ORDINANCE NUMBER: 2020 - 602

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-3) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2020120332
BK: 5140 PG: 663
12/31/2020 12:27 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 July 29, 2020 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2020-18 Tabone 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 **Open Rural (OR)** 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 **Open Rural (OR) is** consistent with the St. Johns County Land Development Code.

4. The zone district of **Open Rural (OR) 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 2020-18** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Open Rural (OR)

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 15th DAY OF December, 2020.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Jeremiah R. Blocker **RENDITION DATE:** DEC 22 2020

Jeremiah R. Blocker Chair

ATTEST: BRANDON J. PATTY,
Clerk of the Circuit Court and Comptroller

BY: Vanessa King
Deputy Clerk

EFFECTIVE DATE: DEC 22 2020

Exhibit A

PARCEL 2:

A PORTION OF LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 725, PAGE 1607, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID LANDS LYING IN GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 8, SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT USE THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 2, SAID POINT BEING ON THE CENTERLINE OF OLD MOULTRIE ROAD (S.R. NO. 5A, A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED). THENCE NORTHERLY ALONG THE CENTERLINE OF SAID ROAD 100 FEET; THENCE NORTH 89 DEGREES 07 MINUTES 16 SECONDS EAST, 33 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF AFOREMENTIONED OLD MOULTRIE ROAD; THENCE NORTH 01 DEGREES 05 MINUTES 50 SECONDS WEST, 124.30 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 07 MINUTES 16 SECONDS EAST, 231.06 FEET TO THE EAST LINE OF THE ABOVE REFERENCED LANDS; THENCE SOUTH 01 DEGREES 04 MINUTES 14 SECONDS EAST, 124.30 FEET ALONG SAID EAST LINE; THENCE SOUTH 89 DEGREES 07 MINUTES 16 SECONDS WEST, 231 00 FEET TO THE POINT OF BEGINNING.

File No.: 61680

THIS DOCUMENT IS A TRUE AND CORRECT COPY AND PLEASE ON RECORD IN ST. JOHNS COUNTY, FLORIDA WITNESS MY HAND AND OFFICIAL SEAL THIS 30th DAY OF December 20 ST. JOHNS COUNTY CLERK OF COURT Ex-Officio Clerk of the Board of County Commissioners
BY: Jerome King D.C.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

W. TABONE III / SARA CARVER
2880 OLD MOULTRIE ROAD

SAINT AUGUSTINE, FL 32086

ACCT: 53097
AD# 0003315398-01

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-2020000018** was published in said newspaper on **10/23/2020.**

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

[X] physical presence or
[ ] online notarization

this _____ day of OCT 2 3 2020

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

(Signature of Notary Public)

Notary Public State of Florida
Kimberly M Reese
My Commission GG 312209
Expires 03/17/2023

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **11/19/2020 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 **12/15/2020 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 0.65 acres of land from Residential, Single Family (RS-3) to Open Rural (OR).

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-3) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is **2880 Old Moultrie**. 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.

In accordance with St. Johns County Emergency Order No. 2020-10, this meeting may be conducted remotely and may provide remote public participation under communication media technology (CMT). 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 of 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 904.209.1265 and viewing the meeting on [GTV or http://www.sjcfl.us/GTV/watchgtv.aspx]. 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: plandept@sjcfl.us.

Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084
Email address: plandept@sjcfl.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 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 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
ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFER, CHAIR
FILE NUMBER: REZ-2020000018
PROJECT NAME: Tabone Rezoning

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

0003315398 October 23, 2020

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 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. 2020-62, which was filed in this office on December 22, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED DEC 22 2020
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270