

ORDINANCE NO. 2012 - 30

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM COMMUNITY COMMERCIAL TO MIXED USE FOR THE PROPERTY IDENTIFIED AS A PORTION OF PARCEL NO. 185920-0050, CONTAINING APPROXIMATELY 1.8 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 and 163.3187 Florida Statutes provide 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 Comprehensive Plan is amended to change the Future Land Map designation from **Community Commercial to Mixed Use** for property identified by Parcel No. 185920-0050, containing approximately 1.8 acres of land, as described and shown on the attached **EXHIBIT A and B**.

SECTION 2. The 2025 Comprehensive Plan amendments described in Section 1 are 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 Northeast Florida Strategic Regional Policy Plan.
- (c) The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

SECTION 3. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended and the 2025 Future Land Use Map, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

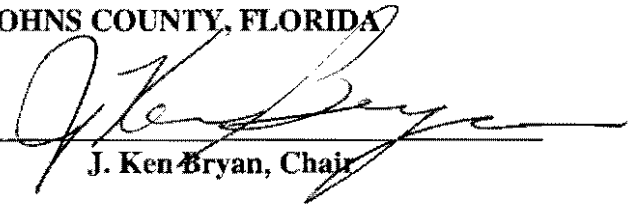
SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. These amendments to the St. Johns County Comprehensive Plan shall be effective 31 days after adoption. If timely, challenged, within 30 days after adoption, the amendment does not become effective until the state land planning agency or Administration Commission issues enters a final order determining the adopted amendment to be in compliance.

SECTION 6. 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.

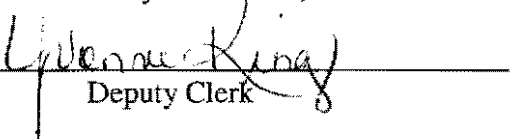
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 16th DAY OF October 2012.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
J. Ken Bryan, Chair

RENDITION DATE 10-18-12

ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

Effective Date: 11-16-12

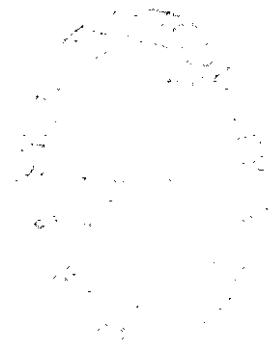


EXHIBIT A

2025 Future Land Use
From Community Commercial
to Mixed Use District

Duck Pond Dr

RESIDENTIAL-B

PARK/
RECREATION

Sabal Palm Dr

State Road 206 W

State Road 206 E

COMMUNITY
COMMERCIAL

US 1 S

PLANO P

Subject Property

RUR/SYLV

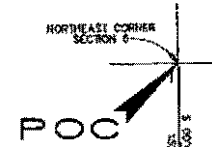
EXHIBIT B

SKETCH OF LEGAL

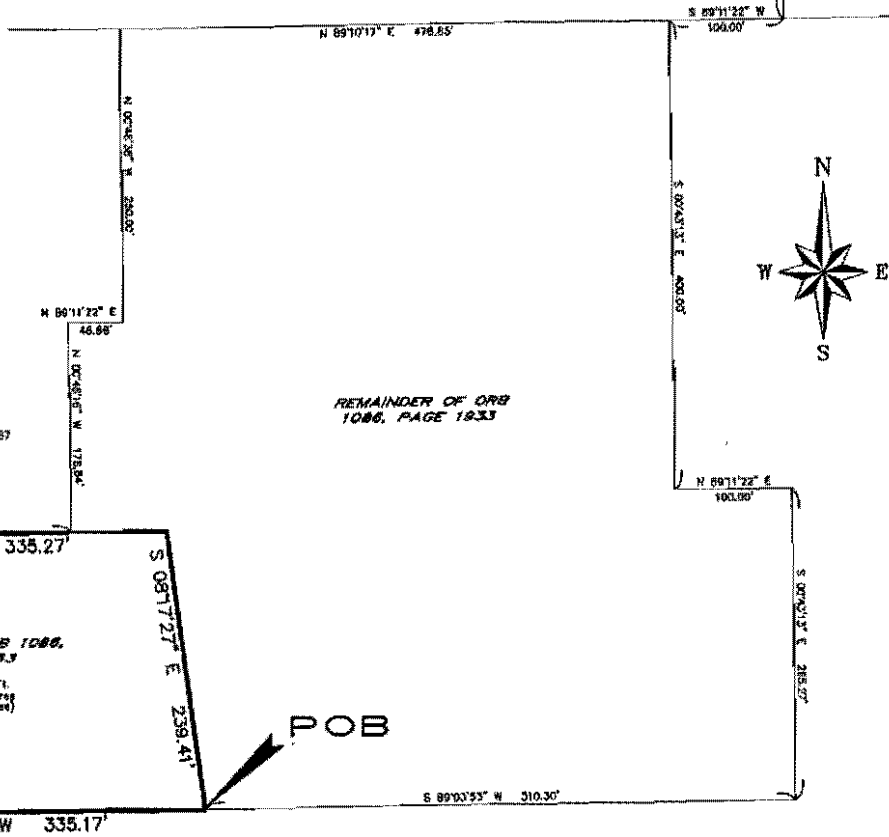
DESCRIPTION (BY SURVEYOR)

A PARCEL OF LAND SITUATED IN SECTION 6, TOWNSHIP 9 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 00°43'13" EAST, A DISTANCE OF 152.85 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 206, AS IT CURRENTLY EXISTS; THENCE SOUTH 89°11'22" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 206, A DISTANCE OF 100.00 FEET; THENCE SOUTH 00°43'13" EAST, ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1086, PAGE 1933 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 400.00 FEET; THENCE NORTH 89°11'22" EAST, ALONG THE LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1086, PAGE 1933 OF SAID PUBLIC RECORDS, A DISTANCE OF 100.00 FEET; THENCE SOUTH 00°43'13" EAST, ALONG THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1086, PAGE 1933 OF SAID PUBLIC RECORDS, A DISTANCE OF 265.27 FEET; THENCE SOUTH 89°03'53" WEST, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1086, PAGE 1933 OF THE PUBLIC RECORDS, A DISTANCE OF 310.30 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE WESTERLY ALONG SAID LINE, A DISTANCE OF 335.17 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, AS IT CURRENTLY EXISTS; THENCE NORTH 08°17'27" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 240.21 FEET; THENCE NORTH 89°12'00" EAST, A DISTANCE OF 335.27 FEET; THENCE SOUTH 08°17'27" EAST, A DISTANCE OF 239.41 FEET TO THE POINT OF BEGINNING. THE AFORESAID PARCEL CONTAINS 79,715.24 SQUARE FEET OR 1.83 ACRES, MORE OR LESS.



STATE ROAD 206



U.S. HIGHWAY NO. 1
East Right of way line

LEGEND

- R/W = RIGHT OF WAY
- LB = LICENSED BUSINESS
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- ORB = OFFICIAL RECORDS BOOK
- SQ FT = SQUARE FEET

REVISIONS	

SKETCH OF LEGAL: 05/25/2012
 DATE OF SKETCH: 1" = 100'
 DRAWING SCALE: 12-236
 JOB NUMBER:

ANCIENT CITY SURVEYING
 1897111
ACS
 SURVEYORS • ENGINEERS
 LAND PLANNERS

4425 U.S. HIGHWAY No. 1, SUITE, SUITE 401
 ST. AUGUSTINE, FLORIDA 32086
 PHONE: 904-707-9967 FAX: 904-797-8027

MICHAEL A. PISCO PLS
 Professional Land Surveyor #4708

SEAL

DATE SIGNED:

THE ST. AUGUSTINE RECORD

MATTHEWS DESIGN GROUP INC
7 WALDO ST
SAINT AUGUSTINE FL 32084

Ref.#: L2336-12
P.O.#: WILLARD

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

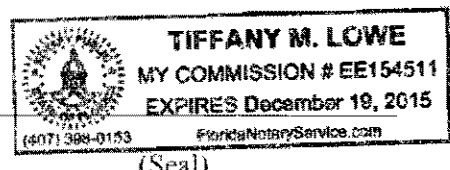
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared STEVEN SMITH
who on oath says that he/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) 2012-04 - WILLARD - HEARING 9/20 & 10/16
was published in said newspaper on 09/05/2012

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 has 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/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 5th day of SEP -- 2012
by Steven Smith who is personally known to me
or who has produced as identification

(Signature of Notary Public)



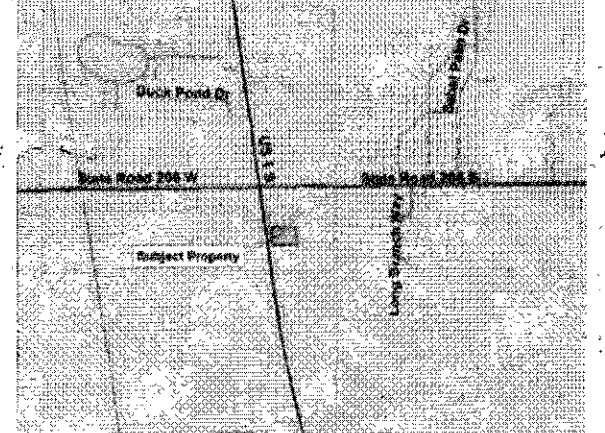
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A
PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO
THE FUTURE LAND USE MAP OF THE
ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday,
September 20, 2012 at 1:30 p.m. before the St. Johns County Planning and
Zoning Agency and on Tuesday, October 16, 2012 at 9:00 a.m., before the St.
Johns County Board of County Commissioners in the County Auditorium,
County Administration Building, 500 San Sebastian View, St. Augustine,
Florida to consider and issue a recommendation on the adoption of a
proposed small scale comprehensive plan amendment to the St. Johns County
Future Land Use Map of the 2025 Comprehensive Plan with the following
styled ordinance:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO.
2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP
DESIGNATION FROM COMMUNITY COMMERCIAL TO MIXED USE
FOR THE PROPERTY IDENTIFIED AS A PORTION OF PARCEL NO.
185920-0050, CONTAINING APPROXIMATELY 1.8 ACRES; PROVIDING
FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY;
AND AN EFFECTIVE DATE.

Said hearings 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 hearings to be heard regarding any or all of
the proposed amendments. Board of County Commissioner 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 includes 1.8 acres and is located at US 1 and south of
State Road 206.



The proposed changes is known as File Number CPA(SS) 2012-04 Willard, and
is available for review in the Planning and Zoning Section of the Growth
Management Services Department, at the Permit Center, 4040 Lewis
Speedway, St. Augustine, Florida and may be examined by interested
parties prior to said public hearings.

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

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 or an
interpreter to participate in this proceeding should contact the County's ADA
Coordinator at (904) 208-0650 or at the County Administration Building, 500
San Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons
call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the
meeting.
PLANNING AND ZONING AGENCY BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
BRAD NELSON, CHAIR J. KEN BRYAN, CHAIR
CPA(SS) 2012-04 Willard
L2336-12 Sep 5, 2012



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 22, 2012

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 18, 2012 and certified copies of Ordinance Nos. 2012-28 through 2012-32, which were filed in this office on October 19, 2012.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

2012 OCT 29 AM 8:40
RECEIVED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA