

ORDINANCE NUMBER: 2011-21

Public Records of
St. Johns County, FL
Clerk # 2011034449,
O.R. 3454 PG 308-310
07/12/2011 at 03:48 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 INDUSTRIAL WAREHOUSE (IW) 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 May 17, 2011 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2011-03 Leonard's Studio, 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 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 2025 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 as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2011-03 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 Department by the Development Review Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21ST DAY OF June 2011.

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

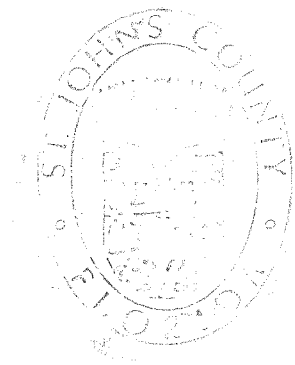
BY: *J. Ken Bryan* Rendition Date: June 23, 2011

J. Ken Bryan, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: *Wanne King*
Deputy Clerk

Effective Date: June 27, 2011



Legal Description

Re 22011-03

O.R. 850 PG 0147

EXHIBIT "A"

A portion of Lots 12 and 15 and all of Lots 13 and 14, Block 3, according to a Plat relocating Blocks 3, 4, 6, 8, 11, 12, 15 and 16 of Rothchilds Addition, City of St. Augustine Florida, said Plat being recorded in Deed Book 52, Page 143, Public Records of St. Johns County, Florida, said parcel being more particularly described as follows: For a Point of Beginning use the 1" iron pipe with Surveyors Cap No. 894 at the Westerly right-of-way line of Old Dixie Highway as now monumented (said line lying 4.23 feet Westerly of the right-of-way line by Plat), said iron pipe being on the centerline of a 12 foot vacated alleyway (vacated as per Official Records Book 654, Page 609, Public Records of St. Johns County, Florida); thence Northerly along said Westerly right-of-way line (as per monumentation) 86.00 feet to the Southerly line of the Antonio Huertas Grant (as per plat); thence turning a back angle to the right of 97°21'52" go along said Southerly line 144.63 feet to a 1" iron rebar with Surveyors Cap No. 2674; thence turning a deflection angle to the left of 97°40'31", go 104.04 feet to the center line of aforementioned vacated alley; thence turning a back angle to the right of 90°30'29", go 142.88 feet along said centerline to the Point of Beginning. Said parcel contains ±0.31 acres.

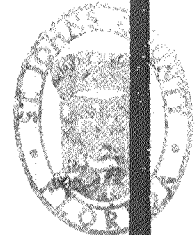
Less and except any portion of above described land that falls within the City of St Augustine

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA

SO MAR 23 PM 2:21

Cheryl Strickland
CLERK OF CIRCUIT COURT

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 12TH DAY OF July 20 11
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



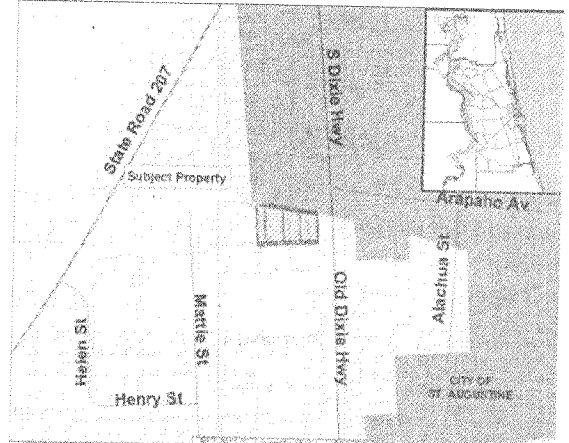
BY: *Cheryl Strickland* D.C.

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, June 2, 2011 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, June 21, 2011 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 a request to rezone from industrial Warehouse (IW) to Commercial General (CG).

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 GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 1305 Old Dixie Hwy., within St. Johns County, Florida.



This file and the proposed ordinance are maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be inspected by interested parties prior to said public hearing.

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

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. 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 SJC Planning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

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

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA J. KEN BRYAN, CHAIR

FILE NUMBER: REZ 2011-03 LEONARD'S STUDIO 1.1318-11 May 18, 2011

SJC DEVELOPMENT REVIEW
ATTN: RACHEL GARVEY
4040 LEWIS SPEEDWAY
SAINT AUGUSTINE FL 32084

Ref.#: L1318-11
P.O.#: LEONARDSSTUD

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

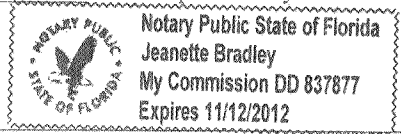
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

before the undersigned authority personally appeared BRI HALL
who on oath says that he/she is an Employee of the St. Augustine Record,
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 2011-03 - LEONARD'S STUDIO
was published in said newspaper on 05/18/2011

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.

worn to and subscribed before me this 18 day of May 2011
by Bri Hall who is personally known to me
and who has produced as identification

Signature of Notary Public



(Seal)



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING
Secretary of State

June 28, 2011

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

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

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 24, 2011 and certified copies of Ordinance Nos. 2011-21 through 2011-24, which were filed in this office on June 27, 2011.

Sincerely,

Liz Cloud
Program Administrator

LC/vm

FILED
2011 JUL -1 AM 11:11
CLERK 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: 850.245.6282 • TDD: 850.922.4085 • <http://info.florida.gov>

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