

ORDINANCE NUMBER: 2020 - 30

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, NEIGHBORHOOD (CN) TO RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE FAMILY (RMH(S)); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL  
Clerk number: 2020048857  
BK: 4970 PG: 627  
6/22/2020 3:40 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 23, 2019 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2019-23 Tortoise Holdings 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 **Residential, Manufactured/Mobile Home or Single Family (RMH(S))** 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 **Residential, Manufactured/Mobile Home or Single Family (RMH(S))** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Residential, Manufactured/Mobile Home or Single Family (RMH(S))** is consistent with the land uses allowed in the land use designation of Residential-C as depicted on the 2025 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number REZ 2019-23 the zoning classification of the lands described within the attached legal description, Exhibit "A",

**is hereby changed to Residential, Manufactured/Mobile Home or Single Family (RMH(S))**

**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. All applicable state or federal permits must be obtained before commencement of the development. Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**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 16 DAY OF June 2020.**

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

BY: J. S. Smith  
**JEB S. SMITH, CHAIR**

**JUN 18 2020**

Rendition Date: \_\_\_\_\_

**ATTEST: BRANDON PATTY, CLERK**

BY: Vanessa King  
**Deputy Clerk**

**EFFECTIVE DATE:** \_\_\_\_\_

**JUN 18 2020**

Exhibit A:

LOT 22, Block 1, Treasure Beach, according to the map or plat thereof, as recorded in Plat Book 11, Page(s) 33 and 34, of the Public Records of St. Johns County, Florida.

LOT 21, Block 1, Treasure Beach First Addition, according to the map or plat thereof, as recorded in Plat Book 11, Page(s) 39 through 41, of the Public Records of St. Johns County, Florida.

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 22<sup>nd</sup> DAY OF June, 2020  
ST. JOHNS COUNTY CLERK OF COURT  
Ex-Officio Clerk of the Board of County Commissioners



BY: Lynne King D.C.

THE ST. AUGUSTINE RECORD  
Affidavit of Publication

DANE HUTCHINSON  
3440 US HIGHWAY 1 SOUTH SUITE 401

SAINT AUGUSTINE, FL 32086

ACCT: 49705  
AD# 0003273064-01

POH

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-201900023 was published in said newspaper on 04/13/2020.

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.

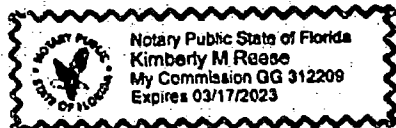
Sworn to (or affirmed) and subscribed before me by means of

physical presence or  
 online notarization

this \_\_\_ day of APR 13 2020

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

*[Signature]*  
(Signature of Notary Public)

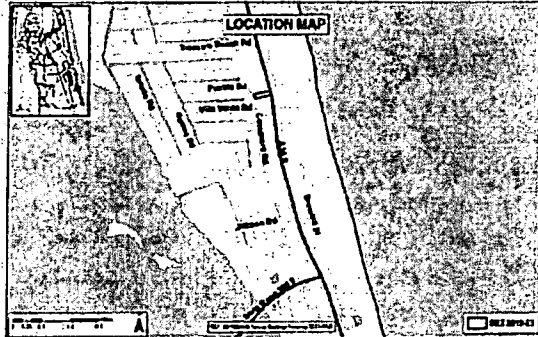


NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 07/2020 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 07/18/2020 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 0.44 acres of land from Commercial Neighborhood (CN) to Residential, Manufactured/Mobile Home or Single Family (RMH(S))

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, NEIGHBORHOOD (CN) TO RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE FAMILY (RMH(S)); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 6200 Costanero and 6201 A1A S. 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.

In accordance with Executive Order 20-69, and St. Johns County emergency proclamation 2020-03, this meeting may be conducted remotely, under communication media technology (CMT) without a physical quorum of the members present. CMT means the electronic transmission of printed matter, audio, full motion video, free-frame video, compressed video, and digital video by any method available. CMT being used to conduct the meeting includes Government TV (GTV), phone, and wireless microphone. Should a person wish to submit printed material, it must be submitted a minimum 5 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 904.309.1285 and viewing the meeting on [GTV or http://www.gclfl.us/GTV/usa/156(RV.4925)]. 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: plandcpt@gclfl.us. A designated access point to this CMT meeting is located at 500 San Sebastian View.

Additional information may be obtained at:  
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084  
Email address: plandcpt@gclfl.us  
Phone number: 904.309.0675

If a person decides to appeal any decision made with respect to any matter considered at each 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. 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 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 SIC 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) 209-0630 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 933 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 KOPFENHAFER, CHAIR JEB S. SMITH, CHAIR  
FILE NUMBER: REZ-201900023  
PROJECT NAME: Tortoise Holdings Rezoning

0003273064 April 13, 2020

SCANNED



## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

June 18, 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. 2020-30, which was filed in this office on June 18, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

FILED JUN 18 2020  
ST. JOHNS COUNTY  
CLERK OF COURT

BY: Yvonne King  
DEPUTY CLERK