

ORDINANCE NUMBER: 2022 - 82

Public Records of St. Johns County, FL
Clerk number: 2023067446
BK: 5815 PG: 106
8/24/2023 3:17 PM
Recording \$27.00

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

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 May 2, 2022 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2022-15 2890 Hilltop Road**, 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-B as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2022-15** 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.

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 15th DAY OF November 2022.

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

BY: *Henry Pea*
Chair

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

BY: *Robin L. Platt*
Deputy Clerk



NOV 17 2022

Rendition Date: _____

Effective Date: NOV 18 2022

EXHIBIT A

Legal Description for 2890 Hilltop Road, Saint Augustine, FL 32086

A PARCEL OF LAND IN SECTION 2, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING THE SOUTH 200 FEET OF THE NORTH 285.02 FEET OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ SECTION 2 LESS AND EXCEPT ANY PART EAST OF THE EAST LINE OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 2 OR ANY PART WEST OF THE EAST LINE OF HILLTOP ROAD.

MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT A PERMANENT REFERENCE MONUMENT BEING THE NORTHEAST CORNER OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 2; THENCE S 00'52'33" E ALONG FRACTIONAL SECTION LINE, A DISTANCE OF 746.79 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE S 00'52'33" E ALONG SAID FRACTIONAL SECTION LINE, A DISTANCE OF 200.92 FEET; THENCE S 88'45'24" W, A DISTANCE OF 42.92 FEET TO THE EAST LINE OF HILLTOP ROAD (A VARIABLE WIDTH R/W AS NOW ESTABLISHED); THENCE N 25'40'47" W, A DISTANCE OF 56.37 FEET; THENCE N 31'19'39"W, A DISTANCE OF 177.52 FEET; THENCE S 89'46'40" E, A DISTANCE OF 156.57 FEET TO THE POINT OF BEGINNING AND TO CLOSE. BEING 0.45 ACRES APPROXIMATELY.

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

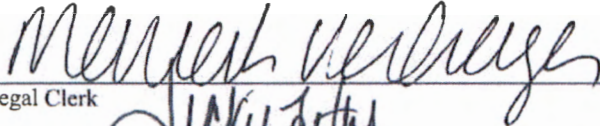
Terry Pacetti
Terri Pacetti
2520 State Road 207
St Augustine FL 32086-9303

STATE OF FLORIDA, COUNTY OF ST JOHNS

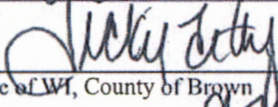
The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's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

09/09/2022

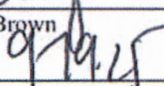
and that the fees charged are legal.
Sworn to and subscribed before on 09/09/2022



Legal Clerk



Notary, State of WI, County of Brown



9/14/25

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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 10/6/2022 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 11/15/2022 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 .73 acres of land from Commercial Highway and Tourist (CHT) 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, HIGHWAY TOURIST (CHT) 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 located at 2890 Hilltop 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.

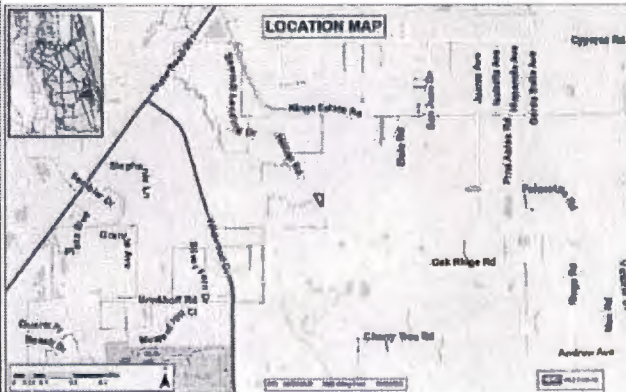
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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
ST. JOHNS COUNTY, FLORIDA	COMMISSIONERS
GREG MATOVINA, CHAIR	ST. JOHNS COUNTY,
FILE NUMBER: REZ-202200015	FLORIDA
PROJECT NAME: 2890 Hilltop Road	HENRY DEAN, CHAIR





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 28, 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. 2022-82, which was filed in this office on November 18, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra

