

ORDINANCE NUMBER: 2018-²²

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO RESIDENTIAL, GENERAL (RG-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 August 7, 2017 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2017-08 Yossef Chatila Residential, 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, General (RG-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, General (RG-2)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Residential, General (RG-2)** is consistent with the land uses allowed in the land use designation of Residential-C (RES-C) as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2017-08 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Residential, General (RG-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 15 DAY OF May 2018.

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

BY: Henry Dean

Henry Dean, Chair

RENDITION DATE MAY 17 2018

ATTEST: HUNTER S. CONRAD, CLERK

BY: LWenne King

Deputy Clerk

EFFECTIVE DATE: MAY 17 2018

DATE FILED: MAY 17 2018

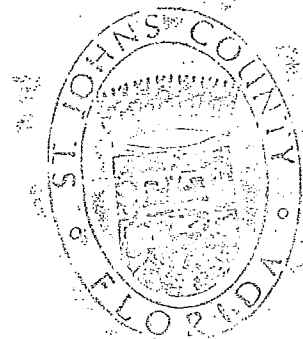


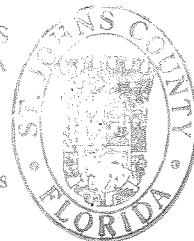
EXHIBIT "A"

All that part of Government Lot 8, Section 11, Township 8 South, Range 29 East, lying Southwesterly of Wildwood Drive, save and except, therefrom, the portions theretofore dedicated and platted as Wildwood Creek, according to the plat thereof, as recorded in Map Book 13, Pages 46 and 47 and Wildwood Creek Addition, according to the Plat thereof, recorded in Map Book 13, Pages 90 and 91, of the St. Johns County public records.

ALSO DESCRIBED AS: COMMENCE at the most Southeastery corner of Wildwood Creek Addition according to the Plat thereof, as recorded in Map Book 13, Page 90, lying on the South line of Government Lot 8, Section 11, Township 8 South, Range 29 East; thence North 89 degrees 3 minutes 1 second East along the said South line of Government Lot 8, a distance of 250 feet more or less to a point of intersection with the Southwesterly Right-of-Way line of Wildwood Drive; thence run Northwesterly along said Southwesterly Right-of-Way line a distance of 224.50 feet more or less to the point of intersection with the Southerly Right-of-Way line of that certain un-named road as described in said Wildwood Creek Addition Plat; thence run along said Southerly Right-of-Way line South 89 degrees 3 minutes 1 second West a distance of 148.02 feet; thence run 0 degrees 56 minutes 59 seconds East a distance of 200 feet more or less to the POINT OF BEGINNING.

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 May 20 18
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

BY: Juanne King D.C.



YOSSEF CHATILA
545 LEWIS POINT ROAD EXT
SAINT AUGUSTINE, FL 32086

ACCT: 30441
AD# 0003020017-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH 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 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-2017000008** was published in said newspaper on **03/21/2018**.

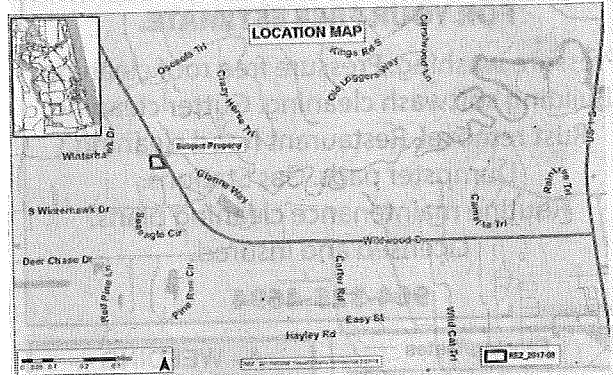
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 4/5/2018 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 5/15/2018 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 .91 acres from Commercial General (CG) to Residential (RG-2) for construction of a 4,000 sq. ft. home.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO RESIDENTIAL, GENERAL (RG-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 901 Delcie Dr., St. Augustine, FL 32086. 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.

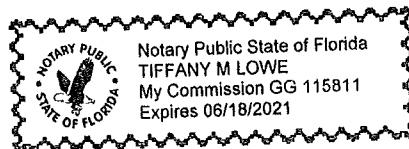
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at 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 BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFER, CHAIR HENRY DEAN, CHAIR
FILE NUMBER: REZ-2017000008
PROJECT NAME: Yossef Chatila Residential

0003020017 March 21, 2018

Sworn to and subscribed before me this _____ day of **MAR 21 2018**

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



Tiffany M. Lowe
(Signature of Notary Public)

(Seal)



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 18, 2018

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

Attention: Ms. Yvonne King

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. 2018-22, which was filed in this office on May 17, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **MAY 17 2018**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK