

ORDINANCE NUMBER: 2018- 001

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL, SINGLE FAMILY (RS-2) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2019010703
BK: 4681 PG: 70
2/15/2019 10:20 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 JUNE 27, 2018 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2018-09 Beckerman Residence, 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) 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 **RESIDENTIAL, SINGLE FAMILY (RS-2) WITH CONDITIONS** is consistent with the St. Johns County Land Development Code.
4. The zone district of **RESIDENTIAL, SINGLE FAMILY (RS-2) WITH CONDITIONS** is consistent with the land uses allowed in the land use designation of Residential-A as depicted on the 2025 Future Land Use Map.
5. Site development adheres to requirements set forth in the 2025 Comprehensive Plan, specifically Policy D.1.4.6 regarding Septic Tanks and Policy E.1.5.3(d) regarding Discharge to Class II Waters.

SECTION 2. Pursuant to this application **File Number REZ 2018-09** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to **RESIDENTIAL, SINGLE FAMILY (RS-2) WITH CONDITIONS.**

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

1. Development is limited to one single family dwelling unit; and
2. Development shall comply with Policy D.1.4.6 and install an aerobic septic system or if reasonably available, connect to Marineland or St. Johns County Utilities.

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 18 DAY OF December 2018.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Paul M. Waldron
PAUL M. WALDRON, Chair

RENDITION DATE DEC 20 2018

ATTEST: HUNTER S. CONRAD, CLERK

BY: Hunter S. Conrad
Deputy Clerk



EFFECTIVE DATE: DEC 20 2018

EXHIBIT A

REZONING APPLICATION for 9471 A1A South -- The Gerald S. Beckerman Trust

APPLICANT: James G. Whitehouse, Esq. / St. Johns Law Group

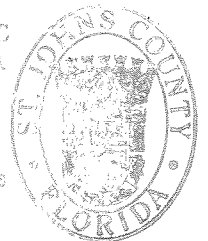
Parcel No. 18857-0000

LEGAL DESCRIPTION

ALL OF BLOCKS 66 AND 67 AND THE VACATED 20 FOOT WIDTH STREET BETWEEN BLOCKS 66 AND 67 AND THE VACATED 20 FEET WIDTH STREET BETWEEN BLOCKS 65 AND 66 IN SUMMER HAVEN AS RECORDED IN MAP BOOK 1, PAGE 155, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; LYING WEST OF THE WEST RIGHT OF WAY LINE OF NOW EXISTING STATE ROAD A-1-A, A 100 FOOT WIDTH RIGHT OF WAY.

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 14th DAY OF February 20 19
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

Wenne King D.C.



THE ST. AUGUSTINE RECORD
Affidavit of Publication

ST. JOHNS LAW GROUP
104 SEA GROVE MAIN ST

SAINT AUGUSTINE, FL 32080

ACCT: 15621
AD# 0003101287-01

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 HEARING** in the matter of **REZ-2018000009** was published in said newspaper on **10/17/2018**.

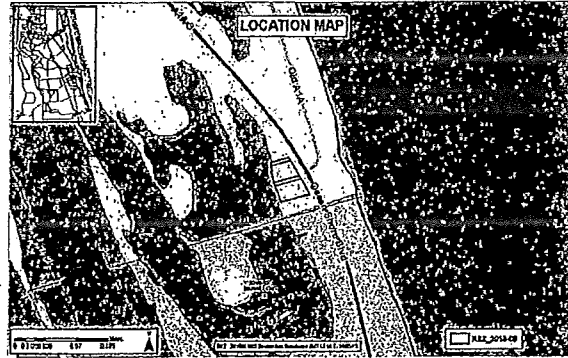
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office 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 11/1/2018 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 12/18/2018 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 0.83 acres of land from Commercial, Highway Tourist (CHT) to Residential, Single-Family (RS-2) to bring the zoning designation of the land to conformance with the Residential-A Future Land Use classification and to accommodate the construction of single-family residence.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HERINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL, SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 9471 A1A S St. Augustine, FL 32080. 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 KOPPENHAFFER, CHAIR HENRY DEAN, CHAIR

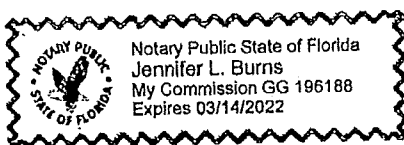
FILE NUMBER: REZ-2018000009
PROJECT NAME: Beckerman Residence (9471 A1A S)

0003101287 October 17, 2018

Sworn to and subscribed before me this _____ day of **OCT 17 2018**

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

Jennifer L. Burns
(Signature of Notary Public)





FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 20, 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. 2018-61, which was filed in this office on December 20, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **DEC 20 2018**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK