

ORDINANCE NUMBER: 2026 - 1

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL NEIGHBORHOOD (CN) TO COMMERCIAL HIGHWAY AND TOURIST WAREHOUSE (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 July 9, 2025, in addition to supporting documents and statements from the applicant, which are a part of Zoning File **REZ 2025-11 Nothing Putt Fun**, 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 and 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 and Tourist (CHT) with conditions** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial Highway and Tourist (CHT) with conditions** is consistent with the land uses allowed in the Future Land Use Map designation of Mixed Use District, as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2025-11 Nothing Putt Fun** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Highway and Tourist (CHT) with conditions

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

1. The applicant has 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. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 6. 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 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 20th DAY OF January 2026.

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

BY: Clay Murphy
Clay Murphy, Chair

Re rendition Date JAN 20 2026

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

BY: Crystal Smith
Deputy Clerk



EFFECTIVE DATE: JAN 27 2026

EXHIBIT A

Legal Description

BEING A PORTION OF THE SOUTH 2/3 OF THE REUBEN CHARLES GRANT, BEING A PART OF SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH MARKS THE INTERSECTION OF THE NORTH LINE OF THE PROPERTY OF HENRY KATNACK AS DESCRIBED IN DEED RECORDED IN DEED BOOK 177, PAGE 139, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE RUN SOUTH ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 300 FEET, THENCE RUN EASTERLY ON A LINE PARALLEL WITH THE AFORESAID NORTH LINE OF SAID HENRY KATNACK 225 FEET; THENCE RUN NORTH AT RIGHT ANGLES TO THE LAST LINE AFORESAID 300 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF HENRY KATNACK; THENCE RUN WESTERLY ALONG HENRY KATNACK'S NORTH LINE 315 FEET MORE OR LESS TO THE POINT OF BEGINNING. THIS CONVEYANCE INCLUDES ONE (1) 1971 ALLENDALE MOBILE HOME LOCATED THEREOF.

LESS AND EXCEPT THAT PART TAKEN FOR ROAD RIGHT-OF-WAY PURPOSES DESCRIBED IN DEED BOOK 228, PAGE 267, AS: A STRIP OF LAND 50 FEET WIDE EAST OF AND ADJACENT TO THE PRESENT EXISTING RIGHT OF WAY OF WAY OF STATE ROAD 5, BEING THAT PART OF:

THE SOUTH 2/3 OF THE REUBEN CHARLES GRANT, SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST, LYING EASTERLY OF AND WITHIN 68 FEET OF THE SURVEY LINE OF STATE ROAD 5, SECTION 7802.10, SAID SURVEY LINE BEING DESCRIBED WITH REFERENCE TO SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST AT A POINT 1781.32 FEET EASTERLY FROM A CYPRESS POST MARKING THE SOUTHWEST CORNER OF SAID SECTION 45 AND FROM SAID POINT RUN THENCE NORTH 38 DEGREES 04 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 1009.19 FEET TO THE NORTH LINE OF SAID SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST AT A POINT 1086.39 FEET EASTERLY FROM THE NORTHWEST CORNER OF SECTION 45.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND RESERVATIONS OF RECORD, IF ANY; HOWEVER, THIS REFERENCE DOES NOT OPERATE TO REIMPOSE SAME; SUBJECT TO ZONING ORDINANCES THAT MAY AFFECT SUBJECT PROPERTY; SUBJECT TO TAXES FOR THE YEAR 2020 AND SUBSEQUENT YEARS.

THE GRANTOR WARRANTS THAT THE DESCRIBED PROPERTY IS NOT THE GRANTORS HOMESTEAD AS THAT TERM IS DEFINED PURSUANT TO ARTICLE X, SECTION 4, CONSTITUTION OF THE STATE OF FLORIDA BECAUSE NEITHER THE GRANTOR NOR ANY DEPENDENTS OF THE GRANTOR RESIDE ON THE ABOVE REAL PROPERTY OR UPON ANY REAL PROPERTY CONTIGUOUS THERETO.

THAT CERTAIN PIECE, PARCEL; OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE COUNTY OF ST. JOHNS AND STATE OF FLORIDA, KNOWN AND DESCRIBED AS: PART OF THE NORTH 1/3 OF THE RUBIN CHARLES GRANT, SECTION 45, TOWNSHIP 6 SOUTH, RANGE 29 EAST: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF SAID GRANT WITH THE EAST LINE RIGHT OF WAY OF U.S. NO. 1 (ALSO KNOWN AS STATE ROAD NO. 5); RUN EASTERLY ALONG THE NORTH LINE OF SAID GRANT 400 FEET TO A POINT; RUN THENCE SOUTHEASTERLY PARALLEL TO THE EAST RIGHT OF WAY LINE OF U.S. NO. 1, 330 FEET MORE OR LESS TO THE NORTH LINE OF PROPERTY OF HENRY KATNACK; RUN THENCE WESTERLY PARALLEL TO THE NORTH LINE OF SAID GRANT, 400 FEET TO THE EAST RIGHT OF WAY LINE OF SAID U.S. NO. 1, 330 FEET MORE OR LESS TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PART OF ABOVE DESCRIBED LAND CONVEYED TO THE STATE OF FLORIDA FOR RIGHT OF WAY PURPOSES BY DEED DATED MARCH 11, 1954, RECORDED IN DEED BOOK 209, PAGE 17 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND RESERVATIONS OF RECORD, IF ANY; HOWEVER, THIS REFERENCE DOES NOT OPERATE TO REIMPOSE SAME; SUBJECT TO ZONING ORDINANCES THAT MAY AFFECT SUBJECT PROPERTY; SUBJECT TO TAXES FOR THE YEAR 2020 AND SUBSEQUENT YEARS.

THE GRANTOR WARRANTS THAT THE DESCRIBED PROPERTY IS NOT THE GRANTORS HOMESTEAD AS THAT TERM IS DEFINED PURSUANT TO ARTICLE X, SECTION 4, CONSTITUTION OF THE STATE OF FLORIDA BECAUSE NEITHER THE GRANTOR NOR ANY DEPENDENTS OF THE GRANTOR RESIDE ON THE ABOVE REAL PROPERTY OR UPON ANY REAL PROPERTY CONTIGUOUS THERETO.

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
28th DAY OF January 2026
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

AFFIDAVIT OF PUBLICATION

Jennifer Gutt
Gulfstream Design Group LLC
2225 A1a S # A 2
St Augustine FL 32080-6374

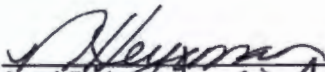
STATE OF WISCONSIN, COUNTY OF BROWN

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 , was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

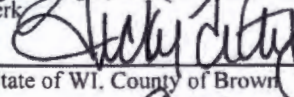
SAG St Augustine Record 11/25/2025

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

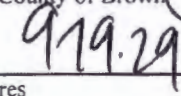
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 11/25/2025



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

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Notary Public
State of Wisconsin





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 27, 2026

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



Dear 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. 2026-1, which was filed in this office on January 27, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp