

ORDINANCE NUMBER: 2011-26

Public Records of  
St. Johns County, FL  
Clerk # 2011038122,  
O.R. 3459 PG 1911-1913  
08/02/2011 at 08:52 AM,  
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 CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) AND OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI); 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 May 3, 2011 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2011-02 Family Kia**, 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 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 Intensive (CI)** is consistent with the Comprehensive Plan, in that:
  - (a) The rezoning is compatible and complementary to adjacent land uses. (Objective A.1.3.12)
  - (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 2025 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 District as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application File Number REZ 2011-02 the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI).

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 Department by the Development Review Director or designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19<sup>th</sup> DAY OF July 2011.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

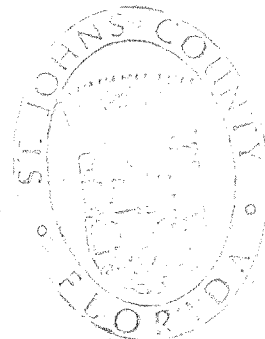
BY: [Signature]  
J. Ken Bryan, Chairman

Rendition Date: July 21, 2011

ATTEST: CHERYL STRICKLAND, CLERK

BY: [Signature]  
Deputy Clerk

Effective Date: July 22, 2011



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 29<sup>th</sup> DAY OF July 20 11 CHERYL STRICKLAND, CLERK Ex-Officio Clerk of the Board of County Commissioners



**EXHIBIT A**  
**FAMILY KIA of St. Augustine**  
**Legal Description**

Begin at an iron-pipe on the west line of U. S. Highway No. 1, which marks the intersection of the north line of Government Lot 9, also the south line of Government Lot 8 and the west line of U. S. Highway No. 1 and is 50 feet west of the northeast corner of Lot 9, also the southeast corner of Lot 8, for point of beginning and southeast corner of this survey: First line: thence north on the west line of U. S. Highway No. 1, 119.5 feet to an iron pipe, the northeast corner. Second line; thence west 350 feet to an iron pipe, the northwest corner. Third line; thence south 119.5 feet to an iron pipe on the south line of said Lot 8, the southwest corner. Fourth line; thence east on the south line of said Lot 8, 350 feet to the point of beginning the southeast corner. Containing 959/1000ths of an acre.

All in section 31, Township 7 South, of Range 30 East, St. Johns County, Florida.

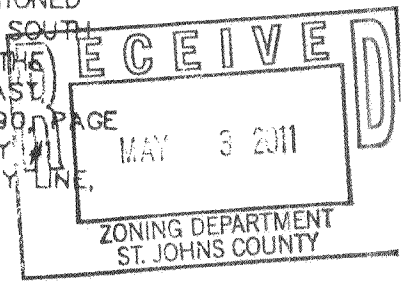
Also, beginning at an iron pipe on the west line of U. S. Highway No. 1, which marks the intersection of the North line of Government Lot 9, also the south line of Government Lot 8 and the west line of U. S. Highway No. 1 and is 50 feet west of the northeast corner of Lot 9, also the southeast corner of Lot 8, for point of beginning and northeast corner of this survey: First line: run south along the west line of U. S. Highway No. 1, 280.5 feet to Reyes' southeast corner. Second line; thence west along the south line of Reyes' property (also Hunt's north line) 350 feet to an iron pipe, the southwest corner. Third line: thence north 280.5 feet to an iron pipe on the north line of Lot 9, the northwest corner. Fourth line; thence east on the north line of said Lot 9, 350 feet to an iron pipe and point of beginning. Containing 2 and 252/1000ths acre.

