

ORDINANCE NO. 2006- 88

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④
AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, TO REZONE LANDS FROM RESIDENTIAL SINGLE-3 (RS-3) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO TOWN CENTER MIXED USE (TCMU); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE..

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA:

WHEREAS, Georgia Katz, on behalf of St. Johns County filed an application to administratively rezone properties to establish consistency with the legal description of those properties included in St. Johns County Ordinance 2004-89 and Ordinance 2006-67, creating the Vilano Beach Town Center Mixed Use District, as described hereinafter in Exhibit A and the related attached legal description, and after required notice was published, a public hearing held on the 25th day of July at 9:00^{am} on said application.

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 Town Center Mixed Use is consistent with the Comprehensive Plan, in that:

(a) The proposed Ordinance is consistent with Goal A.3 Objectives A.1 & A.2 and related policies of the St. Johns County Comprehensive Plan related to the implementation of the Town Center Mixed Use District and the Vilano Beach Town Center redevelopment project.

3. The rezoning to Town Center Mixed Use is consistent with the St. Johns County Land Development Code.

4. The rezoning is consistent with the St. Johns County Future Land Use Map designation Town Center Mixed Use District.

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 (LDC) as 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 of 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 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 25th DAY OF July, 2006.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

RENDITION DATE 07-26-06

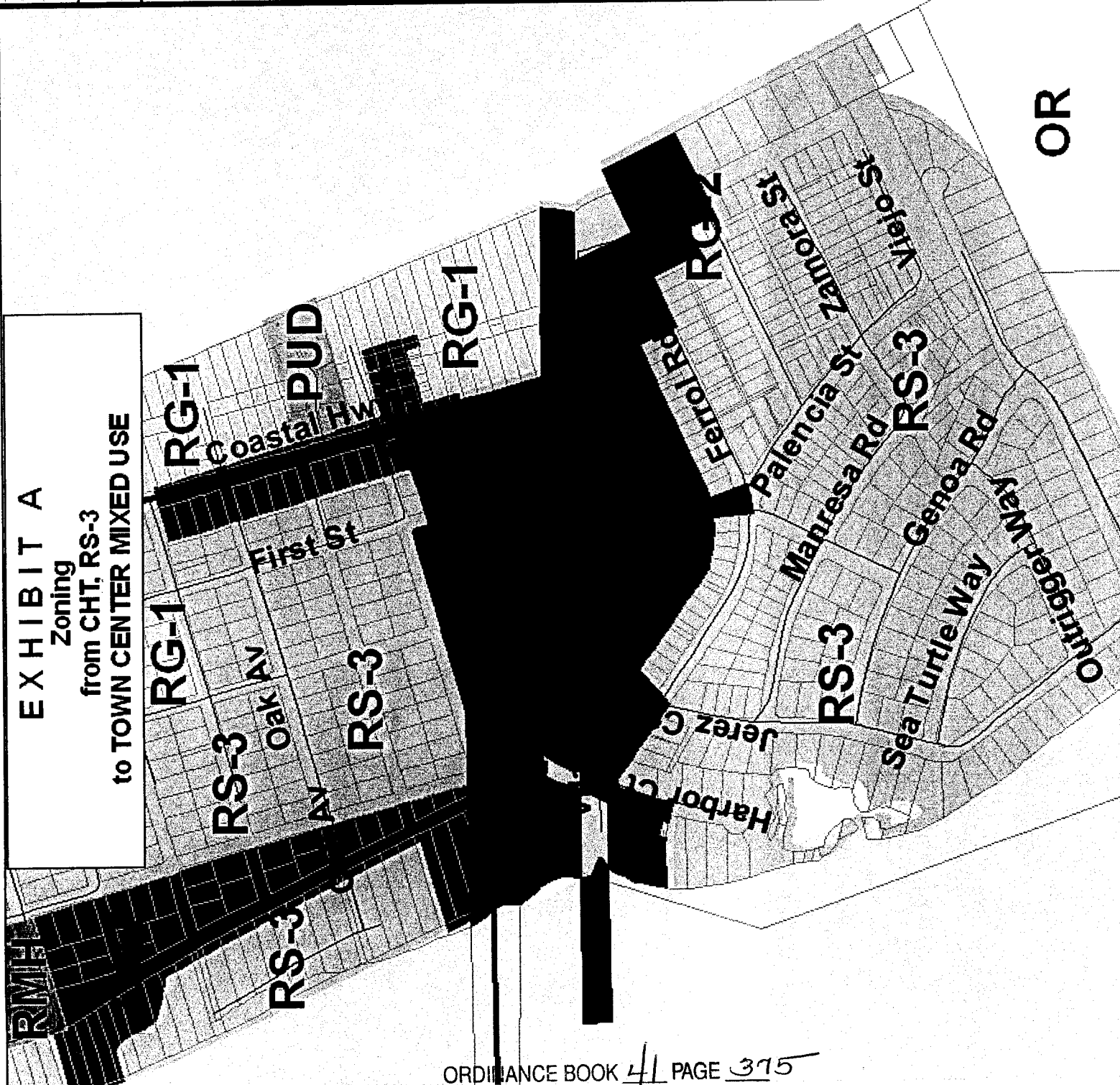
ATTEST: CHERYL STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

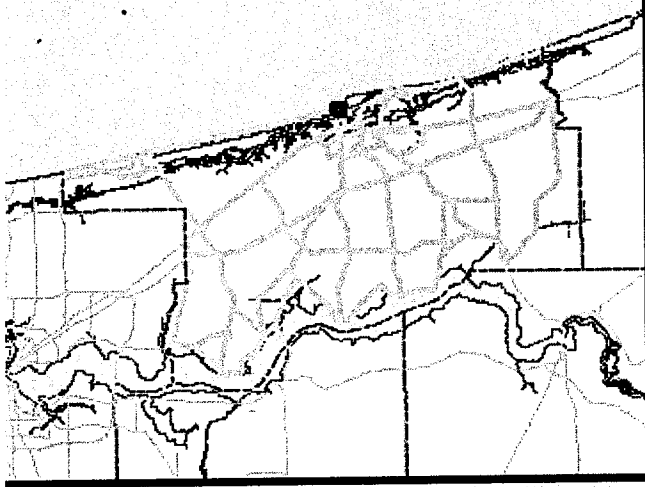
EFFECTIVE DATE: 08/03/06



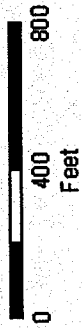
EXHIBIT A
Zoning
from CHT, RS-3
to TOWN CENTER MIXED USE



