

ORDINANCE NUMBER: 2005-119

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM PUBLIC (P) TO RESIDENTIAL C- COASTAL FOR PROPERTY LOCATED AT 5801 A1A SOUTH, BUTLER BEACH; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING 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 163.3185, 163.3187 and 163.3189, 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 Comprehensive Plan is amended to change the Future Land Use Map designation from Public (P) to Residential C- Coastal, for property located at 5801 A1A South, Butler Beach, 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.
- 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 Ordinance No. 2000-34, as amended; and St. Johns County Land Development Code as amended.

**SECTION 2.** The remaining portions of the St. Johns County Comprehensive Plan Ordinance No. 2000-34, as amended, 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 affect 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 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 ordinance 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 13 DAY OF Dec. 2005.**

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

BY: James E. Bryant  
James E. Bryant, Chairman

ATTEST: ~~CHERYL STRICKLAND, CLERK~~

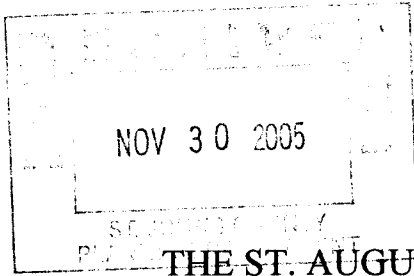
BY: Lvonne King  
Deputy Clerk

EFFECTIVE DATE: 01/13/06

REVISION DATE 12/15/05

EXHIBIT A

Lot 18, Block "J", BUTLER'S BEACH,  
Unit 1, according to plat thereof recorded  
in Map Book 6, page 22, public records of  
St. Johns County, Florida



COPY OF ADVERTISEMENT

**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 **CHARLES BARRETT**

who on oath says that he 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 **DISPLAY ADVERTISEMENT**

in the matter of **FUTURE LAND USE - MCDONALD RESIDENCE**

was published in said newspaper in the issues of

**NOVEMBER 29, 2005**

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 he 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 **29<sup>TH</sup>** day of **NOVEMBER, 2005**.

by *Charles Barrett* 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

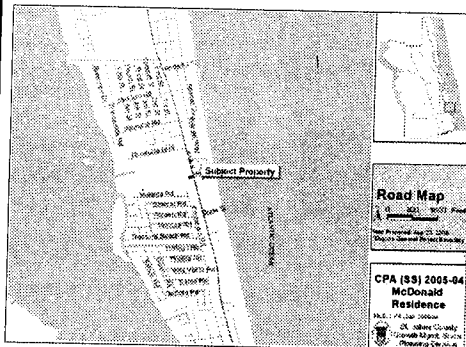
(Seal)

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 a public hearing will be held on Tuesday, December 13, 2005, at 9:00 a.m. by the St. Johns County Board of County Commissioners, to consider a proposed amendment to the St. Johns County 2015 Future Land Use Map. Said hearings 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 .087 acres (3,800 square feet) and is located at 5801 A1A South. 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 Public to Residential C Coastal.

The proposed amendment is known as File Number CPA(SS) 2005-04 McDonald Residence, and is available for review at the local County Planning Office and Libraries and may be examined by interested parties prior to said public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include 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 to participate in the proceedings should contact the ADA Coordinator at (904)209-0650 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32085. For hearing impaired individuals, Telecommunications Device for the Deaf (TDD), 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.**

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES BRYANT, CHAIRMAN  
File Number: CPA(SS) 2005-04 McDonald Residence