

15
ORDINANCE NUMBER: 2008-13

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE 2007-65; AND REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATIONS OF PUBLIC SERVICE (PS) AND OPEN RURAL (OR) TO PUBLIC SERVICE (PS); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2008017659,
O.R. 3061 PG 1099-1103
03/27/2008 at 01:53 PM,
REC. \$21.00 SUR. \$23.00

WHEREAS, the lands described under Ordinance 2007-65 contained a typographical error in the legal description and deed, which inadvertently rezoned certain lands to Public Service (PS) that should not have been rezoned and left off certain lands zoned Open Rural (OR) that should have been included; such is corrected as shown in Exhibit A, attached; and

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the original application, dated June 18, 2007, in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2007-24, Exhibit A**, 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.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

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 PS is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to adjacent land uses. (Policy A.1.3.12)
 - (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.

Shelby King
M+R

3. The rezoning to PS is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of PS is consistent with the land uses allowed in the land use designation of Public as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2007-24, the zoning classification of the land described within the corrected legal description, Exhibit "A"

is hereby changed to Public Service (PS).

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 immediately upon receipt of the Ordinance 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.

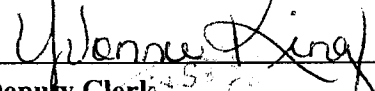
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 18th DAY OF March 2008.

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

BY: 
Tom Manuel, Chairman

RENDITION DATE 03/20/08

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: 03/21/08

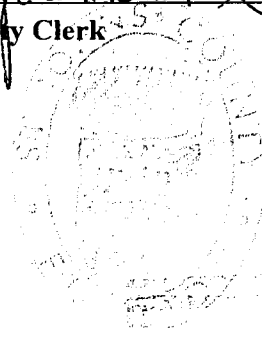


EXHIBIT "A"

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THAT LAND DESCRIBED AND REFERRED TO AS PARCEL "B" IN OFFICIAL RECORD BOOK 454, PAGE 175 OF THE PUBLIC RECORDS OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF MIZELL ROAD, HAVING A RIGHT OF WAY WIDTH OF 60 FEET, WITH THE NORTHERLY RIGHT OF WAY LINE OF 16TH STREET, HAVING A RIGHT OF WAY WIDTH OF 100 FEET; THENCE NORTH 89°18'30" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF 16TH STREET, BEING ALSO A LINE PARALLEL WITH AND 50 FEET NORTH OF THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 33, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE OF 16TH STREET, NORTH 89°18'30" WEST, A DISTANCE OF 990.00 FEET TO THE WEST LINE OF SECTION 33; THENCE NORTHERLY ALONG SAID WEST LINE OF SECTION 33, A DISTANCE OF 792.0 FEET; THENCE SOUTH 89°18'30" EAST, PARALLEL WITH THE AFOREMENTIONED RIGHT OF WAY LINE OF 16TH STREET, A DISTANCE OF 990.0 FEET; THENCE SOUTH 00°40'06" WEST, PARALLEL WITH THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF MIZELL ROAD, A DISTANCE OF 792.0 FEET TO THE POINT OF BEGINNING: CONTAINING 18.0 ACRES, MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF 16TH STREET, HAVING A RIGHT OF WAY WIDTH OF 100 FEET AS IT IS NOW ESTABLISHED, WITH THE WESTERLY RIGHT OF WAY LINE OF MIZELL ROAD, HAVING A RIGHT OF WAY WIDTH OF 60 FEET AS IT IS NOW ESTABLISHED; THENCE NORTH 00 DEGREES 40 MINUTES 06 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE OF MIZELL ROAD, A DISTANCE OF 1,272.29 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF POPE ROAD, HAVING A RIGHT OF WAY WIDTH OF 100 FEET AS IT IS NOW ESTABLISHED; THENCE NORTH 89 DEGREES 18 MINUTES 30 SECONDS WEST, ALONG SAID SOUTHERLY RIGHT OF

WAY LINE OF POPE ROAD, ALSO BEING THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, A DISTANCE OF 1,290 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 33; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 480.0 FEET, MORE OR LESS, TO THE NORTH LINE OF THAT PARCEL FOR THE SEWAGE TREATMENT PLANT; THENCE SOUTH 89 DEGREES 18 MINUTES 30 SECONDS EAST ALONG SAID NORTH LINE, 990.0 FEET; THENCE SOUTH 00 DEGREES 40 MINUTES 06 SECONDS WEST, 792.0 FEET TO THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF 16TH STREET; THENCE SOUTH 89 DEGREES 18 MINUTES 30 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 300.0 FEET TO THE POINT OF BEGINNING; CONTAINING 19.68 ACRES, MORE OR LESS.

LESS AND EXCEPT LANDS DESCRIBED IN OFFICIAL RECORDS 953, PAGE 1912, OFFICIAL RECORDS 1197, PAGE 652 AND OFFICIAL RECORDS 2287, PAGE 1028 AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(OFFICIAL RECORDS 953, PAGE 1912)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, THENCE NORTH 88 DEGREES 35 MINUTES 11 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY OF POPE ROAD (100' RIGHT OF WAY), 994.43 FEET TO THE POINT OF BEGINNING, THENCE NORTH 88 DEGREES 35 MINUTES 11 SECONDS EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF POPE ROAD (100' RIGHT OF WAY), 294.54 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY OF MIZELL ROAD, THENCE SOUTH 01 DEGREES 39 MINUTES 15 SECONDS EAST, ALONG THE WEST RIGHT OF WAY LINE OF MIZELL ROAD (60' RIGHT OF WAY), 294.54 FEET, THENCE SOUTH 88 DEGREES 20 MINUTES 45 SECONDS WEST 295.78 FEET, THENCE NORTH 01 DEGREES 24 MINUTES 49 SECONDS WEST 295.78 FEET TO THE POINT OF BEGINNING.

(OFFICIAL RECORDS 1197, PAGE 652)

A PARCEL OF LAND LOCATED IN SECTION 33, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 33, THENCE NORTH 88 DEGREES 35' 11" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF POPE ROAD, 847.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88 DEGREES 35' 11" EAST, 147.12 FEET; THENCE SOUTH 01 DEGREES 24' 49" EAST, 295.78 FEET; THENCE SOUTH 88 DEGREES 20' 45" WEST, 147.12 FEET; THENCE NORTH 01 DEGREES 24' 49" WEST, 296.40 FEET, TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 1.0 ACRES, MORE OR LESS.

(OFFICIAL RECORDS 2287, PAGE 1028)

A PARCEL OF LAND IN SECTION 33, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 33, THENCE NORTH 88 DEGREES 35 MINUTES 11 SECONDS EAST ON THE SOUTH RIGHT OF WAY LINE OF POPE ROAD, A 100 FOOT WIDTH RIGHT OF WAY, 847.19 FEET; THENCE SOUTH 01 DEGREE 23 MINUTES 46 SECONDS EAST 296.29 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 31 SECONDS EAST 442.96 FEET; THENCE SOUTH 01 DEGREE 38 MINUTES 50 SECONDS EAST ON THE WEST RIGHT OF WAY LINE OF MIZELL ROAD, A 60 FOOT WIDTH RIGHT OF WAY, 57.00 FEET; THENCE SOUTH 88 DEGREES 35 MINUTES 11 SECONDS WEST 1288.43 FEET; THENCE NORTH 01 DEGREE 43 MINUTES 02 SECONDS WEST 351.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.3996 ACRES MORE OR LESS.

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 27th DAY OF March 2008
THERYL S. WILSON, CLERK
By: Official Clerk of the County of St. Johns, Florida

BY G. Dennis King D.C.



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 **SARAH SELFRIDGE**
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 of **REZ 07-24/ANASTASIA WASTE WATER**

was published in said newspaper **MARCH 3, 2008.**

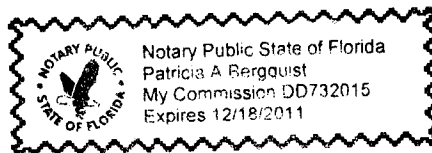
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 3rd day of **MARCH 2008.**

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

Patricia A Bergquist

(Signature of Notary Public)
PATRICIA A BERGQUIST



(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, March 18, 2008 at 1:30 p.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 Open Rural (OR) to Public Service (PS), correcting scrivener's error on deed. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is the existing Wastewater Treatment Plant south of Pope Road, west of Mizell Road within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 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 may 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 notified 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
THOMAS MANUEL, CHAIRMAN
FILE NUMBER: REZ 2007-24
Anastasia Waste Water Treatment Plant
L585-7 Mar 3, 2008