ORDINANCE NUMBER: 2024 - 16

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED RURAL DEVELOPMENT (PRD) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL Clerk number: 2024029756 BK: 5935 PG: 396 4/19/2024 4:42 PM Recording \$44.00

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 November 17, 2023 in addition to supporting documents and statements from the applicant, which are a part of Zoning File REZ 2023-25 Steely Residence, 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 Open Rural (OR) 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 Open Rural (OR) is consistent with the St. Johns County Land Development Code.
- 4. The zone district of **Open Rural (OR)** is consistent with the land uses allowed in the land use designation of Rural Silviculture (R/S) as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2023-25 Steely Residence the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Open Rural (OR)

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 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 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 2ND DAY OF APRIL, 2024.

OF ST. JOHN'S COUNTY, FLORIDA BY:
Sarah Arnold, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

BY: Crystal Suth

RENDITION DATE: ___

EFFECTIVE DATE: APR 08 2024

PARCEL A

COMMENCING AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 27 EAST; THENCE SOUTH 00° 43' 30" EAST ALONG THE EAST LINE OF SAID SECTION 26 A DISTANCE OF 3028.24 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE ALONG THE AFOREMENTIONED SECTION LINE SOUTH 00° 43' 30" EAST A DISTANCE OF 331.76 FEET TO THE SOUTH LINE OF THE NORTH 20 ACRES OF GOVERNMENT LOT 9; THENCE SOUTH 88° 45' 18" WEST ALONG THE SOUTH LINE OF THE NORTH 20 ACRES OF GOVERNMENT LOT 9; A DISTANCE OF 1319.65 FEET TO THE SOUTHWEST CORNER OF THE NORTH 20 ACRES OF GOVERNMENT LOT 9; THENCE NORTH 00° 43'30" WEST, ALONG THE WEST LINE GOVERNMENT LOT 9, A DISTANCE OF 226.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13; THENCE NORTH 47° 19' 55" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 98.86 FEET, TO THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1951, PAGE 1650; THENCE DEPARTING AFOREMENTIONED RIGHT OF WAY LINE, NORTH 88° 45' 18" EAST, AND ALONG THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1951, PAGE 1650, A DISTANCE OF 1246.11 FEET TO THE POINT OF BEGINNING.

PARCEL B

COMMENCING AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 27 EAST; THENCE SOUTH 00° 43' 30" EAST ALONG THE EAST LINE OF SECTION 26, 1320.47 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4; THENCE DEPARTING AFOREMENTIONED SECTION LINE RUN SOUTH 89° 09' 56" WEST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4, 256.94 FEET TO THE WESTERLY RIGHT OF WAY LINE FOR COUNTY ROAD NO. 13 AND TO A POINT ON A CIRCULAR CURVE TO THE RIGHT WHOSE ELEMENTS ARE: DELTA IS 01° 53' 49", RADIUS IS 1835.08 FEET (150.00 FOOT WIDTH) SAID POINT OF CURVATURE BEING THE POINT OF BEGINNING OF FOLLOWING DESCRIBED PARCEL OF LAND: THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 60.75 FEET, BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 05° 19' 02" WEST, 60.75 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE SOUTH 83° 44° 03" EAST A DISTANCE OF 25.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 (100.00 FOOT WIDTH); THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE CIRCULAR CURVE TO THE RIGHT WHOSE ELEMENTS ARE: DELTA IS 41° 03' S8" RADIUS IS 1860.08 FEET, THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 1333.19 FEET, BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF 1304.84 FEET; TO A POINT OF TANGENCY; THENCE CONTINUE ALONG THE AFOREMENTIONED RIGHT OF WAY LINE SOUTH 47° 19' 55" WEST 150.69 FEET TO THE NORTH LINE OF GOVERNMENT LOT 9; THENCE DEPARTING AFOREMENTIONED RIGHT OF WAY LINE RUN SOUTH 89° 09' 56" WEST, AND ALONG THE NORTH LINE OF GOVERNMENT LOTS 9 AND 10, A DISTANCE OF 1026.40 FEET, TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE NORTH 00° 43' 30" WEST, ALONG SAID WEST LINE, A DISTANCE OF 909.14 FEET, TO THE CENTERLINE OF TOCOI CREEK; THENCE ALONG SAID CENTERLINE, RUN THE FOLLOWING 4 COURSES: NORTH 50° 21' 03" EAST, 198.92 FEET; THENCE NORTH 40° 23' 00 EAST, 155.56 FEET; THENCE NORTH 58° 39' 14" EAST, 184.97 FEET; THENCE NORTH 32° 32' 11 EAST, 90.11 FEET TO THE INTERSECTION OF THE CENTERLINE OF TOCOL CREEK AND THE NORTH LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE NORTH 89° 09' 56" EAST, ALONG THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1257.43 FEET; TO THE POINT OF BEGINNING OF HERE WITHIN DESCRIBED.

