

ORDINANCE NO. 97-12

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA
AMENDING THE FUTURE LAND USE MAP 1990-2005 OF THE
ADOPTED COMPREHENSIVE PLAN ORDINANCE 90-53, AS AMENDED,
WITH RESPECT TO A PARCEL OF LAND LESS THAN 10 ACRES,
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Section 163.3187, Florida Statutes, provides for the amendment of an adopted Comprehensive Plan; and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

WHEREAS, Section 163.3187, Florida Statutes, as amended, also provides that parcels of land of 10 acres or less may be considered to be "Small Scale Amendments", and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its comprehensive plan to change the land uses of up to 60 acres by small scale amendment annually.

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

Section 1. Adopted Small Scale Amendment

The Future Land Use Map 1990-2005 of the adopted Comprehensive Plan Ordinance 90-53 of St. Johns County, is hereby amended to show a land use change from Mixed Use Corridor, MUC, Land Use Designation to Commercial Land Use Designation for property described as follows:

Part of Section 11, Township 5 South, Range 28 East, St. Johns County, Florida, described as: Beginning at the intersection of the southerly right of way line of Palm Valley Road (County Road No. 210, a 100 foot right of way) with the Easterly right of way line of U.S. Highway No. 1 (a 150 foot right of way); thence South 40 deg. 47 min 10 sec. East, along said Easterly

right of way line of U.S. Highway No. 1, a distance of 377.68 feet; thence North 41 deg 51 min 13 sec East, 555.54 feet to a point in the Westerly right of way line of John Anderson Highway (Old Dixie Highway); thence North 40 deg 40 min 09 sec West, along said Westerly right of way line 377.79 feet to an intersection with said Southerly right of way line of Palm Valley Road; thence South 41 deg 51 min 13 sec West, along said Southerly right of way line, 556.43 feet to the point of beginning. Excepting therefrom the Easterly 100 feet of the Southerly 100 feet of the above described parcel of land. Containing 4.55 acres, more or less.

and shown on Exhibit A, a portion of the Future Land Use Map 1990-2005, based on the following findings of fact:

- a. Small scale amendment request file no. SSA-97-001 has been fully considered after public hearing pursuant to legal notice duly published as required by law; and
- b. The proposed small scale amendment is consistent with the adopted St. Johns County Comprehensive Plan Ordinance 90-53, the Comprehensive Regional Policy Plan, and Rule 9J-5 of the Florida Administrative Code; and
- c. The Commercial Land Use Designation would allow commercial development in an area that allows a mixture of uses, including commercial, which would be compatible with the surrounding area; and
- d. The proposed small scale amendment is consistent with the applicable land development regulations.

Section 2. Effect on Comprehensive Plan.

The remaining portion of the adopted Comprehensive Plan Ordinance 90-53 of St. Johns County, Florida, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 3. Severability.

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Department of State to the Clerk of the Board of County Commissioners of St. Johns County,

Florida, that same has been filed.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 11 DAY OF March, 1997

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

BY: 
Its Chair

ATTEST: CHERY STRICKLAND

BY: 
DEPUTY CLERK

EFFECTIVE DATE: March 21, 1997

ST. JOHNS COUNTY
FUTURE LAND USE PLAN
1990 - 2005

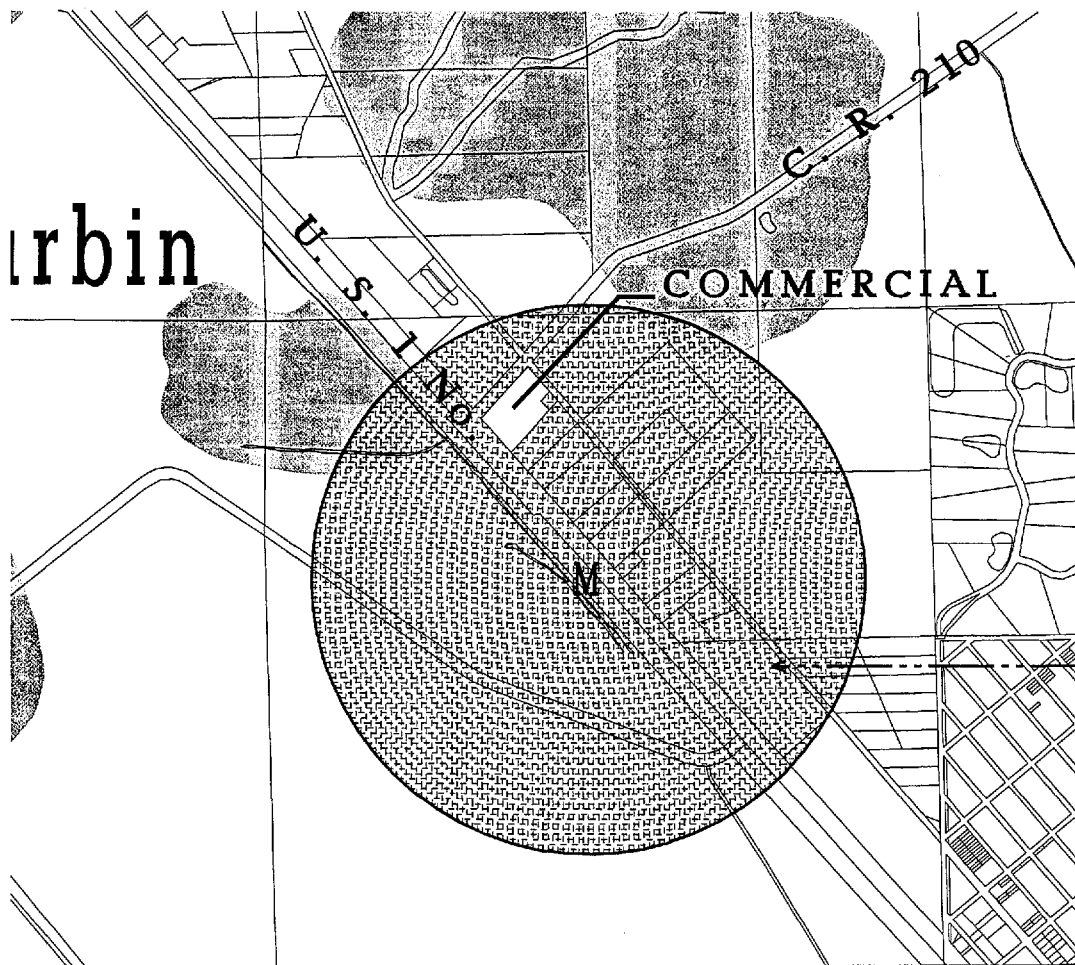
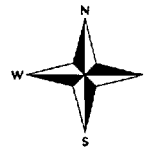


Exhibit A for Ordinance No.

The St. Augustine Record

PUBLISHED EVERY AFTERNOON 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 _____

Sandra D. Oliver

who on oath says that she is

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 Land Use

in the matter of _____ March 11, 1997 1:30pm

in the _____ Court, was published in said newspaper in the

issues of _____ Feb 19, 1997

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, Florida, for a period of one year next 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 19 day of Feb, 19 97,

by Sandra D. Oliver who is personally

Personally Known

known to me or who has produced _____ as

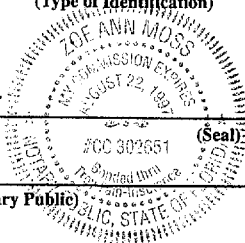
identification.

Zee Ann Moss

(Signature of Notary Public)

Zee Ann Moss

(Print, Type or Stamp Commissioned Name of Notary Public)



Ordinance Book 19 Page 162

COPY OF ADVERTISEMENT

NOTICE OF LAND USE CHANGE

The St. Johns County Board of County Commissioners will hold a public hearing on a proposed amendment to the Future Land Use Map 1990-2005 of the St. Johns County Comprehensive Plan Ordinance 90-53, as amended. The applicant is Gate Petroleum Co. on behalf of Louis L. Huntley, record title owner. The property subject to the proposed amendment is approximately 4.55 acres in size and located in Section 11 Township 5 South Range 28 East of U.S. #1 and County Road 210 East. The subject property is described as follows:
Part of Section 11, Township 5 South, Range 28

East, St. Johns County, Florida, described as: Beginning at the intersection of the southerly right-of-way line of Palm Valley Road (County Road No. 210, a 100 foot right-of-way) with the Easterly right-of-way line of U.S. Highway No. 1 (a 150 foot right-of-way); thence South 40 deg. 47 min. 10 sec. East, along said Easterly right-of-way line of U.S. Highway No. 1, a distance of 377.68 feet; thence North 41 deg 51 min 13 sec. East, 555.54 feet to a point in the Westerly right-of-way line of John Anderson Highway (Old Dixie Highway); thence North 40 deg 40 min 09 sec. West, along said Westerly right-of-way line 377.79 feet to an intersection with said Southerly right-of-way line of Palm Valley Road; thence South 41 deg 51 min 13 sec. West, along said Southerly right-of-way line, 55.43 feet to the point of beginning. Excepting therefrom the Easterly 100 feet of the Southerly 100 feet of the above described parcel of land, containing 4.55 acres, more or less.

The proposed amendment would change the future land use designation from Mixed Use Corridor, which allows a variety of

uses, to Commercial, to allow rezoning to C-1, Commercial intensive, in order to allow construction of a convenience store and service station.

The St. Johns County Board of County Commissioners will hold a public hearing on the proposed amendment at its March 11, 1997 meeting which starts at 1:30 p.m. in the St. Johns County Commission Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.

A copy of the proposed amendment to the Future Land Use Map 1990-2005, File Number SSA-A-97-001, is available for review at the Planning and Zoning Department in the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and in the Ponce de Leon Branch Public Library.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act,

Persons needing a special accommodation to participate in this process should contact ADA Coordinator at (904) 822-2501 or at the County Administration Building, 2020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD) or Florida Relay Service: 1-800-955-9770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made by the Board of County Commissioners, with respect to any matter considered at the meeting or hearings, they will need a record of the proceedings, and for such purpose, they 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.

Dated this 14th day of February, 1997.

St. Johns County
Board of County
Commissioners
Cheryl Strickland,
Clerk of Court
By Rosamary Yeoman,
Planning Department
L292 Feb. 19, 1997