

ORDINANCE NUMBER: 2012 - 14

Public Records of
St. Johns County, FL
Clerk # 2012034357,
O.R. 3575 PG 866-863
06/18/2012 at 01:45 PM,
REC. \$33.00 SUR. \$36.50

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL RURAL (CR); 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 2, 2011 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2012-01 Dollar General Store, 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 Rural (CR)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3.11)
 - (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 Rural (CR)** is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of **Commercial Rural (CR)** is consistent with the land uses allowed in the land use designation of **Rural Commercial** as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2012-01 the zoning classification of the lands

This ordinance was re-recorded due to an incorrect effective date.

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

is hereby changed to Commercial Rural (CR).

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 at the time Comprehensive Plan Small Scale Map Amendment 2012-01, Dollar General Store, becomes effective.

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 15th DAY OF May 2012.

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

BY: 
Jay Morris, Vice Chairman

RENDITION DATE 05-15-12

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: 06/21/12
~~05/18/12~~



Exhibit A

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY
PROPOSED SITE

Commence at the northwest corner of Section 6, Township 10 South Range 29 East, St. Johns County, Florida, run thence S00°09'47"E along the west line of Section 6 a distance of 1260.92 feet to the south Right-of-Way line of Flagler Estates Boulevard (A 100' Right-of-Way as it now exists); thence N89°12'04"E along said south Right-of-Way line a distance of 3051.62 feet to the westerly Right-of-Way line County Road 13 (Formerly State Road 13)(an 80 foot Right-of-Way as it now exists) and the Point of Beginning. Run thence S28°14'43"E along the west Right-of-Way of said County Road 13 a distance of 227.36 feet; thence departing said Right-of-Way line run S61°41'35"W for a distance of 208.35 feet; Run thence S89°12'04"W, 298.00 feet south of and parallel to said Flagler Estates Boulevard a distance of 139.00 feet; Run thence N00°47'56"W a distance of 258.00 feet to a point on said south Right-of-Way of Flagler Estates Boulevard said point being 219.00 feet westerly of the Point of Beginning; thence run N69°12'04"E along said south Right-of-Way line of Flagler Estates Boulevard a distance of 219.00 feet to the Point of Beginning.

Containing 76.985 Square Feet or 1.767 Acres more or less.

NOTES:

1. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. BEARINGS SHOWN HEREON ARE BASED UPON WEST RIGHT OF WAY LINE OF COUNTY ROAD 13 AS BEING 8.27' WIDE 5' PER RIGHT OF WAY MAP SECTION 7881-236.
4. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY.
6. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.

LEGEND:

- | | |
|------------------------------|-----------------------------|
| R/W - RIGHT OF WAY | ORS - OFFICIAL RECORDS BOOK |
| PC - POINT OF CURVATURE | PS - PAGE |
| PT - POINT OF TANGENCY | CB - CHORD BEARING |
| N.T.S. - NOT TO SCALE | CH - CHORD |
| POB - POINT OF BEGINNING | Δ - DELTA ANGLE |
| POC - POINT OF DISCONTINUITY | L - LENGTH |
| | * - SADDLE |

For the Firm By:

[Signature]
1-10-12
Arthur A. Mastronicola Jr., P.S.M.
Professional Surveyor and Mapper
Florida Registration No. LS 4165

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED "SURVEYOR AND MAPPER".

1-9-12



Engineers
Architects
Surveyors
Planners
Landscape Architects
Environmental Scientists
Construction Management
Design / Build

The Concrete III
5000 Balford Road
Suite 220
Jacksonville, FL 32256
Phone 904 332-0809
Fax 904 332-0997

SKETCH OF DESCRIPTION

DOLLAR REFERRAL
PROPOSED SITE

ST. JOHNS COUNTY, FLORIDA

Certificate of Authorization No. LS7143

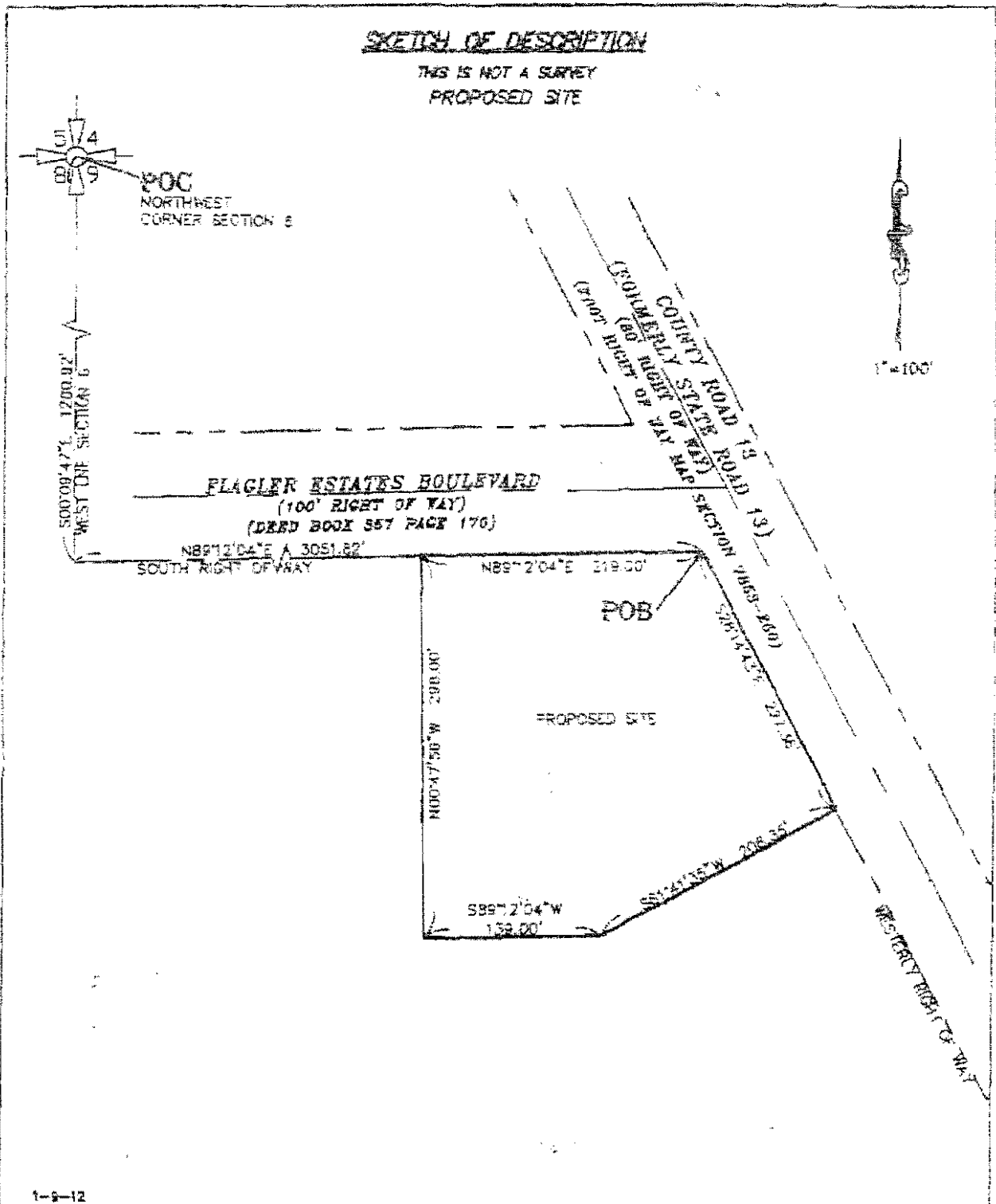
PAGE
1 OF 2

1/10/12

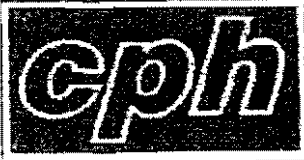
© 2011

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY
PROPOSED SITE



1-9-12



Engineers
Architects
Surveyors
Planners
Landscape Architects
Environmental Scientists
Construction Management
Design/Build