PARCEL C

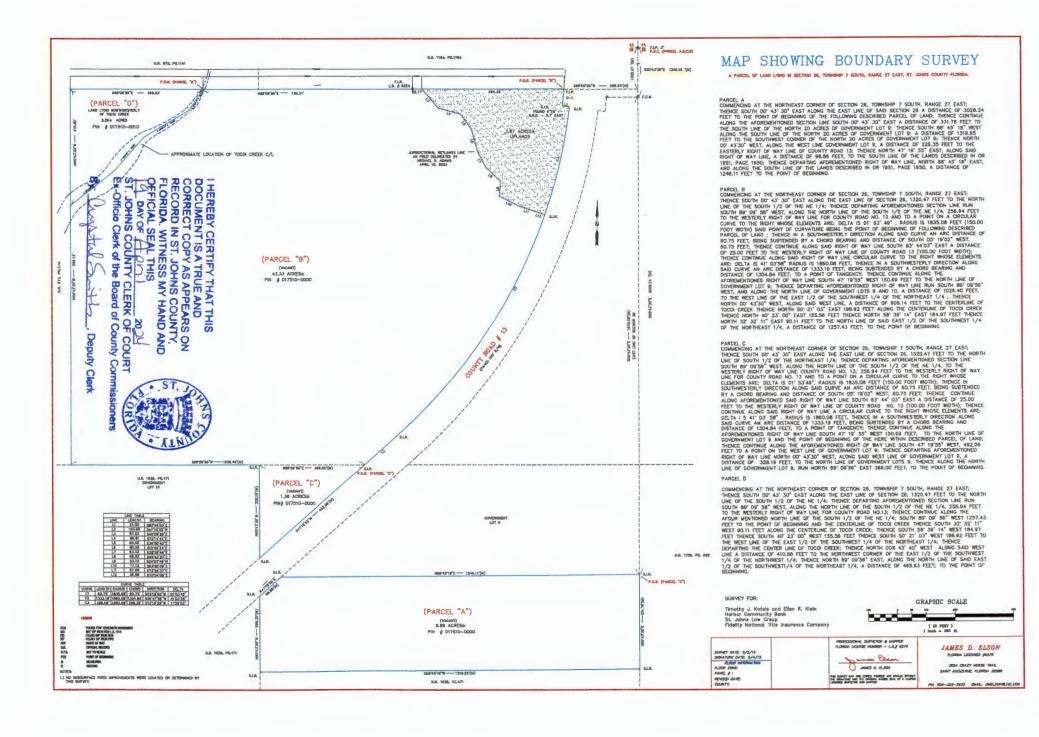
COMMENCING AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 27 EAST; THENCE SOUTH 00° 43' 30" EAST ALONG THE EAST LINE OF SECTION 26, 1320.47 FEET TO THE NORTH LINE OF SOUTH 1/2 OF THE NORTHEAST 1/4; THENCE DEPARTING AFOREMENTIONED SECTION LINE SOUTH 89° 09' 56" WEST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4, TO THE WESTERLY RIGHT OF WAY LINE COUNTY ROAD NO. 13; 256.94 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 AND TO A POINT ON A CIRCULAR CURVE TO THE RIGHT WHOSE ELEMENTS ARE: DELTA IS 01° 53' 49", RADIUS IS 1835.08 FEET (150.00 FOOT WIDTH); THENCE IN SOUTHWESTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 60.75 FEET, BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 05° 19' 02" WEST, 60.75 FEET; THENCE CONTINUE ALONG AFOREMENTIONED SAID RIGHT OF WAY LINE SOUTH 83° 44' 03" EAST A DISTANCE OF 25.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 (100.00 FOOT WIDTH); THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE A CIRCULAR CURVE TO THE RIGHT WHOSE ELEMENTS ARE: DELTA IS 41° 03' 58". RADIUS IS 1860.08 FEET, THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 1333.19 FEET, BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF 1304.84 FEET; TO A POINT OF TANGENCY; THENCE CONTINUE ALONG THE AFOREMENTIONED RIGHT OF WAY LINE SOUTH 47° 19' 55" WEST 150.69 FEET; TO THE NORTH LINE OF GOVERNMENT LOT 9 AND THE POINT OF BEGINNING OF THE HERE WITHIN DESCRIBED PARCEL OF LAND: THENCE CONTINUE ALONG THE AFOREMENTIONED RIGHT OF WAY LINE SOUTH 47° 19' 55" WEST, 492.06 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 9; THENCE DEPARTING AFOREMENTIONED RIGHT OF WAY LINE NORTH 00° 43' 30" WEST, ALONG SAID WEST LINE OF GOVERNMENT LOT 9, A DISTANCE OF 328.19 FEET, TO THE NORTH LINE OF GOVERNMENT LOT 9; THENCE ALONG THE NORTH LINE OF GOVERNMENT LOT 9, RUN NORTH 89° 09' 56" EAST 366.00 FEET, TO THE POINT OF BEGINNING.

Parcel ID Number: 017510-0000

PARCEL D

COMMENCING AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 27 EAST; THENCE SOUTH 00° 43' 30" EAST ALONG THE EAST LINE OF SECTION 26, 1320.47 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4; THENCE DEPARTING AFOREMENTIONED SECTION LINE RUN SOUTH 89° 09' 56" WEST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4, 256.94 FEET TO THE WESTERLY RIGHT OF WAY LINE FOR COUNTY ROAD NO. 13; THENCE CONTINUE ALONG THE AFOREMENTIONED NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4, SOUTH 89° 09' 56" WEST, 1257.43 FEET TO THE POINT OF BEGINNING AND THE CENTERLINE OF TOCOI CREEK; THENCE RUN ALONG THE CENTERLINE OF TOCOI CREEK THE FOLLOWING 4 COURSES: SOUTH 32° 32' 11" WEST, 90.11 FEET; THENCE SOUTH 58° 39' 14" WEST, 184.97 FEET; THENCE SOUTH 40° 23' 00" WEST, 155.56 FEET; THENCE SOUTH 50° 21' 03" WEST, 198.92 FEET TO THE INTERSECTION OF SAID CENTERLINE OF TOCOI CREEK WITH THE WEST: LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE NORTH 00° 43' 40" WEST, ALONG SAID WEST LINE, A DISTANCE OF 410.86 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST; THENCE NORTH 89° 09' 56" EAST, ALONG THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST; THENCE NORTH 89° 09' 56" EAST, ALONG THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST; 1/4, A DISTANCE OF 465.63 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 017510-0010





FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

William Steely William Steely William Steely 2878 Adams RD St Augustine FL 32092-8950

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:

01/24/2024

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 01/24/2024

Legal Clerk

Notary, State of WI, County of Brown

8.15.28

My commision expires

Publication Cost: \$326.40

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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 2/15/2024 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 4/2/2024 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 56 acres of land from Planned Rural Development (PRD) to Open Rural (OR).

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAPTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED RURAL DEVELOPMENT (PRD) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at County Road 13 North, north of Tocoi 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 bearing. 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 Plauning 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, 40 to 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.

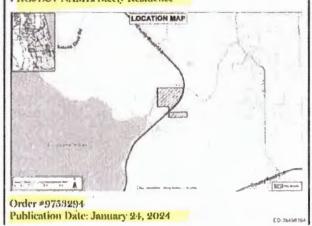
PLANNING AND ZONING AGENCY

ST. JOHNS COUNTY, FLORIDA

MEAGAN PERKINS, CHAIR

BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA SARAH ARNOLD, CHAIR

FILE NUMBER: REZ-2025000025 PROJECT NAME: Steely Residence





RON DESANTIS

Governor

CORD BYRDSecretary of State

April 8, 2024

Honorable Brandon Patty Clerk of Courts St. Johns County 500 San Sebastian View St. Augustine, FL 32084 APR 0 8 2024

St. Jehns County
Clerk of Court

By: Deputy Clerk

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. 2024-16, which was filed in this office on April 8, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh