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ORDINANCE NUMBER: 2007 - 37

Public Records of
St. Johns County, FL
Clerk # 2007042245,
O.R. 2936 PG 1939-1942
06/21/2007 at 10:38 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 INDUSTRIAL WAREHOUSE (IW) 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 February 6, 2006, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2006-14 Bradco Commercial Plaza, 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.1.3.12)
 - (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 2006-14 the zoning classification

*Dr + Kel - 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 15 DAY OF May 2007.

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

BY: Ben Rich
Ben Rich, Chairman

REVISION DATE 05/16/07

ATTEST: CHERYL STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: 05/24/07

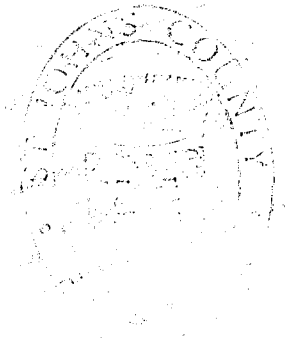


Exhibit A

LEGAL DESCRIPTION

PARCEL 1:

THE FOLLOWING DESCRIBED TRACT BEING A PART OF GOVERNMENT LOT 7 IN SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST.

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #1 AND THE SOUTH LINE OF GOVERNMENT LOT 7 IN SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST; SAID POINT BEING 100 FEET WEST OF AND MEASURED AT RIGHT ANGLES TO THE PRESENT CENTER LINE AS NOW LOCATED. FROM SAID POINT OF BEGINNING RUN THENCE NORTHERLY ALONG THE WEST LINE OF SAID RIGHT-OF-WAY 100 FEET WEST AND PARALLEL TO THE PRESENT CENTER LINE OF U.S. HIGHWAY #1 AS NOW LOCATED A DISTANCE OF 440 FEET, THENCE WESTERLY AND PARALLEL TO THE SOUTH LINE OF SAID GOVERNMENT LOT 7 A DISTANCE OF 594 FEET, THENCE SOUTHERLY AND PARALLEL TO THE FIRST DESCRIBED LINE, 440 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 7, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 7, a DISTANCE OF 594 FEET TO THE POINT OF BEGINNING. EXCEPTING FROM THE ABOVE DESCRIBED TRACT ANY AND ALL RIGHT-OF-WAY ALONG THE SOUTH LINE WHICH THE COUNTY OF ST. JOHNS STATE OF FLORIDA MIGHT HAVE LEGAL TITLE.

FURTHER LESS AND EXCEPT

A PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4"x4" CONCRETE MONUMENT AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY #1 (STATE ROAD No. 5, 200 FOOT RIGHT-OF-WAY) AND THE NORTH RIGHT OF WAY LINE OF STATE ROAD No.S-5-A (ALSO KNOWN AS OLD MOULTREE ROAD, 66 FOOT RIGHT OF WAY), PROCEED SOUTH 89°58'26" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 593.95 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE NORTH 00°01'14" EAST A DISTANCE OF 307.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°01'14" EAST A DISTANCE OF 100.00 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE SOUTH 89°58'30" EAST A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°01'14" WEST A DISTANCE OF 100.00 FEET; THENCE NORTH 89°58'30" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 4,998.1 SQUARE FEET.

A PARCEL OF LAND LYING IN GOVERNEMNT LOT 7, SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4"x4" CONCRETE MONUMENT AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1 (STATE RAOD No. 5, 200 FOOT RIGHT OF WAY) AND THE NORTH RIGHT OF WAY LINE OF STATE ROAD No. S-5-A (ALSO KNOWN AS OLD MOULTREE ROAD, 66 FOOT RIGHT OF WAY) PROCEED SOUTH 89°58'26" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 563.95 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 89°58'26" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE NORTH 00°01'14" EAST A DISTANCE OF 307.14 FEET; THENCE SOUTH 89°58'30" EAST A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°01'14" WEST A DISTANCE OF 307.12 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 9,213.8 SQUARE FEET.

2046 June 07
Y. Kenneth 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 a **NOTICE OF HEARING**

in the matter **REZ 06-14 BRADCO**

was published in said newspaper in the issues of

APRIL 30, 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 **30TH** day of **APRIL, 2007**.

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

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD27599
Expires December 18, 2007

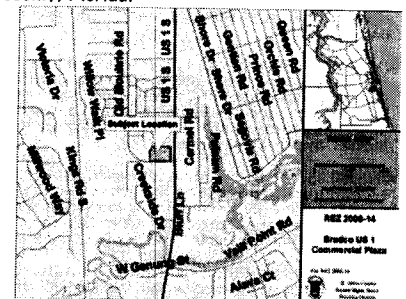
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, May 15, 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 Industrial Warehouse (IW) to Commercial General (CG). Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is located west side of US 1 corner of Old Moultrie Intersection 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 2006-14
Bradco US 1 Commercial
L1100-7 Apr 30, 2007