

ORDINANCE NUMBER: 2014 - 38

Public Records of St. Johns County, FL
Clerk number: 2014061062
BK: 3943 PG: 791
10/17/2014 10:17 AM
Recording \$27.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE-FAMILY (RS-3) AND COMMERCIAL GENERAL (CG) 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 April 21, 2014 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2014-01 Elkton Place**, 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 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 Rural (CR)** is consistent with the St. Johns County Land Development Code.
4. The zone district 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 2014-01 the zoning classification of the lands 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 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.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19 **DAY OF** August **2014.**

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

BY: _____

John H. Morris, Chair

RENDITION DATE

08/21/14

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: _____

Deputy Clerk

EFFECTIVE DATE: _____

08/21/14

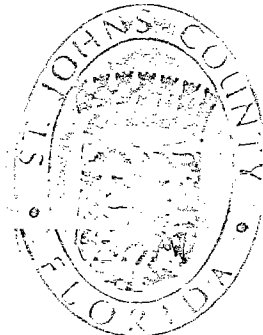


EXHIBIT A
Legal Description
Elkton Place Rezoning

EXHIBIT "A"

All of Block C (lots 1-13, inclusive) of ELKTON, as per plat thereof recorded in Plat Book 1, Page 154 of the public records of St. Johns County, Florida.

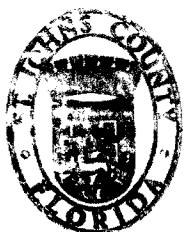
LESS AND EXCEPTING THEREFROM any portion thereof lying within the right of way of S.R. 207.

and

Adjacent easterly ½ of Palm Street and adjacent southerly ½ of Pine Street, Town of Elkton, vacated by St. Johns County Resolution 2003-158.

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 14th DAY OF October 2014
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: Lynne King D.C.



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

Ref.#: L2112-14
P.O.#: HG 8-19

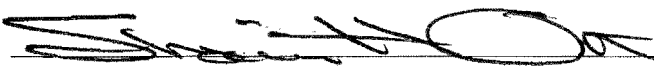
PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **HALEY COOK**
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 2014-01 ELKTON P - HEARING AUGUST 19, 2014**
was published in said newspaper on **08/04/2014**

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
City of St. Augustine, in said St. Johns County, for a period of one year prior
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 AUG 04 2014
by Haley Cook who is personally known to me
or who has produced as identification



(Signature of Notary Public)



SHAWNE' H ORDONEZ
MY COMMISSION # EE212989
EXPIRES July 01, 2016
FloridaNotaryService.com

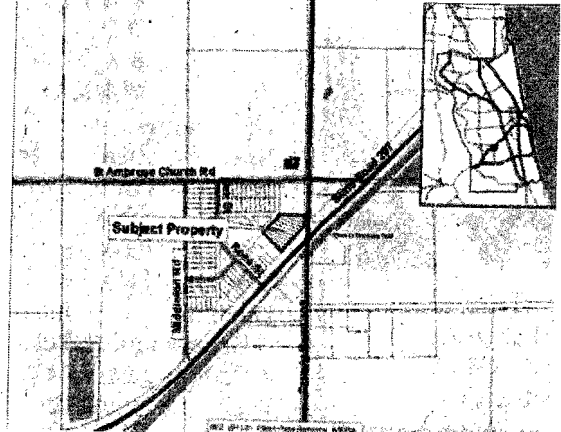
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **8/19/2014** at **9:00 a.m.** by BCC in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a Request to rezone from Residential Single Family (RS-3) and Commercial General (CG) to Commercial Rural (CR).

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE-FAMILY (RS-3) AND COMMERCIAL GENERAL (CG) TO COMMERCIAL RURAL (CR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 4801 State Road 207, Elkton, FL.



This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am 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.

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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JOHN H MORRIS, CHAIR
FILE NUMBER: REZ-2014000001
PROJECT NAME: Elkton Place Rezoning
L2112-14 Aug 4, 2014



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 21, 2014

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 electronic copy of Ordinance No. 2014-38, which was filed in this office on August 21, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

2014 AUG 21 PM 4:05
RECEIVED
SECRETARY OF STATE