

2
3

ORDINANCE NUMBER: 2006-152

Public Records of
St. Johns County, FL
Clerk # 2006090677,
O.R. 2834 PG 1417-1419
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 PUBLIC SERVICE (PS) 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 August 23, 2006 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-26, 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 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 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 Public Service (PS) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Public Service (PS) is consistent with the land uses allowed in the land use designation of Public (P) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2006-26 the zoning classification

Ordinance Book 42 Page 782

Market - Y. King
M+K

is hereby changed to Public Service (PS).

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 28th DAY OF November 2006.

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

BY: Ben Rich
Ben Rich, Chairman

RENDITION DATE 12/01/06

ATTEST CHERYL STRICKLAND, CLERK

BY: Wonne King
Deputy Clerk

EFFECTIVE DATE: 12/05/06

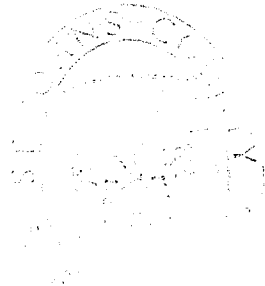


Exhibit A

LEGAL DESCRIPTION

A portion of Government Lot 5, Section 34, Township 6 South, Range 29 East, St. Johns County, Florida, also being a portion of those lands described in Official Records Book 362, Page 240 of said St. Johns County, and being more particularly described as follows:

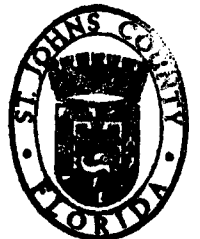
For a point of reference, commence at the intersection of the easterly line of said Section 34 with the northerly line of the Joseph Delespine Grant (section 81); thence along the easterly line of said Section 34, north 01 degrees 36 minutes 36 seconds west, 906.04 feet to its intersection with the easterly prolongation of the northerly line of lands described in Official Records Book 50, Page 122 of said Public Records. Said intersection also being a point on the westerly line of proposed variable width right-of-way shown as Parcel B on a map prepared by L.D. Bradley Surveyors, Work Order Number 04-288 and the point of beginning; thence from the point of beginning thus described, departing said section line and along the westerly line of said Parcel B, north 09 degrees 56 minutes 32 seconds west, 79.13 feet; thence continue northwesterly along said westerly line, being the arc of a curve, concave easterly and having a radius of 3650.00 feet, through a central angle of 08 degrees 19 minutes 56 minutes, an arc distance of 530.81 feet to a point of tangency, said curve being subtended by a chord bearing and distance of north 05 degrees 46 minutes 34 seconds west 530.34 feet; thence continue along said westerly line, parallel with and 50 feet westerly of the aforementioned easterly line of Section 34, north 01 degrees 36 minutes 36 seconds west, 346.69 feet to a point on a line as shown on a survey by the St. Johns County Public Works Department, project number 95-084; thence the following 9 courses, said courses following the easterly line of last mentioned survey: north 89 degrees 46 minutes 44 seconds west, 185.21 feet; thence south 79 degrees 05 minutes 02 seconds west, 172.60 feet; thence south 01 degrees 59 minutes 24 west, 159.10 feet; thence south 14 degrees 38 minutes 20 seconds east, 133.64 feet thence south 7 degrees 47 minutes 20 seconds east, 174.90 feet; thence south 03 degrees 29 minutes 54 seconds east, 147.08 feet; thence south 18 degrees 40 minutes 38 seconds east, 146.80 feet; thence south 09 degrees 33 minutes 19 seconds east 188.32 feet; thence south 05 degrees 42 minutes 57 seconds east, 16.29 feet to a point on the northerly line of said lands described in Official Book 50, Page 122, said point also lying on the northerly line of lands described in Official Records Book 782, Page 802 of the Public Records of said St. Johns County; thence along said northerly line, and the easterly prolongation thereof, north 84 degrees 15 minutes 39 seconds east, 292.11 feet to the point of beginning.

Subject to a non-exclusive perpetual access easement as recorded in Official Records 2148, Page 119 of said public records.

Containing 7.19 acres, more or less.

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: L. Venack King D.C.



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 06-26 SAC FIRE AD BUILD**

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 DU275991
Expires December 18, 2007

(Seal)

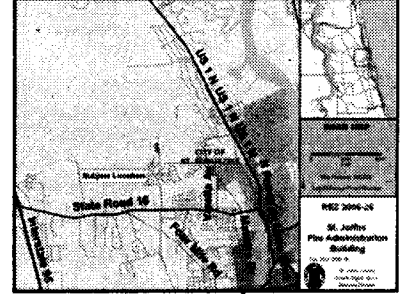
PATRICIA A. BERGQUIST

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 Public Service (PS).

The subject property is located at 3637 Gaines 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 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
JAMES BRYANT, CHAIRMAN
FILE NUMBER: REZ 2006-26
St. Johns County Fire Administration Building
L3306-6 Nov 13, 2006