

ORDINANCE NUMBER: 2024 - 27

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 HIGHWAY TOURIST (CHT) 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 November 15, 2023 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2023-24 Contentment Park**, 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 Highway Tourist (CHT) 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 Highway Tourist (CHT) with conditions** is consistent with the St. Johns County Land Development Code.
4. The zoning district of **Commercial Highway Tourist (CHT) with conditions** 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 2023-24 Contentment Park**, the zoning classification of the lands described within the attached legal descriptions, Exhibit "A",

is hereby changed to Commercial Highway Tourist (CHT) 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.
2. The applicant will provide a 20-foot buffer along the portions of the parcels identified as 136110-0070 and 136110-0080 that front on State Road 207. These buffers will meet screening standard "B" as provided in LDC Section 6.06.04.B.4 along the frontage of State Road 207 across both parcels.

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.

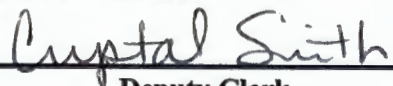
SECTION 7. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 21st DAY OF May 2024.

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

BY: 
Sarah S. Arnold, Chair

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

BY: 
Deputy Clerk

EFFECTIVE DATE: MAY 23 2024



EXHIBIT A
LEGAL DESCRIPTION/SURVEY
Contentment Park Rezoning

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, CONTAINING 2.0661 ACRES, MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER OF SECTION 3; THENCE NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST, ON THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 35.90 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST, ON SAID SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 345.55 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 55 SECONDS EAST 813.00 FEET TO THE POINT OF A CURVE TO THE LEFT WITH A RADIUS OF 140.00 FEET; THENCE ON SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 52 DEGREES 59 MINUTES 00 SECONDS, AN ARC DISTANCE OF 129.46 FEET; THENCE SOUTH 53 DEGREES 30 MINUTES 55 SECONDS EAST, TANGENT TO SAID CURVE, 33.05 FEET; THENCE SOUTH 36 DEGREES 20 MINUTES 05 SECONDS WEST 600.00 FEET; THENCE NORTH 53 DEGREES 30 MINUTES 55 SECONDS WEST 117.28 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 28 SECONDS EAST, ON THE EAST LINE OF AN EASEMENT FOR INGRESS AND EGRESS, 1,353.42 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THOSE CERTAIN LANDS DESCRIBED AS PARCEL NUMBER 130 AS SHOWN ON THE THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NUMBER 207 SECTION NUMBER 78050-2516 WITH A REVISED MAP DATE OF FEBRUARY 03, 2016, AND ALSO BEING DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1103, PAGE 571, OF THE 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

24 DAY OF May 2024
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

Karen M Taylor
Karen M Taylor
77 Saragossa St

Saint Augustine FL 32084

STATE OF WISCONSIN, COUNTY OF BROWN

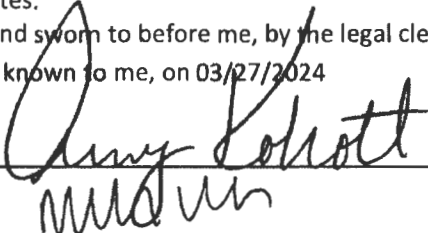
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Classified Legal CLEGL, was published on the publicly accessible website of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

03/27/2024

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 03/27/2024

Legal Clerk



Notary, State of WI, County of Brown

8.25.26

My commission 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 4/18/2024 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 5/21/2024 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 3.87 acres of land from Open Rural (OR) to Commercial Highway Tourist (CHT.)

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 HIGHWAY TOURIST (CHT); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.



The subject property is located at North of SR 207 between Resort Way and the National Guard property. 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
MEAGAN PERKINS, CHAIR
FILE NUMBER: REZ-2023000024
PROJECT NAME: Contentment Park

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



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 24, 2024

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

FILED **MAY 23 2024**
St. Johns County
Clerk of Court

By: Crystal Smith
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. 2024-27, which was filed in this office on May 23, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh