

ORDINANCE NUMBER: 2017 - 27

Public Records of St. Johns County, FL  
Clerk number: 2017044852  
BK: 4396 PG: 1695  
6/29/2017 9:43 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) WITH CONDITIONS; 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 January 11, 2017 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2017-01 Moultrie Heights Complex**, 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) with conditions** 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) with conditions** is consistent with the St. Johns County Land Development Code.
4. The zone district of **COMMERCIAL GENERAL (CG) with conditions** is consistent with the land uses allowed in the land use designation of Mixed-Use as depicted on the 2025 Future Land Use Map.

**SECTION 2.** Pursuant to this application **File Number REZ 2017-01** the zoning classification of the lands described within the attached legal description, Exhibit "A",

**is hereby changed to COMMERCIAL GENERAL (CG) with conditions.**

**SECTION 3.** Development of the lands shall be subject to the following conditions:

Prior to construction plan approval, the lands shall be subject to site plan approval by the Board of County Commissioners demonstrating:

- (a) No more than fifty percent (50%) impact to the existing wetlands on site; and
- (b) Compliance with Land Development Code section 6.04.06 Stormwater Management.

**SECTION 4.** 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 5.** This Ordinance shall take effect upon receipt by the Secretary of State.

**SECTION 6.** 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 7.** 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 6<sup>th</sup> DAY OF June 2017.**

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

BY: [Signature]  
James K. Johns, Chair

RENDITION DATE June 8, 2017

**ATTEST: HUNTER S. CONRAD, CLERK**

BY: [Signature]  
Deputy Clerk

**EFFECTIVE DATE: June 9, 2017**



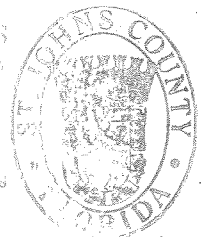
**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**AEA Network Commercial Center**

A PARCEL OF LAND SITUATED IN GOVERNMENT LOT 12, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 30 EAST ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 12; THENCE S 01°01'23" E ALONG THE WEST LINE OF GOVERNMENT LOT 12 A DISTANCE OF 784.78 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE N 88°16'21" E ALONG THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 769, PAGE 1412 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY A DISTANCE OF 550.14 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 ( 200' RIGHT-OF-WAY ); THENCE S 08°21'17" E ALONG SAID WEST RIGHT-OF-WAY LINE 509.59 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WATSON ROAD ( 66' RIGHT-OF-WAY ); THENCE S 88°47'39" W ALONG SAID NORTH RIGHT-OF-WAY LINE 615.04 FEET TO THE SAID WEST LINE OF GOVERNMENT LOT 12; THENCE N 01°01'23" W ALONG SAID WEST LINE OF GOVERNMENT LOT 12 A DISTANCE OF 500.63 FEET TO THE POINT OF BEGINNING.

THE AFOREDESCRIBED PARCEL CONTAINS 6.7 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 28<sup>th</sup> DAY OF July 2017  
ST. JOHNS COUNTY CLERK OF COURT  
Ex-Officio Clerk of the Board of County Commissioners



By: Juanita King 28

**THE ST. AUGUSTINE RECORD**

ST JOHNS LAW GROUP  
DOUGLAS N. BURNETT  
104 SEA GROVE MAIN ST  
SAINT AUGUSTINE FL 32080

Ref.#: 17194966D  
P.O.#:

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 **JAMIE WILLIAMS**  
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 HEARING**  
In the matter of **REZ 2017-01 MOULTRIE - REZ 2017-01 MOULTRIE HE**  
was published in said newspaper on **03/29/2017**

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 29 2017**

by *Jamie Williams* who is personally known to me  
or who has produced as identification

*[Signature]*  
71 398-0\*53 FloridaNotaryService.com

(Signature of Notary Public)

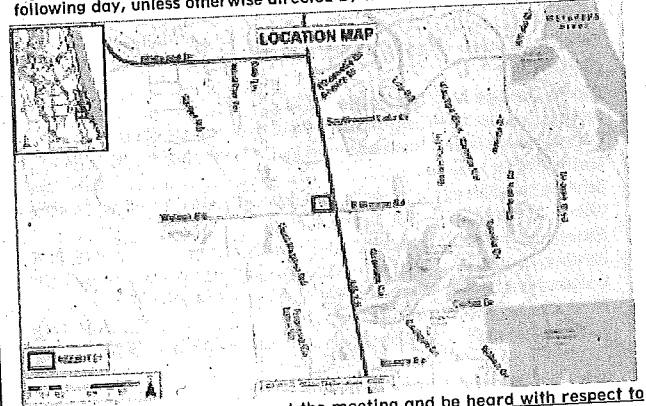
(Seal)

**NOTICE OF A PROPOSED REZONING**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on 4/20/2017 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 6/6/2017 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a Request to rezone approximately 6.73 acres from Open Rural (OR) to Commercial, General (CG).

**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.**

The subject property is located along the northwest corner of the US Highway 1 South and Watson Road intersection. 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.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES K. JOHNS, CHAIR

PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
JEFF MARTIN, CHAIR  
File Number: REZ-2017000001  
PROJECT NAME: Moultrie Heights Complex

17194966D March 29, 2017



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 9, 2017

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

Attention: Ms. Robin Platt

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. 2017-27, which was filed in this office on June 9, 2017.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

FILED June 9, 2017  
ST. JOHNS COUNTY  
CLERK OF COURT  
BY: Robin L. Platt  
DEPUTY CLERK