

ORDINANCE NUMBER: 2015-18

Public Records of St. Johns County, FL
Clerk number: 2015021887
BK: 4013 PG: 770
4/14/2015 12:05 PM
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 OPEN RURAL (OR) AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL NEIGHBORHOOD (CN); 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 December 8, 2014 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2014-12 City of St. Augustine North Community Retail 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 Neighborhood (CN)** 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 Neighborhood (CN)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial Neighborhood (CN)** is consistent with the land uses allowed in the land use designation of Public as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2014-12 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Neighborhood (CN)

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. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

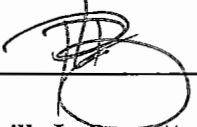
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

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.

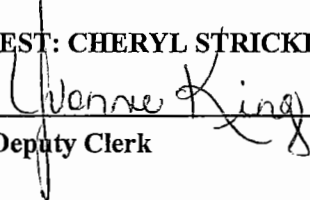
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 17th DAY OF March 2015.

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

BY: 
Priscilla L. Bennett, Chair

RENDITION DATE March 19, 2015

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: March 20, 2015



EXHIBIT A



*Focused on Excellence
Delivered with Integrity*

DESCRIPTION

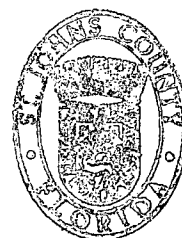
Date: 12-04-2014
Client: Concept Development, Inc.
Job No. 14-0498
For: Retail Parcel Rezoning

A PARCEL OF LAND SITUATED IN SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 4" X 4" CONCRETE MONUMENT MARKING THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF STOKES LANDING ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2595, PAGE 824 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 53°15' 01" EAST ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 199.90 FEET TO A 4" X 4" CONCRETE MONUMENT MARKING THE NORTHERN MOST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2595, PAGE 824; THENCE NORTH 55°29'38" EAST, ALONG THE APPARENT SOUTHEASTERLY MAINTAINED RIGHT OF WAY LINE OF STOKES LANDING ROAD, A DISTANCE OF 245.48 FEET TO A 5/8" REBAR & CAP MARKED "CHW LB 5075" MARKING THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 700.00 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 55°06'08" EAST, 20.71 FEET; THENCE NORTHEASTERLY ALONG SAID APPARENT SOUTHEASTERLY MAINTAINED RIGHT OF WAY LINE, AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°41'4 3", AN ARC DISTANCE OF 20.71 FEET TO A 5/8" REBAR & CAP MARKED "CHW LB 5075"; THENCE DEPARTING SAID APPARENT SOUTHEASTERLY MAINTAINED RIGHT OF WAY LINE, SOUTH 39°15'00" EAST, A DISTANCE OF 169.34 FEET TO A 5/8" REBAR & CAP MARKED "CHW LB 5075" LYING ON THE NORTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3034, PAGE 1914 OF SAID PUBLIC RECORDS; THENCE SOUTH 50°45'00" WEST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 465.47 FEET TO A 4" X 4" CONCRETE MONUMENT MARKING THE SOUTHERN MOST CORNER OF AFOREMENTIONED LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2595, PAGE 824, AND LYING ON THE AFOREMENTIONED NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 39°07'04" WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 199.93 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED LANDS CONTAIN 1.995 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 14th DAY OF April 20 15
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



BY: L. Venne King D.C.

THE ST. AUGUSTINE RECORD

CONCEPT COMPANIES
3917 NW 9TH BLVD
GAINESVILLE FL 32606

Ref.#: L575-15
P.O.#: HG 3-17

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

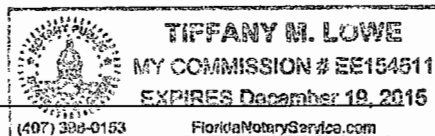
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **NICOLE CORRI**
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 2014-12 SA N COM - HEARING MARCH 17, 2015**
was published in said newspaper on **03/02/2015**

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 newsp
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 **MAR 02 2015**
by Nicole Corri who is personally known to me
or who has produced as identification

 Tiffany M. Lowe
(Signature of Notary Public)



(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **3/17/2015** 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 Open Rural (OR) and Industrial Warehouse (IW) to Commercial Neighborhood (CN).

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 NEIGHBORHOOD (CN); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.



The subject property is 6774 US 1 See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Mapping 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 SJG 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
PRISCILLA L. BENNETT, CHAIR
FILE NUMBER: REZ-2014000012

PROJECT NAME: St Augustine North Community Retail Store
L575-15 Mar 2, 2015



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 20, 2015

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 St. Johns Ordinance No. 2015-18, which was filed in this office on March 20, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

2015 MAR 20 AM 11:13

FILED