

This ordinance was revised due to a scrivener's error in the legal description.

Public Records of St. Johns County, FL
Clerk number: 2021085492
BK: 5333 PG: 1618
8/3/2021 11:41 AM
Recording \$27.00

ORDINANCE NUMBER: 2020 - 16

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WAREHOUSING (IW) AND OPEN RURAL (OR), TO COMMERCIAL, WAREHOUSE (CW); 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 August 7, 2019 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2019-18 Stokes Industrial**, 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, WAREHOUSE (CW)** 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, WAREHOUSE (CW)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **COMMERCIAL, WAREHOUSE (CW)** is consistent with the land uses allowed in the land use designation of Mixed Use as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2019-18** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to COMMERCIAL, WAREHOUSE (CW).

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 5 DAY OF May 2020.

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

BY: 

JEB S. SMITH, Chair

ATTEST: **BRANDON PATTY, CLERK**

Rendition Date: **MAY 07 2020**

BY: 

Deputy Clerk

EFFECTIVE DATE: **MAY 07 2020**



Exhibit A:

Legal Description

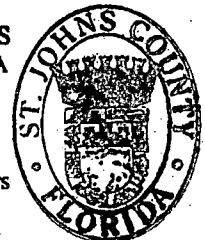
PART OF THE PABLO SABATE GRANT, SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STOKES LANDING ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 37" 00' 00 WEST. ALONG THE NORTHEASTERLY LINE OF SAID U.S. HIGHWAY NO. 1 (A 150 FOOT RIGHT-OF-WAY) A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING 'THUS DESCRIBED THENCE CONTINUE NORTH 37" 00' 00 WEST, ALONG SAID Northeasterly RIGHT-OF-WAY LINE 680.97 FEET; THENCE NORTH 53' 00' 00 EAST, DEPARTING SAID Northeasterly RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1 A DISTANCE OF 471.00 FEET; THENCE NORTH 37'00'00" WEST, A DISTANCE OF 171.50 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LANDS RECORDED IN OFACIAL. RECORDS BOOK 625, PAGE 832 OF THE PUBLIC RECORDS OF SAID COUNTY; 'THENCE North 53'00'00' EAST, ALONG SAID SOUTHEASTERLY UNE A DISTANCE OF 80.00 FEET; THENCE SOUTH 37'00'00" EAST, DEPARTING SAID SOUTHEASTERLY LINE A DISTANCE OF 1032.47 FEET; THENCE SOUTH 53"00'00" WEST, A DISTANCE OF 193.28 FEET; THENCE NOTH 37'00'00' EAST, A DISTANCE OF 65.00 FEET; THENCE NORTH 53"00'00' EAST, A DISTANCE OF 113.28 FEET; thence NORTH 3700'00" WEST, A DISTANCE OF 115.66 FEET; THENCE SOU1H 52'55'12' WEST, A DISTANCE OF 471.00 FEET 'TO THE POINT OF BEGINNING.

THE LAND 'THUS DESCRIBED CONTAINING 9.42 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 2nd DAY OF August 20 21
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



BY: L. Wance King D.C.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003257326-01

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-2019000018 was published in said newspaper on 02/10/2020.

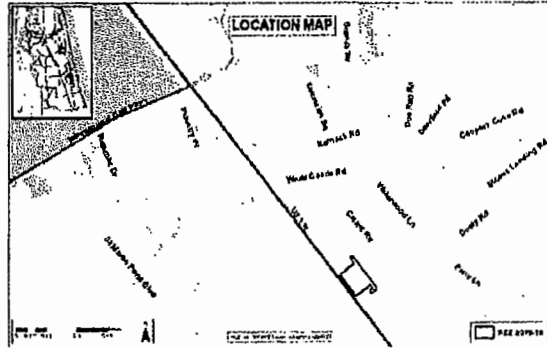
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office 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 1/5/2020 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 600 San Sebastian View, St. Augustine, Florida and on 4/7/2020 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 600 San Sebastian View, St. Augustine, Florida to consider a Request to rezone approximately 9.81 acres of land from Industrial Warehousing (IW) and Open Rural (OR), to Commercial Warehouse (CW), MAKING FINDINGS OF FACT, REQUIRING RECORDATION, AND PROVIDING AN EFFECTIVE DATE.

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

The subject property is East side of US 1, north of Stokes Landing Road. 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 8 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 96-126, to properly noticed public hearings or to written communication, care of SJIC 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) 209-0850 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
ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR
FILE NUMBER: REZ-2019000018
PROJECT NAME: Stokes Industrial

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

0003257326 February 10, 2020

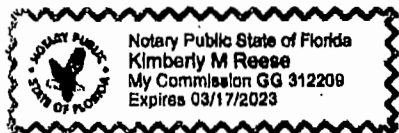
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this 10 day of FEB 10 2020

by [Signature] who is personally known to me or who has produced as identification

[Signature]
(Signature of Notary Public)



THE ST. AUGUSTINE RECORD
Affidavit of Publication

SJC GROWTH MANAGEMENT
4040 LEWIS SPEEDWAY

SAINT AUGUSTINE, FL 32084

ACCT: 15628
AD# 0003276105-01

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 ACM RESCHEDULED 05.05.20 was published in said newspaper on 04/24/2020.

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.

