

ORDINANCE NUMBER: 2022 - 01

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, GENERAL (RG-2), SINGLE FAMILY, RESIDENTIAL (RS-3), AND COMMERCIAL, INTENSIVE (CI) TO COMMERCIAL, WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL  
Clerk number 2022093078  
BK: 5643 PG: 665  
10/4/2022 12:28 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 December 30, 2021 in addition to supporting documents and statements from the applicant, which are a part of Zoning File REZ 2021-42 Old Moultrie Flex Space, 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 zoning district of **Commercial, Warehouse (CW)** 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 2021-42 Old Moultrie Flex Space** 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.

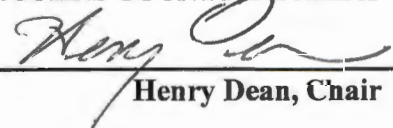
**SECTION 5.** It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

**SECTION 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.

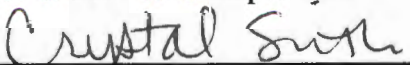
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS** 16th **DAY OF** September **2022.**

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

**BY:**   
**Henry Dean, Chair**

**Rendition Date** SEP 08 2022

**ATTEST: Brandon J. Patty, Clerk of the  
Circuit Court & Comptroller**

**BY:**   
**Deputy Clerk**



**EFFECTIVE DATE:** SEP 12 2022

LEGAL DESCRIPTION

LOTS 8 THROUGH 13, INCLUSIVE, BLOCK 12, AND THE EAST 14.45 FEET OF LOTS 17 AND 18, BLOCK 12, ACCORDING TO THE PLAT RELOCATION OF BLOCKS 3, 4, 6, 8, 11, 12, 15 AND 16 OF THE, ROTHCHILD'S ADDITION, SAID PLAT BEING RECORDED IN DEED BOOK 52, PAGE(S) 143, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. TOGETHER WITH PORTIONS OF THE 12.0 FEET ALLEY, VACATED PER. RESOLUTION PUBLISHED PURSUANT TO SECTION 336.10, FLORIDA STATUTES. LYING BETWEEN THE EAST LINE OF LOT 8, LOT 9 AND LOT 10, BLOCK 12, AND THE WEST LINE OF LOT 13 BLOCK 12, AND THE WEST LINE OF THE EAST 14.45 FEET OF LOT 17 AND LOT 18 BLOCK 12, ROTHCHILD'S ADDITION. TOGETHER WITH THE NORTH 1/2 OF 12.00 FEET ALLEY, VACATED PER. RESOLUTION PUBLISHED PURSUANT TO SECTION 336.10, FLORIDA STATUTES. LYING SOUTH OF THE SOUTH LINE OF LOT 8 BLOCK 12, AND THE SOUTH LINE OF THE EAST 14.50 FEET OF LOT 18, BLOCK 12, SAID DEED BOOK 52, PAGE(S) 143, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. LESS ANY PORTION OF SAID LOTS LYING WITHIN THE RIGHT OF WAY OF OLD MOULTRIE ROAD (A 66 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED)

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 October 2022  
ST. JOHNS COUNTY CLERK OF COURT  
Ex-Officio Clerk of the Board of County Commissioners



By: Crystal Smith, Deputy Clerk

On August 2, 2022, the Board of County Commissioners continued this public hearing to September 6, 2022.

THE ST. AUGUSTINE RECORD  
Affidavit of Publication

**MATTHEWS DESIGN GROUP  
7 WALDO ST**

**SAINT AUGUSTINE, FL 32084**

ACCT: 18641  
AD# 0003416673-01  
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-2021000042 was published in said newspaper in the issue dated 05/26/2022.

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 MAY 26 2022

by *M. Schuch* who is personally known to  
me or who has produced as identification

*Kimberly M Reese*  
(Signature of Notary Public)



Whenever you need to provide your business, we can help. 386.321.3488 | rez@stjohnsfla.com • (904) 812-3422

**NOTICE OF A PROPOSED REZONING**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on 6/16/2022 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 8/2/2022 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 .74 acres of land from Residential, General (RG-2), Single Family, Residential (RS-3), and Commercial Intensive (CI) to Commercial Warehouse (CW) to allow for a flex warehouse space with limited commercial uses and light manufacturing.

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, GENERAL (RG-2), SINGLE FAMILY, RESIDENTIAL (RS-3), AND COMMERCIAL, INTENSIVE (CI) TO COMMERCIAL, WAREHOUSE (CW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

The subject property is Southwest intersection of San Marco Street & Old Moultrie 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 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  
GREG MATOVINA, CHAIR              HENRY DEAN, CHAIR  
FILE NUMBER: REZ-2021000042  
PROJECT NAME: Old Moultrie Flex Space



ED-0003415673-01



## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

September 13, 2022



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

Attention: Crystal Smith

Dear Honorable Brandon Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2022-61, which was filed in this office on September 12, 2022.

Sincerely,

Anya Owens  
Program Administrator

ACO/wlh