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ORDINANCE NUMBER: 2006-16

Public Records of  
St. Johns County, FL  
Clerk # 2006017432,  
O.R. 2657 PG 498-501  
03/08/2006 at 10:16 AM,  
REC. \$17.00 SUR. \$18.50

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 OFFICE PROFESSIONAL (OP); 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 July 13, 2005, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2005-31 Bizatomic Offices, 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 Office Professional (OP) 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 Office Professional (OP) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Office Professional (OP) 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.

SECTION 2. Pursuant to this application File Number REZ 2005-31 the zoning classification

*Frank - Y. King  
Bcd Secty*

Ordinance Book 39 Page 706

is hereby changed to Office Professional (OP).

**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 21<sup>st</sup> DAY OF February 2006.**

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

BY: James E. Bryant  
James E. Bryant, Chairman

RENDITION DATE 2-23-06

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: 03/01/06



NOV 03 2005  
PLANNING DIVISION

St. Johns County Growth Management Services Department  
Planning Division  
P.O. Drawer 349, 4020 Lewis Speedway  
St. Augustine, Florida 32095  
Phone: 904 823-2480 Fax: 904 823-2498 E-mail: plandept@co.st-johns.fl.us

APPLICATION FOR REZONING

Date July 13, 2005 File Number \_\_\_\_\_ Receipt Number \_\_\_\_\_  
Revised 11/03/05

- 1. Project Name Bizatonic Offices
- 2. Applicant's Name, Address, and Phone No. Suzanna Pavelle, Bizatonic, 23 Sanchez Avenue, St. Augustine FL 32084 (800) 942 9475
- 3. Owner's Name, Address, and Phone No. Suzanna Pavelle, Bizatonic, 23 Sanchez Avenue, St. Augustine FL 32084 (800) 942 9475
- 4. Property Location 1125 S.R. 16, St. Augustine FL
- 5. Legal Description See Exhibit A
- 6. Present Use of Property One Single Family Home
- 7. Parcel ID Number 102140-0010 8. Current Zoning Open Rural (OR) 9. 2015 FLUM designation Mixed Use
- 10. Section 37 11. Township 7 12. Range 29
- 13. Requested Change: To Rezone from Open Rural (OR) to Office and Professional (OP) to provide up to 10,000 square feet of space.
- 14. Is Concurrency review required? Yes 15. Zoning Map Page # 4E/36X 16. Size of Property 1.56 acres
- 17. Utility Provider St. Johns County Utilities

18. Provide all of the following:

- a. List of adjacent property owners within 300 feet of the parcel to be rezoned showing name, address and brief legal description from current tax rolls. Address two legal size envelopes to each property owner on the list. Do not include a return address. Each envelope must contain proper postage. The order of the envelopes must match the order in which the names appear on the list.
- b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application must be provided.
- c. Legal description
- d. Location Map (attach as Exhibit C and provide as specified in attached guidelines) and Text as required by Section 5.03.02.G of the Land Development Code.
- d. Eighteen (18) copies of the complete application.
- e. Application Fee. (A pre-application review fee may also be required.)

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner(s) or authorized person if owner's authorization form is attached:

Printed or typed name(s): Karen M. Taylor, Land Planner

Signature(s): 

ADDRESS AND CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION Name: Karen M. Taylor, Land Planner  
Mailing Address: 3070 Harbor Drive, St. Augustine, FL 32084  
Phone: 904/826-0600 FAX: 904/825-4180 E-mail: 4taylors@aug.com

EXHIBIT A  
LEGAL DESCRIPTION  
Bizatomic Rezoning  
PARCEL 3

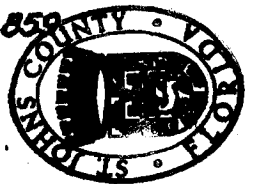
A PARCEL OF LAND IN SECTION 37, TOWNSHIP 7 SOUTH,  
RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING  
MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EAST LINE OF  
SECTION 37, TOWNSHIP 7 SOUTH, RANGE 29 EAST, AND  
SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD No. 16  
RUN ALONG SAID RIGHT-OF-WAY LINE NORTH 89°59'00" WEST  
DISTANCE OF 1,004.38 FEET; TO THE POINT OF BEGINNING;  
AND CONTINUE FOR THE FOLLOWING CALLS:

SOUTH 14°30'00" EAST A DISTANCE OF 577.72 FEET  
NORTH 89°59'00" WEST A DISTANCE OF 140.00 FEET  
NORTH 22°21'19" WEST A DISTANCE OF 355.90 FEET  
NORTH 06°43'33" WEST A DISTANCE OF 33.60 FEET  
NORTH 05°25'20" WEST A DISTANCE OF 196.84 FEET  
SOUTH 89°59'00" EAST A DISTANCE OF 150.00 FEET

TO THE POINT OF BEGINNING, THIS PARCEL CONTAINS 92,859  
SQUARE FEET OR 2.132 ACRES MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:  
FOR A POINT OF COMMENCEMENT BEGIN AT THE  
INTERSECTION OF THE EAST LINE OF SECTION 37, TOWNSHIP  
7 SOUTH, RANGE 29 EAST, AND SOUTHERLY RIGHT OF WAY  
LINE OF STATE ROAD NO. 16; RUN ALONG SAID RIGHT OF  
WAY LINE NORTH 89°59'00" WEST A DISTANCE OF 1004.38  
FEET; THENCE LEAVING SAID RIGHT OF WAY RUN SOUTH  
14°50'00" EAST 375.00 TO THE POINT OF BEGINNING;  
THENCE RUN SOUTH 67°38'41" WEST 156.00 FEET; THENCE  
SOUTH 22°21'19" EAST 147.69 FEET; THENCE SOUTH  
89°59'00" EAST 140.00 FEET; THENCE NORTH 14°50'00"  
WEST 202.72 FEET TO THE POINT OF BEGINNING. SAID  
PARCEL CONTAINING 0.57 ACRES PLUS OR MINUS.



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 7th DAY OF March 20 06  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

D.C.

BY: *Cheryl Strickland*

FEB - 8 2006

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 05-31 BIZATOMIC was published in said newspaper in the issues of FEBRUARY 6, 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 6TH day of FEBRUARY, 2006.

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

[Signature of Patricia A. Bergquist] (Signature of Notary Public)

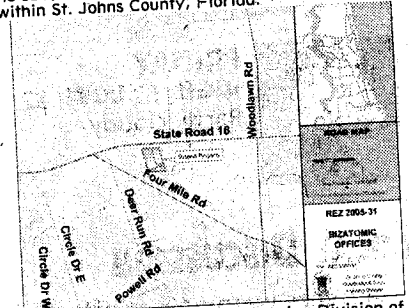


Patricia A. Bergquist My Commission DD275991 Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 21, 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 Office and Professional (OP). The subject property is located at 1125 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) 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. 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 2005-31 Bizatomic Offices L375-6 Feb 6, 2006