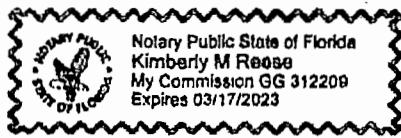
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of APR 24 2020

by Melissa Rhinehart who is personally known to
me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that public hearings previously scheduled for April 7, 2020 and April 21, 2020 will now be held on Tuesday, May 5, 2020 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 800 San Sebastian View, St. Augustine, Florida to review the following agenda items:

- AGENDA ITEMS - Public Hearings to consider requests:**
- 1. MAJMOD 2019-06 Robert F. Ermalin Jr. Arway Expansion.** Location: 2005 SR 207; East of interchange of I-95 and SR 207. A request for a Major Modification to the Robert F. Ermalin Arway PUD (Ordinance 2004-54) to allow for an additional 60,535 square feet of footage to the principal structure of the Florida Army National Guard Headquarters.
 - 2. PLANAPP 1, 2020-03 Appeal to Denial of ZVAR 2019-78 (St. Cat Road Fence Height) - Location: 2905 SR 207; East of interchange of I-95 and SR 207.** A request to Appeal the Planning and Zoning Agency denial of a Zoning Variance (ZVAR 2019-19), to allow existing fencing to remain along certain portions of the property boundary exceeding the required height limitations in Residential, Single Family (RS-3) zoning.
 - 3. LMA 2019-03 Hastings Jail.** Location: 107 E Cochran Ave Hastings, Florida 32145. This application is for a proposed County Landmark designation of the old Hastings Jail under the St. Johns County Land Development Code Section 3.01.03.
 - 4. PUD 2019-12-Fountainhead North at St. Johns.** Location: NE quadrant of 195 and CR10, along CR Wilson Road. A request to rezone approximately 33.52 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to accommodate for up to 500 multi-family units, 120 age-restricted units, 200,000 square feet of retail, 80,000 square feet of professional and medical offices, and 30,000 square feet of outpatient surgical/clinical facilities.
 - 5. PUD 2019-14 Bendish Commercial.** Location: O SR 207. A request to rezone approximately 33.4 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a mix of up to 500,000 square feet of commercial uses.
 - 6. REZ 2019-18 Stokes Industrial.** Location: East side of US 1, north of Stokes Landing Road. A request to rezone approximately 9.61 acres of land from Industrial Warehousing (IW) and Open Rural (OR) to Commercial Warehouse (CW) to allow for light industrial and commercial uses.
 - 7. MAJMOD-2019-10 Cumberland Industrial Park PUD.** Location: Southside of County Road 210, east of the Interstate 95/CR 210 Interchange. Request for a Major Modification to the Cumberland Industrial Park PUD (Ordinance 1984-32, as amended) to add commercial recreation and office/professional uses to the existing buildings located on Lot 1, Parcel B.
 - 8. VACFLA 2020-01 Clay Subdivision.** Location: Keystone Rd. Vacate the entirety of Plat known as Clay Subdivision as recorded in Map 10 Page 82, also a portion adjacent to lots 1 through 16 of Keystone Rd, within the subdivision.
 - 9. VACROA 2019-04 Ancient City Construction (Resort Vacation).** Location: Hastings, Lot 12 Hastings Land and Improvement subdivision. North Orange St and E Cochran. This applicant owns the majority of lots within the block. The 3 other owners of homes have consented to the road vacation. The applicant intends to build homes along E Cochran. The internal alleyways are all that are being vacated. The alleyways are not cleared or improved and there is no apparent utilities or drainage in the alleyways. The applicant intends to convey the rear lots along E Latin to E Cochran buyers, since E Latin is also not improved. This will create larger lots for buyers and access to the rear lot for fencing and other accessory structures.
- Please be advised you may attend the meeting indicated in the notice and state your opinions, or you may reply by mail to: St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida 32084 or by e-mail to: plansz@sjcfla.gov. Your response will be acknowledged by mail. Public Hearing. In accordance with Executive Order 20-88, and St. Johns County emergency proclamation 2020-03, this meeting may be conducted remotely, under communication media technology (CMT) without a physical presence of the members present. CMT means the electronic transmission of printed matter, audio, full motion video, live-action video, compressed video, and digital video by any method available. CMT being used to conduct the meeting includes Government TV (GTV), phone, and wireless microphones. Should a person wish to submit printed material, it must be submitted a minimum 4 days in advance of this meeting. Such printed documentation will be presented at the meeting. A person may attend this CMT meeting by calling the telephone number at 904.209.1265 and viewing the meeting on GTV or <http://www.sjcfla.us/GTV/web/guest>. Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine, FL 32084, or e-mail address: plansz@sjcfla.us. A designated access point to this CMT meeting is located at 800 San Sebastian View.

Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084
Email address: plansz@sjcfla.us
Phone number: 904.209.0675

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 purposes, 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. Any evidence, testimony, and argument which is offered utilizing CMT shall be afforded equal consideration as if were offered in person and shall be subject to the same objections.

This file is maintained in the Planning and Zoning Section of the Growth Management Department, at the County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing. Interested parties may appear at the meeting and be heard with respect to the proposed application.

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, in properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

0003276105 April 24, 2020



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

May 8, 2020

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2020-16, which was filed in this office on May 7, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **MAY 07 2020**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

August 2, 2021

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your revised electronic copy of St. Johns Ordinance No. 2020-16, which was filed in this office on August 2, 2021.

Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb

FILED **AUG 02 2021**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK