ORDINANCE NO. 2007-7

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 PARKS AND OPEN SPACE TO RESIDENTIAL DENSITY – A FOR THE PROPERTIES LOCATED AT 390-A, 390-B, 390-C AND 390-D RIVERSIDE BOULEVARD, 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, Sections163.3184, 163.3187 and 163.3189 Florida Statutes provides the process for the adoption of Comprehensive Plan amendments.

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 Parks and Open Space to Residential Density - A for the properties located at 390-A, 390-B, 390-C and 390-D Riverside Boulevard, as shown on **EXHIBITS A, B-1 and B-2**; 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 and the St. Johns County Land Development Code.

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. 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 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 6th **DAY OF** February, **2007.**

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: _____
Ben Rich, Chairperson

RENDITION DATE 02/08/07

ATTEST: Cheryl Strickland, Clerk

BY: _____
Deputy Clerk

EFFECTIVE DATE: 03/12/07

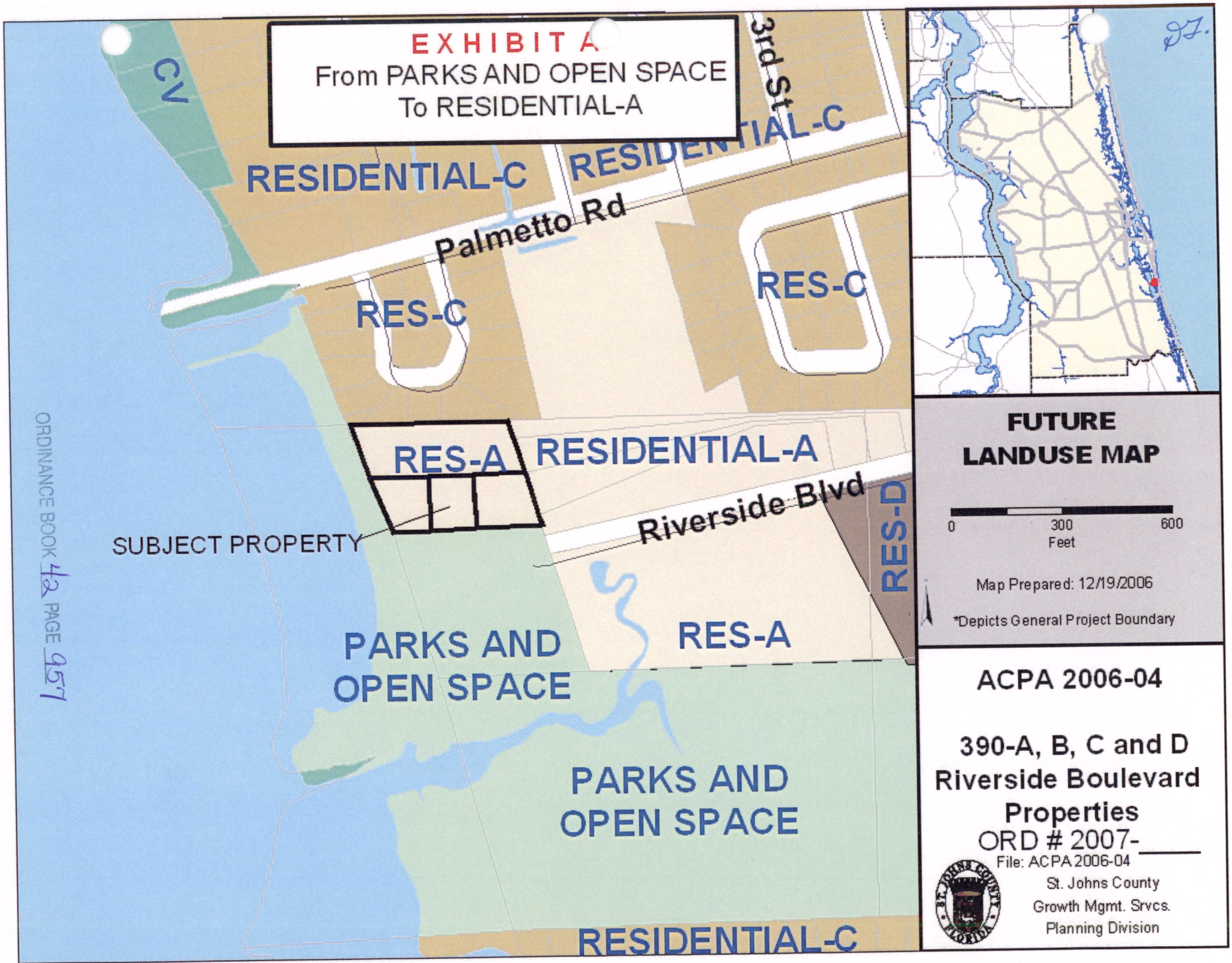


EXHIBIT A
From PARKS AND OPEN SPACE
To RESIDENTIAL-A
CV
RESIDENTIAL-C
RESIDENTIAL-C
3rd St
Palmetto Rd
RES-C
RES-C
RES-A
RESIDENTIAL-A
SUBJECT PROPERTY
Riverside Blvd
RES-D
RES-A
PARKS AND OPEN SPACE
PARKS AND OPEN SPACE
RESIDENTIAL-C
ORDINANCE BOOK 42 PAGE 057
97.
FUTURE LANDUSE MAP
0
300
600
Feet
Map Prepared: 12/19/2006
*Depicts General Project Boundary
ACPA 2006-04
390-A, B, C and D Riverside Boulevard Properties
ORD # 2007-____
File: ACPA 2006-04
St. Johns County
Growth Mgmt. Srvcs.
Planning Division

EXHIBIT B-1

A parcel of land in Government Lot 7, Section 22, Township 8 South, Range 30 East, St. Johns County, Florida, and being more fully described as follows:

Commencing at the Southeast corner of said Section 22; thence South 89 degrees 00 minutes West, on the South line of said Section 22, a distance of 2,244 feet to the U. S. Government meander corner on the East side of the Matanzas River; thence North 18 degrees 11 minutes West 1,133.83 feet to the point of beginning, at the Northwest corner of that land described in corrective deed recorded in Official Records Book 85, Page 523, public records of said county; thence South 89 degrees 07 minutes West 29.78 feet to the U. S. Government meander line as established in 1925; thence North 9 degrees 30 minutes West, on said meander line, 154.75 feet; thence North 89 degrees 08 minutes 30 seconds East 411 feet more or less to the center of a mosquito control ditch; thence Southerly, on said center of ditch, 158 feet more or less to the Northeast corner of said land described in Official Records Book 85, Page 523; thence South 89 degrees 07 minutes West, on the North line of said land described in Official Records Book 85, Page 523, a distance of 395 feet more or less to the point of beginning; and containing 1.47 acre more or less.

EXHIBIT B-2

DESCRIPTION:

A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 22, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 00 MINUTES WEST, ON THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 2,244 FEET TO THE U. S. GOVERNMENT MEANDER CORNER ON THE EAST SIDE OF THE MATANZAS RIVER; THENCE NORTH 18 DEGREES 11 MINUTES WEST 1,133.83 FEET TO THE NORTHWEST CORNER OF THAT LAND DESCRIBED IN CORRECTIVE DEED RECORDED IN OFFICIAL RECORDS BOOK 85, PAGE 523, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 89 DEGREES 07 MINUTES WEST 29.78 FEET TO THE U. S. GOVERNMENT MEANDER LINE AS ESTABLISHED IN 1925; THENCE NORTH 9 DEGREES 30 MINUTES WEST, ON SAID MEANDER LINE, 154.75 FEET TO THE POINT OF BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 9 DEGREES 30 MINUTES WEST, ON SAID MEANDER LINE, 68.88 FEET; THENCE NORTH 22 DEGREES 15 MINUTES WEST, ON SAID MEANDER LINE, 77.31 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 30 SECONDS EAST, ON THE NORTH LINE OF GOVERNMENT LOT 1, A DISTANCE OF 411 FEET MORE OR LESS TO THE CENTER OF A MOSQUITO CONTROL DITCH; THENCE SOUTHERLY, ON SAID CENTERLINE OF DITCH, 145 FEET MORE OR LESS; THENCE SOUTH 89 DEGREES 08 MINUTES 30 SECONDS WEST 411 FEET MORE OR LESS TO THE POINT OF BEGINNING; CONTAINING 1.31 ACRES MORE OR LESS.

The St. Augustine Record

COPY OF ADVERTISMENT

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 **PUBLIC NOTICE ACPA 2006-4 (390- A,B,C AND D RIVERSIDE BLVD)**

was published in said newspaper in the issues Of

DECEMBER 15, 2006.

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 **15TH** day of **DECEMBER, 2006.**

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

Patricia A Bergquist
My Commission DD275991
Expires December 18, 2007

_____ _____
(Signature of Notary Public) (Seal)

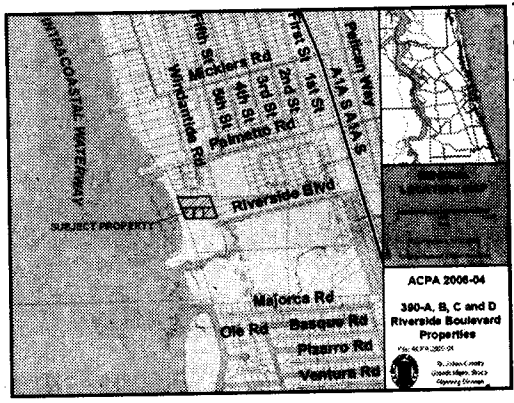
PATRICIA A. BERGQUIST

ORDINANCE BOOK 42 PAGE 960

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 on **Thursday, January 4, 2007 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, February 6, 2007 at 9:00 a.m.** , will hold public hearings to consider adoption of a proposed amendment to the St. Johns County Future Land Use Map of the 2015 Comprehensive Plan. 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 approximately 2.82 acres and is located in the South Coastal Corridor, just north of Butler Park West via Riverside Boulevard. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location, Exhibit A. This is a request to amend the Future Land Use Map designation from Parks and Open Space to Residential-A.

The proposed amendment is known as File Number ACPA 2006-04 (390-A,B,C and D Riverside Boulevard), 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 special accommodations to participate in the proceedings should contact the County's ADA Coordinator at (904) 209 0650 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32085. For hearing impaired individuals, for 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
HENRY GREEN, CHAIRMAN

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BEN RICH, CHAIRMAN

File Number: ACPA 2006-04 (390-A,B,C and D Riverside Boulevard Properties)