

ORDINANCE NUMBER: 2022 - 26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, GENERAL (CG) WITH CONDITIONS AND RESIDENTIAL, MANUFACTURED/MOBILE HOME (RMH) TO COMMERCIAL, INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2022037820
BK: 5535 PG: 1403
4/12/2022 11:15 AM
Recording \$35.50

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 September 24, 2021 in addition to supporting documents and statements from the applicant, which are a part of Zoning File REZ 2021-32 Unleashed Dog Park, 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 Part 2.02.00 of the St. Johns County Land Development Code.
4. The zoning district of **Commercial, Intensive (CI)** is consistent with the land uses allowed in the land use designation of Mixed Use District as described in Policy A.1.11.1(p) of the 2025 St. Johns County Comprehensive Plan and as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number **REZ 2021-32** 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. It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 5. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 6. 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 7. 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 5th **DAY OF** April **2022.**

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

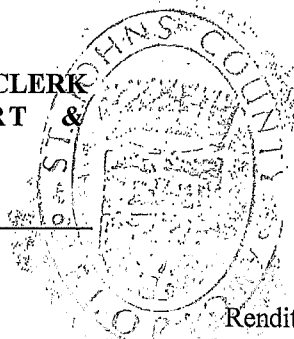
BY:

Henry Dean
Henry Dean, Chair

**ATTEST: BRANDON J. PATTY, CLERK
OF THE CIRCUIT COURT
COMPTROLLER**

BY:

Luanne King
Deputy Clerk



Rendition Date: _____

APR 05 2022

Effective Date: _____

APR 08 2022

EXHIBIT A
LEGAL DESCRIPTION/SURVEY
Unleashed Dog Park Rezoning
(Page 1 of 2)

PARCEL ONE:

A parcel of land being a part of Tract "A", NORTH DIXIE VILLAGE, being parts of Sections 50, 92 and 94, Township 6 South, Range 29 East, recorded in Map Book 10, Page 15, of the public records of St. Johns County, Florida, said parcel of land being more fully described as follows:

COMMENCE at the Southwest corner of Lot 27 of said North Dixie Village; thence North 73 degrees 47 minutes 30 seconds West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55 degrees 01 minutes West 229.74 feet to the POINT OF BEGINNING; thence North 31 degrees 25 minutes 30 seconds West, 140.38 feet; thence South 34 degrees 44 minutes 30 seconds West 173.81 feet to a point on the East Right-of-Way line of U.S. Highway No. 1; thence South 38 degrees 05 minutes East, 80.0 feet along the East Right-of-way line of U.S. Highway No. 1; thence North 55 degrees 01 minutes East, 150.0 feet to the POINT OF BEGINNING.

TOGETHER WITH a Non-exclusive Easement for ingress and egress over and across the parcel of land described as follows:

COMMENCE at the Southwest corner of Lot 27 of North Dixie Village; thence North 73 degrees 47 minutes 30 seconds West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55 degrees 01 minutes West, 200.0 feet to the POINT OF BEGINNING; thence continue South 55 degrees 01 minutes West, 29.74 feet; thence North 31 degrees 25 minutes 30 seconds West, 278.54 feet; thence North 21 degrees 02 minutes East, 37.55 feet; thence South 31 degrees 25 minutes 30 seconds East, 299.88 feet to the POINT OF BEGINNING.

PARCEL TWO:

A parcel of land being a part of Tract "A", North Dixie Village, being parts of Sections 50, 92 and 94, Township 5 South, Range 29 East, recorded in Map Book 10, page 15 of the public records of St. Johns County, Florida, said parcel of land being more fully described as follows:

Commence at the Southwest corner of Lot 27 of said North Dixie Village; thence North 73°47'30" West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55° 01' West, 229.74 feet; thence North 31°25'30" West, 278.54 feet to the point of beginning; thence continue North 31°25'30" West 48.60 feet; thence South 71°31'05" West, 94.09 feet to the Easterly line of a 30 foot State Road Department Drainage right of way; thence North 04°22'00" West, 112.45 feet along said Easterly line; thence North 03°08'00" East, 75.56 feet along said Easterly line; thence North 19°25'00" East, 6.57 feet along said Easterly line; thence South 39°00'00" East along the lake front 181.5 feet; thence South 31°25'30" East, 45.11 feet; thence South 21°02'00" West, 37.55 feet to the point of beginning.

Also, a non-exclusive easement for ingress and egress over and across the parcel of land described as follows:

Commence at the Southwest corner of Lot 27 of North Dixie Village; thence North 73°47'30" West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55°01' West, 200.0 feet to the point of beginning; thence continue South 55°01' West, 29.74 feet; thence North 31°25'30" West, 278.54 feet; thence North 21°02' East, 37.55 feet; thence South 31°25'30" East, 299.88 feet to the point of beginning.

