

ORDINANCE NO. 2003-70

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FROM COMMERCIAL (CM) TO RESIDENTIAL COASTAL-C; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; 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 and 163.3187, Florida Statutes provides the process for the adoption of Comprehensive Plan amendments; and,

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

**SECTION 1.** The St. Johns County 2015 Future Land Use Map of the Comprehensive Plan is amended from Future Land Use Map designation Commercial (CM) to Residential Coastal-C on the property described in Exhibit "A", based on the following Findings of Fact:

- a. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law; and,
- b. The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- c. The amendment is consistent with applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

**SECTION 2.** The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2000-34 and the 2015 Future Land Use Map, 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 effect the validity of the remaining portions.

**SECTION 4.** 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 5.** 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 ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 26th DAY OF August, 2003.**

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

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

RENDITION DATE 08/29/03

ATTEST: Cheryl Strickland, Clerk

BY: Vernice King  
Deputy Clerk

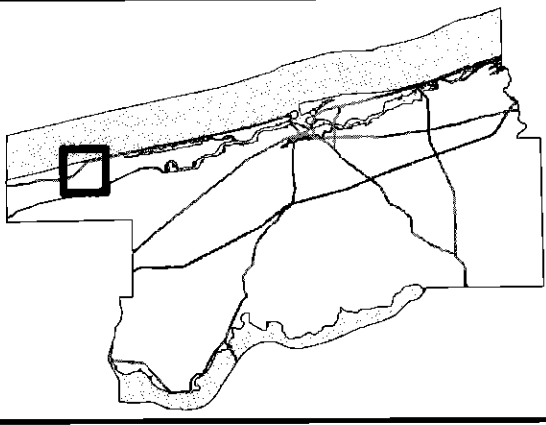
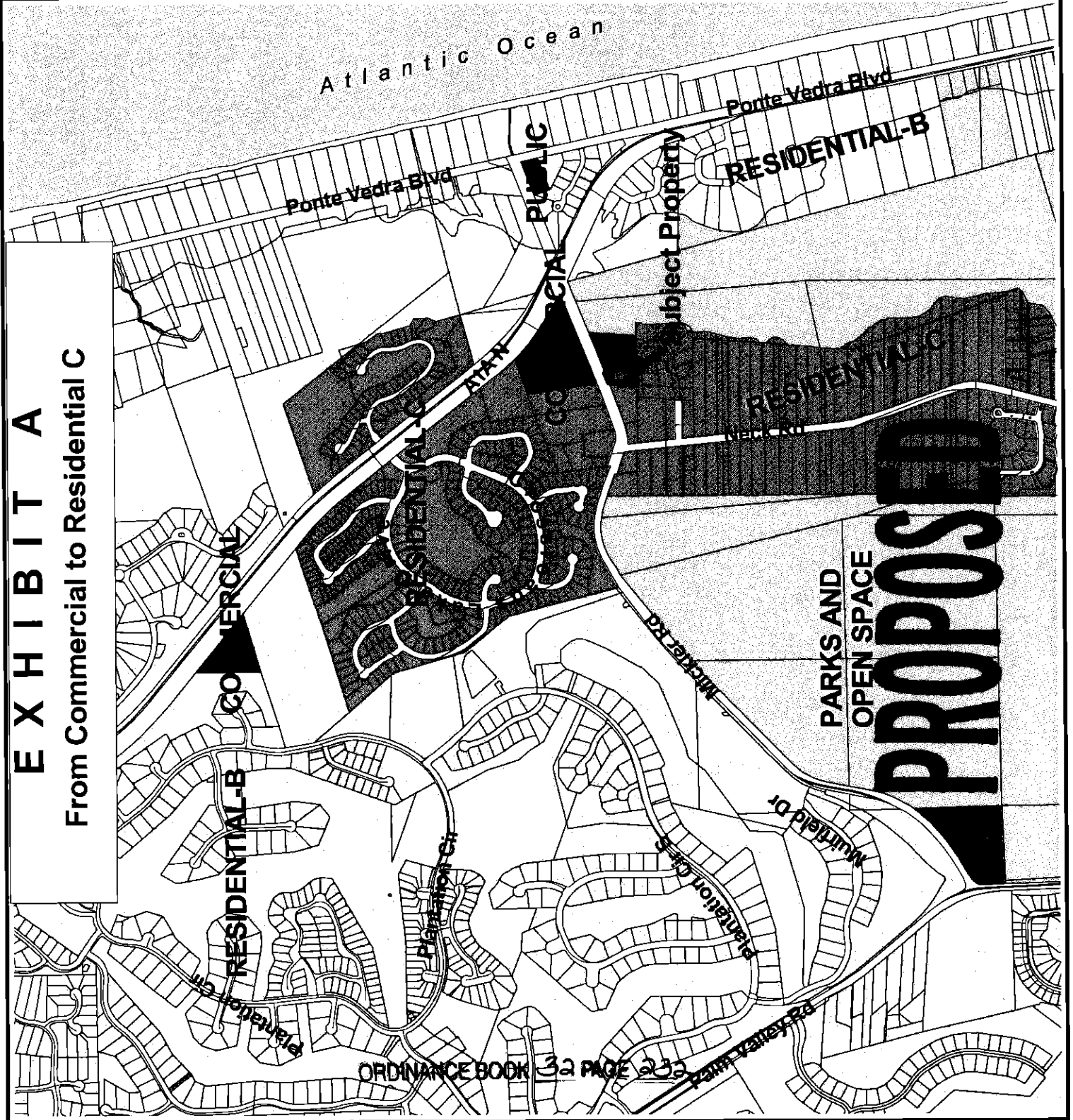
EFFECTIVE DATE: 09/26/03

