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ORDINANCE NUMBER: 2008-32

Public Records of
St. Johns County, FL
Clerk # 2008033569,
O.R. 3093 PG 326-328
06/12/2008 at 03:55 PM,
REC. \$13.00 SUR. \$14.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATIONS OF COMMERCIAL INTENSIVE WITH CONDITIONS (CI w/ conditions), AIRPORT DISTRICT (AD), PLANNED SPECIAL DISTRICT (PSD), COMMERCIAL GENERAL (CG), AND RESIDENTIAL SINGLE FAMILY-3 (RS-3) TO COMMERCIAL GENERAL (CG), 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 October 15, 2007 in addition to supporting documents and statements from the applicant which are a part of Zoning File REZ 2007-09 Airport Commerce 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 Services 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 GENERAL (CG)** 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.

Marked by King
M+K

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

SECTION 2. Pursuant to this application File Number REZ 2007-09 the zoning classification for land described within the legal description in EXHIBIT A

is hereby changed to COMMERCIAL GENERAL(CG)

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.

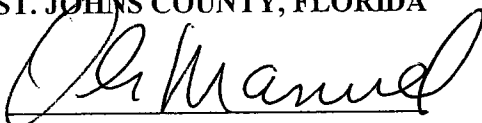
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

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.

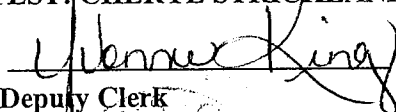
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 27th DAY OF May 2008.

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

BY: 
Thomas G. Manuel, Chairman

RENDITION DATE 05/29/08

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: 06/04/08

EXHIBIT A
Legal Description
Airport Commerce Park

A PORTION OF SECTION 53, DANIEL HURLBURT GRANT, AND A PORTION OF SECTION 54, JOSEPH S. SANCHEZ GRANT, AND A PORTION OF SECTION 50, PABLO SABATE GRANT, ALL IN TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PART OF BLOCKS 1 AND 2, AND PART OF FIRST AVENUE (A 50 FOOT WIDE RIGHT OF WAY), AND A PART OF THAT 25 FOOT WIDE PARCEL LYING NORTHERLY OF SAID BLOCKS 1 AND 2, ALL IN USINA & KUHN SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 35, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING A PART OF BLOCKS 1 AND 22, JACKSON PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 51, OF SAID PUBLIC RECORDS, AND BEING A PART OF BLOCK A, ARAQUAY PARK UNIT NUMBER ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 66 OF SAID PUBLIC RECORDS, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF NORTH BOULEVARD (A 50 FOOT WIDE RIGHT OF WAY) WITH THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NUMBER 1, STATE ROAD 5 (A 128 FOOT WIDE RIGHT OF WAY); THENCE NORTH 29 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, 250.00 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF LOT 5, OF SAID BLOCK 2 AND THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUE NORTH 29 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, 200.00 FEET; THENCE NORTH 60 DEGREES 56 MINUTES 28 SECONDS EAST 5.00 FEET; THENCE NORTH 29 DEGREES 00 MINUTES 00 SECONDS WEST 5.00 FEET; THENCE SOUTH 60 DEGREES 56 MINUTES 28 SECONDS WEST 5.00 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE NORTH 29 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, 480.94 FEET TO THE SOUTH RIGHT OF WAY LINE OF INDIAN BEND (A 60 FOOT WIDE RIGHT OF WAY); THENCE NORTH 60 DEGREES 56 MINUTES 19 SECONDS EAST, ALONG SAID SOUTH RIGHT OF WAY LINE 172.00 FEET TO THE WEST LINE OF LOT 4 OF SAID BLOCK A; THENCE SOUTH 29 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE OF SAID LOT 4, A DISTANCE OF 140.78 FEET TO THE NORTH LINE OF SAID SECTION 53; THENCE NORTH 78 DEGREES 18 MINUTES 51 SECONDS EAST, ALONG SAID NORTH LINE OF SECTION 53, A DISTANCE OF 442.95 FEET TO THE NORTHEAST CORNER OF SAID SECTION 53; THENCE SOUTH 11 DEGREES 05 MINUTES 36 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 53, A DISTANCE OF 138.82 FEET TO THE WEST LINE OF LOT 19, OF SAID BLOCK 1, OF SAID JACKSON PARK; THENCE SOUTH 28 DEGREES 51 MINUTES 14 SECONDS EAST, ALONG THE WEST LINES OF LOTS 19, 18, 17, 15, AND 13, OF LAST SAID BLOCK 1, 295.44 FEET TO THE NORTHEAST CORNER OF LOT 12, OF LAST SAID BLOCK 1; THENCE SOUTH 60 DEGREES 55 MINUTES 41 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 12, AND ITS WESTERLY EXTENSION THEREOF, A DISTANCE OF 209.50 FEET TO THE WEST RIGHT OF WAY LINE OF SAID FIRST AVENUE (A 59.5 FOOT WIDE RIGHT OF WAY); THENCE SOUTH 28 DEGREES 51 MINUTES 14 SECONDS EAST, ALONG LAST SAID RIGHT OF WAY, 111.31 FEET TO A POINT 150 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF SAID NORTH BOULEVARD; THENCE SOUTH 60 DEGREES 56 MINUTES 28 SECONDS WEST, PARALLEL WITH SAID NORTH RIGHT OF WAY LINE, 172.94 FEET TO THE NORTHWEST CORNER OF LOT 29, OF SAID BLOCK 2; THENCE NORTH 29 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF LOTS 4 AND 5, OF SAID BLOCK 2, A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 60 DEGREES 56 MINUTES 28 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

ST. JOHNS COUNTY, FLORIDA
CLERK OF THE BOARD OF COUNTY COMMISSIONERS
OFFICIAL SEAL
JUNE 20 08
CHERYL STRICKLAND, CLERK
Office of the Board of County Commissioners
D.C.
Cheryl Strickland

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 **KAREN J BRANNON**

who on oath says that she is an Employee 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 07-09/AIRPORT COMMERCIAL PARK**

was published in said newspaper **MAY 12, 2008.**

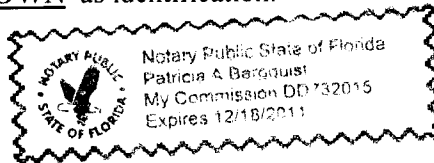
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 **12th** day of **May, 2008.**

by *Karen J Brannon* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A Bergquist
(Signature of Notary Public)

PATRICIA A BERGQUIST

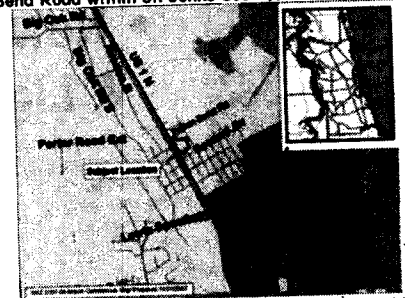


(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, May 27, 2008 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 Commercial Intensive (CI) with conditions, Planned Special Development (PSD), Commercial General (CG) and Residential Single Family Three (RS-3) to Commercial General (CG). 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 located on the East side of US1 North, North of North Blvd, South of Indian Bend 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, 4040 Lewis Speedway, St. Augustine, Florida, 32085.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
THOMAS MANUEL, CHAIRMAN
FILE NUMBER: REZ 2007-09
Airport Commercial Park
L1327-8 May 12, 2008**