PARCEL THREE:

A parcel of land being a part of Tract "A", North Dixie Village, being parts of Section 50, 92 and 94, Township 6 South, Range 29 East, recorded in Map Book 10, page 15 of the public records of St. Johns County, Florida, said parcel of land being more fully described as follows:

EXHIBIT A
LEGAL DESCRIPTION/SURVEY
Unleashed Dog Park Rezoning
(Page 2 of 2)

Commence at the Southwest corner of Lot 27 of said North Dixie Village; thence North 73°47'30" West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55° 01' West, 229.74 feet; thence North 31°25'30" West, 140.38 feet to the point of beginning; thence continue North 31°25'30" West, 188.78 feet; thence South 71°31'05" West, 94.09 feet to the Easterly line of a 30 foot State Road Department Drainage right of way; thence South 04°22'00" East, 178.8 feet along said Easterly line to the Southeasterly right of way line for U.S. Highway No. 1 as established for a 200 foot right of way; thence South 38°04'00" East along said Southeasterly right of way line, 130.7 feet; thence North 34°47'40" East, 173.81 feet to the point of beginning.

Also, a non-exclusive easement for ingress and egress over and across the parcel of land described as follows:

Commence at the Southwest corner of Lot 27 of North Dixie Village; thence North 73°47'30" West, 76.99 feet to the Southeast corner of Tract "A" of said North Dixie Village; thence South 55°01' West, 200.0 feet to the point of beginning; Thence continue South 55°01' West, 29.74 feet; thence North 31°25'30" West, 278.54 feet; thence North 21°02' East, 37.55 feet; thence South 31°25'30" East, 299.88 feet to the point of beginning.

PARCEL FOUR:

A parcel of land being a part of Tract "B" NORTH DIXIE VILLAGE, being parts of Section 50, 92 and 94, Township 6 South, Range 29 East, as recorded in Map Book 10, Page 15, of the public records of St. Johns County, Florida, said parcel of land being more fully described as follows:

COMMENCE at the Northwest corner of said Tract "B" of said NORTH DIXIE VILLAGE; thence South 38 degrees 05 minutes East 30.0 feet along the East right of way line of U.S. Highway No. 1 to the POINT OF BEGINNING; thence continue South 38 degrees 05 minutes East, 359.55 feet, more or less, to a point on the Northwest right of way line of an existing drainage ditch; thence North 04 degrees 11 minutes West 287.0 feet along the Northwest right of way line of said drainage ditch; thence North 33 degrees 05 minutes West, 121.3 feet more or less, to a point 30 feet South of the North line of said Tract "B"; thence South 51 degrees 55 minutes West 160.0 feet to the POINT OF BEGINNING.

PARCEL FIVE:

That portion of a 30' drainage Right of Way shown on North Dixie Village as recorded in M.B. 10, Page 15 of the Public Records of St. Johns County, Florida lying immediately adjacent to and southerly of Parcel Four as described above.

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
11th DAY OF April 2022
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



By: Yvonne King Deputy Clerk

THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003398645-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

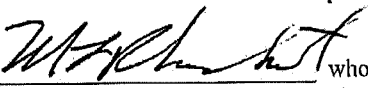
Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Classified in the matter of REZ 2021-32 was published in said newspaper in the issue dated 01/26/2022.

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 JAN 26 2022

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

(Signature of Notary Public)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 2/17/2022 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 4/8/2022 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 2.37 acres of land from Commercial General (CG) with conditions to Commercial Intensive (CI), and a request to rezone approximately 6.23 acres of land from Residential Manufactured Mobile Home (RMH) to Commercial Intensive (CI) to allow for a Dog Park and complementing Food Truck Court.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, GENERAL (CG) WITH CONDITIONS AND RESIDENTIAL, MANUFACTURED/MOBILE HOME (RMH) TO COMMERCIAL, INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 6550 US 1 N, 6580 US 1 N, 100 Round Road, and 104 Round 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 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.

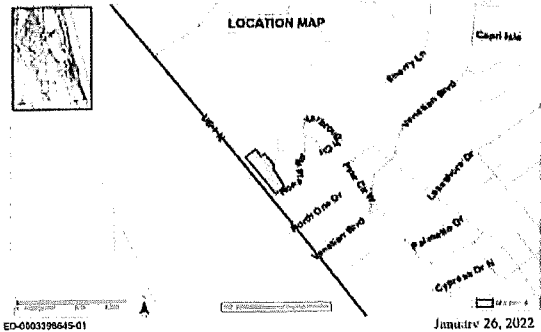
If a person desires to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony 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, 300 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
GREG MATOVINA, CHAIR
FILE NUMBER: REZ-2021-32
PROJECT NAME: Unleashed Dog Park

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
HENRY DEAN, CHAIR



EO-000396645-01

January 26, 2022



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

April 11, 2022

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. 2022-26, which was filed in this office on April 8, 2022.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED APR 08 2022
ST. JOHNS COUNTY
CLERK OF COURT

BY: *Yvonne King*
DEPUTY CLERK