OR



**GENERAL
ZONING MAP**




Map Prepared: 6/29/2006

*Depicts General Project Boundary

**ADMINISTRATIVE
REZONING**
Vilano
Town Center
Mixed Use

File: VILANO ADMIN REZO

St. Johns County
Growth Mgmt. Svcs.
Planning Division



VILANO BEACH TOWN CENTER MIXED USE

THE DISTRICT IS GENERALLY DESCRIBED AS BEING BOUNDED ON THE NORTH BY THE NORTH RIGHT OF WAY LINE OF THE FRANK AND MARY USINA BRIDGE (ALSO BEING THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO. A1A,) ON THE EAST BY THE ATLANTIC OCEAN, ON THE SOUTH BY FERROL ROAD, AND ON THE WEST BY THE INTRACOASTAL WATERWAY WITH EXCEPTIONS OF RESIDENTIAL PROPERTIES AND ADDITIONS OF THE VILANO FISHING PIER. THE DISTRICT IS MORE PARTICULARLY AND SPECIFICALLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION THE SOUTHERLY LINE OF BLOCK D AS SHOWN ON PLAT OF VILANO BEACH UNIT A AS RECORDED IN MAP BOOK 4, PAGE 48 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA WITH THE EASTERLY RIGHT OF WAY LINE OF ANAMHA DRIVE; THENCE WESTERLY TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID ANAMHA DRIVE WITH THE SOUTHERLY RIGHT OF WAY LINE OF CORUNNA STREET; THENCE WESTERLY, ALONG SAID SOUTHERLY LINE OF CORUNNA STREET TO IT'S INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF ANAMHA DRIVE; THENCE NORTHERLY, ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEASTERLY CORNER OF LOT 4, BLOCK 9, AFOREMENTIONED VILANO BEACH UNIT A; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF LOT 4, BLOCK 9; THENCE NORTHERLY, ALONG THE WESTERLY LINE OF LOTS 1, 2, 3, AND 4, SAID BLOCK 9; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF FERROL ROAD; THENCE SOUTHERLY, ALONG THE EASTERLY LINE OF ANAHMA DRIVE; THENCE WESTERLY, ALONG THE SOUTHERLY END OF ANAHMA DRIVE; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK 25, AFOREMENTIONED VILANO BEACH UNIT A TO THE INTRACOASTAL WATERWAY; THENCE NORTHERLY ALONG INTRACOASTAL WATERWAY; THENCE WESTERLY, NORTHERLY, AND EASTERLY, AROUND AND INCLUDING THE VILANO BEACH FISHING PIER; THENCE NORTHERLY ALONG THE INTRACOASTAL WATERWAY TO THE NORTHERLY RIGHT OF WAY LINE OF THE FRANK AND MARY USINA BRIDGE; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND IT'S EASTERLY PROLONGATION TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A1A; THENCE SOUTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF UNIT A OF SURFSIDE AS RECORDED IN MAP BOOK 4, PAGE 32 OF SAID PUBLIC RECORDS; THENCE SOUTHERLY, ALONG THE WATERS OF THE ATLANTIC OCEAN; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF AFOREMENTIONED BLOCK D, VILANO BEACH UNIT A, TO THE POINT OF BEGINNING. LESS AND EXCEPT ALL OF BLOCKS 5 AND 6 OF VILANO BEACH UNIT A AS RECORDED IN MAP BOOK 4, PAGE 48 OF SAID PUBLIC RECORDS; LESS AND EXCEPT THAT PART OF FERROL ROAD LYING ADJACENT TO AFOREMENTIONED BLOCKS 5 AND 6; AND LESS AND EXCEPT THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 783 PAGE 755 OF SAID PUBLIC RECORDS. ~~SEE THE ABOVE DESCRIBED PARCEL SKETCH PREPARED BY THE ST. JOHNS COUNTY ENGINEER AND APPEARS ON RECORD IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA.~~

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED PARCEL SKETCH PREPARED BY THE ST. JOHNS COUNTY ENGINEER AND APPEARS ON RECORD IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA.
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



ORDINANCE BOOK 41 PAGE 376
U. J. King

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 **ADMIN REZONE VILANO** was published in said newspaper in the issues of

July 10, 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 *Charles Barrett* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Brian Fike

(Signature of Notary Public)



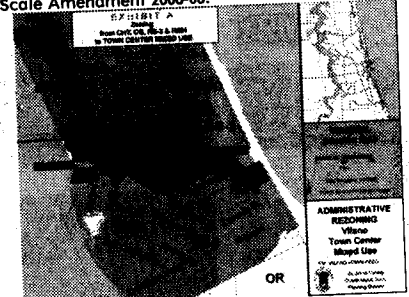
Brian Fike
My Commission DD327588
Expires June 09, 2008

(Seal)

BRIAN T. FIKE

NOTICE OF THE PROPOSED CHANGE FOR THIS IS A NOTICE OF PROPOSED CHANGE FOR VILANO BEACH TOWN CENTER FROM COMMERCIAL, HIGHWAY AND TOURIST (CHT), RESIDENTIAL, SINGLE FAMILY (RS-3) TO TOWN CENTER MIXED USE.

Notice is hereby given that a public hearing will be held on Tuesday, July 25, 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. The Future Land Use Map adopted by the Board of County Commission by Ordinance 2004-89 on November 3, 2004, did not show the correct legal description of the boundaries for Town Center Mixed Use District, also adopted by this Ordinance. The area to be administratively rezoned Town Center Mixed Use must be consistent with the legal description included in the Ordinance not the map. Therefore, the attached map shows the correct legal boundaries and will make the administratively rezoned area consistent with the legal boundaries of Town Center Mixed Use District defined by Ordinance 2004-89, being corrected by the CPA Small Scale Amendment 2006-08.



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, ADA Coordinator, at (904) 209-0450 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. 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, CHAIR
FILE NUMBER: ADMINISTRATIVE ZONING
L1912-6 July 10, 2006**