

2
6

Public Records of
St. Johns County, FL
Clerk # 2006051271,
O.R. 2740 PG 482-487
07/10/2006 at 11:13 AM,
REC. \$25.00 SUR. \$27.50

ORDINANCE NUMBER: 2006-05

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 GENERAL (CG) 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 October 18, 2002 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2002-29 CGS Commercial Park, 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 General (CG) 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 General (CG) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial General (CG) 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 2002-29 the zoning classification

Just Ket Y. King
M-R

is hereby changed to Commercial General (CG).

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 30th DAY OF May 2006.

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

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

RENDITION DATE 06/01/06

ATTEST: CHERYL STRICKLAND, CLERK

BY: Luanne King
Deputy Clerk

EFFECTIVE DATE: 06/05/06



EXHIBIT "A"

LEGAL DESCRIPTION

A PIECE OF LAND LOCATED IN GOVERNMENT LOT NO. THREE (3), SECTION NINE (9), TOWNSHIP SEVEN (7) SOUTH, RANGE TWENTY-NINE (29) EAST, AND BETTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CURRENT SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16 AND THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORD 1342, PAGE 800, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 90°00'00" WEST ALONG SAID CURRENT SOUTHERLY RIGHT-OF-WAY LINE, 200.00 FEET TO THE WESTERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORD 1342, PAGE 800; THENCE SOUTH 00°16'26" EAST, ALONG LAST SAID LINE, 265.18 FEET TO THE SOUTHERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORD 1342, PAGE 800; THENCE SOUTH 90°00'00" EAST ALONG LAST SAID LINE, 200.00 FEET TO THE AFORESAID EASTERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORD 1342, PAGE 800; THENCE NORTH 00°16'26" WEST, ALONG LAST SAID LINE, 265.18 FEET TO THE POINT OF BEGINNING, CONTAINING 1.22 ACRES, MORE OR LESS



ST. JOHNS COUNTY
Application For Rezoning

FROM OR TO CG

DATE October 18, 2002

PROJECT NAME: CGS Commercial Park

OWNER/APPLICANT: CGS Development, Inc.

ADDRESS: 1543 Kingsley Avenue, Building 2
Orange Park, FL 32073

PHONE : 904/264-9902 FAX : 904/278-1132

E-MAIL ADDRESS: gsmith@cgsconsulting.com

CONTACT PERSON: Gordon Smith

ADDRESS: 1543 Kingsley Avenue, Building 2
Orange Park, FL 32073

PHONE: 904/264-9902 FAX: 904/278-1132

E-MAIL ADDRESS: gsmith@cgsconsulting.com

PROPERTY APPRAISERS PARCELNO. 088230 0000

SECTION: 9 TOWNSHIP: 7 RANGE: 29
4E9NX

CENSUS TRACT: 021001 PROPERTY APPRAISERS MAP SHEET: _____

LOCATION: 1585 State Road 16

911 ADDRESS (IF KNOWN) _____

CITY St. Augustine STATE FL ZIP CODE 32084

TAZ _____ MAJOR ACCESS SR 16

OVERLAY DISTRICT? NO IF YES, WHICH ONE _____

ZONE CLASS _____ COMP. PLAN DSGN Mixed Use District

PRESENT USE OF PROPERTY: Undeveloped - Woods

RECEIVED
NOV 19 2002
ST. JOHNS COUNTY
PLANNING DEPARTMENT

WATER/SEWER: Available - St. Johns County Utility Department

WHO WILL MAINTAIN ROADS (IF A SUBDIVISION) NA

WHO WILL MAINTAIN DRAINAGE: Private - Property Owner

TYPE OF DEVELOPMENT: Commercial Building

ACRES: 1.22 NUMBER OF LOTS/ UNITS: NA SQ.FOOTAGE 10,000
(SIZE OF PROPERTY) (IF SUBDIVISION) (OF EACH BUILDING)

ACRES TO BE CLEARED: 1.22 1/4 MILE INCREMENTS OF ROADWAY: _____

IS THE PROJECT WITHIN THE COASTAL BUILDING ZONE? YES _____ NO X

IS THE PROJECT SEAWARD OF CCCL? YES _____ NO X

PROJECT NARRATIVE (ADDITIONAL SHEETS MAY BE ATTACHED):

The project will be developed into a commercial center with 10,000 SF
of leaseable SF area. Currently, the site is undeveloped and is located
just East of the St. Johns County (SJC) Road and Bridge Department on State
Road 16. The proposed "CG" Zoning is consistent with the existing "Mixed Use"
Comprehensive Land Use Designation. Water and Sewer is available with SJC
Utility Department.

Please list below any applications currently under review or recently approved which may assist in the review of this application: St. Johns County Concurrency

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signature: 

Printed or typed name(s): C. Gordon Smith

Owner's Authorization For Agent

C. Gordon Smith is hereby authorized TO ACT ON BEHALF OF
the owner(s) of those lands described within the
attached application, and as described in the attached deed or other such proof of
ownership as may be required, in applying to St. Johns County, Florida, for an
application related to a Development Permit or other action pursuant to a:

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit |
| <input type="checkbox"/> | Zoning Variance | <input type="checkbox"/> | Non-Zoning Variance |
| <input type="checkbox"/> | Appeal | <input type="checkbox"/> | Overlay District Review |
| <input checked="" type="checkbox"/> | Concurrency | <input type="checkbox"/> | Other |

BY: *Paul Goldstein*
Signature of Owner

PAUL Goldstein
Print Name

H M Rosenberg
Signature of Owner

Harvey M. Rosenberg
Print Name

561-483-7411
Telephone Number

State of Florida
County of St. Johns

Signed and sworn before me on this 10th day of October
By Paul Goldstein + Harvey M. Rosenberg

Identification verified: Known

Oath sworn: Yes No

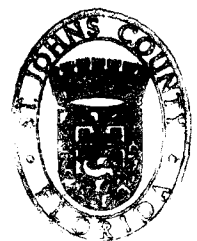
Joan Dixon
Notary Signature

My Commission expires: 7-18-2004



March 22, 2001

3-15 | 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 July 2006
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



Uvanne King

ORDINANCE BOOK 40 PAGE 840

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 the matter REZ 02-29 CGS COMM was published in said newspaper in the issues of MAY 15, 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 15TH day of MAY, 2006.

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

[Signature of Brian Fike]

(Signature of Notary Public)



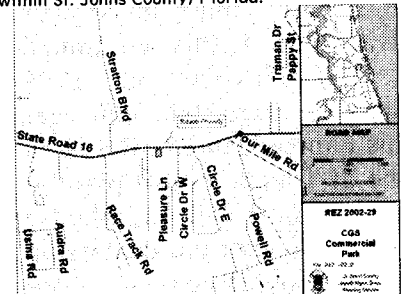
Brian Fike My Commission DD327588 Expires June 09, 2008

(Seal)

BRIAN FIKE

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, May 30, 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 General (CG). The subject property is located at 1585 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 2002-29 CGS Commercial Park L1252-6 May 15, 2006