

4
ORDINANCE NUMBER: 2007-10

Public Records of
St. Johns County, FL
Clerk # 2007014318,
O.R. 2875 PG 1811-1814
03/02/2007 at 09:33 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 COMMERCIAL INTENSIVE (CI) 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 28, 2006 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2006-16**, 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 Intensive (CI) 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 Intensive (CI) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Intensive (CI) is consistent with the land uses allowed in the land use designation of Airport District as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2006-15 the zoning classification is hereby

for + Ret. Y. King
M.R.

changed to Commercial Intensive (CI).

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 20 DAY OF Feb. 2007.

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

BY: Ben Rich
Ben Rich, Chairman

RENDITION DATE 02/22/07

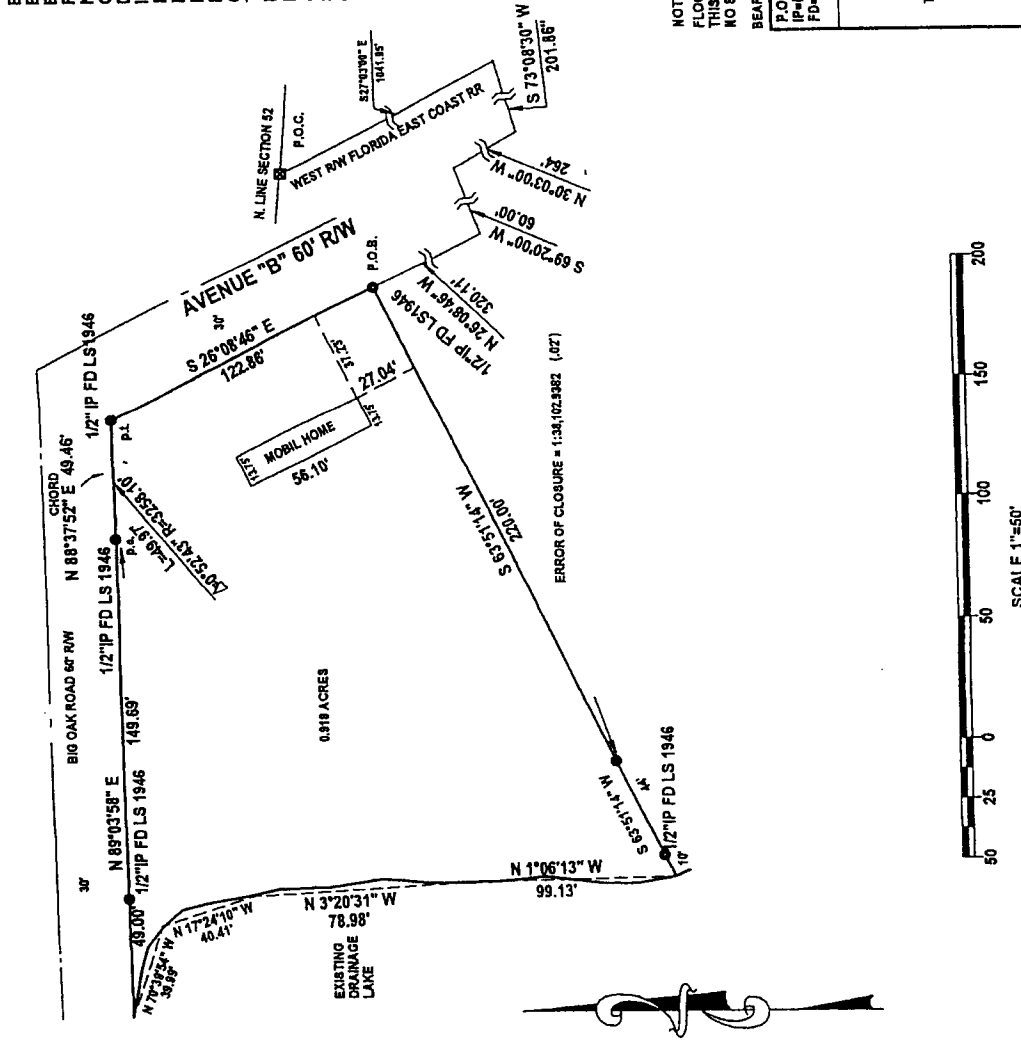
ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: 02/23/07



