

ORDINANCE NUMBER: 2008 - 47

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 May 27, 2008, in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2008-12 St. Augustine Tire Rezoning**, 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.

**SECTION 2.** Pursuant to this application File Number REZ 2008-12 the zoning classification of the lands

*Palet - Y. King  
M+K*

described within the attached legal description, Exhibit "A",

**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 30<sup>th</sup> DAY OF Sept. 2008.**

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

BY: *Thomas G. Manuel*  
Thomas G. Manuel, Chairman

RENDITION DATE 10/1/08

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: *Cheryl Strickland*  
Deputy Clerk

**EFFECTIVE DATE:** 10-03-08



**EXHIBIT A  
LEGAL DESCRIPTION  
St. Augustine Tlre Rezoning**

All that part of Lots Six (6) through Sixteen (16) and vacated alleys in Block 1, ROTHSCHILD'S ADDITION, to St. Augustine, according to plat thereof recorded in Map Book 3, page 133, public records of St. Johns County, Florida, lying Northwesterly of the existing right of way of State Road No. 207; being the same land and improvements described in that certain Warranty Deed, recorded in Official Records Book 319, page 729, public records of St. Johns County, Florida (RE PARCEL NO. 096790-0060).

WITNESSETH THAT THE FOREGOING IS A TRUE AND CORRECT COPY AS APPEARS IN RECORD IN ST. JOHNS COUNTY, FLORIDA  
WITNESS MY HAND AND OFFICIAL SEAL  
THIS 22nd DAY OF October 2008  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners

BY Wannetta King D.C.



# The St. Augustine Record

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY  
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 she is an Employee 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 of **PROPOSED REZONING/205 SR 207**

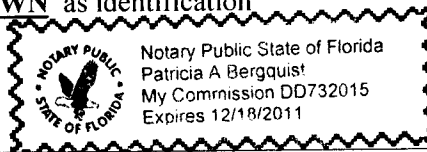
was published in said newspaper **SEPT 15, 2008.**

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 she 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 15<sup>th</sup> day of **SEPTEMBER 2008.**

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**



(Seal)

COPY OF ADVERTISEMENT

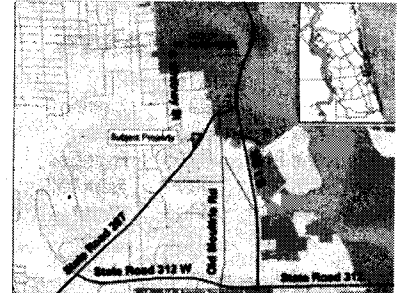
SEP 15 2008

### NOTICE OF A PROPOSED REZONING

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on Tuesday, September 30, 2008 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 consider whether to enact

**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 INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

The subject property is located at 205 State Road 207, within St. Johns County, Florida.



Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

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. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
THOMAS MANUEL, CHAIRMAN  
FILE #: REZ 2008-12 St. Augustine Tire  
L2635-8 Sep 15, 2008**



**FLORIDA DEPARTMENT of STATE**

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

October 6, 2008

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

FILED  
JAN 01 10 10 30 AM '09  
CLERK OF CIRCUIT COURT  
ST. JOHNS COUNTY FL

Attention: Ms. Yvonne King, Minutes & Record Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 2, 2008 and certified copies of St. Johns County Ordinance Nos. 2008-47 through 2008-49, which were filed in this office on October 3, 2008.

Sincerely,

Liz Cloud  
Program Administrator

LC/srd

DIRECTOR'S OFFICE  
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282