All in Section 31, Township 7 South, of Range 30 East, St. Johns County, Florida

**Along with:**

**A PORTION OF SECTION 31,  
TOWNSHIP 7 SOUTH, RANGE 30 EAST,  
ST. JOHNS COUNTY, FLORIDA,**

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 31 WITH THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY #1, A 200' WIDE RIGHT OF WAY, AS NOW ESTABLISHED; THENCE NORTH 02°18'22" WEST, ALONG SAID WEST RIGHT OF WAY LINE, 935.00' TO THE NORTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN O.R. 832, PAGE 743 OF THE PUBLIC RECORDS OF SAID COUNTY, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 87°37'11" WEST, ALONG THE NORTH LINE OF SAID PARCEL AS DESCRIBED IN O.R. 832, PAGE 743, 300.00'; THENCE NORTH 02°18'22" WEST, PARALLEL WITH THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF U.S. HIGHWAY #1, 105.52' TO THE SOUTH LINE OF A PARCEL AS DESCRIBED IN O.R. 1490, PAGE 251, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 87°41'38" EAST, ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN O.R. 1490, PAGE 251, 300.00' TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY #1, THENCE SOUTH 02°18'22" EAST, ALONG SAID WEST RIGHT OF WAY LINE, 105.28' TO THE POINT OF BEGINNING.



THE ST. AUGUSTINE RECORD

COPY OF ADVERTISEMENT

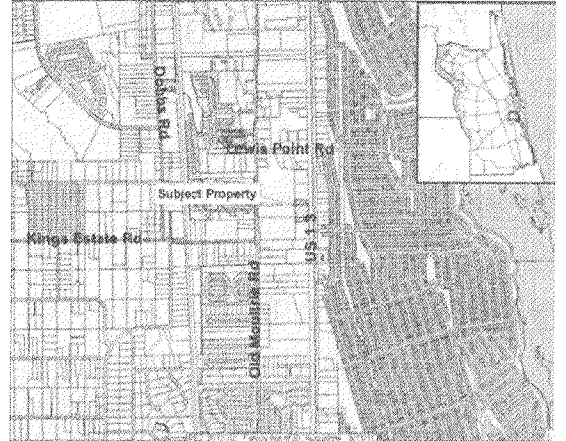
NOTICE OF A PROPOSED REZONING

SJC DEVELOPMENT REVIEW
ATTN: RACHEL GARVEY
4040 LEWIS SPEEDWAY
SAINT AUGUSTINE FL 32084

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, July 19, 2011 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to issue a decision on a request to rezone from Planned Unit Development (PUD) and Open Rural (OR) to Commercial Intensive (CI),

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) AND OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located at 2665 US 1 South, within St. Johns County, Florida.



This file and the proposed ordinance are maintained in the Planning & Zoning Section of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be inspected by interested parties prior to said public hearing. Items not heard by 6pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning Division, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
J. KEN BRYAN, CHAIR
FILE NUMBER: REZ 2011-02 FAMILY KIA
L1748-11 Jul 4, 2011

Ref.#: L1748-11
P.O.#: FAMILYKIA

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared BRI HALL who on oath says that he/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 REZONING In the matter of REZ 2011-02 - FAMILY KIA was published in said newspaper on 07/04/2011

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 has 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/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 5 day of July 2011 by Bri Hall who is personally known to me or who has produced as identification

Signature of Notary Public

Notary Public State of Florida
Jeanette Bradley
My Commission DD 837877
Expires 11/12/2012

(Seal)



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**DIVISION OF LIBRARY AND INFORMATION SERVICES**

**KURT S. BROWNING**  
Secretary of State

July 22, 2011

Ms. Cheryl Strickland  
Secretary  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

RECEIVED  
DIVISION OF LIBRARY AND INFORMATION SERVICES  
ST. AUGUSTINE, FLORIDA

2011 JUL 29 PM 1:54

2011 JUL 29 PM 1:54

Attention: Ms. Yvonne King, Deputy Clerk, 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 July 21, 2011 and certified copies of Ordinance Nos. 2011-25 and 2011-26, which were filed in this office on July 22, 2011.

Sincerely,

Liz Cloud  
Program Administrator

LC/vm

#### DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6282 • TDD: 850.922.4085 • <http://info.florida.gov>

COMMUNITY DEVELOPMENT  
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STATE ARCHIVES OF FLORIDA  
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CAPITOL BRANCH  
850.488.2812 • FAX: 850.488.9879

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