

ORDINANCE NUMBER: 2023 - 32

Public Records of St. Johns County, FL
Clerk number 2023067256
BK: 5814 PG: 1371
8/24/2023 10:44 AM
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 OPEN RURAL (OR) 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 March 3, 2023 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2023-05 Strickland Oil Brothers**, 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) with conditions** 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) with conditions** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial Intensive (CI) with conditions** is consistent with the land uses allowed in the land use designation of **Mixed Use (MU)** as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2023-01 Strickland Oil Brothers** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI) with conditions

SECTION 3. Development of the land shall be subject to the following condition:

1. The applicant waived any right to develop the property pursuant to the Live Local Act, Chapter 2023-17, Laws of Florida, and any subsequent amendments as a condition of this rezoning approval.

SECTION 4. 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 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 take effect upon receipt by the Secretary of State.

SECTION 7. 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 8. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

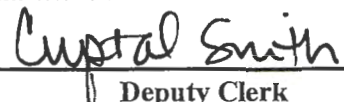
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 15th DAY OF August 2023.

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

BY: 
CHAIR

Rendition Date AUG 17 2023

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

BY: 
Deputy Clerk



Effective Date: AUG 18 2023

Legal Description

The following property is in St. Johns County:

A parcel of land in the Daniel Hurlbert Grant, Section 47, Township 7 South, Range 29 East, St. Johns County, Florida, being more fully described as: Beginning at the Southeast corner post of Daniel Hurlbert Grant, Section 47, Township 7 South, Range 29 East, (on the right of way of St. Augustine-Hastings brick road); thence North 30° West 840 feet, more or less, to a post

on the South line of Lot 14, F.N. HOLMES SUBDIVISION; thence West 61 feet, more or less, to the East side of HOLMES Boulevard (a fifty foot right-of-way); thence South 19° 52' East 834 feet, more or less, along Holmes Boulevard East line to the South line of the Daniel Hurlbert Grant; thence along the South line of the Daniel Hurlbert Grant North 74° East, 206 feet, more or less, to the Point of Beginning, EXCEPTING any part thereof lying within the right-of-way of State Road No. 207 ALSO EXCEPTING that part previously conveyed to St. Augustine and St. Johns County Industrial Development Corporation by Quit Claim Deed dated January 20, 1966 and recorded January 20, 1966 in Official Records Book 81, Page 680, Public Records of St. Johns County, Florida.

FURTHER EXCEPTING that part previously conveyed to Bernice

M. Prince, Jr. by Warranty Deed dated July 6th 1983 and recorded

July 25th, 1983 in Official Records Book 595, Page 606, and as Corrected in O.R. Book 614, Page 762, Public Records of St. Johns County, Florida.

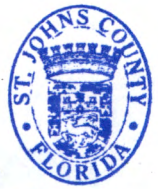
ALSO LESS AND EXCEPT that part described as Parcel 143 in O.R. Book 1132, Page 999, Public Records of St. Johns County, Florida,

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

26th DAY OF August 2023

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

Evan Furch
AVID Group
1337 S International PKWY # 1311
Lake Mary FL 32746-1402

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

05/23/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/23/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$239.60
Order No: 8846246 # of Copies:
Customer No: 952154 1
PO #: EZ 2023-05 Strickland Oil Brothers

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 6/15/2023 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 8/15/2023 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 .86 acres of land from Open Rural (OR) 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 OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 980 S. Holmes Blvd. 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.

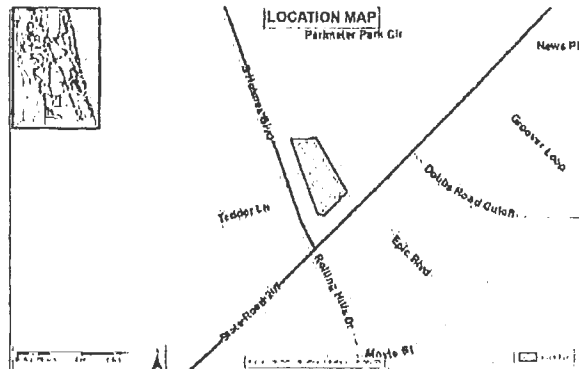
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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 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 St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL, 32086. 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-2023000005
PROJECT NAME: Strickland Oil Brothers
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CHRISTIAN WHITEHURST, CHAIR





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

August 18, 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 County Ordinance No. 2023-32, which was filed in this office on August 18, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

FILED **AUG 18 2023**
St. Johns County
Clerk of Court

By: Crystal Smith
Deputy Clerk