

ORDINANCE NUMBER: 2018 - 35

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED RURAL DEVELOPMENT (PRD) TO INDUSTRIAL WAREHOUSE (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2018063487
BK: 4605 PG: 1288
8/31/2018 9:24 AM
Recording \$27.00

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 15, 2018 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2018-02 St. Marks Industrial Park**, 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 **INDUSTRIAL WAREHOUSE (IW)** 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 **INDUSTRIAL WAREHOUSE (IW)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **INDUSTRIAL WAREHOUSE (IW)** 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 2018-02** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to INDUSTRIAL WAREHOUSE (IW).

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 July 2018.

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

BY: Paul M. Waldron
Paul M. Waldron, Vice Chairman

REVISION DATE JUL 19 2018

ATTEST: HUNTER S. CONRAD, CLERK

BY: Wonne King
Deputy Clerk

EFFECTIVE DATE: AUG 30 2018



EXHIBIT A
LEGAL DESCRIPTION
St. Marks Industrial Park REZ

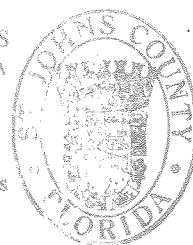
A PORTION OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE NORTH 00°17'57" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 5, A DISTANCE OF 33.48 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF INTERNATIONAL GOLF PARKWAY (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTHEASTERLY AND EASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, RUN THE FOLLOWING FOUR (4) COURSES AND DISTANCES: COURSE NO. 1: NORTH 59°26'32" EAST, 1523.05 FEET, TO THE POINT OF BEGINNING; COURSE NO. 2: CONTINUE NORTH 59°26'32" EAST, 653.03 FEET; COURSE NO. 3: NORTH 65°27'21" EAST, 420.00 FEET; COURSE NO. 4: NORTH 59°26'32" EAST, 164.46 FEET, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF ST. MARKS POND BOULEVARD (BRONZ-GLOW WAY PART A, RIGHT OF WAY AS NOW ESTABLISHED), AND TO THE POINT OF CURVATURE OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 30.00 FEET, AN ARC DISTANCE OF 42.01 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 80°26'20" EAST, 38.66 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 40°19'13" EAST, CONTINUING ALONG LAST SAID LINE, 808.70 FEET, TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID ST. MARKS POND BOULEVARD; THENCE NORTH 53°11'31" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 10.00 FEET, TO THE SOUTHWESTERLY LINE OF A 70 FOOT INGRESS/EGRESS EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1549, PAGE 964, SAID PUBLIC RECORDS; THENCE SOUTH 40°19'13" EAST, ALONG LAST SAID LINE, 401.55 FEET; THENCE SOUTH 53°28'06" WEST, 416.61 FEET; THENCE NORTH 40°02'38" WEST, 100.25 FEET; THENCE SOUTH 82°58'25" WEST, 523.15 FEET; THENCE SOUTH 72°43'01" WEST, 257.28 FEET; THENCE NORTH 01°26'35" WEST, 541.87 FEET; THENCE NORTH 41°19'38" WEST, 255.29 FEET; THENCE SOUTH 42°59'03" WEST, 237.13 FEET; THENCE SOUTH 64°21'21" WEST, 256.63 FEET; THENCE NORTH 41°54'53" WEST, 263.24 FEET, TO THE POINT OF BEGINNING.

CONTAINING 25.76 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 30th DAY OF August 20 18
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

BY: Iwanne King D.C.



THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST
SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003046198-01
PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

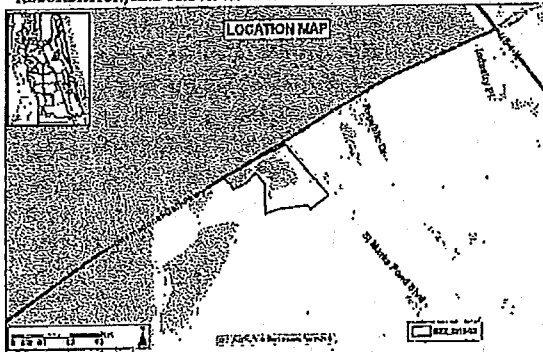
Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **REZ-201800002 ST. MARKS** was published in said newspaper on 05/23/2018.

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 6/7/2018 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 7/17/2018 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 25.8 acres of land from Planned Rural Development (PRD) to Industrial Warehouse (IW) to conform with a companion Comprehensive Plan Amendment to allow an industrial park with limitations; located west of US-1 at the intersection of St. Marks Pond Blvd and International Golf Pkwy.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED RURAL DEVELOPMENT (PRD) TO INDUSTRIAL WAREHOUSE (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.



The subject property is located at the intersection of St. Mark's Pond Blvd and IGP, west of US 1. 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 SJCC 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 6 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-201800002
PROJECT NAME: St. Mark's Industrial Park

0003046198 May 23, 2018

THE ST. AUGUSTINE RECORD
Affidavit of Publication

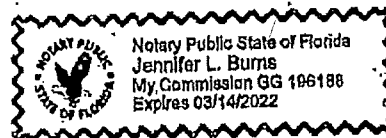
KAREN M TAYLOR
77 SARAGOSSA ST
SAINT AUGUSTINE, FL 32084

ACCT: 15637

MAY 23 2018

Sworn to and subscribed before me this _____ day of _____

by *Karen M Taylor* who is personally known to me
or who has produced as identification



Jennifer L. Burns
(Signature of Notary Public)

(Seal)



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 24, 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. 2018-35, which was filed in this office on July 23, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

JUL 23 2018
FILED
ST. JOHNS COUNTY
CLERK OF COURT

BY: *Yvonne King*
DEPUTY CLERK