FLORIDA.

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 16<sup>th</sup> DAY OF May 2005  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

D. Yvonne King D.C.



APR 21 2005

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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 the matter **REZ 04-35 JON ANDERSON**  
was published in said newspaper in the issues of  
**APRIL 20, 2005.**

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  
he 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 **APRIL, 2005.**

by *Charles Barrett* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

*Patricia A. Bergquist*

Patricia A. Bergquist  
Notary Public in and for the State of Florida  
My Commission Expires 12/31/07

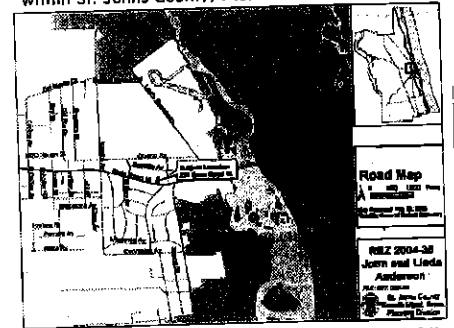
(Signature of Notary Public)

(Seal)

PATRICIA A. BERGQUIST

**NOTICE OF A PROPOSED REZONING**

NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, May 4, 2005 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 rezone from Residential, Single Family (RSJ) to Commercial, Intensive (CI). The subject property is located at 234 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 the County's ADA Coordinator at (904) 823-2235 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1-800-295-9877, 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. 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  
BRUCE A. MAGUIRE, CHAIRMAN  
FILE NUMBER: REZ 2004-35  
John & Linda Anderson  
L964-5 Apr 20, 2005**