

**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, FOR PROPERTY LOCATED ON THE NORTH SIDE OF MICKLER ROAD, APPROXIMATELY 660 FEET WEST OF STATE ROAD A1A NORTH, FROM COMMERCIAL (CM) TO RESIDENTIAL COASTAL DENSITY – 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, 163.3187 and 163.3189 Florida Statutes provides the process for the adoption of a 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 Commercial (CM) to Residential Coastal Density – C, as shown on **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 St. Johns County Comprehensive Plan, Ordinance No. 2000-34, as amended, Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- c. The amendment is consistent with applicable sections of the Land Development Code regulations.
- d. The amendment will not result in an increase in hurricane evacuation times.

**SECTION 2.** The remaining portions of the St. Johns County Comprehensive Plan, 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.

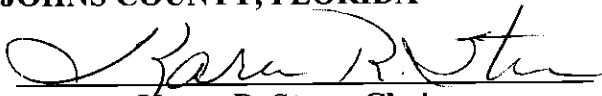
**SECTION 3.** Should any section, subsection, sentence, clause, phrase, or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not effect the validity of the remaining portions.

**SECTION 4.** The amendment to the St. Johns County Comprehensive Plan shall become effective on the date the State Land Planning Agency issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (9) Florida Statutes, or in the alternative and if applicable on the date the Florida Administration Commission issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (10) Florida Statutes.

**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.

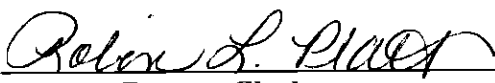
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 27<sup>th</sup> DAY OF April 2004.**

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

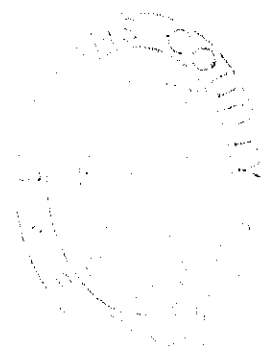
BY:   
**Karen R. Stern, Chair**

RENDITION DATE May 4, 2004

**ATTEST: Cheryl Strickland, Clerk**

BY:   
**Deputy Clerk**

EFFECTIVE DATE: 05/28/04



O.R. 1164 PG 0616

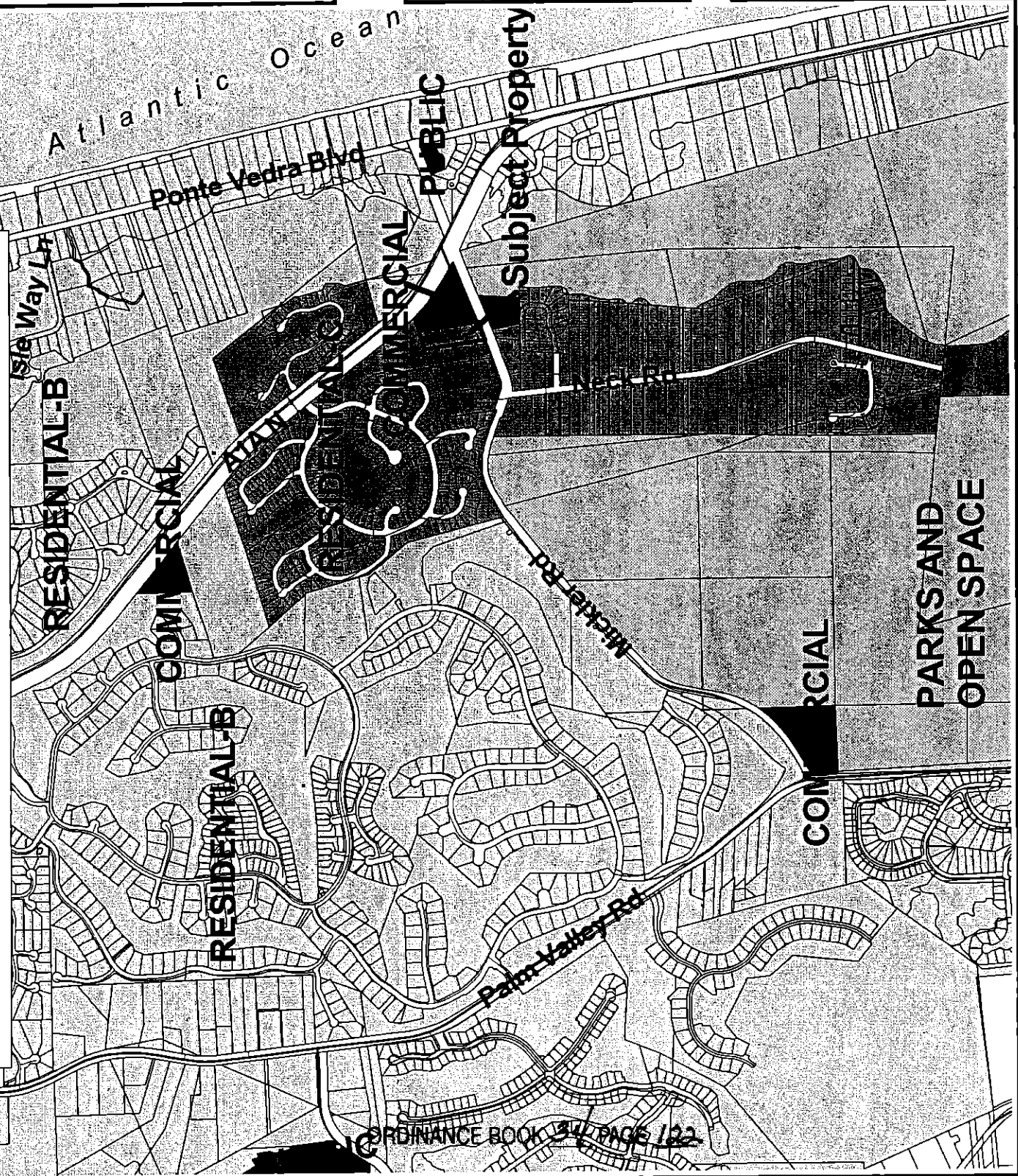
A PART OF SECTION 46, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 46;  
THENCE RUN SOUTH 75°17'25" WEST, A DISTANCE OF 996.38 FEET; THENCE RUN SOUTH  
8°37'50" EAST A DISTANCE OF 395.14 FEET; THENCE RUN NORTH 71°22'10" EAST A DISTANCE  
OF 198 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 71°22'10" EAST A  
DISTANCE OF 196.29 FEET; THENCE RUN SOUTH 8°37'50" EAST A DISTANCE OF 608.21  
FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HICKLER ROAD, AS NOW ESTABLISHED AS  
A 100 FOOT RIGHT OF WAY; THENCE RUN SOUTH 68°52'10" WEST ALONG SAID NORTHERLY  
LINE OF HICKLER ROAD, A DISTANCE OF 198 FEET; THENCE RUN NORTH  
8°37'50" WEST A DISTANCE OF 616.99 FEET TO THE POINT OF BEGINNING.

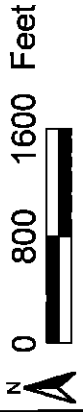
EXHIBIT "A"

# EXHIBIT A

From Commercial to Residential C (Coastal)



## Future Land Use Map



Map Prepared: Mar 23, 2004  
\*Depicts General Project Boundary

Small Scale  
Comprehensive  
Plan Amendment  
For  
Micklers Bend  
(4380 Mickler Rd)  
FILE: CPA(SS)2004-01  
St. Johns County Ordinance #:2004-  
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 **AMANDA N. BRUNK**

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 **ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN**

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

**MARCH 26, 2004**

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 **6<sup>TH</sup>** day of **APRIL 2004**

by Amanda N. Brunk who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist  
(Signature of Notary Public)

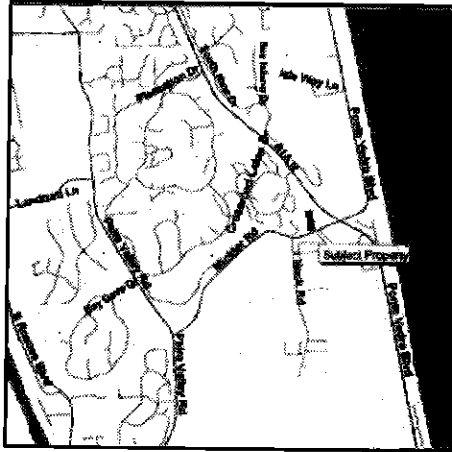


Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

(Seal)

PATRICIA A BERGQUIST

# NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE 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, April 15, 2004, at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, April 27, 2004, 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 hearings to be heard regarding the proposed amendment.

The subject property is approximately 2.80 acres and is located at 4380 Mickler Road. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Commercial to Residential-C Coastal.

The proposed amendment is known as File Number CPA (SS) 2004-01 Micklers Bend, 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 a verbatim record of the proceedings are 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 special accommodations 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, call 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.

PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
ROBERT TAYLOR, CHAIR  
File Number: CPA (SS) 2004-01 Micklers Bend

3/20

BOARD OF COUNTY COMMISSION  
ST. JOHNS COUNTY, FLORIDA  
KAREN STERN, CHAIR