

3
ORDINANCE NUMBER: 2010 - 16

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 WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2010028416,
O.R. 3324 PG 653-655
06/16/2010 at 10:28 AM,
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 March 5, 2010 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2010-02 L & B Industrial 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 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 2010-02 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 Department by the Development Services Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 18th DAY OF May 2010.

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

BY: Ron Sanchez

Ron Sanchez, Chairman

Rendition Date: May 20, 2010

ATTEST: CHERYL STRICKLAND, CLERK

BY: Yvonne King
Deputy Clerk

Effective Date: May 24, 2010

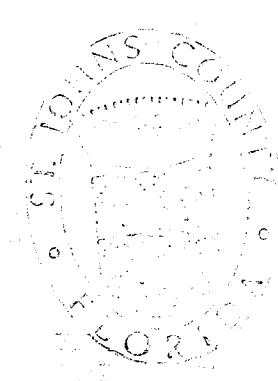


EXHIBIT A
LEGAL DESCRIPTION
L&B Industrial Park

A PARCEL OF LAND IN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE FULLY DESCRIBED AS FOLLOWS:

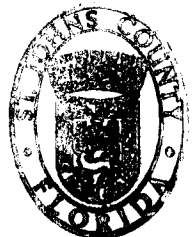
COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF INTERSTATE ROUTE 95 WITH THE CENTERLINE OF STATE ROAD NO. 208; THENCE NORTH 73 DEGREES 58 MINUTES 00 SECONDS WEST, ON SAID CENTERLINE OF STATE ROAD NO. 208, A DISTANCE OF 1,516.66 FEET; THENCE SOUTH 16 DEGREES 04 MINUTES 00 SECONDS WEST 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 208 AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF AGRICULTURAL CENTER DRIVE, A 100 FOOT WIDTH RIGHT-OF-WAY; THENCE CONTINUING SOUTH 16 DEGREES 04 MINUTES 00 SECONDS WEST, ON SAID WEST RIGHT-OF-WAY LINE OF AGRICULTURAL CENTER DRIVE 1,500.00 FEET TO THE POINT OF A CURVE TO THE LEFT WITH RADIUS OF 698.63 FEET; THENCE ON SAID CURVE AND ON SAID WEST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 21 MINUTES 55 SECONDS, AN ARC DISTANCE OF 138.58 FEET TO A POINT OF COMPOUND CURVE; THENCE CONTINUING ON SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT WITH RADIUS OF 896.50 FEET, THROUGH A CENTRAL ANGLE OF 11 DEGREES 25 MINUTES 15 SECONDS, AN ARC DISTANCE OF 178.70 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING ON SAID WEST RIGHT-OF-WAY LINE AND ON SAID CURVE WITH RADIUS OF 896.50 FEET, THROUGH A CENTRAL ANGLE OF 12 DEGREES 17 MINUTES 17 SECONDS, AN ARC DISTANCE OF 192.27 FEET; THENCE SOUTH 54 DEGREES 01 MINUTES 00 SECONDS WEST, ON THE NORTHWEST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 805, PAGES 41 AND 42, PUBLIC RECORDS OF SAID COUNTY, 825.27 FEET; THENCE NORTH 41 DEGREES 20 MINUTES 33 SECONDS WEST 69.91 FEET; THENCE NORTH 16 DEGREES 04 MINUTES 00 SECONDS EAST 781.64 FEET; THENCE SOUTH 73 DEGREES 52 MINUTES 06 SECONDS EAST 473.57 FEET TO THE POINT OF BEGINNING

