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ORDINANCE NUMBER: 2007-63

Public Records of  
St. Johns County, FL  
Clerk # 2007058703,  
O.R. 2974 PG 581-583  
08/29/2007 at 01:01 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 CLASSIFICATIONS OF RESIDENTIAL SINGLE-FAMILY 3 (RS-3) TO COMMERCIAL NEIGHBORHOOD (CN) 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 March 21, 2007 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2007-12**, 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 CN is consistent with the Comprehensive Plan, in that:
  - (a) The rezoning is compatible and complementary to adjacent land uses. (Policy 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 CN is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of CN is consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2015 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number REZ 2007-12 the zoning classification is hereby changed to **Commercial Neighborhood (CN) on Lots 5-6, inclusive, replat of Blocks 9-10,**

For Pet y. King  
MHR

**13 San Sebastian Subdivision, according to map or plat thereof as recorded in Map Book 3, Page 106 of the Public Records of St. Johns County, Florida.**

**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 immediately upon receipt of the Ordinance 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 7<sup>th</sup> DAY OF August 2007.**

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

BY: Ben Rich  
Ben Rich, Chairman

RENDITION DATE 08/14/07

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cheryl Strickland  
Deputy Clerk

EFFECTIVE DATE: 08/15/07

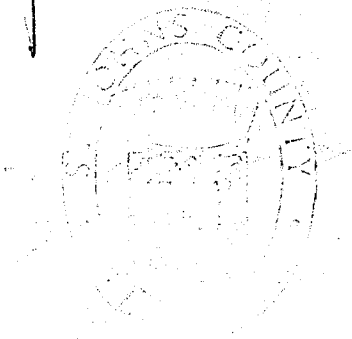


Exhibit A

LOT 5-6, INCLUSIVE, REPLAT OF BLOCKS 9, 10, AND 13, SAN SEBASTIAN SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 106, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

I HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY AS FILED  
ON RECORD IN ST. JOHNS COUNTY, FLORIDA.  
WITNESS MY HAND AND OFFICIAL SEAL  
THIS 28<sup>th</sup> DAY OF August 20 09  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

BY: Yvonne 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 **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**

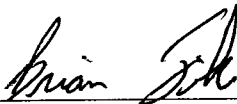
in the matter **REZ 07-12 BEVERLY**

was published in said newspaper in the issues of **JULY 23, 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 **23rd** day of **JULY, 2007.**

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



(Signature of Notary Public)



Brian Fike  
My Commission DD327588  
Expires June 09, 2008

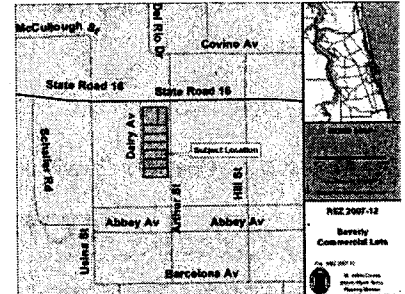
(Seal)

BRIAN FIKE

## NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, August 7, 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 1 lot from Commercial Neighborhood (CN) to Commercial Intensive (CI) and rezone 2 lots from Residential Single-Family 3 (RS-3) to Commercial Neighborhood (CN). 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 south of State Road 16 between Arthur St. and Dairy Ave. 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 2007-12 Beverly  
L1910-7 July 23, 2007