

ORDINANCE NO. 2007 - 59

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE TO RESIDENTIAL A , LOCATED SOUTH OF BARTRAM TRAILS PUD OFF OF WILLIAM BARTRAM SCENIC & HISTORIC HIGHWAY; 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 the 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 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 2015 Future Land Use Map designation from Rural Silviculture (R/S) to Residential A, located just south of the Bartram Trails PUD off of William Bartram Scenic & Historic Highway; as shown on **EXHIBITS A and B**; 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. 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 24 DAY OF July 2007.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Ben Rich
Ben Rich, Chairman

RENDITION DATE 07/26/07

ATTEST: Cheryl Strickland, Clerk
BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: 08/25/07



EXHIBIT A

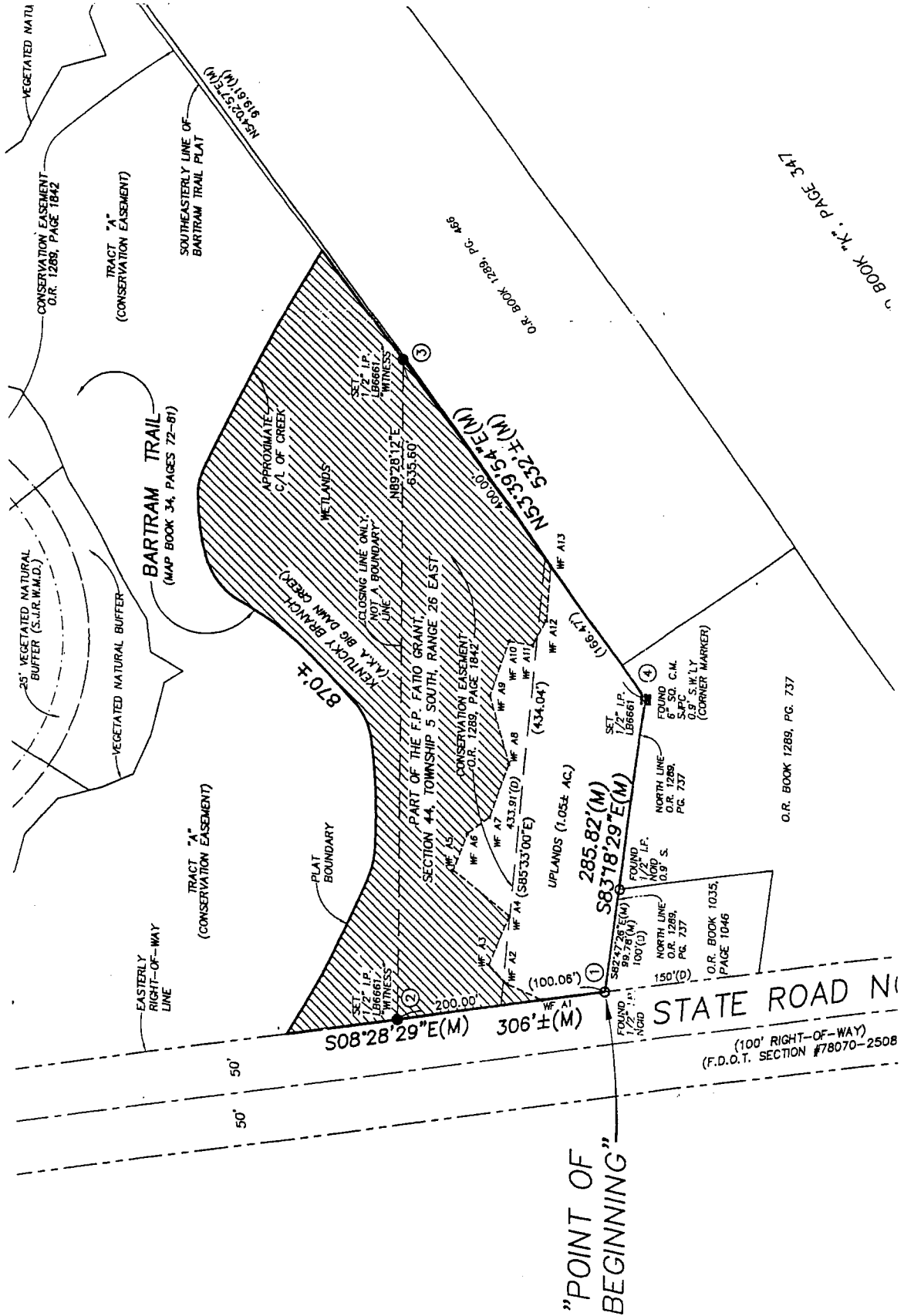


EXHIBIT B

A PORTION OF THE F.P. FATIO GRANT, SECTION 44, TOWNSHIP 5 SOUTH, RANGE 26 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 13 WITH THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1035, PAGE 1046 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 83°18'29" EAST, ALONG LAST SAID LINE AND ALONG A NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1289, PAGE 737 OF SAID PUBLIC RECORDS, A DISTANCE OF 285.82 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF BARTRAM TRAIL, AS RECORDED IN MAP BOOK 34, PAGES 72 THROUGH 81, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE NORTH 53°39'54" EAST, ALONG LAST SAID LINE, A DISTANCE OF 532 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE CENTERLINE OF KENTUCKY BRANCH; THENCE FOLLOWING THE CENTERLINE OF SAID BRANCH WESTERLY A DISTANCE OF 870 FEET, MORE OR LESS, TO AN INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 13; THENCE SOUTH 08°28'29" EAST, ALONG LAST SAID LINE, A DISTANCE OF 306 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 3.94 ACRES, MORE OR LESS, IN AREA.

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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 a **DISPLAY ADVERTISEMENT**
in the matter **PUBLIC HEARING CPA (SS) 2007-03 KLUBA RESIDENCE**
was published in said newspaper in the issues of **JULY 9, 2007.**

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 **9th** day of **JULY, 2007.**

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 DD27599
Expires December 18, 2007

(Seal)

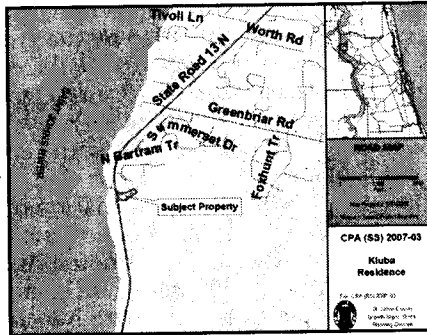
PATRICIA A. BERGQUIST

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 Board of County Commissioners on Tuesday, July 24, 2007 at 9:00 a.m. will hold a public hearing to consider adoption of a proposed Small Scale Future Land Use amendment to the St. Johns County Future Land Use Map of the 2015 Comprehensive Plan. 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.

Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.



The subject property is 4.4 acres and is located at 2743 SR 13N, south of Bartram Trails PUD within St. Johns County. 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 Rural/Silviculture to Residential A.

The proposed amendment is known as File Number CPA(SS) 2007-03 Kluba 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 hearing.

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
BEN RICH, CHAIRMAN
File Number: CPA(SS) 2007-03 Kluba Residence.