

ORDINANCE NUMBER: 2013 - 28

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 INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2013067346,
O.R. 3800 PG 306-308
10/08/2013 at 09:53 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 June 11, 2013 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2013-02 RPM Automotive**, 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)** 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)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial Intensive (CI)** 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 2013-02 the zoning classification of the lands

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

is hereby changed to Commercial Intensive (CI).

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 17 DAY OF September 2013.

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

BY: _____

John H. Morris, Chair

RENDITION DATE

09/25/13

ATTEST: CHERYL STRICKLAND, CLERK

BY: _____

Deputy Clerk

EFFECTIVE DATE: _____

09/26/13

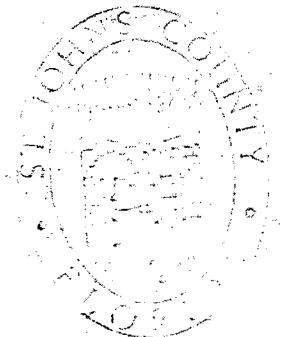


Exhibit A

Parcel A

A portion of Government Lot 2, Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Southerly line of the Northwest one-quarter of said Section 16 and the Southeasterly right of way line of County Road No. 210, a 100 foot right of way as presently established; thence South $35^{\circ}27'49''$ West, along said Southeasterly right of way line, 30.42 feet to the Point of Beginning.

From said Point of Beginning, thence South $55^{\circ}45'17''$ East, departing said Southeasterly right of way line, 300.07 feet; thence South $35^{\circ}27'49''$ West, 346.85 feet; thence North $28^{\circ}49'11''$ West, 332.98 feet to a point lying on said Southeasterly right of way line; thence North $35^{\circ}27'49''$ East, along said Southeasterly right of way line, 195.98 feet to the Point of Beginning.

Containing 1.87 acres, more or less.

Parcel C

A portion of Government Lot 2, together with a portion of the Northwest one-quarter, Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

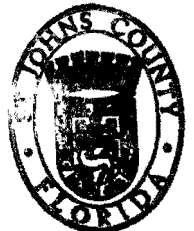
For a Point of Reference, commence at the intersection of the Southerly line of said Northwest one-quarter of Section 16 and the Southeasterly right of way line of County Road No. 210, a 100 foot right of way as presently established; thence North $35^{\circ}27'49''$ East, along said Southeasterly right of way line, 49.60 feet to the Point of Beginning.

From said Point of Beginning, thence continue North $35^{\circ}27'49''$ East, along said Southeasterly right of way line, 275.40 feet; thence South $73^{\circ}03'02''$ East, departing said Southeasterly right of way line, 316.37 feet; thence South $35^{\circ}27'49''$ West, 369.48 feet; thence North $55^{\circ}45'17''$ West, 300.07 feet to the Point of Beginning.

Containing 2.22 acres, more or less.

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 7th DAY OF October 2013
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: L. Vance King D.C.



THE ST. AUGUSTINE RECORD

MCCLURE BLOODWORTH PL
81 KING STREET STE A
SAINT AUGUSTINE FL 32084

Ref.#: L2282-13
P.O.#: RPMAUTOMOTI

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 2013-02 - RPM AUTOMOTIVE**

was published in said newspaper on **07/31/2013**

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 _____ day of JUL 31 2013
by Steven Smith who is personally known to me
or who has produced as identification

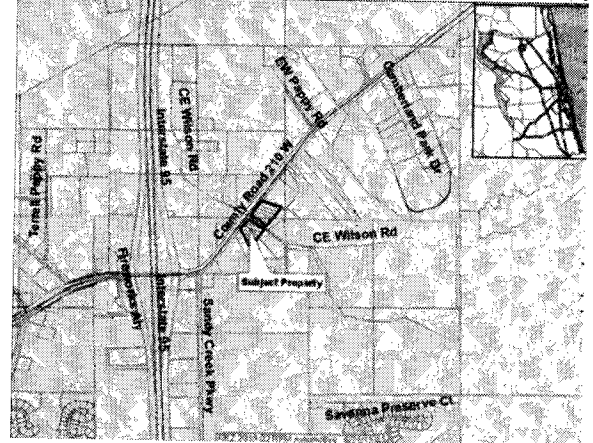
Affray M. Zou
(Signature of Notary Public) (Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Thursday, August 15, 2013 at 1:30 p.m.** by the St. Johns County Planning and Zoning Agency and **Tuesday, September 17, 2013 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 to rezone from Open Rural to Commercial Intensive to allow the development of an 8,960 square foot upscale Automotive Repair Facility, along with a small car wash area for customer use.

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 INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The location of property east of I-95; Southside of CR 210, east and west of C.E. Wilson, 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 1 800 955 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 care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.
PLANNING AND ZONING AGENCY BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
BRAD NELSON, CHAIRMAN JOHN H. MORRIS, CHAIRMAN
FILE NUMBER: REZ 2013-02 RPM-Automotive
L2282-13 Jul 31, 2013



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 26, 2013

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 September 25, 2013 and certified copies of Ordinance Nos. 2013-27, 2013-28 and 2013-29, which were filed in this office on September 26, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

2013 OCT -2 PM 4: 14
RECEIVED
SECRETARY OF STATE
TALLAHASSEE, FL