THE ABOVE LAND SHALL BE SUBJECT TO A DRAINAGE EASEMENT OVER THE SOUTHEASTERLY 20 FEET, THE SOUTHWESTERLY 40 FEET AND THE WESTERLY 20 FEET OF THE PARCEL SAID DRAINAGE EASEMENT BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF INTERSTATE ROUTE 95 WITH THE CENTERLINE OF STATE ROAD NO. 208; THENCE NORTH 73 DEGREES 56 MINUTES 00 SECONDS WEST, ON SAID CENTERLINE OF STATE ROAD NO. 208, A DISTANCE OF 1,516.66 FEET; THENCE SOUTH 16 DEGREES 04 MINUTES 00 SECONDS WEST 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 208 AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF AGRICULTURAL CENTER DRIVE, A 100 FOOT WIDTH RIGHT-OF-WAY; THENCE CONTINUING SOUTH 16 DEGREES 04 MINUTES 00 SECONDS WEST, ON SAID WEST RIGHT-OF-WAY LINE OF AGRICULTURAL CENTER DRIVE 1,500.00 FEET TO THE POINT OF A CURVE TO THE LEFT WITH RADIUS OF 898.63 FEET; THENCE ON SAID CURVE AND ON SAID WEST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 21 MINUTES 55 SECONDS, AN ARC DISTANCE OF 138.58 FEET TO A POINT OF COMPOUND CURVE; THENCE CONTINUING ON SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT WITH RADIUS OF 896.50 FEET, THROUGH A CENTRAL ANGLE OF 11 DEGREES 25 MINUTES 15 SECONDS, AN ARC DISTANCE OF 370.97 FEET TO THE POINT OF BEGINNING AT THE CENTERLINE OF A 40 FOOT DRAINAGE EASEMENT; THENCE SOUTH 54 DEGREES 01 MINUTES 00 SECONDS WEST, ON THE NORTHWEST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 805, PAGES 41 AND 42, PUBLIC RECORDS OF SAID COUNTY AND SAID CENTERLINE OF A 40 FOOT DRAINAGE EASEMENT, 825.27 FEET TO THE WEST LINE OF SAID 40 FOOT DRAINAGE EASEMENT; THENCE NORTH 41 DEGREES 20 MINUTES 33 SECONDS WEST, ON SAID WEST LINE OF SAID 40 FOOT DRAINAGE EASEMENT, 69.91 FEET TO SAID CENTERLINE OF A 40 FOOT DRAINAGE EASEMENT; THENCE NORTH 16 DEGREES 04 MINUTES 00 SECONDS EAST, ON SAID CENTERLINE OF A 40 FOOT DRAINAGE EASEMENT, 781.64 FEET; THENCE SOUTH 73 DEGREES 52 MINUTES 06 SECONDS EAST 20.00 FEET; THENCE SOUTH 16 DEGREES 04 MINUTES 00 SECONDS WEST, ON THE EAST LINE OF SAID 40 FEET DRAINAGE EASEMENT, 746.93 FEET; THENCE SOUTH 41 DEGREES 20 MINUTES 33 SECONDS EAST, ON THE NORTHEASTERLY LINE OF SAID 40 FOOT DRAINAGE EASEMENT, 55.41 FEET; THENCE NORTH 54 DEGREES 01 MINUTE 00 SECONDS EAST, ON THE NORTHWESTERLY LINE OF A 40 FOOT DRAINAGE EASEMENT, 793.33 FEET TO SAID WEST RIGHT-OF-WAY LINE OF AGRICULTURAL CENTER DRIVE; THENCE ON SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT WITH RADIUS OF 896.50 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREE 20 MINUTES 29 SECONDS, AN ARC DISTANCE OF 20.99 FEET TO THE POINT OF BEGINNING.

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 15th DAY OF June 20 10
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: Gwenne King D.C.



RECEIVED

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

ST. JOHNS COUNTY
GROWTH MANAGEMENT

Ref.#: L1697-10
P.O.#: L&BINDPARK

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 2010-02 - L&B INDUSTRIAL PARK**

was published in said newspaper on **05/03/2010**

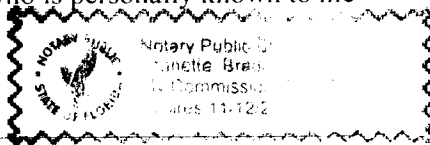
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 3rd day of May 2010

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

Janette Bradley

(Signature of Notary Public)



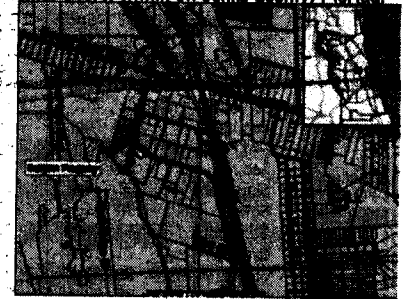
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, May 18, 2010 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 INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL WAREHOUSE (CW); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The subject property is located at 3515 Agricultural Center Drive, within St. Johns County, Florida.



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 6pm 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 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 in compliance with Resolution 95-126, to properly noticed public hearings or to written communication in care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
RON SANCHEZ, CHAIRMAN

FILE NUMBER: REZ 2010-02 L & B INDUSTRIAL PARK

L1697-10 May 3, 2010



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

May 25, 2010

Ms. Cheryl Strickland
Secretary
St. Johns County Board of County Commissioners
500 Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk, Minutes and Record Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 21, 2010 and certified copies for St. Johns County Ordinance Nos. 2010-16 through 2010-18, which were filed in this office on May 24, 2010.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

FILED
2010 JUN -2 AM 11:03
CLERK OF COUNTY COMMISSION
ST. JOHNS COUNTY FL

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
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850.245.6270 • FAX: 850.245.6282