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Public Records of  
St. Johns County, FL  
Clerk# 04-013963  
O.R. 2148 PG 109  
08:47AM 03/03/2004  
REC \$21.00 SUR \$3.00

ORDINANCE NUMBER: 2004-11

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 NEIGHBORHOOD (CN); 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, Susan Huffman, the owner of lands described herein, incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number REZ 2003-23 for a zoning change dated October 30, 2003, as described hereinafter, and after required notice was published, a public hearing was held on the 10<sup>th</sup> day of February, 2004 at 1:30 p.m. on said application.

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 Commercial Neighborhood (CN) 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 contributes to a mixture of land uses within a designated Mixed Use District (Md). (Objective A.1.9)
  - (c) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
  - (d) The proposed project is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. The rezoning to Commercial Neighborhood (CN) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Neighborhood (CN) is consistent with the land uses allowed in the land use designation of Mixed Use District (Md) as depicted on the 2015 Future Land Use Map.

*Janet Y. King*  
*Secretary*

Ordinance Book 93 Page 510

SECTION 2. Pursuant to this application File Number REZ 2003-23 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Commercial Neighborhood (CN).

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 10 DAY OF February 2004.

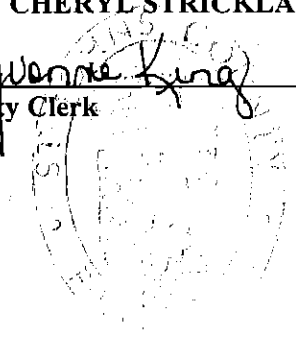
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: *Karen R. Stern*  
Karen R. Stern, Chairperson

RENDITION DATE 02-12-04

ATTEST: CHERYL STRICKLAND, CLERK

BY: *Wanda King*  
Deputy Clerk



EFFECTIVE DATE: 02-16-04

**EXHIBIT A**

A PARCEL OF LAND LYING IN SECTION 31, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT BEGIN AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 9, ALSO BEING THE SOUTHWEST CORNER OF SECTION 31 SAID POINT ALSO BEING ON THE CENTERLINE OF OLD MOULTRIE ROAD AS NOW ESTABLISHED; THENCE LEAVING CENTERLINE RUN EASTERLY 33 FEET PLUS OR MINUS TO THE EASTERLY RIGHT OF WAY OF OLD MOULTRIE ROAD; THENCE ALONG SAID RIGHT OF WAY RUN NORTH 02 DEGREES 08 MINUTES WEST 370.00 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 87 DEGREES 37 MINUTES 30 SECONDS EAST 82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87 DEGREES 37 MINUTES 30 SECONDS EAST 133 FEET; THENCE SOUTH 02 DEGREES 08 MINUTES EAST 50 FEET; THENCE SOUTH 87 DEGREES 37 MINUTES 30 SECONDS WEST 133 FEET; THENCE NORTH 02 DEGREES 08 MINUTES WEST 50 FEET TO THE POINT OF BEGINNING.



St. Johns County

Application For Rezoning

From OR To CN

Date 1-15-04

Project Name: BodyWise Wellness Center

Owner/Applicant: Susan Huffman

Address: P.O. Box 5538  
St. Aug. Fl. 32085

Phone: 904-806-1617 cell Fax: 904-827-1669 w

E-mail Address: body wise studios @ bell south.net

Planning/Engineering Firm: Susan Huffman

Address: 4280 Coastal Hwy, St. Aug. Fl 32084

Phone: 904-808-7351 # Fax: 904-827-1669 w

E-mail Address: same as above

Person to Receive Comments: Susan Huffman

Property Appraiser's Parcel No. 162620-0000

Name of Overlay District if applicable: \_\_\_\_\_

Location: 2720 Old Moultrie Road

Census Tract: 31 Property Appraiser's Map Sheet: 7 Acres: 30

911 Address (if Known) 2720 Old Moultrie Road

TAZ 58 Zone Class: R01 Comp. Plan DSGN Mixed use distrid.

