

ORDINANCE NUMBER: 2016-22

Public Records of St. Johns County, FL
Clerk number: 2016024943
BK: 4181 PG: 572
4/22/2016 4:28 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 RESIDENTIAL, SINGLE FAMILY (RS-2) WITH CONDITIONS TO RESIDENTIAL, SINGLE FAMILY (RS-2); 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 9, 2015 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2015-21 Sea Pines 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 **Residential Single Family (RS-2)** 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 **Residential Single Family (RS-2)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Residential Single Family (RS-2)** is consistent with the land uses allowed in the land use designation of Residential-B as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2015-21 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Residential Single Family (RS-2)

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 19 DAY OF April 2016.

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

BY: [Signature]

Chair

ATTEST: HUNTER S. CONRAD, CLERK

BY: [Signature]

Deputy Clerk

RENDITION DATE April 21, 2016

EFFECTIVE DATE: April 21, 2016

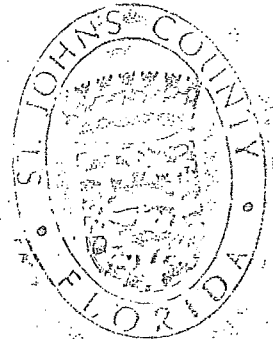


EXHIBIT A
Legal Description
SEA PINES REZONING

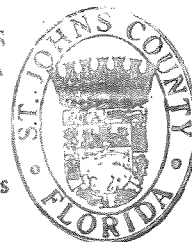
**A PORTION OF SECTION 33, TOWNSHIP 8 SOUTH,
RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA,
BEING MORE FULLY DESCRIBED AS FOLLOWS:**

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE NORTH 00°22'38" WEST, ALONG THE WEST LINE OF SAID SECTION 33, 75.44' TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 206 (A 200' WIDE RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 89°11'16" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1333.72' TO THE POINT OF BEGINNING; THENCE NORTH 14°32'44" WEST, 707.86'; THENCE SOUTH 75°27'16" WEST, ALONG THE NORTHERLY LINE OF LANDS AS DESCRIBED IN O.R. 270, PAGE 308, 798.00' TO A POINT ON THE EAST LINE OF A FLORIDA POWER AND LIGHT EASEMENT; THENCE NORTH 14°32'16" WEST, ALONG THE EAST LINE OF SAID EASEMENT, 1580.61' TO A POINT ON THE WEST LINE OF SAID SECTION 33; THENCE NORTH 00°22'38" WEST, ALONG THE WEST LINE OF SECTION 33, 570.09' TO A POINT ON THE WEST LINE OF THE WEST QUARTER CORNER OF SAID SECTION 33; THENCE NORTH 01°53'34" WEST, ALONG SAID WEST LINE OF SECTION 33, 886.69'; THENCE NORTH 88°06'26" EAST, LEAVING SAID WEST LINE OF SAID SECTION 33, 160.43' TO A POINT ON THE NORTHERLY LINE OF SAID SECTION 33, ALSO BEING THE SOUTHWEST CORNER OF SECTION 46; THENCE SOUTH 63°21'41" EAST, ALONG THE NORTHERLY LINE OF SECTION 33, 1384.25' TO A POINT IN THE CENTERLINE OF A NATURAL CREEK; THENCE THE FOLLOWING COURSES ALONG THE CENTERLINE OF SAID CREEK, BEING ALSO THE WEST BOUNDARY LINE OF THE PLAT OF HIDDEN CREEK ESTATES AS RECORDED IN MAP BOOK 24, PAGES 52-55, AND THEN REPLATED IN MAP BOOK 25, PAGES 71-74, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 13°53'53" EAST, 80.00'; THENCE SOUTH 42°34'22" EAST, 25.02'; THENCE SOUTH 09°25'08" EAST, 133.38'; THENCE SOUTH 43°11'35" WEST, 20.41'; THENCE SOUTH 82°41'23" EAST, 29.89'; THENCE SOUTH 22°25'56" WEST, 55.35'; THENCE SOUTH 77°47'12" EAST, 33.61'; THENCE SOUTH 06°37'28" EAST, 55.52'; THENCE SOUTH 37°53'29" WEST, 44.69'; THENCE SOUTH 73°55'25" EAST, 27.31'; THENCE SOUTH 04°07'36" EAST, 19.82'; THENCE SOUTH 54°12'05" EAST, 22.34'; THENCE SOUTH 08°43'37" WEST, 41.66'; THENCE SOUTH 14°49'55" EAST, 30.29'; THENCE SOUTH 31°52'37" EAST, 33.47'; THENCE SOUTH 00°45'45" WEST, 66.65'; THENCE SOUTH 15°26'06" WEST, 35.40'; THENCE SOUTH 36°15'55" EAST, 62.49'; THENCE SOUTH 11°20'57" WEST, 88.61'; THENCE SOUTH 04°00'34" EAST, 73.51'; THENCE SOUTH 60°25'52" EAST, 35.43'; THENCE SOUTH 09°36'30" EAST, 54.19'; THENCE SOUTH 27°29'37" WEST, 51.78'; THENCE SOUTH 35°09'24" EAST, 59.28'; THENCE SOUTH 15°09'02" EAST, 45.61'; THENCE SOUTH 05°54'01" WEST, 71.63'; THENCE SOUTH 07°50'05" WEST, 46.21'; THENCE SOUTH 06°17'06" EAST, 69.58'; THENCE SOUTH 26°24'08" WEST, 52.55'; THENCE SOUTH 01°05'56" EAST, 53.99'; THENCE SOUTH 32°38'51" WEST, 32.77'; THENCE SOUTH 35°25'53" EAST, 180.55'; THENCE SOUTH 03°05'24" EAST, 46.02'; THENCE SOUTH 24°39'22" EAST, 82.66'; THENCE SOUTH 09°54'51" WEST, 48.39'; THENCE SOUTH 05°20'19" EAST, 70.13'; THENCE SOUTH 36°44'13" EAST, 39.00'; THENCE SOUTH 05°55'27" EAST, 50.38'; THENCE SOUTH 49°58'56" WEST, 42.02'; THENCE SOUTH 12°44'14" EAST, 49.93'; THENCE SOUTH 61°10'34" EAST, 27.10'; THENCE SOUTH 04°03'48" EAST, 68.17'; THENCE SOUTH 29°58'27" EAST, 30.13' (DEED - 30.10'); THENCE SOUTH 75°27'16" WEST, LEAVING SAID CREEK, 450.69' (DEED - 450.67'); THENCE SOUTH 14°32'44" EAST, 734.74' TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 206; THENCE SOUTH 89°11'16" WEST, ALONG SAID RIGHT-OF-WAY, 113.23' TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 85.85 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 22nd DAY OF April 2016
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

BY: Juanne King D.C.



THE ST. AUGUSTINE RECORD

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

Ref.#: 16629801D
P.O.#: SEA PINES

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 CORRIVEAU**

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 2015-21 - REZ 2015-21, SEA PINES**

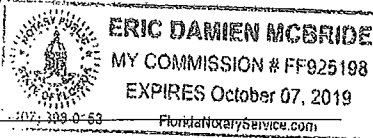
was published in said newspaper on **03/02/2016**

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 MAR 02 2016

by *Eric Damien McBride* who is personally known to me
or who has produced as identification

[Handwritten Signature]



(Signature of Notary Public)

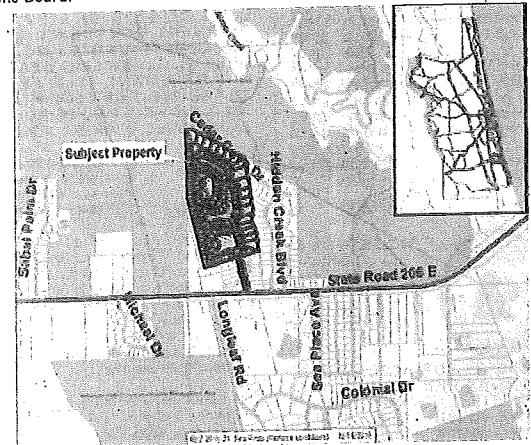
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 3/17/2016 at 1:30 p.m. and the St. Johns County Board of County Commissioners on Tuesday, 4/19/2016 at 9:00 a.m., will each hold public hearings in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a Requesting to rezone from RS-2 with conditions to RS-2 (without conditions) in order to remove the existing conditions on the subject property. .

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-2) WITH CONDITIONS TO RESIDENTIAL SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is North of State Rd 206, between ATA East& US 1 West. 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 hearings. 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
JEB S. SMITH, CHAIR

FILE NUMBER: REZ-2015000021, Sea Pines (Remove conditions) 16629801D Mar 2, 2016



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 21, 2016

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2016-22, which was filed in this office on April 21, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED April 21, 2016
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK