

ORDINANCE NUMBER: 2023 - 41

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI) WITH CONDITIONS; 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 April 17, 2023 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2023-07 Airport One Parcel 2**, 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 2023-07 Airport One Parcel 2** 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 conditions:

1. Proposed uses on the subject property will be limited to Recreational Vehicle/Boat Storage, Personal Property/Mini Warehousing, in addition to those uses allowed within the Office and Professional Services, Neighborhood Business and Commercial, and General Business and Commercial Use Categories prescribed in Section 2.02.01.D, E, and M of the Land Development Code. All other Use Categories permitted within the Commercial Intensive (CI) Zoning District will be prohibited on the subject property.

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 scriveners 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.

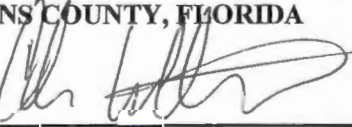
SECTION 7. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

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 5th DAY OF September 2023.

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

BY: _____

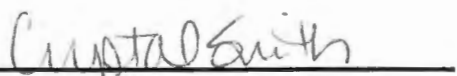


Christian Whitehurst, Chair

Rendition Date SEP 06 2023

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

BY: _____


Deputy Clerk

EFFECTIVE DATE: SEP 07 2023

LEGAL DESCRIPTION



DATE: 04/03/2023
PROJECT NAME: SUMMERLIN PARCELS
PROJECT NO: 22-0225:20
DESCRIPTION FOR: SUMMERLIN PARCEL 2

PARCEL 2:

A PARCEL OF LAND SITUATED IN SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2617, PAGE 1187 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 51, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF SAID COUNTY; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 51, A DISTANCE OF 1438.80 FEET TO THE OLD EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, SAID LINE BEING PARALLEL TO AND 150 FEET EAST OF THE CENTERLINE OF THE MAIN TRACKS OF THE FLORIDA EAST COAST RAILWAY; THENCE NORTH 38 DEGREES 05 MINUTES 00 SECONDS WEST ALONG SAID OLD EAST RIGHT-OF-WAY LINE, A DISTANCE OF 672.41 FEET; THENCE NORTH 51 DEGREES 55 MINUTES 00 SECONDS EAST, A DISTANCE OF 51.50 FEET TO THE CURRENT EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 1; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, NORTH 51 DEGREES 52 MINUTES 47 SECONDS EAST, ALONG THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1821, PAGE 1281, OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, A DISTANCE OF 250.44 FEET TO THE POINT OF BEGINNING: THENCE DEPARTING SAID NORTH LINE, NORTH 38 DEGREES 14 MINUTES 10 SECONDS WEST, A DISTANCE OF 42.05 FEET; THENCE NORTH 79 DEGREES 11 MINUTES 56 SECONDS WEST, A DISTANCE OF 57.48 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5543, PAGE 877; THENCE ALONG THE NORTHEASTERLY PROLONGATION OF THE NORTH LINE OF SAID LANDS, NORTH 11 DEGREES 49 MINUTES 29 SECONDS EAST, A DISTANCE OF 34.43 FEET; THENCE NORTH 30 DEGREES 11 MINUTES 35 SECONDS WEST, A DISTANCE OF 87.37 FEET TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 595, PAGE 735 OF SAID PUBLIC RECORDS; THENCE NORTH 51 DEGREES 47 MINUTES 58 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 260.71 FEET TO THE INTERSECTION WITH THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1446, PAGE 1108 OF SAID PUBLIC RECORDS; THENCE SOUTH 30 DEGREES 11 MINUTES 35 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 196.31 FEET TO THE NORTH LINE OF LOT 6, COASTAL VILLAGE, AS RECORDED IN MAP BOOK 91, PAGES 31-32 OF SAID PUBLIC RECORDS; THENCE SOUTH 51 DEGREES 52 MINUTES 47 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 6, AND ALONG THE AFOREMENTIONED NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1821, PAGE 1281, OF SAID PUBLIC RECORDS, A DISTANCE OF 234.19 FEET TO THE POINT OF BEGINNING.

LANDS DESCRIBED CONTAINING 1.15 ACRES, MORE OR LESS.

ALL AS SHOWN ON THE MAP
ATTACHED HERewith AND MADE
A PART HEREOF

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

17th DAY OF September 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

Michael Antonopoulos
MCS Development Corporation
228 Clatter Bridge RD
Ponte Vedra FL 32081-4369

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 Classified 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:

06/27/2023

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 06/27/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$326.40	
Order No:	8969480	# of Copies:
Customer No:	957100	1
PO #:		

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 7/20/2023 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 9/5/2023 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 1.15 acres of land from Commercial General (CG) 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 GENERAL (CG) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 5860 US 1 North. 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.

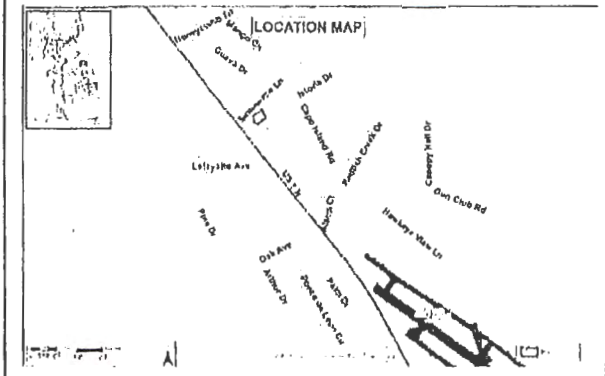
This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written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

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
CHRISTIAN WHITEHURST, CHAIR

FILE NUMBER: REZ-2023000007
PROJECT NAME: Airport One Parcel 2



ED-00000000



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 7, 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. 2023-41, which was filed in this office on September 7, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

