

ORDINANCE NUMBER: 2019 - 44

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: 2019053925  
BK: 4765 PG: 1831  
7/25/2019 3:33 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 August 28, 2018 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2018-11 Peek Property, 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 2018-11** 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<sup>th</sup> DAY OF June 2019.**

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

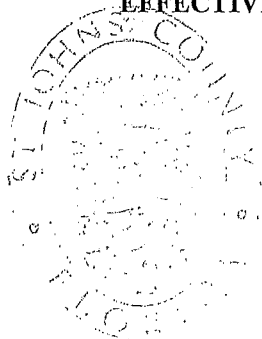
BY: Paul M. Waldron  
Paul M. Waldron, Chair

RECORDED DATE JUN 20 2019

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

BY: Yvonne King  
Deputy Clerk

**EFFECTIVE DATE: JUL 19 2019**



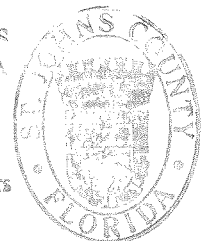
LEGAL DESCRIPTION

LEGAL DESCRIPTION (BY SURVEYOR)

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3 WITH THE NORTHWEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 207, THENCE NORTH 89°57'25" WEST, ON SAID SOUTH LINE OF EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, A DISTANCE OF 132.47 FEET; THENCE NORTH 00°31'08" WEST, A DISTANCE OF 45.83 FEET; THENCE SOUTH 89°56'35" WEST, A DISTANCE OF 253.67 FEET; THENCE SOUTH 24°48'28" WEST, A DISTANCE OF 49.99 FEET; THENCE NORTH 89°57'25" WEST, A DISTANCE OF 292.87 FEET; THENCE NORTH 01°33'00" EAST, ON THE WEST LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, A DISTANCE OF 950.34 FEET; THENCE SOUTH 52°49'00" EAST, A DISTANCE OF 537.08 FEET; THENCE SOUTH 17°50'16" WEST, A DISTANCE OF 75.02 FEET; THENCE SOUTH 21°53'22" WEST, A DISTANCE OF 33.81 FEET; THENCE SOUTH 08°47'53" WEST, A DISTANCE OF 41.57 FEET; THENCE SOUTH 68°32'39" EAST, A DISTANCE OF 87.50 FEET; THENCE SOUTH 02°42'27" EAST, A DISTANCE OF 38.95 FEET; THENCE SOUTH 77°29'06" EAST, A DISTANCE OF 25.57 FEET; THENCE SOUTH 81°17'15" EAST, A DISTANCE OF 67.18 FEET; THENCE SOUTH 35°50'05" WEST, A DISTANCE OF 63.84 FEET; THENCE SOUTH 59°08'53" EAST, A DISTANCE OF 121.38 FEET; THENCE SOUTH 52°39'24" EAST, A DISTANCE OF 118.18 FEET; THENCE SOUTH 61°50'06" EAST, A DISTANCE OF 88.72 FEET TO THE NORTHWEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 207, SAID POINT BEING ON A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 17258.73 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°18'45", AN ARC LENGTH OF 94.15 FEET, SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 35°28'38" WEST, 94.15 FEET; THENCE NORTH 52°47'05" WEST, A DISTANCE OF 5.00 FEET; TO A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 17263.73 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°22'57", AN ARC LENGTH OF 115.21 FEET, SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 35°07'49" WEST, 115.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 435,268 SQUARE FEET, OR 9.99 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 25<sup>th</sup> DAY OF July 2019  
 ST. JOHNS COUNTY CLERK OF COURT  
 Ex-Officio Clerk of the Board of County Commissioners



BY: Udonne King D.C.

THE ST. AUGUSTINE RECORD  
Affidavit of Publication

ST. JOHN'S LAW GROUP  
104 SEA GROVE MAIN ST

SAINT AUGUSTINE, FL 32080

ACCT: 15621  
AD# 0003169750-01

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-2018000011 was published in said newspaper on 05/01/2019.

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 \_\_\_\_\_ day of MAY 01 2019

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

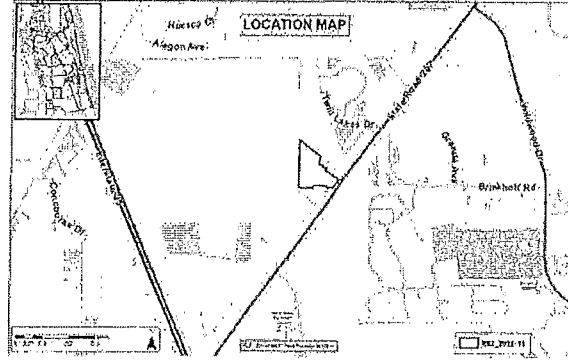
Tiffany M. Lowe  
(Signature of Notary Public)

**NOTICE OF A PROPOSED REZONING**

NOTICE IS HEREBY GIVEN that a public hearing will be held on 5/16/2019 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 5/18/2019 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 9.99 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 2255 SR 207, 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.

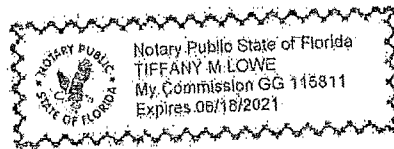
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0660 or at the County Administration Building, 600 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      PAUL M. WALDRON, CHAIR

FILE NUMBER: REZ-2018000011

PROJECT NAME: Peek Rezoning

0003169750 May 1, 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. 2019-44, 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  
BY: *Yvonne King*  
DEPUTY CLERK