

ORDINANCE NO. 98-27

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 TEN ACRES IN SIZE, AND PROVIDING FOR FINDINGS
OF CONSISTENCY; THE EFFECT ON THE COMPREHENSIVE
PLAN; 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 parcels of land less than twenty acres or less may be considered to be "Small Scale Amendments" and

WHEREAS, Section 163.3187, Florida Statutes, also 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, provides that a local government may amend its comprehensive plan to change the land uses of up to 80 acres

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

Section 1. Adopted Comprehensive Plan Amendment

The Future Land Use Map 1990-2005 of the adopted Comprehensive Plan 90-53 of St. Johns County, is hereby amended to change the land use designation of the property described in Exhibit A and generally shown on Exhibit B from Agricultural Intensive "A-I" to Neighborhood "NC", based on the following findings of fact :

a. The amendment request file no. SSA 98-001 has been fully considered after public hearing pursuant to legal notice duly published by law; and

b. The Neighborhood Commercial "NC" would allow neighborhood commercial uses as defined by the 1990 St. Johns County Comprehensive Plan and Textual Appendix;

c. The proposed amendment is consistent with the applicable land development regulations.

Section 2. Findings of Consistency

The Board of County Commissioners of St. Johns County, Florida hereby finds that the proposed amendment to the Future Land Use Map is: (i) consistent with the State Comprehensive Plan, Section 187.201, Florida Statutes, construed as a whole; (ii) consistent with the Northeast Florida Strategic Regional Policy Plan construed as a whole, without isolated application of a specific goal or policy; (iii) consistent with Florida Administrative Code Rule 9J-5 as revised, to the extent such Rule is not in conflict with Chapter 163, Part II, as provided in Section 163.3177 (10)(c); and (iv) consistent with other provisions or parts of St. Johns County Comprehensive Plan Ordinance 90-53.

Section 3. Effect on the 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 4. Severability.

It is declared to be the intent of the Board of County Commissioners that if any provisions, paragraph, or section of this Ordinance is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed separate, distinct, and independent, and such holding shall not affect the remaining provisions .

Section 6. Effective Date.

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

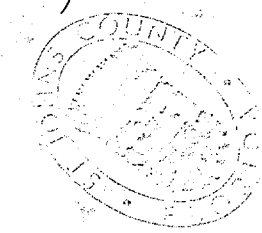
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST.
JOHNS COUNTY, FLORIDA THIS 12 DAY OF May, 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

BY: Moses A. Floyd
M.A. Floyd, Chairman

ATTEST : CHERYL STRICKLAND

BY: Patricia DePrande
DEPUTY CLERK



EFFECTIVE DATE: May 18, 1998

Exhibit A

Start at the intersection of the West Right of Way of State Road 13-A with the South line of the NE 1/4 of the NE 1/4 of Lot II, Section 38 or Huertas Grant as in Deed Book "Q", page 495, St. Johns County, Fla; thence run N 19 degrees 30' 30" East along said Right of Way, a distance of 454.29 feet to the point of beginning; thence continue to run North 19 degrees 30' 30" East a distance of 208.71 feet; thence run North 72 degrees 51' 30" West a distance of 571.8 feet; thence run South 19 degrees 30' 30" West a distance of 208.71 feet; thence run South 72 degrees 51' 30" East a distance of 571.8 feet to the point of beginning

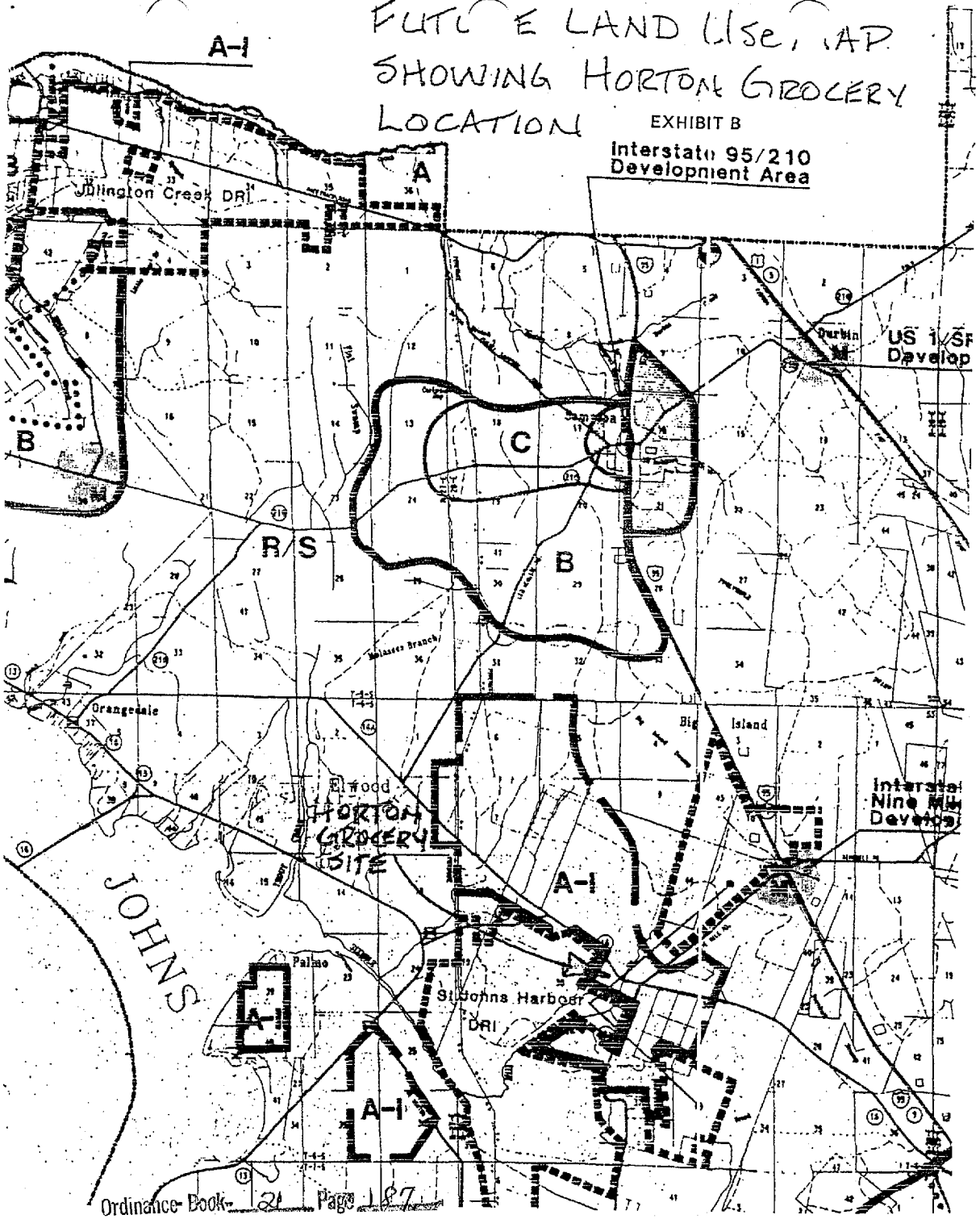
Beginning at a point seven (7) chains and sixty (60) links south of the northeast corner of Section Eleven (11) of Section Thirty-eight (38), Township Six (6) South, Range Twenty-eight (28) East, and running thence south two (2) chains and forty (40) links; west ten (10) chains North one (1) chain and fifty (50) links; and east ten (10) chains to the place of beginning. All of the above land lying and being in the Huertas Grant. Excepting therefrom that part conveyed to the State of Florida for highway purposes by deed dated March 16, 1953, recorded in Deed Book 202, at page 375 of the public records of St. Johns County, Florida.

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FUTURE LAND USE, MAP
SHOWING HORTON GROCERY
LOCATION

EXHIBIT B

Interstate 95/210
Development Area



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 _____

Patricia Bergquist 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 Proposed Rezoning

in the matter of Commercial General

in the _____ Court, was published in said newspaper in the
issues of April 22, 1998

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 22nd day of April, 1998,
by Patricia Bergquist who is personally
known to me or who has produced Personally Known as
identification.
(Type of Identification)



Zoe Ann Moss
MY COMMISSION # CG841814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

Zoe Ann Moss
(Signature of Notary Public)

(Seal)

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

Ordinance Book 21 Page 188

NOTICE OF PROPOSED REZONING & LAND USE CHANGE
Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on the 12th day of May, 1998, at 1:30 p.m., in the County Auditorium, County Administration Building, Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida. The Board will consider a proposed, small scale amendment to the Future Land Use Map 1990-2005 of the St. Johns County Comprehensive Plan, Ordinance 90-53, as amended. The proposed amendment would change the future land use designation from A1 (Agricultural-Intensive) to Neighborhood Commercial. Also to be considered is the passage of the following Ordinance:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OR (Open Rural) TO CG (Commercial General).
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:
SECTION 1: Pursuant to the application of Thelma and Richard Horton owners of the following described land, zoning classification of OR (Open Rural) on the following described lands:
A portion of Sections 11 and 35, Township 6 South, Range 29 East, St. Johns County, Florida. (A complete legal description is available in the Planning Department.)
IS HEREBY CHANGED TO: CG (Commercial General).
SECTION 2: Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in zoning district wherein said lands are located.
SECTION 3: The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.
SECTION 4: The Ordinance shall take effect immediately upon receipt of official acknowledgment of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By Cheryl Strickland, Its Clerk
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 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.
Interested parties may appear at the meeting and be heard with respect to the proposed request.
County documents specifically related to this matter are available for public inspections and reproduction (at cost) in the office of the St. Johns County Planning Department.
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 Helstead, ADA Coordinator, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095, not later than 5 days prior to the date of this meeting.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners and Planning & 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 Department, P.O. Drawer 349, St. Augustine, Florida 32095.

Subject to a proper and timely objections of a party at the beginning of the hearing, the record of the Planning & Zoning Agency hearing of this matter, including the tape recordings of the proceedings before the Planning & Zoning Agency, shall be part of the record and file of this matter submitted to the Board of County Commissioners for its consideration in this hearing. The Planning & Zoning Agency record and file of this case is available for review by the public in the Planning Department and/or office of the Clerk to the County Commission located at the St. Johns County Administrative Complex, 4020 Lewis Speedway (County Road 16-A and US1 North), St. Augustine, Florida 32095.

L656 April 22, 1998

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing



MEMBER OF THE FLORIDA CABINET
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

May 19, 1998

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

Attention: Patricia DeGrande, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge certified copy each of St. Johns County Ordinance Nos. 98-27, 98-28, 98-29, and 98-30, which were filed in this office on May 18, 1998.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

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CHERYL STRICKLAND
CLERK OF BOARD OF COUNTY
COMMISSIONERS
ST. JOHNS COUNTY FL

98 MAY 21 10:53

FILED

BUREAU OF ADMINISTRATIVE CODE
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427
FAX: (904) 488-7869 • WWW Address <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us