

ORDINANCE NO. 2015 - 77

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 RURAL/SILVICULTURAL (R/S) TO RESIDENTIAL-A FOR APPROXIMATELY 2.11 ACRES OF LAND LOCATED OFF BATTEN ROAD; 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 **Rural Silvicultural (R/S) to Residential-A** on approximately 2.11 acres of land located off Batten Road, as described and shown on the attached **EXHIBIT A, and B.**

SECTION 2. The 2025 Comprehensive Plan amendment described in Section 1 is 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

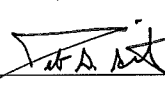
portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. These amendments to the St. Johns County Comprehensive Plan shall be effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely, challenged, within 30 days after adoption, the amendment does not become effective until the state land planning agency or Administration Commission 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.

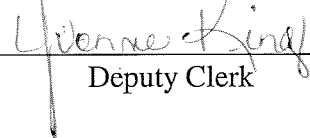
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 15 DAY OF December 2015.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Jeb S. Smith, Chair

RENDITION DATE December 17, 2015

ATTEST: Hunter S. Conrad, Clerk

BY: 
Deputy Clerk

Effective Date: February 1, 2016

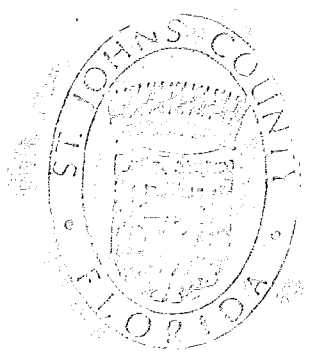
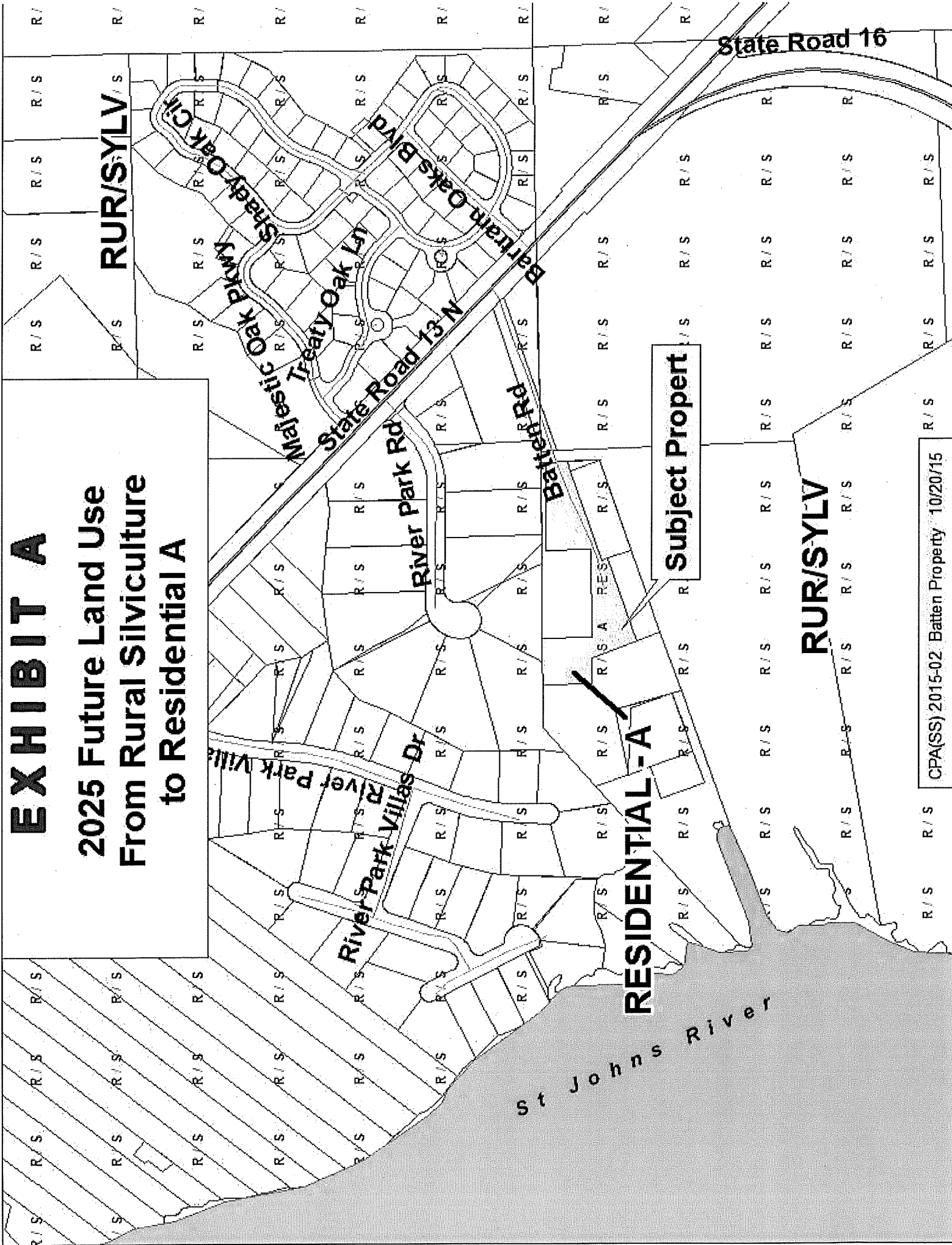


