

ORDINANCE NUMBER: 2013- 2

Public Records of
St. Johns County, FL
Clerk # 2013007148,
O.R. 3679 PG 1452-1454
01/31/2013 at 11:13 AM,
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 OPEN RURAL (OR) AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI) WITH CONDITIONS; 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 revised application, dated October 1, 2012 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2012-02 Paradise Gardens, 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 Intensive (CI) with conditions** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming 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 Intensive (CI) with conditions** is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of **Commercial Intensive (CI) with conditions** is consistent with the land uses allowed in the land use designation of Intensive Commercial as depicted on the 2025 Future Land

Use Map.

5. The zoning district designation of Commercial Intensive (CI) is appropriate for this property when tempered with the following conditions:
- a. Uses restricted under Ordinance 2005-25 are prohibited; and
 - b. Uses such as outdoor arenas, rodeo grounds, shooting and firing ranges, animal hospital with outside kennels and other animal boarding facilities, storage yards (for equipment, machinery, dry storage for boats) and supplies for building and trades contractors, freestanding taverns, nightclubs, bars, lounges, and dance halls are prohibited.

SECTION 2. Pursuant to this application File Number REZ 2012-02 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI) with conditions.

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 15 DAY OF January 2013.

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

BY: [Signature]

RENDITION DATE 01-17-13

John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: [Signature]

Deputy Clerk

EFFECTIVE DATE: 01-18-13



EXHIBIT "A"

PARCEL "A-1":

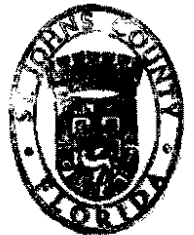
A part of the PEDRO MIRANA GRANT, Section 55, Township 4 South, Range 29 East, St. Johns County, Florida, more particularly described as follows:

For a POINT OF BEGINNING COMMENCE at the Southwest corner of the BEN CHAIRES GRANT, section 51 of said Township and Range; thence North 84 degrees 58 minutes 31 seconds East, along the North line of said Section 55, a distance of 110.20 feet; thence South 05 degrees 44 minutes 50 seconds East, a distance of 308.12 feet to a point on the Northerly Right-of-Way line of County Road C-210 (formerly State Road No. 210), as now established as a 100 foot Right-of-Way; thence South 79 degrees 05 minutes 53 seconds West, along said Northerly Right-of-Way line, a distance of 138.75 feet; thence North 05 degrees 44 minutes 50 seconds West, along the Easterly line of the lands described in Official Records Book 368, Page 550 of the public records of said County, a distance of 322.33 feet; thence North 84 degrees 58 minutes 31 seconds East, along the North line of said Section 55, a distance of 28.00 feet to the POINT OF BEGINNING.

TOGETHER WITH that certain DOUBLEWIDE MOBILE HOME known as a 1989 GLOB, Identification Numbers 339172N7660A and 339172N7860B, Florida Title Numbers 82919143 and 6291844, Real Property Numbers R0153358 and R0153357.

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 29th DAY OF January, 2013
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: L. W. King D.C.



THE ST. AUGUSTINE RECORD

KAREN M TAYLOR
ATTN LAND PLANNER
77 SARAGOSSA ST
SAINT AUGUSTINE FL 32084

Ref.#: L3588-12
P.O.#: HG 01-15

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 2012-02 PARADIS - HEARING JANUARY 15, 2012**
was published in said newspaper on **12/26/2012**

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 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 26 day of DEC 26 2012
by Steven Smith who is personally known to me
or who has produced as identification

Sabina L Woods
(Signature of Notary Public)

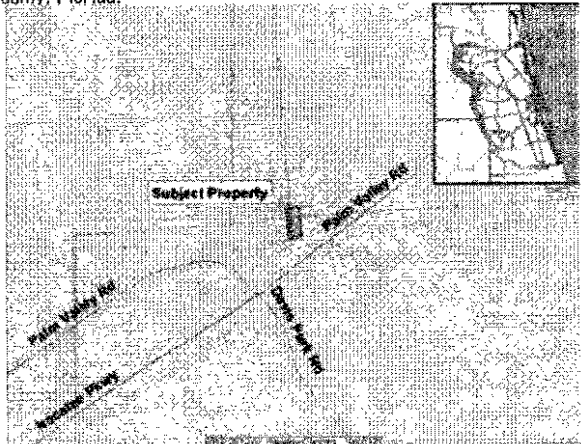
SABINA L WOODS
MY COMMISSION # EE023372
EXPIRES September 06, 2014
FloridaNotaryService.com
(407) 833-0133
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, January 15, 2013 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 a request to rezone from Open Rural (OR) and Industrial Warehouse (IW) to Commercial Intensive (CI) with conditions to allow for up to 10,000 square feet of high intensity commercial.

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) AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 2510 Palm Valley Road, 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.

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 1 800 935 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 or she 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 care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAY MORRIS, CHAIR
FILE NUMBER: REZ 2012-02 Paradise Gardens
L3588-12 Dec 26, 2012
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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 22, 2013

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

Attention: Ms. Yvonne King, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated January 17, 2013 and certified copies of Ordinance Nos. 2013 -01 through 2013-03, which were filed in this office on January 18, 2013.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

2013 JAN 28 PM 3:36