BOUNDARY SURVEY BEING A PART OF SECTION 82, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 82 WITH THE WEST RIGHT OF WAY OF THE FLORIDA EAST COAST RAILROAD; THENCE RUN S 27°14'00"E ALONG SAID RAILROAD RIGHT OF WAY, A DISTANCE OF 1041.95 FEET; THENCE RUN S 74°08'30"W, 201.80 FEET TO AN ANGLE POINT IN THE EAST LINE OF A 60 FOOT WIDE ROAD; THENCE RUN N 20°03'00"W, AND ALONG SAID EAST RIGHT OF WAY LINE, 284.36 FEET; THENCE RUN SOUTH 69°20'00"W, 60 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF SAID 60 FOOT ROAD; THENCE RUN N 25°08'45"W, AND ALONG SAID WESTERLY RIGHT OF WAY LINE, 320.11 FEET TO THE POINT OF BEGINNING; THENCE RUN S 63°51'14"W, 284 FEET TO A POINT; THENCE CONTINUE TO RUN S 63°51'14"W, 10 FEET MORE OR LESS TO A DRAINAGE LAKE, BEING THE WESTERLY EXTENT OF THE HEREIN DESCRIBED PROPERTY; THENCE MEANDERING NORTHERLY ALONG SAID LAKE, RUN N 01°08'13"W, A DISTANCE OF 95.96 FEET; THENCE RUN N 03°20'31"W, A DISTANCE OF 78.98 FEET; THENCE RUN N 17°24'10"W, A DISTANCE OF 40.41 FEET; THENCE RUN N 70°39'54"W, 39.99 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY OF BIG OAK ROAD; THENCE RUN N 89°03'58"E, 149.88 FEET TO A POINT OF CURVATURE; THENCE BY CURVE TO THE LEFT, HAVING A RADIUS OF 3288.10 FEET RUN N 86°37'52"E, A DISTANCE OF 49.48' (BEING THE CHORD BEARING AND DISTANCE); THENCE RUN S 28°08'45"E, 122.86 FEET TO THE POINT OF BEGINNING BEING THE SAME PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1468 PAGE 813.



NOTES:
 FLOOD ZONE SCALED FROM F.L.R.M. AND IS NOT CERTIFIED.
 THIS SURVEY DOES NOT REFLECT NOR DETERMINE OWNERSHIP.
 NO SUBSURFACE INVESTIGATIONS MADE.

BEARING REFERS TO CENTERLINE AVE "B" / N 26°08'45"W
 P.O.B. = POINT OF BEGINNING P.O.C. = POINT OF COMMENCEMENT M.S.L. = MEAN SEA LEVEL
 IP=IRON PIN IR=IRON ROD CM=CONCRETE MONUMENT RW=RIGHT OF WAY (RW)=NO NUMBER (ID)
 FD=FOUND --- = FENCE PC= POINT OF CURVE O.R.=OFFICIAL RECORDS COMP=COMPUTED

