

ORDINANCE NUMBER: 2022 - 75

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

Public Records of St. Johns County, FL
Clerk number: 2022103380
BK: 5662 PG: 422
11/8/2022 3:11 PM
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 15, 2022 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2022-09 tag! Children's Museum**, 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 District (MD) as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2022-09** 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. 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.

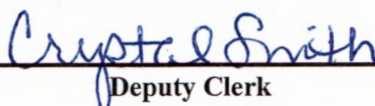
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 1 **DAY OF** November **2022.**

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

BY: 
HENRY DEAN, CHAIR

Rendition Date NOV 07 2022

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

BY: 
Deputy Clerk



EFFECTIVE DATE: NOV 08 2022

REZ 22-09

EXHIBIT "A"

A portion of those lands described in Official Records Book 3757, Page 1474 of said public records, lying in Section 40, Township-7-South, Range-30-East, and being more particularly described as follows:

Commence at the intersection of the Northeasterly right-of-way line of Arapaho Avenue (a variable width right-of-way as now established) with the Easterly right-of-way line of U.S. Highway 1 (a 150 right-of-way as now established); thence along said Northeasterly right-of-way line of Arapaho Avenue the following courses: South 68°21'25" East, 251.47 feet; thence South 53°15'10" West, 8.50 feet; thence South 68°29'21" East, 403.09 feet; thence South 26°52'42" East, 205.14 feet to the Point of Beginning; thence North 63°08'43" East, departing said right-of-way line, 291.11 feet; thence South 26°51'17" East, 638.42 feet to a point on the Southerly line of said lands described in Official Records Book 3757, Page 1474; thence along last said Southerly line the following courses: South 52°47'10" West, 153.03 feet; thence North 37°51'51" West, 149.06 feet; thence South 54°09'18" West, 113.28 feet to its intersection with the aforementioned Northeasterly right-of-way line of Arapaho Avenue; thence North 26°52'42" West, along last said right-of-way line, 537.32 feet to the Point of Beginning.

Containing 4.00 acres, more or less.

Together with and subject to the following:

EASEMENT FOR INGRESS AND EGRESS

A portion of those lands described in Official Records Book 3757, Page 1474 of said public records, lying in Section 40, Township-7-South, Range-30-East, and being more particularly described as follows:

Commence at the intersection of the Northeasterly right-of-way line of Arapaho Avenue (a variable width right-of-way as now established) with the Easterly right-of-way line of U.S. Highway 1 (a 150 right-of-way as now established); thence along said Northeasterly right-of-way line of Arapaho Avenue the following courses: South 68°21'25" East, 251.47 feet; thence South 53°15'10" West, 8.50 feet; thence South 68°29'21" East, 403.09 feet; thence South 26°52'42" East, 205.14 feet; thence South 26°52'42" East, 452.34 feet to the Point of Beginning; thence Northeasterly, departing last said right-of-way line and along the arc of a curve, non-tangent to last described line, concave Southeasterly and having a radius of 832.33 feet, through a central angle of 12°28'27" an arc distance of 181.21 feet to a point of reverse curvature, said curve being subtended by a chord bearing and distance of North 57°59'48" East, 180.86 feet; thence Northeasterly, along the arc of a curve concave Northwesterly and having a radius of 267.58 feet, through a central angle of 24°23'15" an arc distance of 113.89 feet to the end of said curve, said curve being subtended by a chord bearing and distance of North 52°02'25" East, 113.04 feet; thence South 26°35'55" East, non-tangent to last described curve, 28.13 feet to a point on a curve; thence Southwesterly, along the arc of a curve concave Northwesterly and having a radius of 293.58 feet, through a central angle of 22°11'35" an arc distance of 113.72 feet to a point of reverse curvature, said curve being subtended by a chord bearing and distance of South 53°08'14" West, 113.01 feet; thence Southwesterly along the arc of a curve concave Southeasterly and having a radius of 806.33 feet, through a central angle of 12°50'45" an arc distance of 180.78 feet to a point on the aforementioned Northeasterly right-of-way line of

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553740.167

Arapaho Avenue, said curve being subtended by a chord bearing and distance of South 57°48'40" West, 180.40 feet; thence North 26°52'42" West, along last said right-of-way line, 26.54 feet to the Point of Beginning.

Containing 0.18 acres, more or less.

And together with and subject to the following:

POND EASEMENT

A portion of those lands described in Official Records Book 3757, Page 1474 of said public records, lying in Section 40, Township-7-South, Range-30-East, and being more particularly described as follows:

Commence at the intersection of the Northeasterly right-of-way line of Arapaho Avenue (a variable width right-of-way as now established) with the Easterly right-of-way line of U.S. Highway 1 (a 150 right-of-way as now established); thence along said Northeasterly right-of-way line of Arapaho Avenue the following courses: South 68°21'25" East, 251.47 feet; thence South 53°15'10" West, 8.50 feet; thence South 68°29'21" East, 403.09 feet; thence South 26°52'42" East, 205.14 feet; thence North 63°08'43" East, departing said right-of-way line, 72.37 feet to the Point of Beginning; thence North 63°08'43" East, 218.73 feet; thence South 26°51'17" East, 151.89 feet; thence South 74°53'34" West, 28.96 feet; thence North 15°06'26" West, 40.05 feet; thence North 60°06'26" West, 14.13 feet; thence South 74°53'34" West, 151.99 feet; thence North 60°06'26" West, 76.56 feet to the Point of Beginning.

Containing 0.39 acres, more or less.

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

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



By: Crystal Smith, Deputy Clerk

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

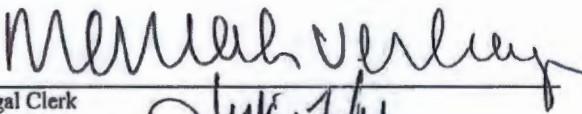
Kim MacEwan
Kim MacEwan
206 Parkside DR
St Augustine FL 32095-6815

STATE OF FLORIDA, COUNTY OF ST JOHNS

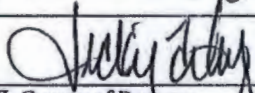
The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

08/19/2022

and that the fees charged are legal.
Sworn to and subscribed before on 08/19/2022



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

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THIS IS NOT AN INVOICE!

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VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **9/15/2022** 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 **11/1/2022** 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 four (4) acres of land from Industrial Warehousing (IW) and Open Rural (OR) to Open Rural (OR) to allow for a non-profit, educational and cultural institution.

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

The subject property is located on Arapaho Ave. 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-2022000009

PROJECT NAME: tagl Children's Museum





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 8, 2022

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, FL 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. 2022-75, which was filed in this office on November 7, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra

