

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 RURAL/SILVICULTURAL (R/S) TO RESIDENTIAL – A, FOR THE PROPERTY LOCATED SOUTH OF SR 13 WEST OF TROUT CREEK, ACROSS FROM PACETTI’S FISH CAMP, CONTAINING APPROXIMATELY SEVEN ACRES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 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;

WHEREAS, Section 163.3184, 163.3187 and 163.3189 Florida Statutes provide 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 Comprehensive Plan is amended to change the Future Land Use Map designation from **Rural/Silviculture (R/S) to Residential – A** for the property located south of SR 13 west of Trout Creek, across from Pacetti’s Fish Camp, containing approximately seven acres of land, as shown on **EXHIBITS A AND B**, based upon 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 the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

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

portions 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 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 1st DAY OF September 2009.

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

BY: Cyndi Stevenson
Cyndi Stevenson, Chair

RENDITION DATE 09-02-09

ATTEST: Cheryl Strickland, Clerk

BY: Yvonne King
Deputy Clerk

Effective Date: October 19, 2009

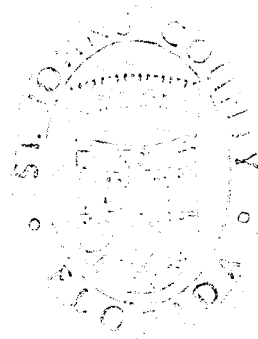
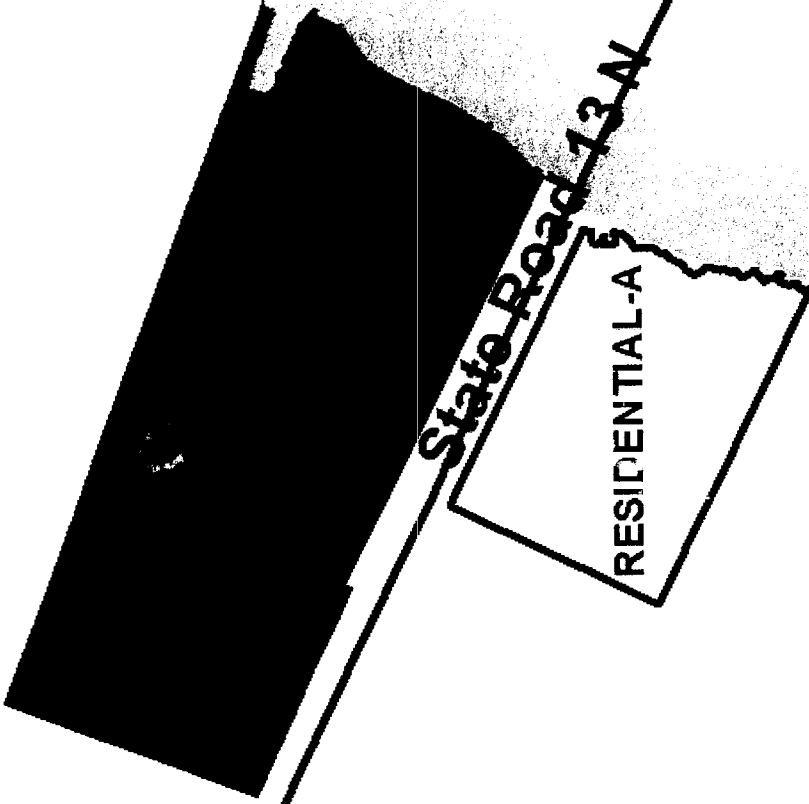


EXHIBIT A

Proposed 2015 Future Land Use Map
From RURAL SILVICULTURE
To RESIDENTIAL-A



RURAL SILVICULTURE

RURAL SILVICULTURE

(Space above for recording information)

EXHIBIT B

Lying and being in (Ynez) Gomez Grant, Section 45, Township 6 South, Range 27 East, and Government Lot 1, Section 15, Township 6 South, Range 27 East, more particularly described as follows:

COMMENCING at the intersection of the Southerly Right-of-Way line of State Road 13, and the mean low water mark of Trout Creek, in Government Lot 1, Section 15, Township 6 South, Range 27 East; thence run Northwesterly along said Southerly Right-of-Way line of State Road 13, a distance of 800 feet to a point; thence run Southwesterly on a line perpendicular to said Southerly Right-of-Way line, a distance of 500 feet to a point; thence run Southeasterly on a line parallel to and 500 feet from said Southerly Right-of-Way line, a distance of 800 feet, more or less, to the mean low water mark of Trout Creek; thence run Northeasterly along and with the meander line of Trout Creek to the POINT OF BEGINNING.

Together with all alluvium, avulsion, recollection and accretions, and also all riparian and littoral rights now, heretofore, or hereafter belonging to or in anywise appertaining to said lands above described.

EXCEPTING THEREFROM, a parcel of land Lying and being in (Ynez) Gomez Grant, Section 45, Township 6 South, Range 27 East, and Government Lot 1, Section 15, Township 6 South, Range 27 East, more particularly described as follows:

COMMENCING at the intersection of the Southerly Right-of-Way line of State Road 13, and the mean low water mark of Trout Creek, in Government Lot 1, Section 15, Township 6 South, Range 27 East; thence run Northwesterly along said Southerly Right-of-Way line of State Road 13, a distance of 665 feet to a point, for a POINT OF BEGINNING; from the said POINT OF BEGINNING continue in a Northwesterly line along the Southerly Right-of-Way line of State Road 13 a distance of 135 feet to a point; thence run Southwesterly on a line perpendicular to said Southerly Right-of-Way line, a distance of 500 feet to a point; thence run Southeasterly on a line parallel to and 500 feet distant from said Southerly Right-of-Way line of said State Road 13 a distance of 135 feet to a point; thence run Northeasterly on a line perpendicular to said Southerly Right-of-Way line of said State Road 13 a distance of 500 feet more or less to the POINT OF BEGINNING.

COPY

AUG 19 2009

The St. Augustine Record

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ULINDA E VERSTRAATE**

who on oath says that she is an Employee 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 HEARING**

In/the matter of **CPA(SS) 2006-14 DAVID RIDEOUT**

L2698-9 published in said newspaper **AUG 17, 2009**

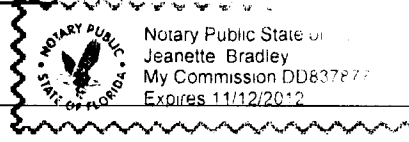
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 **17TH day of AUG 2009**

by Ulinda E Verstraate who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification



(Signature of Notary Public)
JEANETTE BRADLEY



(Seal)

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 Meeting on **Tuesday, September 1, 2009 at 9:00 a.m.** will hold a public hearing to issue a decision on

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2006-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE TO RESIDENTIAL-A, FOR THE PROPERTY LOCATED SOUTH OF SR 13, WEST OF TROUT CREEK, ACROSS FROM PACETTI'S FISH CAMP, CONTAINING APPROXIMATELY 7.59 ACRES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

Said hearing will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment. Items not heard by 6pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is 7.59 acres and is located at South of SR 13, West of Trout Creek, across from Pacetti's Fish Camp, 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) 2006-14 David Rideout**, 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.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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, 500 San Sebastian View, 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
CYNDI STEVENSON, CHAIR
FILE NUMBER: CPA(SS) 2006-14 David Rideout
L2698-9 Aug 17, 2009**



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

September 8, 2009

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Ms. Yvonne King, Minutes & Record Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated September 3, 2009 and certified copies of St. Johns County Ordinance Nos. 2009-36 through 2009-39, which were filed in this office on September 4, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd

FILED
2009 SEP 14 PM 4:53
CLERK OF CIRCUIT COURT AND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

DIRECTOR'S OFFICE

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