

ORDINANCE NUMBER: 2023 - 12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY AND TOURIST (CHT) TO COMMERCIAL INTENSIVE (CI); 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 September 27, 2022 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2022-26 Continental Truck Service 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 **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 the St. Johns County Land Development Code.
4. The zone district of **Commercial Intensive (CI)** 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 2022-26** 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 4th DAY OF April 2023.

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

BY: 
Christian Whitehurst, Chair

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

BY: 
Deputy Clerk

Rendition Date APR 04 2023



EFFECTIVE DATE: APR 05 2023

EXHIBIT A

LEGAL DESCRIPTION

THAT CERTAIN TRACT OR PARCEL OF LAND, BEING PART OF SECTION 2, TOWNSHIP 9 SOUTH, RANGE 29 EAST, SAINT JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A 4"x4" CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE SOUTH 89°42'20" WEST, ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 578.46 FEET TO THE WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95); THENCE NORTH 19°06'52" WEST, ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95), A DISTANCE OF 1010.55 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "FLA. D.O.T."; THENCE NORTH 27°28'41" WEST, STILL ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95), A DISTANCE OF 636.03 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 7397" AND THE POINT OF BEGINNING; THENCE SOUTH 64°52'17" WEST, LEAVING SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95), A DISTANCE OF 562.67 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 6979"; THENCE NORTH 25°07'46" WEST, A DISTANCE OF 364.05 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 6979"; THENCE SOUTH 85°31'52" WEST, A DISTANCE OF 110.24 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 6979"; THENCE NORTH 25°10'13" WEST, A DISTANCE OF 62.00 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 6979" ON THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 640, PAGE 145 OF THE PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA; THENCE NORTH 64°51'36" EAST, ALONG SAID SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 640, PAGE 145, A DISTANCE OF 646.79 FEET TO A 1/2" IRON PIPE WITH CAP STAMPED "LB 7397" ON THE AFOREMENTIONED WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95); THENCE SOUTH 27°28'41" EAST, ALONG SAID WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (I-95), A DISTANCE OF 465.47 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 6.10 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

10 DAY OF April 20 23
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners



By: Cystal Smith Deputy Clerk

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marie Colee
Matthews Design Group
7 Waldo St

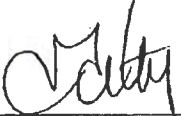
Saint Augustine FL 32084

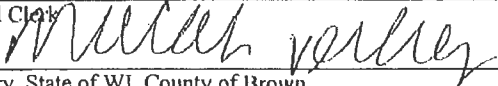
STATE OF FLORIDA, COUNTY OF ST JOHNS

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:

01/24/2023

and that the fees charged are legal.
Sworn to and subscribed before on 01/24/2023



Legal Clerk


Notary, State of WI, County of Brown
8-25-26

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MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 2/16/2023 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 4/4/2023 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 6.1 acres of land from Commercial Highway and Tourist (CHT) to Commercial Intensive (CI).

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY AND TOURIST (CHT) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is 985 State Road 206 W. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Division 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.

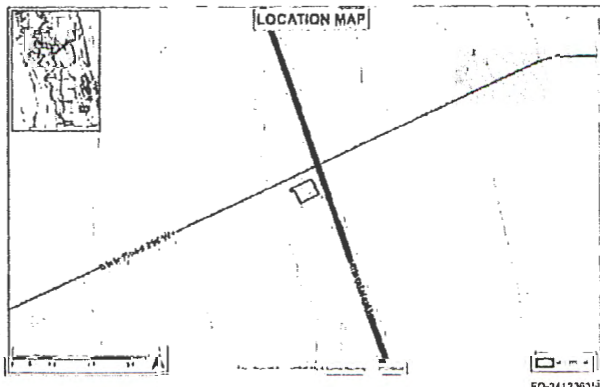
This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

Notice to persons needing special accommodations and to all hearing-impaired persons: In accordance with the Americans 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 visit St Johns County Facilities Management 2416 Dobbs Rd 32086, no later than 5 days prior to the date of this meeting. Hearing impaired persons, call Florida Relay Services (1-800-955-8770).

PLANNING AND ZONING AGENCY	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
GREG MATOVINA, CHAIR	CHRISTIAN WHITEHURST, CHAIR
FILE NUMBER: REZ-2022000026	
PROJECT NAME: Continental Truck Service Rezoning	

OrderNumber 8335066

Published January 24, 2023



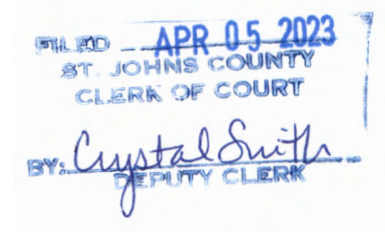


FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 6, 2023



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. 2023-12, which was filed in this office on April 5, 2023.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh