

ORDINANCE NO. 2001- 27

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE FUTURE LAND USE MAP, FROM RURAL SILVICULTURE TO MIXED USE AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Chapters 125 and 163, Florida Statutes provide for the Board of County Commissioners to prepare, implement, and enforce Comprehensive Plans and Land Development Regulations for the control of development within the County; and,

WHEREAS, Section 163.3184, Florida Statutes provides the process for the adoption of a Comprehensive Plan amendment; and,

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

SECTION 1. The St. Johns County Comprehensive Plan is amended:

To change the Future Land Use Map designation from Rural/Silviculture to Mixed Use, as described on Exhibit A.

Based on the following findings of fact:

- a. The amendment request has been fully considered after public hearing pursuant to legal notice duly published as required by law; and
- b. The amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2000-34, as amended, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5 of the Florida Administrative Code; and
- c. The amendment is consistent with applicable land development regulations.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan, 2000-34, as amended, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. 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 portions.

SECTION 4. This ordinance shall take effect upon receipt of the Secretary of State.

SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official records of St. Johns County, Florida.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 27th DAY OF March 2001.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Mary F. Kohnke
Mary F. Kohnke, Chair

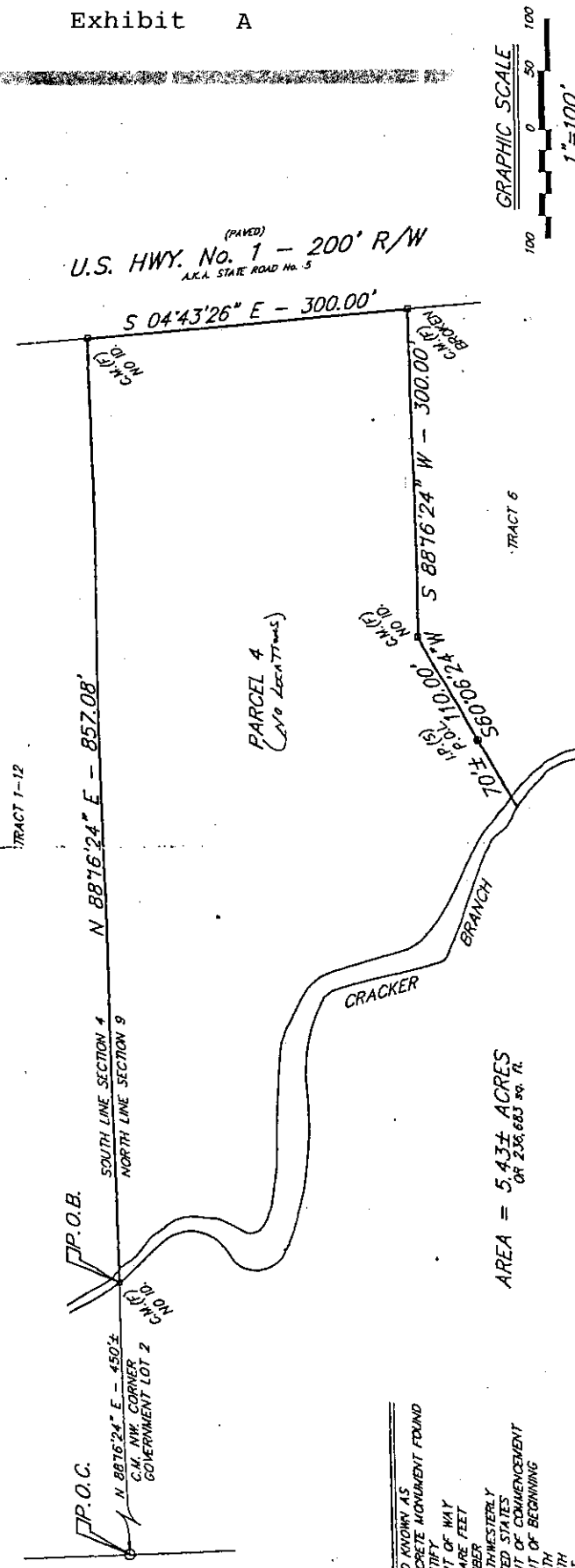
ATTEST: Cheryl Strickland, Clerk

BY: Patricia DePrade
Deputy Clerk

EFFECTIVE DATE: 04-04-01

MAP SHOWING BOUNDARY SURVEY OF:

DESCRIPTION: PARCEL 4
 BEING PART OF LOT 2 OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 30 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A CONCRETE MONUMENT MARKING THE NORTH-WESTERLY CORNER OF THE GOVERNMENT LOT TWO (2) AND RUN THENCE NORTH EIGHTY-EIGHT DEGREES SIXTEEN MINUTES TWENTY-FOUR SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION NINE TO THE WEST BANK OF CRACKER BRANCH FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH EIGHTY-EIGHT DEGREES SIXTEEN MINUTES TWENTY-FOUR SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION NINE TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF THE TWO HUNDRED FOOT RIGHT-OF-WAY OF U.S. HIGHWAY No. 1; THENCE SOUTH FOUR DEGREES AND FORTY-THREE MINUTES TWENTY-SIX SECONDS EAST ALONG THE SAID WESTERLY RIGHT-OF-WAY BOUNDARY A DISTANCE OF THREE HUNDRED FEET; THENCE SOUTH FOUR DEGREES AND FORTY-THREE MINUTES TWENTY-SIX SECONDS WEST TO THE EAST BANK OF CRACKER BRANCH; THENCE SOUTH EIGHTY-EIGHT DEGREES SIXTEEN MINUTES TWENTY-FOUR SECONDS WEST TO THE WEST BANK OF CRACKER BRANCH; THENCE NORTH EIGHTY-EIGHT DEGREES SIXTEEN MINUTES TWENTY-FOUR SECONDS WEST TO THE POINT OF BEGINNING OF THIS DESCRIPTION. BEARINGS ARE REFERRED TO THE MAGNETIC MERIDIAN WITH NO VARIATION OFFSET, AND ALSO THAT CERTAIN PARCEL OF LAND BOUND ON THE WEST BY THE ABOVE DESCRIBED LAND, ON THE EAST BY THE CENTERLINE OF U.S. HIGHWAY No. 1 (NOW STATE ROAD No. 5) AND THE NORTH AND SOUTH BY THE NORTHERLY AND SOUTHERLY BOUNDARIES RESPECTIVELY OF THE LAND FIRST ABOVE DESCRIBED, EXTENDED EASTERLY TO THE CENTERLINE OF SAID HIGHWAY, SAME BEING THE WEST 100 FEET OF THE 200 FOOT RIGHT-OF-WAY OF SAID U.S. HIGHWAY No. 1 ACCORDING THE EASTERLY BOUNDARY OF THE LAND FIRST ABOVE DESCRIBED (AS TO SAID 100 FOOT WIDE PARCEL SUBJECT TO USE AS A RIGHT-OF-WAY.



AREA = 5.43± ACRES
 OR 236,683 sq. ft.

- LEGEND**
- A.K.A. - ALSO KNOWN AS
 - C.M.(F) - CONCRETE MONUMENT FOUND
 - ID. - IDENTIFY
 - R/W - RIGHT OF WAY
 - SQ. FT. - SQUARE FEET
 - NO. - NUMBER
 - NW - NORTHWESTERLY
 - U.S. - UNITED STATES
 - P.O.C. - POINT OF COMMENCEMENT
 - P.O.B. - POINT OF BEGINNING
 - N - NORTH
 - S - SOUTH
 - E - EAST
 - W - WEST

NOTES:

- The parcel of land as shown hereon lies within Federal Flood Zone # 16 (FL 38) depicted on Flood Insurance Rate Map Community-Panel No. 12814Z 022600 for St. Johns County, Florida as revised 07/25/82.
- Bets of bearing structure. **SEE SHEET**
- Encroachments as shown hereon are only those above-ground, visible structures utilizing of foundations were located or determined by this survey.

- This survey does not reflect or determine ownership.
 - This survey made without benefit of an abstract of title. No right-of-ways or easements of record were furnished to this firm except as shown.
 - All distances, bearings or angles are as field measured. Based on plot measurements as noted if different.
 - Bets of elevations. **N/A**
 - The certification of this survey is a statement of opinion based on the existing field and documentary evidence available at the time this survey was prepared.

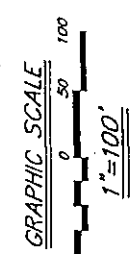
CERTIFY TO: **Charles Tice**

Not valid without the signature and the original notes and office relations to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties. **2200**

NICHOLAS H. FRANKLIN
 Professional Land Surveyor L.S. #4620
 for DEVINO AND ASSOCIATES L.B. #6072

DEVINO & Associates, Inc.
ENGINEERS + SURVEYORS
 3205 U.S. 1, SOUTH SUITE #3
 ST. AUGUSTINE, FLORIDA 32086
 904-797-1887 FAX 904-797-2048

FIELD BOOK: 482
 FIELD WORK: 19
 SIGNED: 07/07/00
 SCALE: 1"=100'
 JOB NO: 00-0954
 TYPE SURVEY: BOUNDARY
 SHEET: 1 of 1



(PAVED)
 U.S. HWY. No. 1 - 200' R/W
 A.K.A. STATE ROAD No. 5

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 **LINDA Y MURRAY**
who on oath says that she is an 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 PUBLIC HEARING

in the matter of **CPA 00 005 & REZ 2000-03**

JOHNS TOWING

in the Court, was published in said newspaper in the issues of

MARCH 12, 2001

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, for a period of one year 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 12TH day of **MARCH** 2001,

by Linda Y Murray who is personally known to me
or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss
(Signature of Notary Public)



Zoe Ann Moss
MY COMMISSION # CC641814 EXPIRES
AUG 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

NOTICE OF A PUBLIC HEARING TO CONSIDER A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN AND A PROPOSED RELATED REZONING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County will hold a Public Hearing on Tuesday, March 27, 2001, at 1:30 p.m. to consider an amendment to the Future Land Use Map of the St. Johns County 2015 Comprehensive Plan and also a related rezoning of the same property, located at 10205 US 1 South within St. Johns County, Florida, as depicted on the General Location Map. A full legal description is available for review in the St. Johns County Planning Division.

The property subject to the application (File Number CPA-00-005) for a proposed Comprehensive Plan amendment is 5.43 acres in size and located at US Highway 1 South approximately 1.4 miles South of the I-95 Interchange, and one-half mile North of the St. Johns County Line, within a portion of Section 09, Township 10 South, and Range 30 East. The amendment proposes to change the Future Land Use Map designation from Rural Commercial (RC) to Mixed Use District (M4).

The proposed rezoning application (File Number REZ-2000-03) for the same property seeks to approve an ordinance of the County of St. Johns, State of Florida, rezoning land as described herein from the present zoning classification of Open Rural (OR) to Commercial Intensive (C1); making the findings of fact; requiring recordation, and providing effective date.

Said hearing will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida. These files are available for review by the public in the Planning Division located at the St. Johns County Administration Complex, 4020 Lewis Speedway (County Road 16-A and US 1 North), St. Augustine, Florida, and may be examined by interested parties prior to said public hearing, and all interested parties shall be granted an opportunity to be heard at said public hearing.

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. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need a record of the proceedings and for such purpose 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.

This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the County Commissioners and Planning & Zoning Agency members on this topic, except with compliance with Resolution 95-126, which provides for property noticed public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 349, St. Augustine, Florida, 32095.

FILE NUMBERS: CPA-00-005 and REZ-2000-03 (known as John's Town)
 BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA
 CHERYL STRICKLAND, CLERK
 L541-1 Mar. 12, 2001

