

4

ORDINANCE NUMBER: 2009 - 14

Public Records of
St. Johns County, FL
Clerk # 2009016432,
O.R. 3180 PG 1690-1693
04/07/2009 at 08:35 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 PLANNED SPECIAL DEVELOPMENT (PSD) 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 September 30, 2008 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2008-21 Osceola Business Park 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, the Board of County Commissioners, 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.

Charlet Y. King
M+R

SECTION 2. Pursuant to this application File Number REZ 2008-21 the zoning classification of the lands described within the attached legal description, Exhibit "A",

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 17th DAY OF March 2009.

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

BY: Cyndi Stevenson
Cyndi Stevenson, Its Chair

RENDITION DATE 03-19-09

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 03-25-09

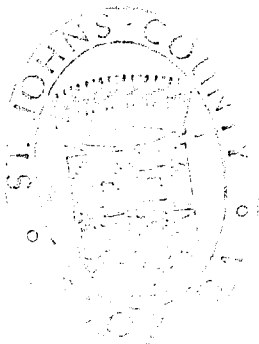


EXHIBIT A
Legal Description
Osceola Business Park REZ

A part of Section 25, Township 07 South, Range 29 East, St. Johns County, Florida, described as follows:

From the northwest corner of the northeast 1/4 of the northwest 1/4 of said Section 25, run north 88 degrees 34 minutes 26 seconds east, along the north line of said Section 25, a distance of 188.46 feet; Thence departing said north line, run south 10 degrees 25 minutes 56 seconds east, along the east line of that parcel described in Official Records Book 862, Page 1358, of the Public Records of St. Johns County, Florida, a distance of 889.43 feet; Thence south 13 degrees 49 minutes 57 seconds east, along said east line, a distance of 359.72 feet; Thence south 13 degrees 48 minutes 37 seconds east, a distance of 330.60 feet to a point on a curve and the southerly right-of-way line of Osceola Elementary School Road, a 60-foot right-of-way and the Point of Beginning; Thence continue north along said curve, concave northeast, having a radius of 380.00 feet, a central angle of 15 degrees 55 minutes 58 seconds, and a chord bearing of north 60 degrees 50 minutes 11 seconds west; Thence departing the southerly right-of-way line south 43 degrees 59 minutes 39 seconds west, a distance 99.56 feet to the westerly boundary of access Parcel B as described in Official Records Book 862, Page 1358 of the Public Records of St. Johns County; Thence south 14 degrees 22 minutes 36 seconds east along said westerly boundary, a distance of 593.81 feet to the northerly right-of-way line of State Road No. 207 as described in Official Records Book 1149, Page 295, of the Public Records of St. Johns County, and a point on the arc of a curve, concave southeasterly, having a radius of 11,524.16 feet, a central angle of 01 degrees 54 minutes 52 seconds, and a chord bearing of north 46 degrees 53 minutes 57 seconds east; Thence run along the northerly right-of-way line of said State Road No. 207, and the arc of said curve, a distance of 385.07 feet; Thence north 47 degrees 51 minutes 23 seconds east, a distance of 352.23 feet; Thence departing the northerly right-of-way of said State Road No. 207, run north 42 degrees 08 minutes 37 seconds west, a distance of 25.08 feet to the point of curvature of a curve, concave southwest, having a radius of 260.00 feet; a central angle of 63 degrees 05 minutes 25 seconds, and a chord bearing of north 75 degrees 31 minutes 42 seconds west along the arc of said curve and the southerly right-of-way line of Osceola Elementary School Road, a 60-foot right-of-way, a distance of 286.29 feet to the point of reverse curvature of a curve, concave northerly, having a radius of 380.00 feet, a central angle of 19 degrees 17 minutes 29 seconds, and a chord bearing of south 82 degrees 39 minutes 04 seconds west; Thence departing said southerly right-of-way line south 46 degrees 26 minutes 36 seconds west, a distance of 129.66 feet; Thence north 13 degrees 48 minutes 37 seconds west, a distance of 118.17 feet to the POINT OF BEGINNING.

Parcel contains 5.00 acres.

A PART OF SECTION 25, TOWNSHIP 07 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

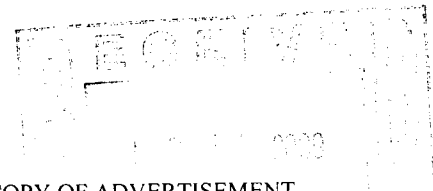
FROM THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25, RUN NORTH 88 DEGREES 34 MINUTES 26 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 25, A DISTANCE OF 188.46 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 10 DEGREES 25 MINUTES 56 SECONDS EAST, ALONG THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 862, PAGE 1358, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 889.43 FEET; THENCE SOUTH 13 DEGREES 49 MINUTES 57 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 359.72 FEET; THENCE SOUTH 13 DEGREES 48 MINUTES 37 SECONDS EAST, A DISTANCE OF 448.77 FEET; THENCE NORTH 48 DEGREES 26 MINUTES 38 SECONDS EAST, A DISTANCE OF 222.47 FEET TO THE POINT OF BEGINNING, AND A POINT ON THE ARC OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 07 DEGREES 38 MINUTES 13 SECONDS, AND A CHORD BEARING OF NORTH 76 DEGREES 49 MINUTES 26 SECONDS EAST; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE, AND THE NORTHERLY RIGHT OF WAY LINE OF OSCEOLA ELEMENTARY SCHOOL A 60 FOOT RIGHT OF WAY, A DISTANCE OF 42.65 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 63 DEGREES 25 MINUTES 13 SECONDS, AND A CHORD BEARING OF SOUTH 75 DEGREES 17 MINUTES 04 SECONDS EAST; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, A DISTANCE OF 354.21 FEET TO THE NORTHERLY RIGHT OF WAY OF STATE ROAD NO. 207, AS DESCRIBED IN OFFICIAL RECORDS BOOK 1149, PAGE 295, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY; THENCE RUN ALONG SAID RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES; SOUTH 42 DEGREES 08 MINUTES 37 SECONDS EAST, A DISTANCE OF 25.08 FEET; THENCE NORTH 47 DEGREES 51 MINUTES 23 SECONDS EAST, A DISTANCE OF 328.60 FEET; THENCE SOUTH 43 DEGREES 34 MINUTES 27 SECONDS EAST, A DISTANCE OF 8.91 FEET; THENCE NORTH 46 DEGREES 25 MINUTES 33 SECONDS EAST, A DISTANCE OF 27.59 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN NORTH 01 DEGREES 25 MINUTES 28 SECONDS WEST, ALONG THE WEST LINE OF A FLORIDA POWER AND LIGHT COMPANY EASEMENT, A DISTANCE OF 471.64 FEET; THENCE SOUTH 46 DEGREES 26 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 875, PAGE 1578, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, A DISTANCE OF 885.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.45 ACRES.

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 3rd DAY OF April 2009 CHERYL STARKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: L. W. King DC





The St. Augustine Record

COPY OF ADVERTISEMENT

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 **ULINDA E VERSTRAATE**

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 PROPOSED REZONING**

In/the matter of **CORRECTION REZ2008-01 OSCEOLA BUS PK**

L711-9 was published in said newspaper **MARCH 5, 2009**

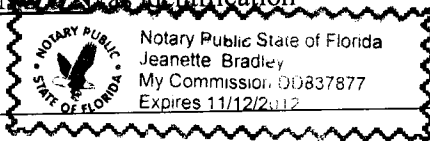
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 4th day of **MARCH 2009**

by Ulinda E Verstraate who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification

Jeanette Bradley

(Signature of Notary Public)
JEANETTE BRADLEY



(Seal)

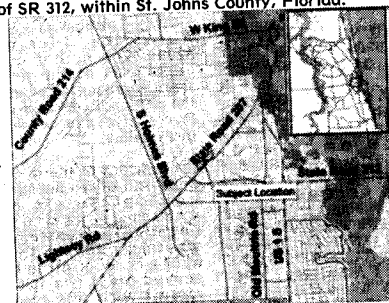
This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in 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
CYNDI STEVENSON, CHAIR**
FILE NUMBER: REZ 2008-21 Osceola Business Park
L711-9 Mar 5, 2009

CORRECTION NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, March 17, 2009 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to issue a decision on

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED SPECIAL DEVELOPMENT (PSD) TO COMMERCIAL GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located on SR 207, just north of SR 312, 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. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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, 500 San Sebastian View, 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.



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

March 26, 2009

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

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 March 24, 2009 and certified copies of St. Johns County Ordinance Nos. 2009-14 and 2009-15, which were filed in this office on March 25, 2009.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

FILED
09 MAR 31 AM 9:43
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

DIRECTOR'S OFFICE

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