

ATTACHMENT 5

SURVEY

ORDINANCE NO. O-17-2023

AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA REZONING ±1.33 ACRES OF PROPERTY LOCATED AT US HIGHWAY 17 & COOKS LANE, IDENTIFIED AS TAX ID NUMBER 016450-001-01, MORE PARTICULARLY DESCRIBED BY EXHIBIT “A”, FROM RESIDENTIAL HIGH DENSITY, R-3 TO COMMERCIAL HIGH INTENSIVE LAND USE, C-2 GENERAL COMMERCIAL ZONING; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City has received a request to rezone the subject parcel from Residential High Density (R-3) to Commercial High Intensive Land Use, C-2 General Commercial; and

WHEREAS, the proposed C-2, General Commercial Rezoning request is compatible with the existing Future Land Use Designation of Mixed Use, and

WHEREAS, the City has the authority pursuant to its home rule and other statutory powers to rezone properties within the City; and

WHEREAS, a duly advertised public hearing was conducted on the proposed rezoning on May 23, 2023 by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered comments received during the public hearing concerning the application and made its recommendation for approval to the City Council; and,

WHEREAS, the City Council considered the recommendations of the LPA at a duly advertised public hearing on June 6 and June 20, 2023 and provided for and received public participation; and,

WHEREAS, the City Council has determined and found said application for the amendment, to be consistent with the City of Green Cove Springs Comprehensive Plan and Land Development Regulations; and,

WHEREAS, for reasons set forth in this Ordinance that is hereby adopted and incorporated as findings of fact, that the Green Cove Springs City Council finds and declares that the enactment of this amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:

Section 1. Zoning Map Amended. The Zoning Map is hereby amended for the following property from Residential High Density (R-3) to Commercial High Intensive Land Use, C-2 General Commercial.

Tax Parcel Number 38-06-26-016450-001-01 in accordance with the legal description found in Exhibit “A” and map found in Exhibit “B” attached hereto.

Section 2. Ordinance to be Construed Liberally. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Green Cove Springs, Florida.

Section 3. Repealing Clause. All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 4. Severability. It is the declared intent of the City Council of the City of Green Cove Springs that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 5. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Chapter 163.3184 F.S. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administrative Council enters a final order determining this adopted amendment to be in compliance in accordance with Chapter 163.3184 F.S. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this plan amendment has become effective.

INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 6th DAY OF JUNE 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA

Constance W. Butler, Mayor

ATTEST:

Erin West, City Clerk

PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 20TH DAY OF JUNE 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA

Constance W. Butler, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney

Description Sketch

(Not A Survey)

REZONING PARCEL

A parcel of land lying in Section 38, Township 6 South, Range 26, Clay County, Florida, and being more particularly described as follows:

COMMENCE at the Intersection of the Northwesterly Right-of-way line of State Road 16 and the Southwesterly Right-of-way line of State Road 15 (U.S. Highway 17); thence run N 15°56'32" W along said Southwesterly Right-of-way line of State Road 15, a distance of 143.24 feet to the POINT OF BEGINNING; thence departing said Southwesterly Right-of-way line, run S 73°50'33" W, a distance of 235.08 feet; thence N 14°29'51" W, a distance of 89.83 feet; thence N 14°29'51" W, a distance of 121.79 feet; thence N 66°12'16" E, a distance of 30.36 feet; thence N 66°10'11" E, a distance of 169.13 feet; thence N 74°43'31" E, a distance of 0.17 feet; thence N 66°15'51" E, a distance of 54.35 feet; thence S 15°46'46" E, a distance of 148.15 feet; thence S 15°46'37" E, a distance of 97.18 feet; thence S 73°50'33" W, a distance of 21.18 feet to the POINT OF BEGINNING.


Containing 1.331 acres, more or less.

NOTES:

1) The bearings shown hereon are based on the Southwesterly Right-of-way line of State Road 15 (U.S. 17), having a Grid bearing of N 15°56'32" W. The Grid bearings shown hereon refer to the State Plane Coordinate System, North American Datum of 1983 (NAD 83-2007 Adjustment) for the East Zone of Florida.

SEE SHEET 1 FOR DESCRIPTION

SEE SHEET 2 FOR SKETCH

	JOB #: BISHOP PROPERTY - REZONING				Central Florida 528 Northlake Blvd, Suite 1040 Altamonte Springs, Florida 32701 Phone: (321) 270-0440 www.geopointsurvey.com Licensed Business No.: LB 7768		
	PARCEL						
	DRAWN: MRC		DATE: 03/27/2023				CHECKED: JDF
	Prepared For: BRIGHTWORK REAL ESTATE						
Judd French		LS7095					

Description Sketch

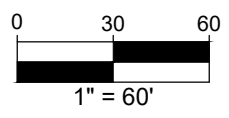
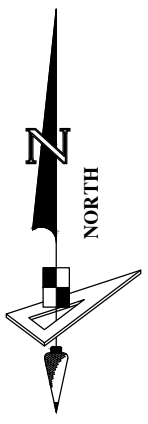
(Not A Survey)

PARCEL NUMBER:
38-06-26-016993-000-00
OWNER: CITY OF GREEN COVE SPRINGS

PARCEL NUMBER:
38-06-26-016564-001-00
OWNER: ROOF IT RIGHT LLC

REZONING PARCEL
AREA = 1.331± ACRES

ABANDONMENT OF
PALMETTO AVENUE
(O.R. 1754, PG 1951)



STATE ROAD 15
(U.S. HIGHWAY 17)

SOUTHWESTERLY RIGHT-OF-WAY
LINE OF STATE ROAD 15 (U.S. 17)

NORTHWESTERLY RIGHT-OF-WAY
LINE OF STATE ROAD 16
STATE ROAD 16

Line Data Table		
No.	Bearing	Length
L1	N66°12'16"E	30.36'
L2	N74°43'31"E	0.17'
L3	N66°15'51"E	54.35'
L4	S73°50'33"W	21.18'

NOTE:
SEE SHEET 1 FOR DESCRIPTION
SEE SHEET 2 FOR SKETCH

See Sheet 1 for Signature & Revisions

Central Florida
528 Northlake Blvd, Suite 1040
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www.geopointsurvey.com
Licensed Business No.: LB 7768

GeoPoint
Surveying, Inc.