The Concourse III
5250 Salford Road
Suite 220
Jacksonville, FL 32256
Phone 904 332-9928
Fax 904 332-9927

SKETCH OF DESCRIPTION
DOLLAR GENERAL
PROPOSED SITE
ST. JOHN'S COUNTY, FLORIDA
Certificate of Authorization No. LB743

PAGE
2 OF 2
M10027
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SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY
NORTH CROSS ACCESS EASEMENT

Commence at the northwest corner of Section 6, Township 10 South, Range 29 East, St. Johns County, Florida, run thence S00°09'47"E along the west line of Section 5 a distance of 1260.92 feet to the south Right-of-Way line of Flagler Estates Boulevard (A 100' Right-of-Way as it now exists); thence N89°12'04"E along said south Right-of-Way line a distance of 2772.59 feet to the Point of Beginning; Run thence N89°12'04"E along the south Right-of-Way of said Flagler Estates Boulevard a distance of 60.23 feet to a point that is 219.00 feet west of the westerly Right-of-Way line County Road 13 (Formerly State Road 13)(an 80 foot Right-of-Way as it now exists); thence departing said Right-of-Way line run S00°47'56"E, 37.00 feet; thence S89°12'04"W, 37.00 feet south of and parallel to the south Right-of-Way line of Flagler Estates Boulevard a distance of 60.23 feet; thence run N00°47'56"W for a distance of 37.00 feet to a point on said south Right-of-Way of Flagler Estates Boulevard and the Point of Beginning.

Containing 2,228 Square Feet or 0.051 Acre more or less.

NOTES:

1. "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER."
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. BEARINGS SHOWN HEREON ARE BASED UPON WEST RIGHT OF WAY LINE OF COUNTY ROAD 13 AS BEING 8 28'14"1/2" E PER RIGHT OF WAY MAP SECTION T6D-25C.
4. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY.
6. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.

LEGEND:

- | | |
|-----------------------------|----------------------------|
| R/W - RIGHT OF WAY | OR - OFFICIAL RECORDS BOOK |
| PC - POINT OF CURVATURE | PG - PAGE |
| PT - POINT OF TANGENCY | CB - CHORD BEARING |
| N.T.S. - NOT TO SCALE | CH - CHORD |
| POB - POINT OF BEGINNING | Δ - DELTA ANGLE |
| POC - POINT OF COMMENCEMENT | L - LENGTH |
| | R - RADII |

For the Firm By:

Arthur A. Mastronicolo Jr., P.S.M.
Professional Surveyor and Mapper
Florida Registration No. LS 4186

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED "SURVEYOR AND MAPPER"

1-B-12



Engineers
Architects
Surveyors
Planners
Landscape Architects
Environmental Scientists
Construction Management
Design / Build

The Concours III
5290 Balfort Road
Suite 220
Jacksonville, FL 32256
Phone 904 332-0909
Fax 904 332-0997

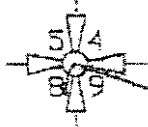
SKETCH OF DESCRIPTION
MFG DEVELOPMENT
NORTH CROSS ACCESS EASEMENT

PAGE
1 OF 2

ST. JOHNS COUNTY, FLORIDA
Certificate of Authorization No. LB7-43

MSR27
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SKETCH OF DESCRIPTION
 THIS IS NOT A SURVEY
 NORTH CROSS ACCESS EASEMENT



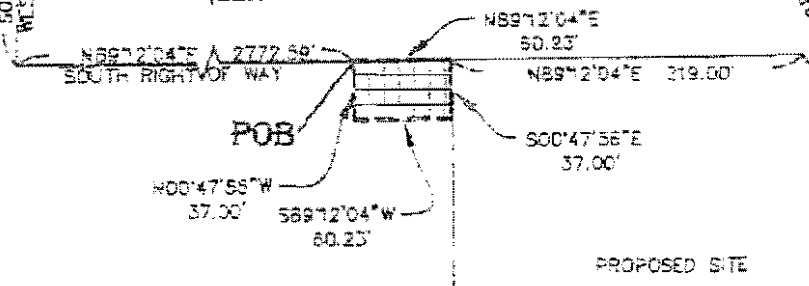
POC
 NORTHWEST
 CORNER SECTION 6

500'09"47" W
 1200'92"
 WEST LINE SECTION 6

FLAGLER ESTATES BOULEVARD
 (100' RIGHT OF WAY)
 (DEED BOOK 367 PAGE 175)

COUNTY ROAD 13
 (FORMERLY STATE ROAD 13)
 (200' RIGHT OF WAY MAP SECTION 7853-860)

1" = 100'



1-8-12



Engineers
 Architects
 Surveyors
 Planners
 Landscape Architects
 Environmental Scientists
 Construction Management
 Design/Build

The Covanos III
 5200 Bayshore Road
 Suite 226
 Jacksonville, FL 32256
 Phone 904 321-0999
 Fax 904 321-0997

SKETCH OF DESCRIPTION
 MAP DEVELOPMENT
 NORTH CROSS ACCESS EASEMENT
 ST. JOHNS COUNTY, FLORIDA
 Certificate of Authorization No. L871-B

PAGE
 2 OF 2
 1/3/27
 © 2012

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY
CROSS ACCESS EASEMENT

Commence at the northwest corner of Section 6, Township 10 South, Range 29 East, St. Johns County, Florida, run thence S00°09'47"E along the west line of Section 6 a distance of 1280.92 feet to the south Right-of-Way line of Flagler Estates Boulevard (A 100' Right-of-Way as it now exists); thence N89°12'04"E along said south Right-of-Way line a distance of 3051.82 feet to the westerly Right-of-Way line County Road 13 (Formerly State Road 13)(an 80 foot Right-of-Way as it now exists); Run thence S28°4'43"E along the westerly Right-of-way of said County Road 13 a distance of 227.36 feet to the Point of Beginning; thence continue along said Right-of-Way line S28°4'43"W 48.00 feet; thence departing said line run S61°4'35"W for a distance of 78.50 feet; Run thence 66.50 feet westerly and parallel to the westerly Right of Way line of County Road 13, N28°4'34"W for a distance of 48.00 feet to a point on the southeasterly property line of a proposed site; Run thence N61°4'35"E along the property line for a distance of 78.50 feet to the Point of Beginning.

Containing 3,672 Square Feet or 0.084 Acres more or less.

NOTES:

1. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. BEARINGS SHOWN HEREON ARE BASED UPON WEST RIGHT OF WAY LINE OF COUNTY ROAD 13 AS BEING 821'442'3 PER RIGHT OF WAY MAP SECTION 1453-25C
4. THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY.
6. THIS IS NOT A BOUNDARY SURVEY AND DOES NOT DEFINE OWNERSHIP.

LEGEND:

- | | |
|---------------------------|-----------------------------|
| R/W - RIGHT OF WAY | ORB - OFFICIAL RECORDS BOOK |
| PC - POINT OF CURVATURE | PG - PAGE |
| PT - POINT OF TANGENCY | DB - DIKED BEARING |
| N.T.S. - NOT TO SCALE | CH - CHORD |
| POB - POINT OF BEGINNING | Δ - DELTA ANGLE |
| POC - POINT OF COMPLETION | L - LENGTH |
| | R - RADIUS |

For the Firm By:

Arthur A. Mastrorobola, Jr., P.E.M.
Professional Surveyor and Mapper
Florida Registration No. LS 4166

1-9-12
REVISED 2-15-12
REVISED 2-27-12

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

	Engineers Architects Surveyors Planners Landscape Architects Environmental Scientists Construction Management Design / Build	The Concourse III 5206 Belfort Road Suite 220 Jacksonville, FL 32256 Phone 904 332-0899 Fax 904 332-0897	SKETCH OF DESCRIPTION	PAGE 1 OF 2
			LAND DEVELOPMENT CROSS ACCESS EASEMENT	
			ST. JOHN'S COUNTY, FLORIDA Certificate of Authorization No. LB743	MPS27 2011

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 18th DAY OF June 20 12

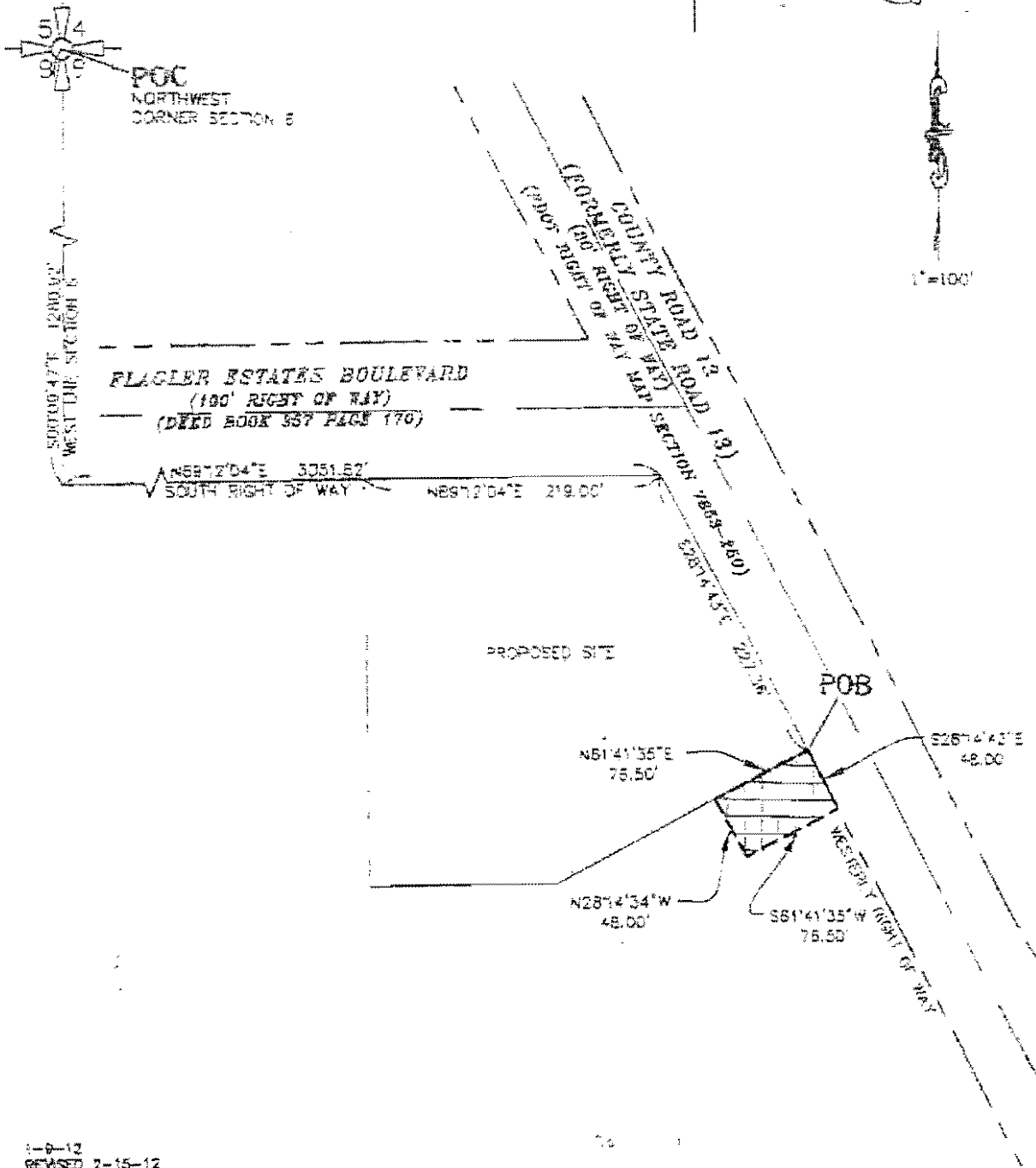


CHERYL D. TRICKLAND, CLERK
 Office Clerk of the Board of County Commissioners


SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY BY: *L. Warner King*
 CROSS ACCESS EASEMENT

D.C.



1-8-12
 REVISED 2-15-12

	Engineers Architects Surveyors Planners Landscape Architects Environmental Scientists Construction Management Design / Build	The Concourse III 5290 Belfort Road Suite 225 Jacksonville, FL 32256 Phone 904 332-4999 Fax 904 332-9997	SKETCH OF DESCRIPTION	PAGE 2 OF 2
			LIVING DEVELOPMENT CROSS ACCESS EASEMENT	N13527
			ST. JOHNS COUNTY, FLORIDA Certificate of Authorization No. 18714	© 2012

THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT NOTICE OF A PROPOSED REZONING

GREEN & KUPPERMAN INC
200 1ST ST STE B
NEPTUNE BEACH FL 32266

Ref.#: L810-12
P.O.#: DOLLARGENERA

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 **STEVEN SMITH** 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 2012-01 - HGS APR 19 & MAY 15, 2012**

was published in said newspaper on **04/04/2012**

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 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 4th day of April 2012
by Steven Smith who is personally known to me
or who has produced as identification

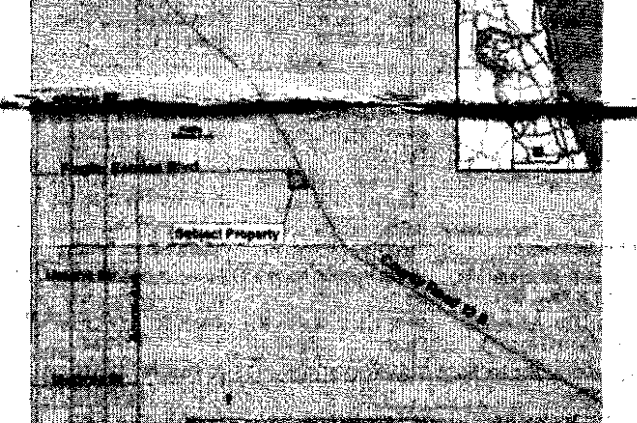
Tiffany M. Lowe
(Signature of Notary Public)



NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, April 19, 2012 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, May 15, 2012 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 consider a request to rezone from Open Rural (OR) to Commercial Rural (CR), to allow for a retail store.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL RURAL (CR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at the Southwest corner of CR 33 and Flagler Estates Boulevard, within St. Johns County, Florida.



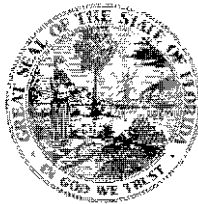
This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department, of the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be inspected by interested parties prior to said public hearing.

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 and Zoning Section, 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
MARK P. MINER, CHAIR
FILE NUMBER: REZ 2012-01 Dollar General
L810-12 Apr 4, 2012



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 22, 2012

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

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 17, 2012 and certified copies of Ordinance Nos. 2012-10 through 2012-14, which were filed in this office on May 18, 2012.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

2012 MAY 25 PM 3:09
OFFICE OF THE SECRETARY OF STATE
STATE OF FLORIDA

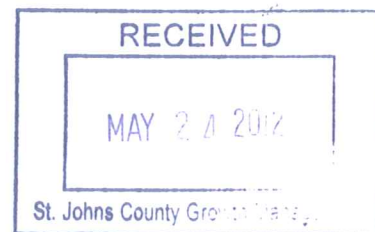
Rick Scott
GOVERNOR



FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

Hunting F. Deutsch
EXECUTIVE DIRECTOR

May 21, 2012



Ms. Gerogia Katz
Planner III
St. Johns County
4040 Lewis Speedway
St. Augustine, Florida 32084

Dear Ms. Katz:

Thank you for submitting copies of the Small Scale Development Plan Amendment for ST JOHNS CO adopted by Ordinance No(s). 2012-13 on May 15, 2012 for our records. The reference number for this amendment package is 12S01.

The State Land Planning Agency **will not** conduct a compliance review or issue a Notice of Intent regarding the adopted small scale development plan amendment in accordance with procedures contained in Section 163.3187(1), Florida Statutes.

If you have any questions, please feel free to contact Donna Harris of my staff by phone at 850.717.8491 or by e-mail at donna.harris@deo.myflorida.com.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/dh