

ORDINANCE NUMBER: 2015 - 45

Public Records of St. Johns County, FL
Clerk number: 2015047215
BK: 4063 PG: 541
7/28/2015 10:07 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 OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG); 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 March 20, 2015 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2015-07 State Road 16 Commercial Lots, 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 General (CG)** 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 General (CG)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial General (CG)** 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 2015-07 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial General (CG)

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 21 DAY OF July 2015.

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

BY: _____

Priscilla L. Bennett
Priscilla L. Bennett, Chair

RENDITION DATE July 23, 2015

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: _____

Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: July 23, 2015

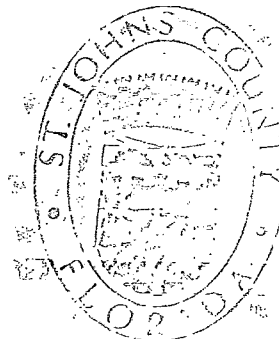


EXHIBIT A

Legal Description

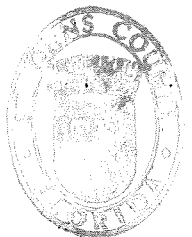
A part of Government Lot 10, Section 3, Township 7 South, Range 29 East, St. Johns County, Florida; Commencing at the intersection of the East line of said Lot 10, with the North right of way line of Mill Creek Road for a Point of Beginning; thence Northly along the East line of said Lot 10, 150 feet to a point; thence at right angles, Westerly 90 feet to a point; thence at right angles, Southerly and parallel with the East line of said Lot 10, 150 feet to the North line of Mill Creek Road right of way; thence at right angles, Easterly 90 feet to the Point of Beginning.

Together with,

Section 3, Township 7 South, Range 29 East, a parcel of land being a part of Government Lot 10, described as commencing at the point of intersection of the East line of said Lot with the North right-of-way line of State Road No. 16 for a Point of Beginning, thence run Northerly along the East line of said Lot 10, 684 feet to a point; thence at right angles and run Westerly 175 feet to a point; thence at right angles and run Southerly and parallel with the East line of said Lot 10, 684 feet to the North right-of-way line of State Road No. 16; thence run Easterly 175 feet to a Point of Beginning. Said lot of land being 175 feet on its South and North line, 684 feet on its East and West line, Excepting therefrom that parcel or piece of land deeded by John M. Koska and Elizabeth Ann Koska, his wife, to Andrew Miller and Hazel Miller, his wife, as tenants by the entireties, said deed recorded in Deed Book 247, page 437, Public Records of St. Johns County, Florida, and bearing date the 18th day of November, 1958.

WITNESSETH THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
THIS 27th DAY OF July 2015
CHERYL CHRISTIAN, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: Joanne King DC.



NOTICE IS HEREBY GIVEN that a public hearing will be held on 7/21/2015 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 property from Open Rural (OR) to Commercial General (CG).

THE ST. AUGUSTINE RECORD

DRIVER MCAFEE PEEK & HAWTHORNE
ONE INDEPENDENT DR STE 1200
JACKSONVILLE FL 32202

Ref.#: L1825-15
P.O.#: HG 7-21

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 **REZ2015-07 SR 16 LOT - HEARING JULY 21, 2015**
was published in said newspaper on **07/06/2015**

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 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 06 2015
by [Signature] who is personally known to me
or who has produced as identification

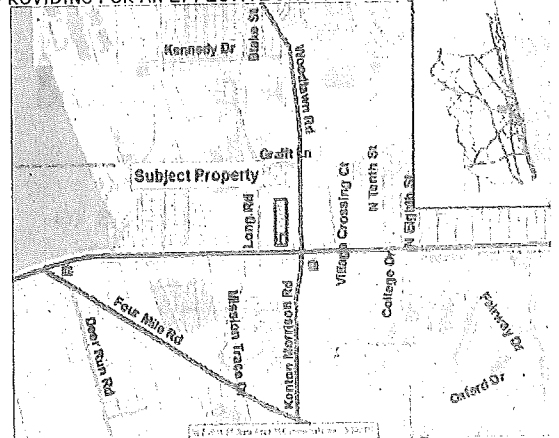
[Signature]

(Signature of Notary Public)



(Seal)

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA 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 GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.



The subject property is 920 and 930 State Road 16 See attached map (Exhibit A). 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
DICK WILLIAMS, CHAIR
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
PRISCILLA L. BENNETT, CHAIR
FILE NUMBER: REZ-2015000007
PROJECT NAME: State Road 16 Commercial Lots
L1825-15 Jul 6, 2015



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 24, 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. 2015-45, which was filed in this office on July 23, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

2015 JUL 24 AM 8:45
CLERK OF SUPERIOR COURT
ST. JOHNS COUNTY, FL

FILED