

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL COASTAL -A TO RESIDENTIAL COASTAL - D 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 amendments; and,

WHEREAS, Chapter 70.001, Florida Statutes provides for private property rights and protection to property owners in the event of litigation settlement if filed accordingly with 70.001.

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 Residential Coastal - A to Residential Coastal - D, as described in 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. Chapter 70.001, Florida Statutes provides for private property rights and protection to property owners in the event of litigation settlement if filed accordingly with Chapter 70.001. The approved Settlement Agreement was filed pursuant to Chapter 70.001.

SECTION 2. The Land Uses allowed by this Small Scale Comprehensive Plan Amendment shall be limited to not more than 56 residential units, built in not more than four buildings with residential uses, not more than 35 feet in height.

SECTION 3. 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 4. 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 effect the validity of the remaining portions.

SECTION 5. This ordinance shall take effect 31 days after adoption. If challenged within 30 days after adoption, this ordinance shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the adopted small scale amendment is in compliance.

SECTION 6. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 28th DAY OF May 2002.

BOARD OF COUNTY COMMISISONERS OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
James E. Bryant, Chair

RENDITION DATE May 29 2002

ATTEST: Cheryl Strickland, Clerk

BY: Colin L. Platt
Deputy Clerk

EFFECTIVE DATE: 2/27/2003

Exhibit A

DESCRIPTION BY SURVEYOR

A PARCEL OF LAND IN GOVERNMENT LOTS 7 AND 8, SECTION 22, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE S 89° 00'00" W, ON THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 169.52 FEET; THENCE N 16°02'01" W ALONG THE WEST RIGHT-OF-WAY LINE OF BUTLER AVENUE AS IT CURRENTLY EXISTS (25 FOOT RIGHT-OF-WAY) 1231.37 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 887, PAGE 864 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE S 73°57'59" W ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 887, PAGE 864 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE S 00°53'00" E, 496.60 FEET TO THE NORTH LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 244, PAGE 525 OF SAID PUBLIC RECORDS; THENCE S 89° 07'00" W ALONG SAID NORTH LINE 657.03 FEET; THENCE N 26°49'53" W, 520.47 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF RIVERSIDE BOULEVARD AS IT CURRENTLY EXIST (50-FOOT RIGHT-OF-WAY); THENCE N 77°58'00" E ALONG SAID SOUTH RIGHT-OF-WAY LINE 863.59 FEET TO THE NORTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 887, PAGE 864; THENCE S 16°02'01" E ALONG THE WEST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 887, PAGE 864 A DISTANCE OF 143.38 FEET TO THE POINT OF BEGINNING.

THE AFOREDESCRIBED PARCEL CONTAINS 9.99 ACRES MORE OR LESS.
THE BASIS OF BEARING FOR THE AFOREDESCRIBED PARCEL IS THE SOUTH RIGHT-OF-WAY LINE OF RIVERSIDE BOULEVARD WHOSE ASSUMED BEARING BEARS N 77°58'00" E.

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

PUBLIC NOTICE (DISPLAY ADVERTISEMENT)

In the matter of **FILE# CPA SS 2002-01**

ESTUARIES LIMITED LIABILITY COMPANY

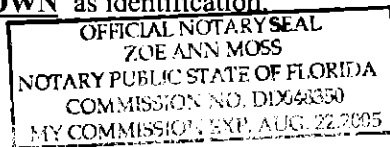
in the Court, was published in said newspaper in the issues of

MONDAY, MAY 13, 2002

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.

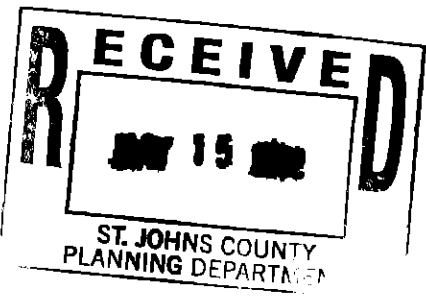
Sworn to and subscribed before me this 14TH day of MAY 2002
by [Signature] who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

[Signature]
(Signature of Notary Public)



(Seal)

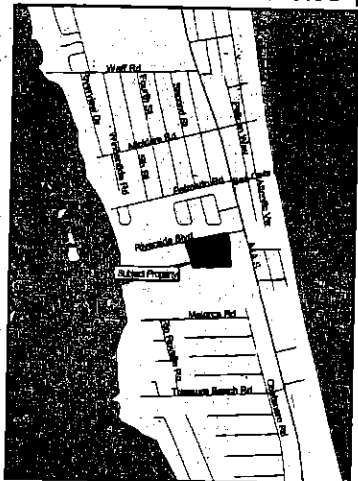
Zoe Ann Moss



Executive Center - Next to the Allegro Retirement Home) 707-5500

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

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners, at its regular meeting on Tuesday, May 28, 2002 at 1:30 p.m., will hold a public hearing to consider a proposed Small Scale Land Use Map Amendment to the St. Johns County 2015 Future Land Use Map. Said hearing will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16A) and US 1 North, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.



The subject property is located on the South side of Riverside Boulevard, approximately 350 feet west of State Road A1A South. A complete description is available in the St. Johns County Planning Offices. See map generally depicting the location, Exhibit A. The amendment proposes to change the Future Land Use Map designation from Residential Density Zone "A" to Residential Density Zone "D".

The proposed amendment is known as File Number CPA(SS)-2002-01, Estuaries Limited Liability Company, and is available for review at the local County Planning Offices and Libraries and may be examined by interested parties prior to said public hearing.

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.

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 or an interpreter to participate in this proceeding should contact ADA Coordinator at (904) 823-2501 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals, Telecommunications Device for the Deaf (TDD): Florida Relay Service 1-800-955-8770, no later than 5 days prior to the date of this meeting.

RESIDENTS, PROPERTY OWNERS AND OTHER INTERESTED INDIVIDUALS ARE ENCOURAGED TO PARTICIPATE IN THESE PROCEEDINGS AND ALL OTHER COMPREHENSIVE PLANNING PROCESSES TO THE FULLEST EXTENT POSSIBLE.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES E BRYANT, CHAIRMAN
File Number: CPA(SS) 2002-01 Estuaries Limited Liability Company