

ORDINANCE NUMBER: 2019 - 81

Public Records of St. Johns County, FL
Clerk number: 2019096095
BK: 4854 PG: 492
12/23/2019 11:14 AM
Recording \$27.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) THE PRESENT ZONING CLASSIFICATION OF TO COMMERCIAL INTENSIVE (CI); 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 July 3, 2019 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2019-12 2301 SR.16 Commercial**, 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 INTENSIVE (CI)** 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 INTENSIVE (CI)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **COMMERCIAL INTENSIVE (CI)** 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 2019-12 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to COMMERCIAL INTENSIVE (CI).

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 17 DAY OF

December, 2019.

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

BY: _____

Jeb S. Smith, Chair

RENDITION DATE DEC 19 2019

ATTEST: Brandon Patty, Clerk

BY: _____

Deputy Clerk

EFFECTIVE DATE: DEC 19 2019



EXHIBIT A

Legal Description

2301 State Road 16 Commercial

PID 086640-0000

All of Lot 15 and the West 167 feet of Lot 16, GREEN ACRES, SECTION ONE, as recorded in Map Book 6, Page 5, Public Records of St. Johns County, Florida, and being in Section 8, Township 7 South, Range 29 East, said parcel being more fully described as follows: Commence at the permanent reference monument for Green Acres, Section One, said monument located on the South Right of Way line of SR #16 at the NW corner of that part of Lot 15 fronting on SR #16 for the Point of Beginning; thence South 77°30' East 438.6 feet along the S line of SR #16 to a point on the West line of and existing County Road; thence South 12°30' W, 1,089 feet along the West line of said County Road; thence North 77°30' West 492 feet; thence North 2°39' West 437 feet; thence North 89°38' East 336.41 feet; thence North 2°39' W 613.60 feet to the Point of Beginning.

LESS AND EXCEPT: a strip of land approximately 18 feet in width along SR #16, conveyed to the State of Florida for the use and benefit of the State Road Department by Deed dated November 17, 1966 and less: Beginning at the intersection of the new South Right of Way line of SR #16 as established by the State Road Department and shown on Right of Way Map Section 78060-2506, and the W line of an existing County Road; thence S 12°30' W 225 feet along the W line of said County Road; thence N 77°30' W a distance of 200 feet to a point; thence N 12°30' E a distance of 225 feet to a point on the new South Right of Way line of SR #16; thence S 77°30' E 200 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 20th DAY OF December 19
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



BY: Luanne King D.C.

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003229539-01

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-2019000012** was published in said newspaper on 11/06/2019.

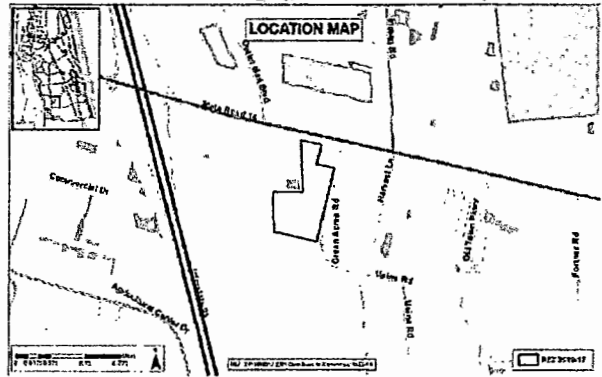
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office 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.

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 11/21/2019 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 12/17/2019 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 9.7+ acres of land from Open Rural (OR) to Commercial Intensive (CI) to allow for future commercial uses consistent with the surrounding area.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) THE PRESENT ZONING CLASSIFICATION TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 2301 State Road 16. 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 8 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 STJC 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.

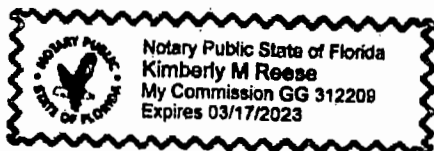
PLANNING AND ZONING AGENCY BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR PAUL M. WALDRON, CHAIR
FILE NUMBER: REZ-2019000012

PROJECT NAME: 2301 State Road 16 Commercial 0003229539 November 6, 2019

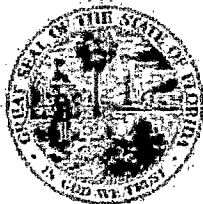
Sworn to and subscribed before me this NOV 06 2019

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

Kimberly M Reese
(Signature of Notary Public)



SCANNED
11.13.19



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 19, 2019

Honorable Brandon Patty
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. 2019-81, which was filed in this office on December 19, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **DEC 19 2019**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK