

ORDINANCE NUMBER: 2020 - 22

**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) AND INDUSTRIAL WAREHOUSE (IW) 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 February 4, 2020 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2020-03 Flagler Boulevard 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 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 2020-03 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.

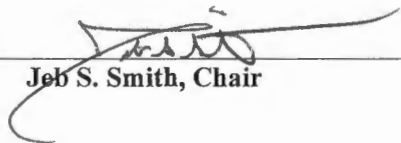
**SECTION 4.** This Ordinance shall take effect upon receipt by the Secretary of State.

**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.

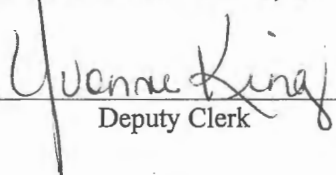
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19th DAY OF May 2020.**

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

BY:   
Job S. Smith, Chair

REVISION DATE MAY 21 2020

**ATTEST: BRANDON PATTY, CLERK**

BY:   
Deputy Clerk

Effective Date: MAY 22 2020



**EXHIBIT A**  
**Legal Description**  
**Flagler Boulevard Rezoning**

PARCEL ONE: A parcel of land in Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, being a part of Parcel One of that land described in deed recorded in Deed Book 261, Page 68, public records of said county and said parcel of land being more fully described as follows:

COMMENCING at the Southwest corner of Rennie, as described in deed recorded in Deed Book 215, Page 495 of said public records, said corner being a corner on Boundary Line of land described in said Deed Book 261, Page 68; thence South 38 degrees 05 minutes East, on the Easterly right of way line of U.S. Highway No. 1 and 200 feet Easterly from and parallel with the center line of the Florida East Coast Railway right of way, 1,772.62 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence North 51 degrees 55 minutes East 800 feet; thence South 38 degrees 05 minutes East, on the Southwesterly line of St. Augustine Park, Unit 1, as recorded in Map Book 10, Page 58 of said public records, 67.52 feet; thence South 51 degrees 55 minutes West, on the Northwest line of Flagler Boulevard of said St. Augustine Park, 10.09 feet; thence South 35 degrees 31 minutes West, on said Northwest line of Flagler Boulevard, 823.41 feet; thence North 38 degrees 05 minutes West, on said Easterly right of way line of U.S. Highway No. 1, a distance of 300 feet to the Point of Beginning.

PARCEL TWO: A parcel of land in Section 50, Township 6 South, Range 29 East, St. Johns County, Florida, more fully described as follows:

COMMENCING at the Southwest corner of Lot 1, Block 8, St. Augustine Park, Unit 1, as recorded in Map Book 10, page 59, public records of St. Johns County, Florida; thence North 38 degrees 05 minutes West, on the Southwesterly line of said Block 8, a distance of 67.52 feet to a point; thence South 51 degrees 55 minutes West 650 feet to the Point of Beginning at the Southeast corner of the herein described parcel of land; thence continue South 51 degrees 55 minutes West 150 feet to a point on the Northeasterly right of way line of U.S. Highway No. 1; thence North 38 degrees 05 minutes West, on the said Northeasterly right of way line of U.S. Highway No. 1, a distance of 103 feet; thence North 51 degrees 55 minutes East 150 feet; thence South 38 degrees 05 minutes East, a distance of 103 feet to the Point of Beginning.

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THAT ROAD RIGHT OF WAY EASEMENT DESCRIBED AS FOLLOWS:

A strip of land 36 feet in width lying 18 feet on each side of the following described center line in Section 50, Township 6 South, Range 29 East, St. Johns County, Florida; COMMENCING at the Southwest corner of Lot 1, Block 8, St. Augustine Park, Unit 1, as recorded in Map Book 10, page 59, public records of St. Johns County, Florida; thence North 38 degrees 05 minutes West, on the Southwesterly line of said Block 8, a distance of 67.52 feet; thence South 51 degrees 55 minutes West 800 feet; thence North 38 degrees 05 minutes West, on the Northeasterly right of way line of U.S. Highway No. 1, a distance of 103 feet to the Point of Beginning at the Southwesterly end of said center line; thence North 51 degrees 55 minutes East 700 feet to the Northeasterly end of said center line.

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 3rd DAY OF June 2020  
ST. JOHNS COUNTY CLERK OF COURT  
Ex-Officio Clerk of the Board of County Commissioners



BY: Yvonne King DC

THE ST. AUGUSTINE RECORD  
Affidavit of Publication

KAREN M TAYLOR  
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637  
AD# 0003268674-01

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-2020000003 was published in said newspaper on 03/20/2020.

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

MAR 25 2020

this \_\_\_ day of

by Melissa Rhinehart 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 4/16/2020 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 5/19/2020 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 3.7 acres of land from Open Rural (OR) and Industrial Warehouse (IW) to Commercial Intensive (CI) to allow for future commercial uses.

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) AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 6250 US 1 North - east side just south of Venetian Blvd. 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      JEB S. SMITH, CHAIR  
FILE NUMBER: REZ-2020000003  
PROJECT NAME: Flagler Boulevard (Parcel # 074430-0010)

0003268674 March 20, 2020





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

May 22, 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. 2020-22, which was filed in this office on May 22, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

