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③  
ORDINANCE NUMBER: 2006-151

Public Records of  
St. Johns County, FL  
Clerk # 2006090676,  
O.R. 2834 PG 1414-1416  
12/14/2006 at 11:43 AM,  
REC. \$13.00 SUR. \$14.00

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 COMMERCIAL NEIGHBORHOOD (CN) 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, the development of the lands within this rezoning shall proceed in accordance with the application, dated March 28, 2006 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-08, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

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 Neighborhood (CN) 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 Neighborhood (CN) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Neighborhood (CN) is consistent with the land uses allowed in the land use designation of Mixed Use District (MD) as depicted on the 2015 Future Land Use Map.

Ordinance Book 42 Page 777

*Helet - y. King*  
*m+k*

**SECTION 2.** Pursuant to this application File Number REZ 2006-08 the zoning classification

**is hereby changed to Commercial Neighborhood (CN).**

**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.

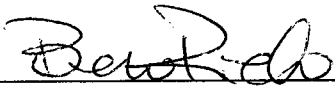
**SECTION 4.** This Ordinance shall take effect upon receipt by the Secretary of State.

**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.

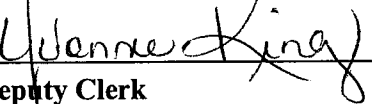
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 28<sup>th</sup> DAY OF November 2006.**

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

BY:   
Ben Rich, Chairman

RENDITION DATE 12/01/06

**ATTEST: CHERYL STRICKLAND, CLERK**

BY:   
Deputy Clerk

EFFECTIVE DATE: 12/05/06



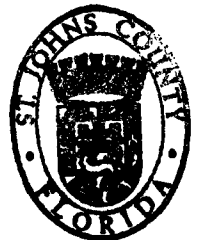
Exhibit A

SCHEDULE "A"

FROM THE SOUTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 7 SOUTH, RANGE 29 EAST, RUN WEST 15 FEET TO A CONCRETE MARKER ON THE WEST LINE SIDE OF THE MOULTRIE ROAD FOR THE POINT OF BEGINNING AND THE SOUTHEAST CORNER OF THE LAND HEREBY CONVEYED: THENCE RUN WEST 192 FEET TO A POINT MARKED BY AN IRON PIPE AND THE SOUTHWEST CORNER OF THE LAND HEREBY CONVEYED, THENCE RUN NORTH 250 FEET TO A POINT MARKED BY AN IRON PIPE AND THE NORTHWEST CORNER OF THE LAND HEREBY CONVEYED: THENCE RUN EAST 194 FEET MORE OR LESS, TO A POINT ON THE WEST SIDE OF MOULTRIE ROAD MARKED BY AN IRON PIPE AND THE NORTHEAST CORNER OF THE LAND HEREBY CONVEYED AND THENCE RUN SOUTHERLY ALONG THE WEST LINE OF SAID MOULTRIE ROAD 250 FEET MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT PART TAKEN FOR ROAD PURPOSES AS DESCRIBED IN DEED BOOK 234, PAGE 180.

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 13th DAY OF December 2006  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

BY: Wenne King D.C.



NOV 15 2006

# 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 **CHANELL GATEWOOD**

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 **NOTICE OF HEARING**

in the matter **REZ 06-08 DITMORE OFF**

was published in said newspaper in the issues of

**NOVEMBER 13, 2006.**

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 **13TH** day of **NOVEMBER, 2006.**

by Chanel Gatewood 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)

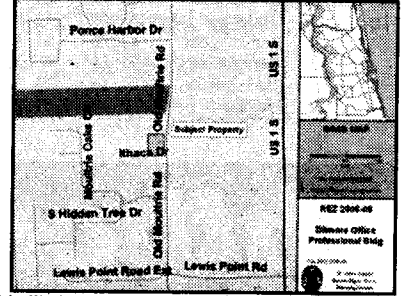
PATRICIA A. BERGQUIST

## COPY OF ADVERTISEMENT

### NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, November 28, 2006 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 Open Rural (OR) to Commercial Neighborhood (CN).

The subject property is located at 2375 Old Moultrie Road 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) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. 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 notified 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**

**JAMES BRYANT, CHAIRMAN**

**FILE NUMBER: REZ 2006-08**

**Ditmore Office/Professional Building**

**L3311-6 Nov 13, 2006**



STATE OF FLORIDA  
DEPARTMENT OF STATE  
STATE LIBRARY AND ARCHIVES OF FLORIDA

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Governor

SUE M. COBB  
Secretary of State

December 6, 2006

FILED  
06 DEC 13 AM 8:43  
CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

Ms. Cheryl Strickland  
Clerk of the Circuit Court  
St. Johns County  
4010 Lewis Speedway  
St. Augustine, Florida 32084-8637

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 letters dated December 4, 2006 and certified copies of St. Johns County Ordinance Nos. 2006-151 through 2006-153, which were filed in this office on December 5, 2006.

Sincerely,

Liz Cloud  
Program Administrator

LC/jru

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
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