

ORDINANCE NO. 98-56

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 FACT AND 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 ten 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 per calendar year,

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 Residential "D" to Commercial, based on the following findings of fact:

- a. The amendment request file no. SSA 98-002 has been fully considered after public hearing pursuant to legal notice duly published by law; and
- b. The Commercial land use would allow all the commercial uses as defined by the 1990 St. Johns County Comprehensive Plan and Textual Appendix; and
- c. The proposed amendment is consistent with the applicable land development regulations.

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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 5. 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 15 DAY OF September, 1998.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

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

ATTEST: CHERYL STRICKLAND

BY: Patricia Alex Grande
DEPUTY CLERK

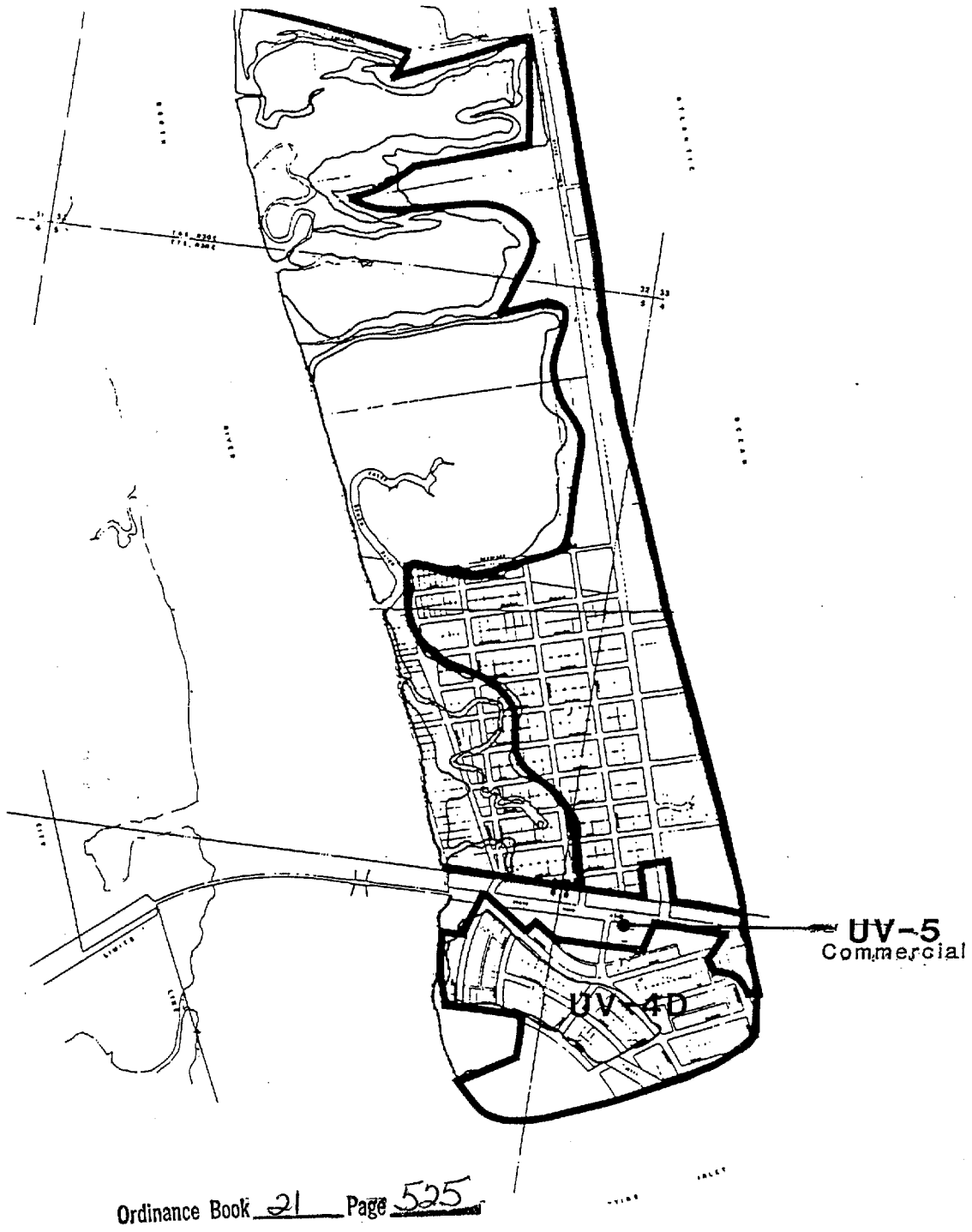
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EFFECTIVE DATE: 09-18-98

Exhibit A

Lots 12-36, Block B, Vilano Beach Subdivision, as recorded in
Map Book 7, Page 10, Public Records of St. Johns County, Florida.

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Exhibit B

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 _____

Display Ad

in the matter of Notice of Hearing

Adoption of a Proposed Amendment

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

issues of Aug 10, 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 10 day of Aug, 1998,

by Sandra D. Oliver who is personally

Personally Known

known to me or who has produced _____ as

(Type of Identification)

identification.



Zoe Ann Moss
MY COMMISSION # CC841814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss
(Signature of Notary Public)

(Seal)

Zoe Ann Moss

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

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Ordinance Book 91 Page 528

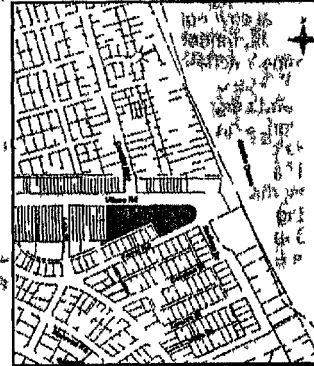
NOTICE OF PUBLIC HEARING ON ADOPTION OF A PROPOSED AMENDMENT TO THE ST. JOHNS COUNTY COMPREHENSIVE PLAN (1990-2005) AND NOTICE OF LAND USE CHANGE

The St. Johns County Planning and Zoning Agency and the Board of County Commissioners will hold public hearings on 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 passage of the following ordinance will be considered:

AN ORDINANCE OF THE 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 LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF VILANO ROAD AND ANAHMA DRIVE FROM THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL - UV 4D TO COMMERCIAL - UV-5* PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The subject property is located in Section(s) 9 Township 7 South and Range 30 East, Lots 12-36, inclusive, Block - B, Vilano Beach Subdivision as generally depicted on the map below.

Public hearings will take place Thursday, August 20, 1998 at 1:30 p.m. before the Planning and Zoning Agency. An Adoption Hearing before the Board of County Commissioners will take place on Tuesday, August 25, 1998 at 1:30 p.m. Said hearings will be held in the County Auditorium, County Administration Building 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.



SSA98002
 COMPREHENSIVE PLAN
 LAND USE AMENDMENT

File number SSA-98-002 is available for review at the St. Johns County Planning Department.

**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 he/she will need a record of the proceedings and for such purposes 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 inspection 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 a special accommodations or an interpreter to participate in this proceeding should contact David Halstead, ADA Coordinator at (904) 823-2500 or 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 95-128 to properly noticed public hearings or to written communication care of the St. Johns County Planning Department P.O. Drawer 349 St. Augustine, FL 32095.

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 _____
Display Ad
in the matter of Notice of Continued Public Hearing

in the _____ Court, was published in said newspaper in the
issues of Sept, 4, 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 8 day of Sept,, 1998,
by Sandra D. Oliver who is personally
known to me or who has produced _____ as
(Type of Identification)



Zoe Ann Moss
MY COMMISSION # CC641614 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)

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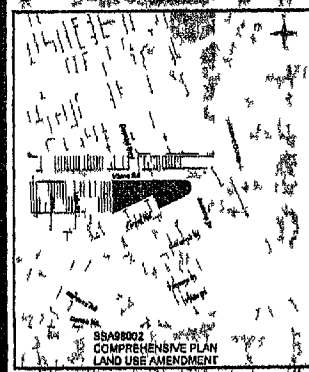
NOTICE OF A CONTINUED PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS ON ADOPTION OF A PROPOSED AMENDMENT TO THE ST. JOHNS COUNTY COMPREHENSIVE PLAN (1990-2005) AND NOTICE OF CHANGE OF LAND USE CHANGE

The St. Johns County Board of County Commissioners will hold a public hearing on 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 passage of the following ordinance will be considered:

AN ORDINANCE OF THE 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 LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF VILANO ROAD AND ANAHMA DRIVE FROM A FUTURE LAND USE DESIGNATION OF RESIDENTIAL UV-4D TO COMMERCIAL UY 5 PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

The subject property is located in Section(s) 9, Township 7 South and Range 30 East, Lots 12 38 inclusive Block B, Vilano Beach Subdivision as generally depicted on the map below.

An Adoption Hearing before the Board of County Commissioners will take place on Tuesday, September 16, 1998 at 9:00 a.m. which was continued from the



Board of County Commissioners meeting on August 25 1998. Said hearings will be held in the County Auditorium County Administration Building 4020 Lewis Speedway (County Road 16 A and US 1 North) St. Augustine Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.

File Number SSA 98 002 is available for review at the St. Johns County Planning Department.

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 the appeal is to be based.

Interested parties may appear and be heard with respect to the proposed request.

County documents specifically related to this matter are available for public inspection and reproduction (at cost) in the office 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 a special accommodations or an interpreter to participate in this proceeding should contact David Halstead ADA Coordinator at (904) 823 2500 or 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 of 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 objection of a party at the beginning of the hearing the record of the Planning & Zoning Agency hearing of this matter including the tape recording 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 to the review by the public in the Planning Department and/or office of the Clerk of the County Commission located at the St. Johns County Administrative Complex 4020 Lewis Speedway (County Road 16 A and US 1 North) St. Augustine Florida.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
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 PRESERVATION BOARDS
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

FILED

'98 SEP 21 A9:50

September 18, 1998
CHERYL STRICKLAND
CLERK OF CIRCUIT COURT
ST. JOHNS COUNTY, FL.

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

Dear Mr. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated September 16, 1998 and certified copy of St. Johns County Ordinance No. 98-56, which was filed in this office on September 18, 1998.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

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BUREAU OF ADMINISTRATIVE CODE
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us