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ORDINANCE NUMBER: 2010-9

Public Records of  
St. Johns County, FL  
Clerk # 2010012846,  
O.R. 3297 PG 46-49  
03/22/2010 at 11:32 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 INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL WAREHOUSE (CW); 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 October 7, 2009 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2009-13 First City 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 Intensive (CW) is consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2015 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number REZ 2009-13 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 Director or designee.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 11<sup>th</sup> DAY OF February 2010.**

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

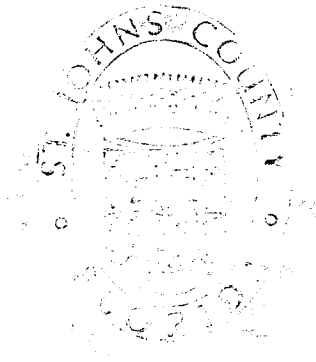
BY:   
**Ron Sanchez, Chairman**

Rendition Date: February 18, 2010

**ATTEST: CHERYL STRICKLAND, CLERK**

BY:   
**Deputy Clerk**

Effective Date: February 22, 2010



**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**First City Industrial Park**

DESCRIPTION (BY SURVEYOR):

LOTS 67 THROUGH 77, UNIT 1 OF ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 10, PAGE 77, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH:

A PARCEL OF LAND BEING PART OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 77, ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK UNIT 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 10, PAGE 77, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 55 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK UNIT 1, A DISTANCE OF 820.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUE SOUTH 00 DEGREES 55 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE 271.07 FEET TO A POINT 8.43 FEET NORTHERLY OF THE SOUTH WEST CORNER OF LOT 67, OF SAID ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK UNIT 1, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY OF STATE ROAD 312 (RIGHT OF WAY WIDTH VARIES AT THIS POINT); THENCE SOUTH 88 DEGREES 58 MINUTES 55 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 535.00 FEET TO A POINT 726.00 FEET WEST OF THE EAST RIGHT OF WAY LINE OF DOBBS ROAD (A 66 FOOT WIDE RIGHT OF WAY), SAID DOBBS ROAD BEING RECORDED IN DEED BOOK 252, PAGE 177, OF SAID PUBLIC RECORDS; THENCE NORTH 00 DEGREES 55 MINUTES 00 SECONDS WEST, PARALLEL TO LAST SAID RIGHT OF WAY LINE, 271.07 FEET; THENCE NORTH 88 DEGREES 58 MINUTES 55 SECONDS EAST 535.00 FEET TO THE POINT OF BEGINNING.

THE TOTAL AREA OF THE ABOVE 2 PARCELS BEING 6.485 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS OF RECORD, IF ANY

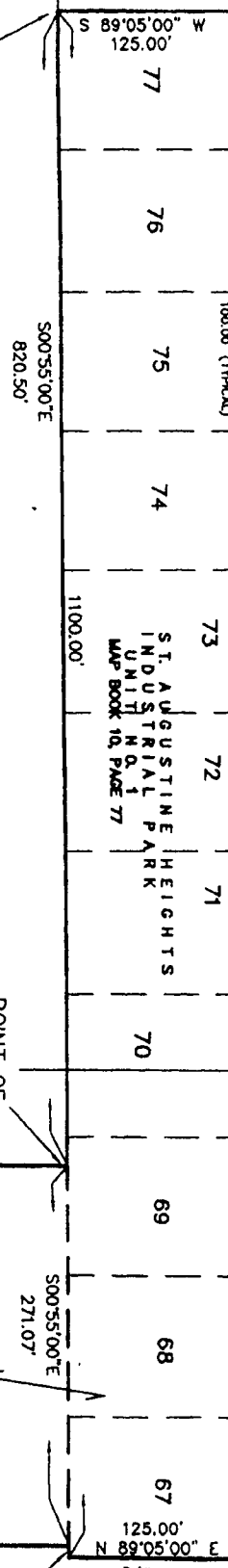
EAST R/W LINE

DOBBS ROAD (66' R/W)  
DEED BOOK 252, PAGE 177

WEST R/W LINE

182.28'

POINT OF COMMENCEMENT



500.55'00" E  
820.50'

REMAINDER OF PARENT TRACT  
NO INCLUDED

STATE ROAD 207  
(R/W VARIES)

SCALE 1"=100'

SKETCH OF LEGAL  
NOT A BOUNDARY SURVEY

FLORIDA COASTAL SURVEYORS, INC.

602 MULLIGAN WAY  
ST AUGUSTINE, FLORIDA 32080  
(904) 826-0060

726.00'

N88°58'55"E  
535.00'

6.485 ACRES ±

500.55'00" E  
271.07'

535.00'  
S88°58'55"W

R/W LINE

125.00'  
N 89°05'00" E  
R/W LINE

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY ON RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND SEAL THIS 19th DAY OF March 2010. CHERYL STRICKLAND, CLERK



STATE ROAD 207  
(R/W VARIES)

*Cheryl Strickland*

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

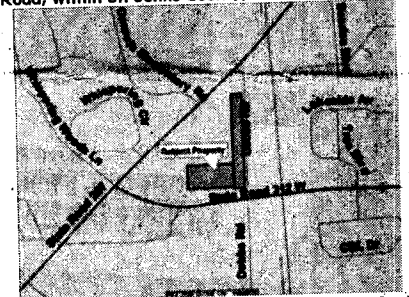
ST. JOHNS COUNTY  
GROWTH MANAGEMENT

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 16, 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 consider whether to enact

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 SR 312 and Dobbs Road, within St. Johns County, Florida.



This file is maintained in the Planning and Zoning Section of the Growth Management Services Department, 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 9am 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, 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 with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
RON SANCHEZ, CHAIRMAN  
FILE NUMBER: REZ 2009-13  
First City Industrial Park  
L404-10 Feb 1, 2010

Ref.#: L404-10  
P.O.#: FIRSTCITYIND

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 **REZ2009-13 - FIRST CITY INDUSTRIAL PARK**

was published in said newspaper on **02/01/2010**

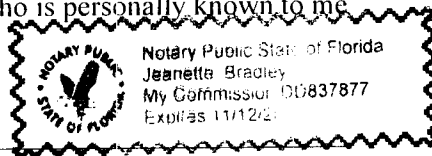
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 1<sup>st</sup> day of Feb 2010

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

*Jeanette Bradley*

(Signature of Notary Public)



(Seal)



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 22, 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 February 18, 2010 and certified copies of St. Johns County Ordinance Nos. 2010-6 through 2010-9, which were filed in this office on February 22, 2010.

Sincerely,

[Handwritten signature: Liz Cloud]

Liz Cloud
Program Administrator

LC/srd

2010 MAR -1 AM 8:20
FILED
CLERK OF THE CIRCUIT COURT AND
ST. JOHNS 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://dls.dos.state.fl.us

COMMUNITY DEVELOPMENT
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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