(3)

ORDINANCE NUMBER: 2009 - 9

Public Records of
St. Johns County, FL
Clerk # 2009012863,
O.R. 3174 PG 549-551
03/17/2009 at 02:29 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 RESIDENTIAL SINGLE FAMILY TWO (RS-2) TO OPEN RURAL (OR); 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 23, 2008**, in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2008-18 Good News Presbyterian Church 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 **Open Rural (OR)** 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 **Open Rural (OR)** is consistent with the St. Johns County Land Development Code.

4. The zoning district designation of **Open Rural (OR)** is consistent with the land uses allowed in the land use designation of Rural Commercial as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2008-18 the zoning classification of the lands

In + Ret. y. King
M+R

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

is hereby changed to Open Rural (OR).

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 February 2009.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ron Sanchez

Ron Sanchez, Vice Chair

RENDITION DATE 02-18-09

ATTEST: CHERYL STRICKLAND, CLERK

BY: Wanne King

Deputy Clerk

EFFECTIVE DATE: 02-25-09

EXHIBIT A
LEGAL DESCRIPTION
Good News Presbyterian Church

A PART OF GOVERNMENT LOT 3, SECTION 11, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA,

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE NORTH 89°12'43" EAST, ALONG THE NORTH LINE OF SAID SECTION 11, 1317.95' (DEED 1298.06') TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE CONTINUE NORTH 89°12'43" EAST, 343.80' TO THE POINT OF BEGINNING; THENCE NORTH 89°12'43" EAST, CONTINUING ALONG SAID NORTH LINE, 80.01'; THENCE SOUTH 01°30'19" EAST, ALONG THE WEST LINES OF PARCELS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2391, PAGE 387 AND OFFICIAL RECORDS BOOK 2313, PAGE 1629, 420.00'; THENCE NORTH 89°12'43" EAST, ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2313, PAGE 1629, 210.00'; THENCE NORTH 01°30'19" WEST, ALONG THE EAST LINES OF SAID PARCELS, 420.00' TO THE INTERSECTION WITH THE AFOREMENTIONED NORTH LINE OF SECTION 11; THENCE NORTH 89°12'43" EAST, ALONG SAID NORTH LINE, 61.23' TO THE SOUTHWESTERLY RIGHT-OF-WAY OF WILDWOOD DRIVE, A 66' WIDE RIGHT-OF-WAY; THENCE SOUTH 52°30'08" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, 757.45' TO THE WEST RIGHT-OF-WAY LINE OF FORT PEYTON DRIVE, A 60' WIDE RIGHT-OF-WAY; THENCE SOUTH 00°40'22" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 80.80' TO THE INTERSECTION WITH THE NORTH LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 573, PAGE 734; THENCE SOUTH 89°12'53" WEST, ALONG SAID NORTH LINE 148.77'; THENCE SOUTH 00° 40'22" WEST, ALONG THE WEST LINE OF LAST MENTIONED PARCEL, 208.72'; THENCE SOUTH 89°12'53" WEST, ALONG THE NORTH LINES OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 86, PAGE 233 AND OFFICIAL RECORDS BOOK 696, PAGE 1345, 670.00'; THENCE NORTH 17°39'47" WEST, 395.76'; THENCE NORTH 01°30'19" WEST, 380.00' TO THE POINT OF BEGINNING.

SAID DESCRICED CONTAINS 9.95 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT CO[illegible]PEARS
ON RECORD IN ST. JOHNS CO[illegible]
WITNESS MY HAND AND OFF[illegible]
THIS 16th DAY OF March 20 09
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners
BY: Yvonne King D.C.

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 **REZ 2008-18 GOOD NEWS PRESB CHURCH**

L292-9 was published in said newspaper **FEBRUARY 2, 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 2nd **day of FEB 2009**

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

Notary Public State of Florida
Jeanette Bradley
My Commission DD837877
Expires 11/12/2012

(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 93-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, 4040 Lewis Speedway, St. Augustine, Florida 32095.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CYNDI STEVENSON, CHAIR

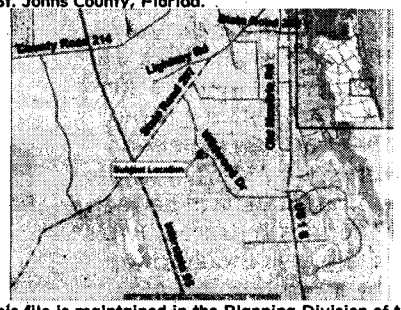
FILE NUMBER: REZ 2008-18 Good News Presbyterian Church
L292-9 Feb 2, 2009

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, February 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 RESIDENTIAL SINGLE FAMILY (RS-2) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located on the southwest side of Wildwood Road, just south of Treaty Park, 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.