

3

ORDINANCE NUMBER: 2007-55

Public Records of
St. Johns County, FL
Clerk # 2007049992,
O.R. 2955 PG 836-838
07/23/2007 at 02:57 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) AND COMMERCIAL HIGHWAY TOURIST (CHT) 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 February 11, 2007, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2007-07 Meyers RV Center, 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.1.3.12)
 - (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 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 Mixed Use District (Md) as depicted on the 2015 Future Land Use Map.

*For Rec - Y. King
M+R*

SECTION 2. Pursuant to this application File Number REZ 2007-07 the zoning classification

is hereby 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 10 DAY OF July 2007.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ben Rich
Ben Rich, Chairman

REVISION DATE 07-13-07

ATTEST CHERYL STRICKLAND, CLERK

BY: Wenne King
Deputy Clerk

EFFECTIVE DATE: 07/17/07



EXHIBIT A
LEGAL DESCRIPTION/SURVEY
Meyers RV Center Rezoning
Revised 04/02/07

A PORTION OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 9, TOWNSHIP 7 SOUTH,
RANGE 29 EAST, ST JOHNS COUNTY FLORIDA .

LEGAL DESCRIPTION: PROPOSED PARCEL

A PORTION OF LAND LYING IN GOVERNMENT LOT 1 OF SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST JOHNS COUNTY FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2695 PAGE 937 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 16 (A 200 FOOT RIGHT OF WAY); THENCE NORTH 00°52'56" WEST DEPARTING SAID RIGHT OF WAY LINE AND ALONG THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2696 PAGE 937 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 905.80 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE NORTH 85°15'42" EAST ALONG THE NORTHERLY LINE OF SAID LANDS A DISTANCE OF 100.23 FEET TO A 4 INCH BY 4 INCH CONCRETE MONUMENT WITH NO IDENTIFICATION, SAID POINT BEING THE NORTHEAST CORNER OF SAID LANDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1083 PAGE 962 OF SAID COUNTY; THENCE NORTH 85°15'42" EAST ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 100.00 FEET; THENCE SOUTH 00°57'24" EAST DEPARTING SAID NORTH LINE, A DISTANCE OF 230.69 FEET; THENCE SOUTH 87°01'40" EAST, A DISTANCE OF 59.86 FEET; THENCE SOUTH 20°35'11" EAST, A DISTANCE OF 336.79 FEET; THENCE SOUTH 87°01'40" EAST, A DISTANCE OF 44.59 FEET; THENCE SOUTH 20°35'11" EAST, A DISTANCE OF 341.57 FEET; THENCE SOUTH 87°01'40" EAST, A DISTANCE OF 434.08 FEET TO THE NORTHWEST CORNER OF EXCEPTION NUMBER TWO AS DESCRIBED IN OFFICIAL RECORDS BOOK 1083 PAGE 962 OF SAID COUNTY; THENCE SOUTH 01°36'54" EAST ALONG THE WESTERLY LINE OF SAID LANDS A DISTANCE OF 157.61 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2732.93 FEET, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 16, (A 200 FOOT RIGHT OF WAY); THENCE ALONG THE ARC OF SAID CURVE, ALONG SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 14°57'48" AN ARC DISTANCE OF 713.73 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 84°28'44" WEST, 711.71 FEET TO A POINT OF TANGENCY; THENCE NORTH 76°50'50" WEST A DISTANCE OF 268.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 428,296 SQUARE FEET, 9.83 ACRES MORE OR LESS

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 **SARAH SELFRIDGE**

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 **REZONING 07-07/MEYERS RV**

was published in said newspaper in the issues of **JUNE 25, 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 **25TH** day of **JUNE, 2007.**

by Sarah Selfridge 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 DD275991
Expires December 18, 2007

(Seal)

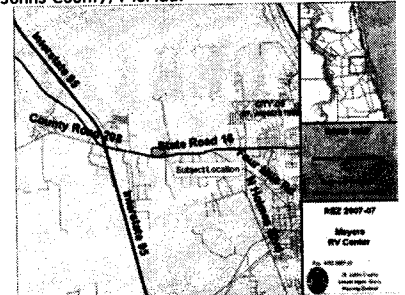
PATRICIA A. BERGQUIST

COPY OF ADVERTISEMENT

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 10, 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 Commercial Highway Tourist (CHT) and Open Rural (OR) to Commercial Intensive (CI). 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 on the north side of SR 16, approximately 1 mile east of I-95 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 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

BEN RICH, CHAIRMAN
FILE NUMBER: REZ 2007-07 Meyers RV Center
L1667-7 June 25, 2007



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

July 18, 2007

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Yvonne King, Minutes and Records Division

FILED
07 JUL 23 AM 9:01
CHERYL STRICKLAND
CLERK OF THE CIRCUIT COURT
ST. JOHNS COUNTY FL

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 16, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-55 and 2007-56, which were filed in this office on July 17, 2007.

Sincerely,

Liz Cloud
Program Administrator

LC/lbh

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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