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ORDINANCE NUMBER: 2006 - 79

Public Records of
St. Johns County, FL
Clerk # 2006055543,
O.R. 2750 PG 1290-1292
07/25/2006 at 01:54 PM,
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 April 21, 2006, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-12 Animal Control Facility, 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 Rural Silviculture (RS) owned by SJRWMD as depicted on the 2015 Future Land Use Map.

Frank Y. King
A. H. K.
Ordinance Book 41 Page 233

SECTION 2. Pursuant to this application File Number REZ 2006-12 the zoning classification

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 11th DAY OF July, 2006.

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

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

RENDITION DATE 07/13/06

ATTEST: CHERYL STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: 07/17/06



EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land lying in Section 41, R. Charles Grant, Township 5 South, Range 28 East, St. Johns County, Florida, and being shown as the John A. Stalls parcel as shown on Map by H.A. Durden & Associates, dated: November 19, 1988, file No. E-6, and being more particularly described as follows: for a POINT OF BEGINNING COMMENCE at the Northwest corner said John A. Stalls Parcel, said Northwest corner lying on an Easterly line of a 60 foot wide perpetual easement as recorded in Official Records Book 178, Page 83 of St. Johns County, Florida; thence North 72 degrees 37 minutes 36 seconds East, departing said 60 foot wide perpetual easement line and along the North line of just mentioned Stalls Parcel, 199.84 feet to the Northeast corner of said Stalls Parcel; thence South 17 degrees 22 minutes 24 seconds East, along the East line of said Stalls Parcel, 468.20 feet to the Southeast corner of said Stalls Parcel, said point lying on a North line of aforementioned 60 foot wide perpetual easement; thence North 84 degrees 22 minutes 11 seconds West, along the just mentioned 60 foot wide perpetual easement line, same being the South line of said Stalls Parcel, 217.21 feet to the Southwest corner of said Stalls Parcel; thence North 17 degrees 22 minutes 24 seconds West, along the aforementioned Easterly line of a 60 foot wide perpetual easement, same being the West line of said Stalls Parcel, 383.31 feet to the POINT OF BEGINNING, being more accurately described as follows:

A portion of Section 41, the Reuben Charles Grant, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, COMMENCE at the Easterly corner of these lands described and recorded in Official Records Book 831, Page 1064, of said public records; thence South 18 degrees 55 minutes 35 seconds west, along the Southeastery line of said lands, 125.82 feet to a point lying in the Westerly prolongation of a Southerly line of a 60 foot perpetual easement, as described in Official Records Book 178, Page 83, of said public records; thence South 70 degrees 45 minutes 20 seconds East, departing said Southeastery line and along said Westerly prolongation and along said Southerly line and its Easterly prolongation, 222.49 feet to a point lying on the former centerline of Main Street, as monumented, a 40 foot Right-of-Way vacated by County Resolution as recorded in Official Records Book 178, Page 77, of said public records; thence North 74 degrees 32 minutes 33 seconds East, departing said Southerly line, and along said former centerline, 44.24 feet to its intersection with the former centerline of Baltimore Avenue, a 40 foot Right-of-Way vacated by County Resolution as recorded in said Official Records Book 178, Page 77; thence South 15 degrees 28 minutes 57 seconds West, along last said centerline, 31.44 feet to a point lying on the Westerly prolongation of said Southerly line of a 60 foot perpetual easement; thence South 89 degrees 04 minutes 40 seconds East, along said Westerly prolongation and along said Southerly line, 59.49 feet; thence South 14 degrees 21 minutes 50 seconds East, along last said line 14.59 feet; thence North 05 degrees 37 minutes 38 seconds East, departing said Southerly line, 60.00 feet to a point lying on a Northerly line of said 60 foot perpetual easement, and the POINT OF BEGINNING.

From said POINT OF BEGINNING, thence North 17 degrees 22 minutes 18 seconds West, along the Easterly line of said 60 foot perpetual easement, 383.29 feet; thence North 72 degrees 36 minutes 23 seconds East, departing said Easterly line, 199.88 feet; thence South 17 degrees 23 minutes 18 seconds East, 468.28 feet to a point lying on said Northerly line of a 60 foot perpetual easement; thence North 84 degrees 22 minutes 22 seconds West, along said Northerly line, 217.28 feet to the POINT OF BEGINNING.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY AS SHOWN ON RECORD IN ST. JOHNS COUNTY. WITNESS MY HAND AND SEAL THIS 25th DAY OF July, 1990.
CHERYL STRICKLAND, Clerk
Ex-Officio Clerk of the Board of County Commissioners



BY L. Kenneth King
ORDINANCE BOOK 41 PAGE 235

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 **SARAH SELFRIDGE** 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 **REZONING 06-12/OPEN RURAL TO PUBLIC SERVICE** was published in said newspaper in the issues of **JUNE 26, 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 10TH day of **JULY, 2006.**

by Sarah Selfridge who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Brian Fike

(Signature of Notary Public)



Brian Fike
My Commission DD327588
Expires June 09, 2008

(Seal)

BRIAN T. FIKE

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 11, 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 130 Stratton Road within St. Johns County, Florida.

REZ 2006-12
St. Johns County
Animal Control
Facility

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 2006-12
St. Johns County Animal Control Facility
L1757-6 June 26, 2006**