NOT VALID WITHOUT RAISED SURVEYORS SEAL

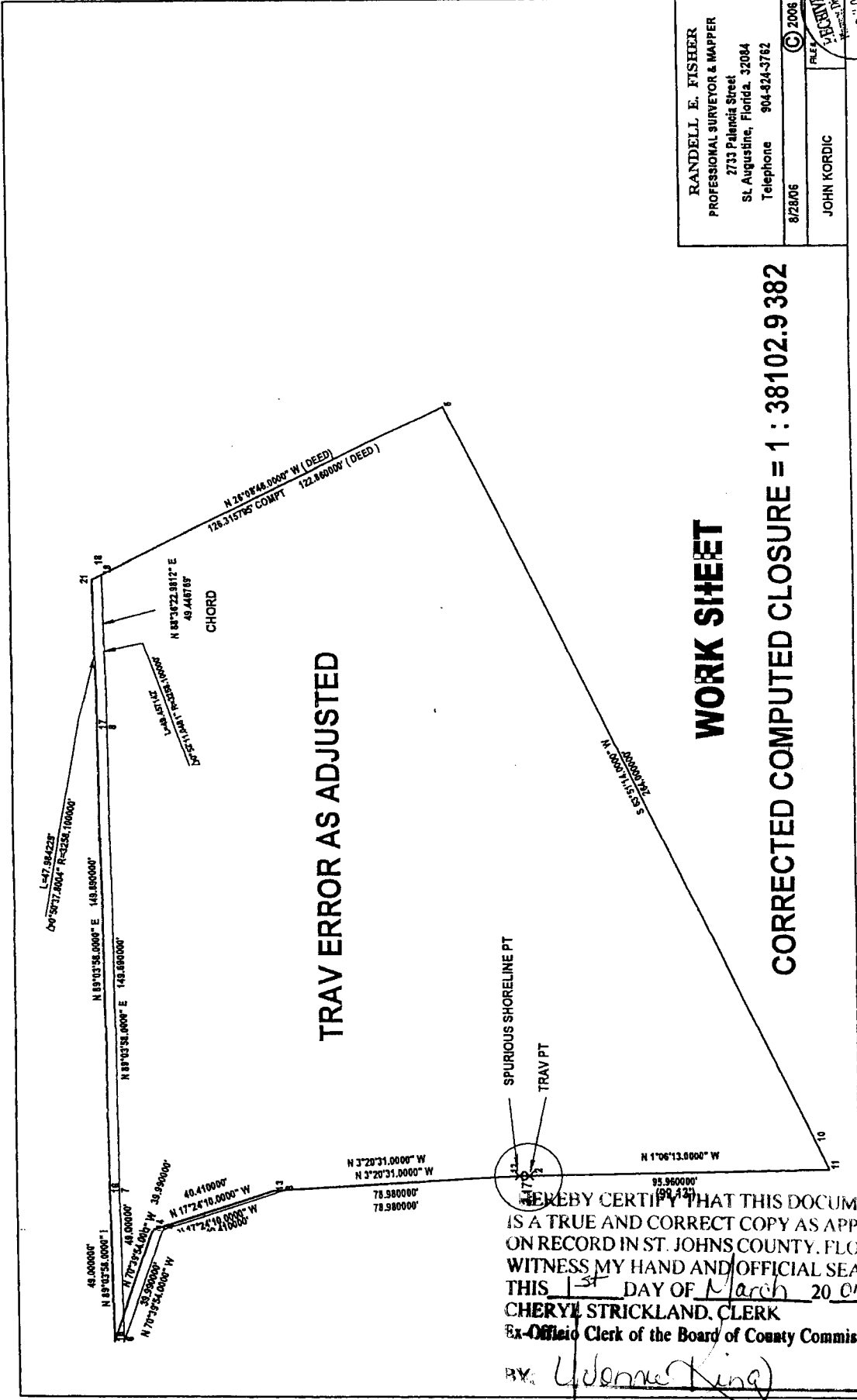
Randell E. Fisher P.S.M. No. 1946
 This survey is not certified to any but the following named:

PROFESSIONAL SURVEYOR & MAPPER
 2733 Palencia Street
 St. Augustine, Florida, 32084
 Telephone 904-824-3762

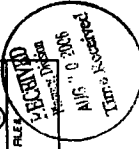
FIELD DATE 8/2/06
 SURVEYED FOR JOHN KORDIC
 5299 AVE. "B"

REVISED CHANGE LEGAL REF 8/2/506





RANDALL E. FISHER
 PROFESSIONAL SURVEYOR & MAPPER
 2733 Palencia Street
 St. Augustine, Florida. 32084
 Telephone 904-424-3762
 8/28/06



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 1st DAY OF March 20 07
 CHERYL STRICKLAND, CLERK
 Ex-Officio Clerk of the Board of County Commissioners
 BY: L. Donna King D.C.

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 a **NOTICE OF HEARING**

in the matter **REZ 06-15 BIG OAK CT**

was published in said newspaper in the issues of

FEBRUARY 5, 2007.

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 **5TH** day of **FEBRUARY, 2007.**

by *AK Bone #* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)



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

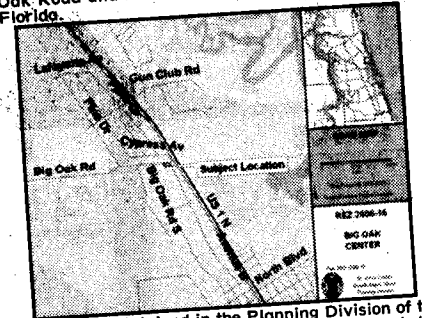
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 20, 2007 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 Intensive (CI). Items not heard by 6:00 p.m. shall automatically be continued until 9:00 a.m. the following day, unless otherwise directed by the Board.

The subject property is located West of US1 North, in the Southwest Quadrant of the intersection of Big Oak Road and Avenue B within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 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 notified 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
BEN RICH, CHAIRMAN**
FILE NUMBER: REZ 2006-15 Big Oak Center
L292-7 Feb 5, 2007