

ORDINANCE NUMBER: 2023 - 8

Public Records of St. Johns County, FL
Clerk number: 2023016292
BK: 5718 PG: 79
3/3/2023 10:43 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 INDUSTRIAL WAREHOUSING (IW) AND RESIDENTIAL, SINGLE-FAMILY (RS-3) TO RESIDENTIAL, SINGLE-FAMILY (RS-3); 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 19, 2022 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2022-27 3766 Old Lewis Speedway**, 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, Single-Family (RS-3)** 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, Single-Family (RS-3)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Residential, Single-Family (RS-3)** is consistent with the land uses allowed in the land use designation of **Residential-B (Res-B)** as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2022-27** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Residential, Single-Family (RS-3).

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 21st DAY OF February 2023.

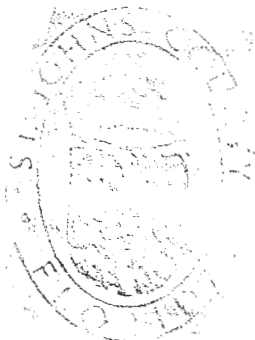
**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
Christian Whitehurst, Chair

Rendition Date FEB 21 2023

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

BY: 
Deputy Clerk



EFFECTIVE DATE: FEB 22 2023

Exhibit A: Legal Description

OFFICIAL RECORDS BOOK 1840 PAGE 1862

ALL OF LOTS 6 THROUGH 10 AND LOT 5, BLOCK 7, OF NAVARA PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 143 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

LESS AND EXCEPT:

COMMENCE AT A COQUINA MONUMENT MARKING THE SOUTHWEST CORNER OF SAID BLOCK 7; THENCE NORTH 00 DEGREES 13 MINUTES 53 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 106.55 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD LEWIS SPEEDWAY ROAD, (A 66 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 81 DEGREES 39 MINUTES 37 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT -OF-WAY LINE, A DISTANCE OF 124.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 81 DEGREES 39 MINUTES 37 SECONDS EAST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 07 DEGREES 58 MINUTES 31 SECONDS EAST, DEPARTING FROM SAID RIGHT-OF-WAY LINE, A DISTANCE OF 138.81 FEET TO A CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 16-A (AN 80 FOOT WIDE RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0 DEGREES 25 MINUTES 06 SECONDS, A CHORD BEARING AND DISTANCE OF SOUTH 45 DEGREES 38 MINUTES 52 SECONDS WEST, 8.39 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST, A DISTANCE OF 133.10 FEET; THENCE NORTH 07 DEGREES 57 MINUTES 20 SECONDS WEST, A DISTANCE OF 125.67 FEET TO THE POINT OF BEGINNING.

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
2nd DAY OF March 2023
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners
By: Robert L. Pratt, Deputy Clerk



LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Joseph Schonder
Joseph L. Schonder
Joseph L. Schonder
3777 Old Lewis Speedway
St Augustine FL 32084-8621

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:

12/20/2022

and that the fees charged are legal.
Sworn to and subscribed before on 12/20/2022

Legal Clerk _____
[Signature]
Notary, State of WI, County of Brown _____
[Signature]
My commission expires *01/30/2025*

Publication Cost: \$326.40
Order No: 8204986 # of Copies:
Customer No: 886739 0
PO #: REZ 2022-27

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 1/19/2023 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 2/21/2023 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 0.4 acres of land from Industrial Warehouse (IW) and Residential, Single-Family (RS-3) to Residential, Single-Family (RS-3) to allow for a single family residence.

JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WAREHOUSING (IW) AND RESIDENTIAL, SINGLE-FAMILY (RS-3) TO RESIDENTIAL, SINGLE-FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 3766 Old Lewis Speedway. 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.

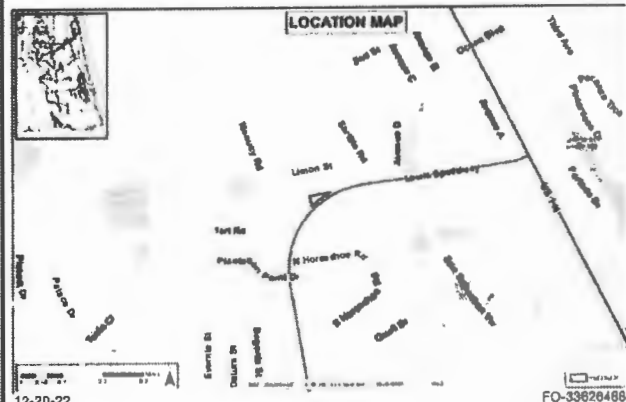
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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 visit St. Johns County Facilities Management at 2416 Dobbs Road, 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-202200027 PROJECT NAME: 3766 Old Lewis Speedway (073520-0060)	BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA CHRISTIAN WHITEHURST, CHAIR
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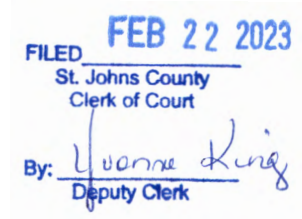


FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 22, 2023



Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

Attention: Yvonne King

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. 2023-8, which was filed in this office on February 22, 2023.

Sincerely,

Anya Owens
Program Administrator

ACO/rra