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ORDINANCE NUMBER: 2007-6

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATIONS OF RESIDENTIAL SINGLE 3 (RS-3), COMMERCIAL INTENSIVE (CI) AND OPEN RURAL (OR) TO AIRPORT DISTRICT (AD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2007010879,
O.R. 2867 PG 1344-1346
02/15/2007 at 03:20 PM,
REC. \$13.00 SUR. \$14.00

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 October 10, 2005, in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2005-49 St. Augustine – St. Johns Airport Authority, 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 Services Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, 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 Airport District (AD) is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3)
 - (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 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Airport District (AD) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Airport District (AD) is consistent with the land uses allowed in the land use designation of Airport District (AD) as depicted on the 2015 Future Land Use Map.

Ja + ket - Y. King
M+K

Ordinance Book 42 Page 950

SECTION 2. Pursuant to this application File Number REZ 2005-49 the zoning classification

is hereby changed to Airport District (AD)

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.

SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 5. 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 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed maintained in the Growth Management Services Department by the Planning Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 4th DAY OF February, 2007.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Ben Rich
Ben Rich, Chairman

RENDITION DATE 02/08/07

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: 02/12/07





MAP SHOWING A SKETCH OF:
A PORTION OF THE ST. AUGUSTINE -
ST. JOHNS COUNTY AIRPORT

SECTION 50, TOWNSHIP 6 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA

(SEE SHEET 2 OF 2 FOR SKETCH)

RECEIVED

OCT 10 2005

ST. JOHNS COUNTY
PLANNING DEPARTMENT

LEGAL DESCRIPTION

A PARCEL OF LAND COMPRISED OF ALL OF THE LOTS AND STREETS NORTHEAST OF THE NORTHEASTERLY RIGHT OF WAY LINE OF CASA COLA WAY, AS SHOWN ON THE PLATS OF ARAQUAY PARK UNIT NO. 1, AS RECORDED IN BOOK 3, PAGE 66, AND ARAQUAY PARK UNIT NO. 2, AS RECORDED IN BOOK 3, PAGE 145, BOTH OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF CASA COLA WAY AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF ESTRELLA AVENUE, ACCORDING TO SAID PLAT OF ARAQUAY PARK UNIT NO. 2; SAID POINT BEING THE MOST WESTERLY CORNER OF LOT 5, BLOCK H, OF SAID ARAQUAY PARK UNIT NO. 2, THENCE NORTH 27°53'42" WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF CASA COLA WAY, A DISTANCE OF 210.01 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID ARAQUAY PARK UNIT NO. 2; THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID ARAQUAY PARK THE FOLLOWING FIVE (5) COURSES, COURSE (1): NORTH 62°02'56" EAST, A DISTANCE OF 135.05 FEET; THENCE COURSE (2): SOUTH 27°53'22" EAST, A DISTANCE OF 20.00 FEET; THENCE COURSE (3): NORTH 62°02'56" EAST, A DISTANCE OF 1184.76 FEET; THENCE COURSE (4): NORTH 28°00'49" WEST, A DISTANCE OF 20.00 FEET; THENCE COURSE (5): NORTH 62°02'56" EAST, A DISTANCE OF 836.0 FEET, MORE OR LESS TO THE MARSH LINE; THENCE SOUTH AND SOUTHWESTERLY ALONG THE MEANDER OF SAID MARSH LINE A DISTANCE OF 3397 FEET, MORE OR LESS, TO THE AFOREMENTIONED NORTHEASTERLY RIGHT OF WAY LINE OF CASA COLA WAY, THE TIE-LINE OF SAID MEANDER BEING SOUTH 30°46'17" WEST, A DISTANCE OF 2523.9 FEET, MORE OR LESS; THENCE NORTH 27°53'42" WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1100.3 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

CHERYL STRICKLAND, CLERK
SA TRUE AND CORRECT COPY OF THE
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 15th DAY OF February 20 07
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners

BY: L. J. King D.C.



Charles P. Delcambre 9-14-05
CHARLES P. DELCAMBRE, P.S.M., FL. REG. # 5100

ATLANTIC ~ GULF SURVEYING CO.
LAND & ENGINEERING SURVEYS
LICENSED BUSINESS NUMBER 6226
6455 POWERS AVENUE
JACKSONVILLE, FLORIDA 32217
PH. 904-731-8341
FAX 904-636-8828

Title Opinion
EXHIBIT
A

SHEET 1 OF 2

JOB NO. 05 S 1578	DATE 9/13/05	REVISIONS :
DATE OF SURVEY	DRAFTER CPD	DATE
		DATE

NOT VALID WITHOUT THE SIGNATURE & THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

FEB - 1 2007

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHANELL GATEWOOD**

who on oath says that she is an Accounting Clerk of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a **NOTICE OF HEARING**

in the matter **REZ 05-49 SA AIRPORT**

was published in said newspaper in the issues of

JANUARY 27, 2007.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this **30TH** day of **JANUARY, 2007.**

by Chanell Gatewood who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)

(Seal)

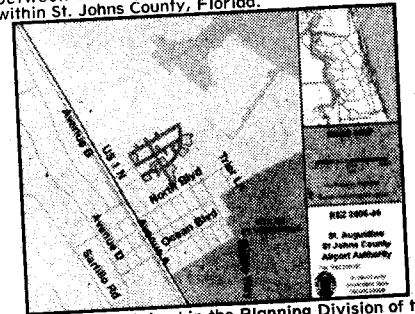
PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, February 6, 2007 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from Residential Single Family (RS-3) and Open Rural (OR) and Commercial Intensive (CI) to Airport Development (AD). Items not heard by 6:00 p.m. shall automatically be continued until 9:00 a.m. the following day, unless otherwise directed by the Board.

1 or more St. Augustine/St. Johns County Airport Authority Members may be in attendance at the BCC hearing.

The subject property is located East of US1 North, between Estrella Avenue and North Boulevard within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

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 County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners and 1 or more St. Johns County Airport Authority members should attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BEN RICH, CHAIRMAN

FILE NUMBER: REZ 2005-49 St. Augustine-St. Johns County Airport Authority
L216-7 Jan 27, 2007



FLORIDA DEPARTMENT OF STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 12, 2007

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

FILED
07 FEB 14 PM 3:56
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

Attention: Yvonne King, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 9, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-6 through 2007-8, which were filed in this office on February 12, 2007.

Sincerely,

Liz Cloud
Program Administrator

LC/jru

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

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