**EXHIBIT "A"**

A PART OF THE Z.P. GIBBS OR SANCHEZ GRANT, SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF COMMENCEMENT, COMMENCE AT THE NORTHEAST CORNER OF SHADY OAKS AT PONTE VEDRA BEACH, PHASE II AS RECORDED IN MAP BOOK 42, PAGES 4 AND 5 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID SHADY OAKS AT PONTE VEDRA BEACH, PHASE II, A DISTANCE OF 210.18 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 806, PAGE 692 OF SAID PUBLIC RECORDS; THENCE NORTH 13 DEGREES 31 MINUTES 32 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 118.94 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF MICKLER ROAD (A 100 FOOT RIGHT OF WAY AS CLAIMED BY ST. JOHNS COUNTY), SAID POINT LYING ON A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 622.96 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 80.73 FEET, MAKING A CENTRAL ANGLE OF 07 DEGREES 25 MINUTES 30 SECONDS AND HAVING A CHORD BEARING OF NORTH 71 DEGREES 27 MINUTES 18 SECONDS EAST, AND A CHORD DISTANCE OF 80.67 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 67 DEGREES 44 MINUTES 33 SECONDS EAST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 315.39 FEET TO THE POINT OF BEGINNING; THENCE NORTH 67 DEGREES 44 MINUTES, 33 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF MICKLER ROAD (A 100 FOOT RIGHT OF WAY) A DISTANCE OF 94.11 FEET, THENCE SOUTH 14 DEGREES 24 MINUTES 42 SECONDS EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 282.07 FEET TO A POINT ON THE NORTH LINE OF TRACT "C" AS SHOWN ON THE PLAT OF SHADY OAKS AT PONTE VEDRA BEACH, AS RECORDED IN MAP BOOK 35, PAGES 45 AND 46 OF SAID PUBLIC RECORDS; THENCE SOUTH 88 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT "C", A DISTANCE OF 170.82 FEET TO A POINT, THENCE NORTH 03 DEGREES 10 MINUTES 60 SECONDS EAST A DISTANCE OF 242.39 FEET TO THE POINT OF BEGINNING.

# EXHIBIT A

From Commercial to Residential C



## Future Land Use Map



Map Prepared: August 8, 2003  
\*Depicts General Project Boundary

Comprehensive  
Plan Amendment  
For

River Marsh  
Amended FLU: Residential C  
St. Johns County Ordinance: 2003  
St. Johns County  
Growth Mgmt. Svcs.  
Planning Division



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 (DISPLAY ADVERTISEMENT)**

In the matter of **FILE # CPA SS 2003-01**

**RIVER MARSH 4345 MICKLER ROAD**

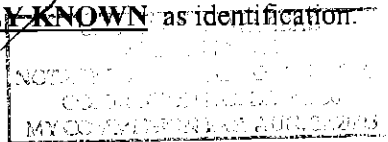
in the Court, was published in said newspaper in the issues of

**JULY 23, 2003**

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 **23<sup>RD</sup>** day of **JULY** 2003

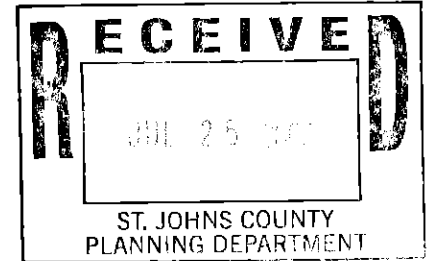
by *Linda Y Murray* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.



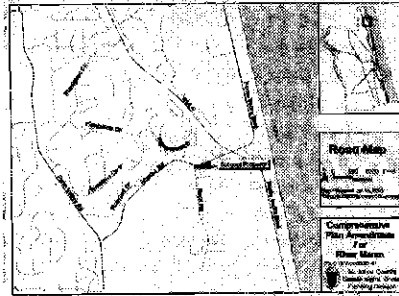
*Zoe Ann Moss*  
(Signature of Notary Public)

(Seal)

Zoe Ann Moss



# NOTICE OF 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 Planning and Zoning Agency at its regular meeting on Thursday, August 7, 2003, at 1:30 p.m. and the St. Johns County Board of County Commissioners, on Tuesday, August 26, 2003 at 1:30 p.m., will hold public hearings to consider a proposed 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, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.

The subject property is located at 4345 Mickler Road, between Mickler Road and River Marsh Drive. A complete legal description is available in the St. Johns County Planning Offices. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Commercial to Residential C.

The proposed amendment is known as File Number CPA-(SS) 2003-01 River Marsh, 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 records of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records 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 special accommodations to participate in the proceedings 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 at 1-800-955-8770, no later than 5 days prior to the date of the hearings.

**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  
PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
BY: DON HOUSE, CHAIRMAN**

File Number: CPA -(SS) 2003-01 River Marsh