EXHIBIT A

2025 Future Land Use
From Rural Silviculture
to Residential A



Subject Property

RESIDENTIAL - A

RUR/SYLV

RUR/SYLV

CPA(SS) 2015-02 Batten Property 10/20/15

EXHIBIT B

Part of those lands described in Deed Book 180, page 425 of the public records of St. Johns County, Florida, lying within Government Lot 2, Section 8, Township 6 South, Range 27 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Government Lot 2; Thence South $89^{\circ}-33'-12''$ West, along the north line of said government Lot 2, 40.04 feet to the east line of said lands described in Deed Book 180, page 425; thence South $02^{\circ}-55'-45''$ East, along said east line, 14.01 feet to the Point of Beginning; Thence continue South $02^{\circ}-55'-45''$ East, 71.14' to the north line of those lands described in Official Records Volume 326, page 322 of the public records of St. Johns County, Florida; Thence South $70^{\circ}-15'-15''$ West, along said north line, 342.20 feet to the west line of said lands described in Official Records Volume 326, page 322; Thence South $19^{\circ}-44'-45''$ East, along said west line, 19.00 feet to the north line of those lands described in Official Records Volume 1020, page 1563 of the public records of St. Johns County, Florida; Thence South $70^{\circ}-15'-15''$ West, along said north line, 288.00 feet to the north west corner of said lands; Thence North $19^{\circ}-44'-45''$ West, 158.18 feet; Thence South $89^{\circ}-33'-12''$ West 86.88 feet; Thence North $00^{\circ}-26'-48''$ West, 162.00 feet to the north line of said Government Lot 2 and the north line of said lands described in deed Book 180, page 425; Thence North $89^{\circ}-33'-12''$ East, along said north line 150.00 feet to the west line of those lands described in Official Records Volume 488, page 456 of the public records of St. Johns County, Florida; Thence South $01^{\circ}-31'-52''$ East, along said west line, 162.00 feet to the south line of said lands; Thence North $89^{\circ}-33'-12''$ East, along said south line, 288.00 feet to the east line of said lands; Thence North $1^{\circ}-31'-52''$ West, along said east line 148.00 feet to the south line of said lands; Thence North $89^{\circ}-33'-12''$ East, along said south line 286.32 feet to the Point of Beginning.

Containing 2.1 acres, more or less

PA# 011290-0000

The St. Augustine Record

COPY OF ADVERTISEMENT

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 **NICOLE CORRIVEAU**

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 **DISPLAY AD**

In/the matter of **NOTICE OF HEARING – CPA(SS) 2015-02 BATTEN PROPERTY**

was published in said newspaper **OCTOBER 21, 2015**

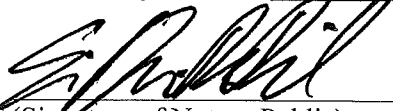
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post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

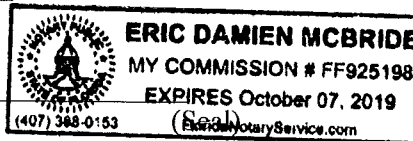


NICOLE CORRIVEAU

Sworn to and subscribed before me this **21st day of OCTOBER, 2015.**

by **NICOLE CORRIVEAU** who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification


(Signature of Notary Public)



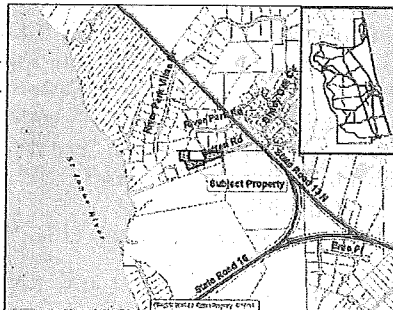
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, November 5, 2015 at 1:30 p.m., by the Planning and Zoning Agency and Tuesday, December 15, 2015 at 9:00 a.m. by the Board of County Commissioners in the County Auditorium located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider whether or not to adopt the 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 RURAL/SILVICULTURAL (R/S) TO RESIDENTIAL-A FOR APPROXIMATELY 2.11 ACRES OF LAND LOCATED OFF BATTEN ROAD; 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 amendment. 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 2.11 +/- acres and is located at 8760 Batten Road within St. Johns County, Florida.



A complete description is available in the St. Johns County Planning Office.

The proposed change is known as File Number CPA(SS) 2015-02 Batten Property, and is available for review in the Planning Division 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) 209-0650 or at the County Administration Building, 500 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.

PALNNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
DICK WILLIAMS, CHAIR

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
PRISCILLA L. BENNETT, CHAIR

FILE NUMBER: CPA(SS) 2015-02 Batten Property



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 17, 2015

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2015-77, which was filed in this office on December 17, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED December 17, 2015
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK