

ORDINANCE NUMBER: 2019 - 41

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.

Public Records of St. Johns County, FL
Clerk number: 2019045156
BK: 4747 PG: 1389
6/25/2019 4:31 PM
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 January 3, 2019 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2019-01 WSOS Radio Station Business Offices & Studio Rezoning, 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)** 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)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial, General (CG)** is consistent with the land uses allowed in the land use designation of Mixed Use District as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2019-01** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial, General (CG)

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 18 DAY OF June 2019.

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

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

REVISION DATE JUN 20 2019

ATTEST: HUNTER S. CONRAD, CLERK

BY: Gwenne King
Deputy Clerk

EFFECTIVE DATE: JUN 24 2019



Exhibit A:

Legal Description

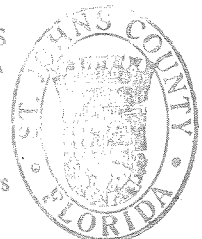
A PARCEL OF LAND IN GOVERNMENT LOT 9, SECTION 4, AND GOVERNMENT LOTS 1 AND 2, SECTION 9, ALL IN TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 4 AND THE NORTH LINE OF SAID SECTION 9 WITH THE EAST LINE OF SECTION 53 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 5°52' WEST, ON THE WEST LINE OF SAID SECTION 4 AND THE EAST LINE OF SAID SECTION 53, A DISTANCE OF 339.11 FEET; THENCE SOUTH 56°39' EAST ON THE SOUTHWEST LINE OF A 30 FOOT WIDTH PRIVATE ROAD EASEMENT, 496.20 FEET; THENCE SOUTH 21°13'16" EAST, ON SAID SOUTHWEST LINE OF ROAD EASEMENT, 138.60 FEET; THENCE SOUTH 57°12'40" WEST, ON THE NORTHWEST LINE OF A COUNTY ROAD KNOWN AS STRATTON ROAD, 13.03 FEET; THENCE SOUTH 2°50' EAST, ON THE WEST LINE OF SAID COUNTY ROAD, 21.00 FEET; THENCE SOUTH 87°10' WEST, ON THE NORTH LINE OF LAND OF ZYGMONT AND WESTERLY EXTENSION OF THAT LINE, 408.98 FEET; THENCE NORTH 5°52' WEST, ON THE WEST LINE OF SAID SECTION 9 AND THE EAST LINE OF SAID SECTION 53, A DISTANCE OF 113.49 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT 30 FEET IN WIDTH ALONG A PORTION OF THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID ABOVE DESCRIBED PARCEL AND RUN NORTH 87°10' EAST, 103.98 FEET ALONG THE SOUTH LINE OF SAID PARCEL, 103.98 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 2°50' WEST, 30 FEET; THENCE NORTH 87°10' EAST, 315.46 FEET TO A PRIVATE ROAD EASEMENT; THENCE SOUTH 21°13'16" EAST, ALONG SAID ROAD EASEMENT, 2.62 FEET TO NORTHERLY LINE OF STRATTON ROAD; THENCE SOUTH 57°12'40" WEST, 13.03 FEET TO THE WEST LINE OF STRATTON ROAD; THENCE SOUTH 2°50' EAST, ALONG STRATTON ROAD, 21.00 FEET; THENCE SOUTH 87°10' WEST, ALONG SOUTH LINE OF SAID PARCEL, 305.00 FEET 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 24th DAY OF June 2019
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



BY: Yvonne King D.C.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

GLK CONSULTANTS LLC
3000 N PONCE DE LEON BLVD, STE 6

SAINT AUGUSTINE, FL 32084

ACCT: 15732
AD# 0003165616-01
PO#

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

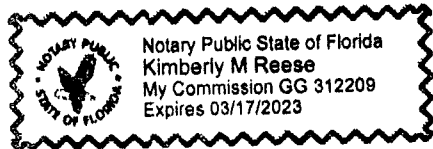
STATE OF FLORIDA
COUNTY OF ST. JOHNS

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-2019000001** was published in said newspaper on **04/17/2019**.

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.

Sworn to and subscribed before me this APR 17 2019 day of April
by William Rhinehart who is personally known to me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)

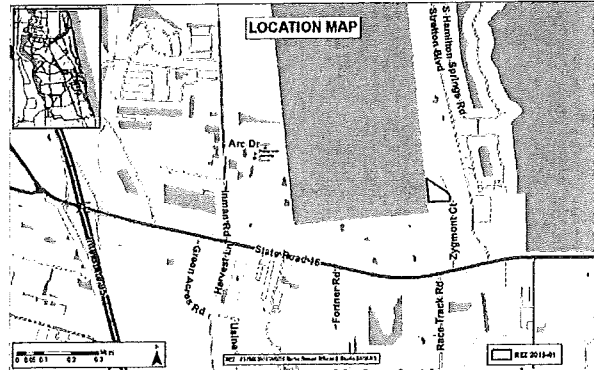


NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **5/2/2019** 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 **6/18/2019** 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 2.77 acres of land 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 at 253 Zygmont Ct, St Augustine, FL 32084. 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 PAUL M. WALDRON, CHAIR
FILE NUMBER: REZ-2019000001
PROJECT NAME: WSOS Radio Station Offices & Studio

0003165616 April 17, 2019



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 24, 2019

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. 2019-41, which was filed in this office on June 24, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED JUN 24 2019
ST. JOHNS COUNTY
CLERK OF COURT
Ms. Yvonne King
DEPUTY CLERK