Present Use of Property: \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

Water/Sewer Provider: St. Johns County

Please list below any applications currently under review or recently approved which may assist in the review of this application: \_\_\_\_\_

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:  
Signature of owner or person authorized to represent this application:

Signature: \_\_\_\_\_

Printed or typed name(s): \_\_\_\_\_

Owner's Authorization For Agent

Susan Huffman is hereby authorized TO ACT ON BEHALF OF National Benevolent Assoc., the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a Development Permit or other action pursuant to a:

- |                                     |                         |                          |                         |
|-------------------------------------|-------------------------|--------------------------|-------------------------|
| <input checked="" type="checkbox"/> | Rezoning / Modification | <input type="checkbox"/> | Special Use Permit      |
| <input type="checkbox"/>            | Zoning Variance         | <input type="checkbox"/> | Non-Zoning Variance     |
| <input type="checkbox"/>            | Appeal                  | <input type="checkbox"/> | Overlay District Review |
| <input type="checkbox"/>            | Concurrency             | <input type="checkbox"/> | Other                   |

BY: [Signature] Treasurer  
Signature of Owner  
STERLING C. ELLIS for National Benevolent Association  
Print Name St. Louis, MO,

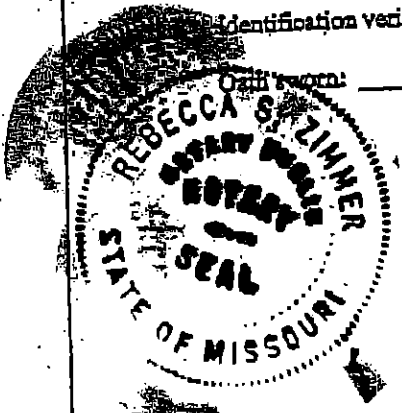
\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Print Name  
314-993-9000  
Telephone Number

State of Florida  
County of St. Johns

Signed and sworn before me on this 19th day of, 2002.  
By Sterling C. Ellis

Identification verified: Yes  
Oath sworn: X Yes \_\_\_\_\_ No

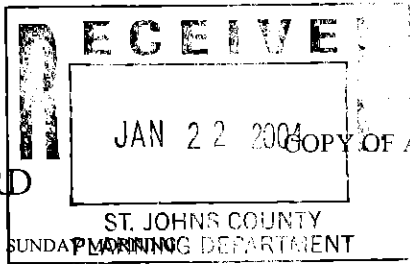
[Signature]  
Notary Signature  
My Commission expires: 6-6-2007



**REBECCA S. ZIMMER**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
St. Louis County  
My Commission Expires: June 6, 2007

Revised February 19, 2002

10-8



THE ST. AUGUSTINE RECORD

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

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared LINDA Y MURRAY

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 PROPOSED REZONING

In the matter of FILE # REZ 2003-23

BODY WISE WELLNESS CENTER 2720 OLD MOULTRIE ROAD

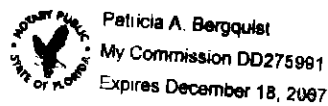
in the Court, was published in said newspaper in the issues of

JANUARY 20, 2004

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 she 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 20TH day of JANUARY 2004 by Linda Y Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

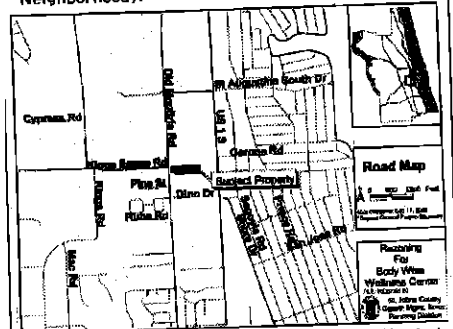
Signature of Notary Public: Patricia A. Bergquist



(Seal)

PATRICIA A BERGQUIST

NOTICE OF A PROPOSED REZONING NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, February 5, 2004 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency and Tuesday, February 10, 2004 at 1:30 p.m. by the Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to rezone from OR (Open Rural) to CN (Commercial Neighborhood).



The subject property is located at 2720 Old Moultrie Road 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 David Halstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32084. 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 verbal 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 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.

PLANNING AND ZONING AGENCY ST. JOHNS COUNTY, FLORIDA ROBERT TAYLOR, CHAIRMAN FILE NUMBER: REZ 2003-23 Body Wise Wellness Center BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA KAREN STERN, CHAIR L127-4 Jan 20, 2004



FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

FILED

04 FEB 19 AM 10:41

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

February 16, 2004

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

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 13, 2004 and certified copy of St. Johns County Ordinance No. 2004-11, which was filed in this office on February 16, 2004.

Sincerely,

Liz Cloud  
Program Administrator

LC/mp