

3

ORDINANCE NUMBER: 2010-14

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATIONS OF COMMERCIAL INTENSIVE (CI) AND COMMERCIAL HIGHWAY & TOURIST (CHT) TO COMMERCIAL WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of  
St. Johns County, FL  
Clerk # 2010018591,  
O.R. 3306 PG 1693-1695  
04/21/2010 at 02:28 PM,  
REC. \$13.00 SUR. \$14.00

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 December 21, 2009 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2009-19 Safe Tarp 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 Warehouse (CW) 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 Warehouse (CW) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Warehouse (CW) is consistent with the land uses allowed in the land use designation of Mixed Use District as depicted on the 2015 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number REZ 2009-19 the zoning classification of the lands described within the attached legal description, Exhibit "A",

**is hereby changed to Commercial Warehouse (CW).**

**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 6th DAY OF April 2010.**

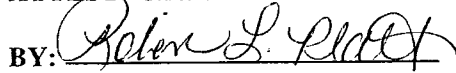
**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

BY: 

Ron Sanchez, Chairman

Rendition Date: April 7, 2010

**ATTEST: CHERYL STRICKLAND, CLERK**

BY:   
Deputy Clerk

Effective Date: April 8, 2010

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORDS OF ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 20<sup>th</sup> DAY OF April 20 10



EXHIBIT A  
LEGAL DESCRIPTION  
SafeTarp Corporation  
CHERYL STRICKLAND, CLERK  
Ex-Officio Clerk of the Board of County Commissioners  
*Cheryl Strickland* D.C.

A PORTION OF GOVERNMENT LOT 1 OF SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, SAID STATE ROAD 16 HAVING A 200 FOOT WIDTH RIGHT-OF-WAY AND HAVING BEEN FORMERLY KNOWN AS MILL CREEK ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WESTERLY LINE OF GOVERNMENT LOT 1, SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AS REFERENCED IN THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2695, PAGE 937, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, WITH THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD No. 16 (A 200.00 FOOT WIDE RIGHT OF WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 00°52'57" WEST, ALONG SAID WESTERLY LINE OF GOVERNMENT LOT 1, A DISTANCE OF 444.35 FEET; THENCE NORTH 89°07'03" EAST A DISTANCE OF 154.00 FEET; THENCE SOUTH 00°52'57" EAST, PARALLEL WITH SAID WESTERLY LINE OF GOVERNMENT LOT 1; A DISTANCE OF 482.42 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF STATE ROAD No. 16; THENCE NORTH 76°59'50" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 158.64 FEET TO THE POINT OF BEGINNING.

Together with:

A PORTION OF GOVERNMENT LOT 1 OF SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, SAID STATE ROAD 16 HAVING A 200 FOOT WIDTH RIGHT-OF-WAY AND HAVING BEEN FORMERLY KNOWN AS MILL CREEK ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF GOVERNMENT LOT 1, SECTION 9, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AS REFERENCED IN THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2695, PAGE 937, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, WITH THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD No. 16 (A 200.00 FOOT WIDE RIGHT OF WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 00°52'57" WEST ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 444.35 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3116 PAGE 05 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA, SAID CORNER ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 00°52'57" WEST CONTINUING ALONG THE WEST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2695, PAGE 937, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA A DISTANCE OF 461.45 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE NORTH 85°15'42" EAST ALONG THE NORTH LINE OF SAID LANDS AND ALONG THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2546 PAGE 255 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA A DISTANCE OF 326.84 FEET; THENCE SOUTH 00°52'57" EAST DEPARTING THE NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2546 PAGE 255 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA A DISTANCE OF 483.43 FEET; THENCE SOUTH 89°07'03" WEST A DISTANCE OF 172.10 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3116 PAGE 05 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA; THENCE SOUTH 89°07'03" WEST ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 154.00 FEET TO THE POINT OF BEGINNING.

RECEIVED

MAR 16 2010

SJC DEVELOPMENT REVIEW  
ATTN: NANCY WALES  
4040 LEWIS SPEEDWAY  
SAINT AUGUSTINE FL 32084

ST. JOHNS COUNTY  
GROWTH MANAGEMENT

Ref.#: L1018-10  
P.O.#: SAFETARP

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 he/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 REZONING**

In the matter of **REZ 2009-19 - SAFE TARP CORPORATION**

was published in said newspaper on **03/10/2010**

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 has 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/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.

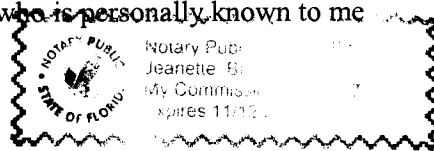
Sworn to and subscribed before me this 10<sup>th</sup> day of March 2010

by Ulinda E Verstraate  
or who has produced as identification

who is personally known to me

Jeanette Brady

(Signature of Notary Public)

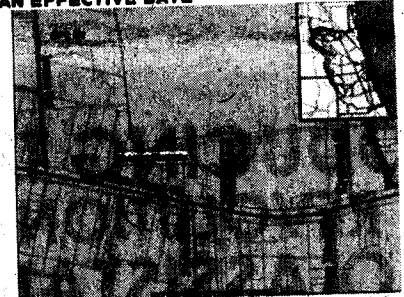


(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, March 18, 2010 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and Tuesday, April 6, 2010 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to issue a recommendation on

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM COMMERCIAL INTENSIVE (CI) AND COMMERCIAL HIGHWAY & TOURIST (CHT) TO COMMERCIAL WAREHOUSE (CW); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE



The subject property is located on the north side of SR 16, east of I-95 & west of Four Mile Road, within St. Johns County, Florida. See attached map (Exhibit A). This file is maintained in the Planning & Zoning Section of the Growth Management 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 request.

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, 32084. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8776, 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 in compliance with Resolution 95-126, to properly notified public hearings or to written communication care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
BRAD NELSON, CHAIRMAN

FILE NUMBER: REZ 2009-19 SAFE TARP CORPORATION

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
RON SANCHEZ, CHAIRMAN  
L1018-10 Mar 10, 2010



# FLORIDA DEPARTMENT *of* STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

April 8, 2010

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

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated April 7, 2010 and certified copies for St. Johns County Ordinance Nos. 2010-12 through 2010-14, which were filed in this office on April 8, 2010.

Sincerely,

Liz Cloud  
Program Administrator

LC/srd

FILED  
2010 APR 13 AM 11:13  
CLERK OF THE CIRCUIT COURT  
ST. JOHNS COUNTY FL

DIRECTOR'S OFFICE

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