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ORDINANCE NUMBER: 2005-12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WAREHOUSING (IW) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of
St. Johns County, FL
Clerk # 2005012969,
O.R. 2378 PG 664-666
02/18/2005 at 04:13 PM,
REC. \$13.00 SUR. \$14.00

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

WHEREAS, Great American Land Company, the owner of lands described herein, incorporated by reference as Exhibit "A" (legal description), filed an application, incorporated by reference as File Number REZ 2004-34 for a zoning change dated October 25, 2004, as described hereinafter, and after required notice was published, a public hearing was held on the 9th day of Feb. at 9:00 a.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 Intensive (CI) 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 Commercial Intensive (CI) is consistent with the St. Johns County Land Development Code.
4. The zoning district designation of Commercial Intensive (CI) is consistent with the land uses allowed in the land use designation of Mixed Use (Md) as depicted on the 2015 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2004-34 the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI).

Janet Y. King
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Ordinance Book 35 Page 705

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.

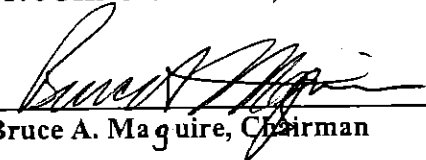
SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

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.

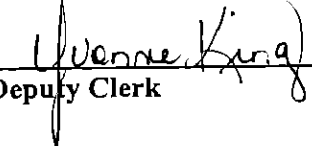
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 9th DAY OF Feb. 2005.

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

BY: 
Bruce A. Maguire, Chairman

RECEIVED DATE 02/11/2005

ATTEST: CHERYL STRICKLAND, CLERK

BY: 
Deputy Clerk

EFFECTIVE DATE: 02/15/05

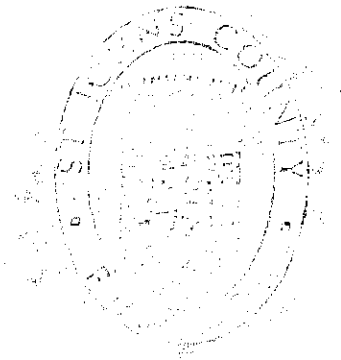
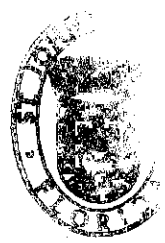


Exhibit A

Lot 23, GREEN ACRES SUBDIVISION, according to map or plat thereof recorded in Map Book 6, Page 5, of the public records of St. Johns County, Florida; excepting therefrom any part thereof which lies within the right-of-way of State Road 16 as presently established.

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 13th DAY OF February, 20 05
CHERYL STRICKLAND, CLERK
Ex-Officio Clerk of the Board of County Commissioners



BY: Guanne King D.C.

JAN 2 2005

COPY OF ADVERTISEMENT

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 CHARLES BARRETT who on oath says that he 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 NOTICE OF HEARING in the matter of REZ 04-34 DAVE'S AUTO. was published in said newspaper in the issues of JANUARY 25, 2005.

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 25TH day of JANUARY, 2005.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

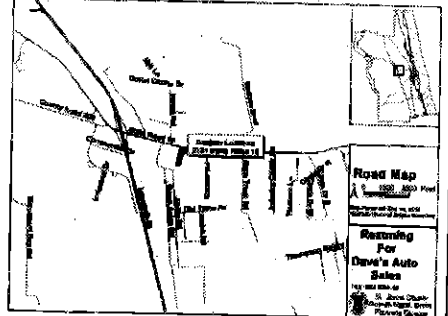
[Signature of Patricia A. Bergquist]

(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 Wednesday, February 9, 2005 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 Industrial, Warehousing (IW) to Commercial, Intensive (CI). The subject property is located at 2131 State Road 16 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 Halsead, 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 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. 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 BRUCE A. MAGUIRE, CHAIRMAN FILE NUMBER: REZ 2004-34 Dave's Auto Sales L196-5 Jan 25, 2005