

ORDINANCE NO. 2016 - 67

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 AGRICULTURAL-INTENSIVE (A-I) TO RESIDENTIAL-A (RES-A) WITH A TEXT AMENDMENT LIMITING THE PROPERTY TO ONE (1) SINGLE-FAMILY DWELLING UNIT, FOR APPROXIMATELY FIVE (5) ACRES OF LAND LOCATED AT 7122-A OLD STATE ROAD 207; 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 **Agricultural-Intensive (A-I) to Residential-A (RES-A)** with a text amendment limiting the property to one (1) single-family dwelling unit, on approximately 5 acres of land located northwest of County Road 207 at 7122-A Old State Road 207 as described and shown on the attached **EXHIBIT A, and B and C.**

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.
- (d) This amendment is of unique circumstances pertaining specifically to the subject property based on the following: 1) The was erroneous permitting situation; 2) there was no fraud on behalf of the Property Owner; 3) there were circumstances in play beyond the County's control; and 4) the approval of this Order in no way establishes a precedent for future applications of this scope and is limited to this Subject Property.

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 20th DAY OF December 2016.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
Chair, James K. Johns

RENDITION DATE December 21, 2016

ATTEST: **HUNTER S CONRAD, Clerk**

BY: [Signature]
Deputy Clerk

Effective Date: January 21, 2017

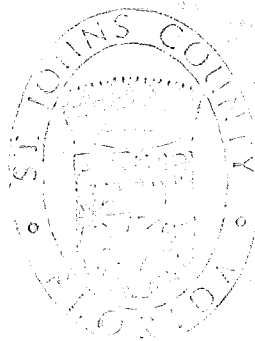
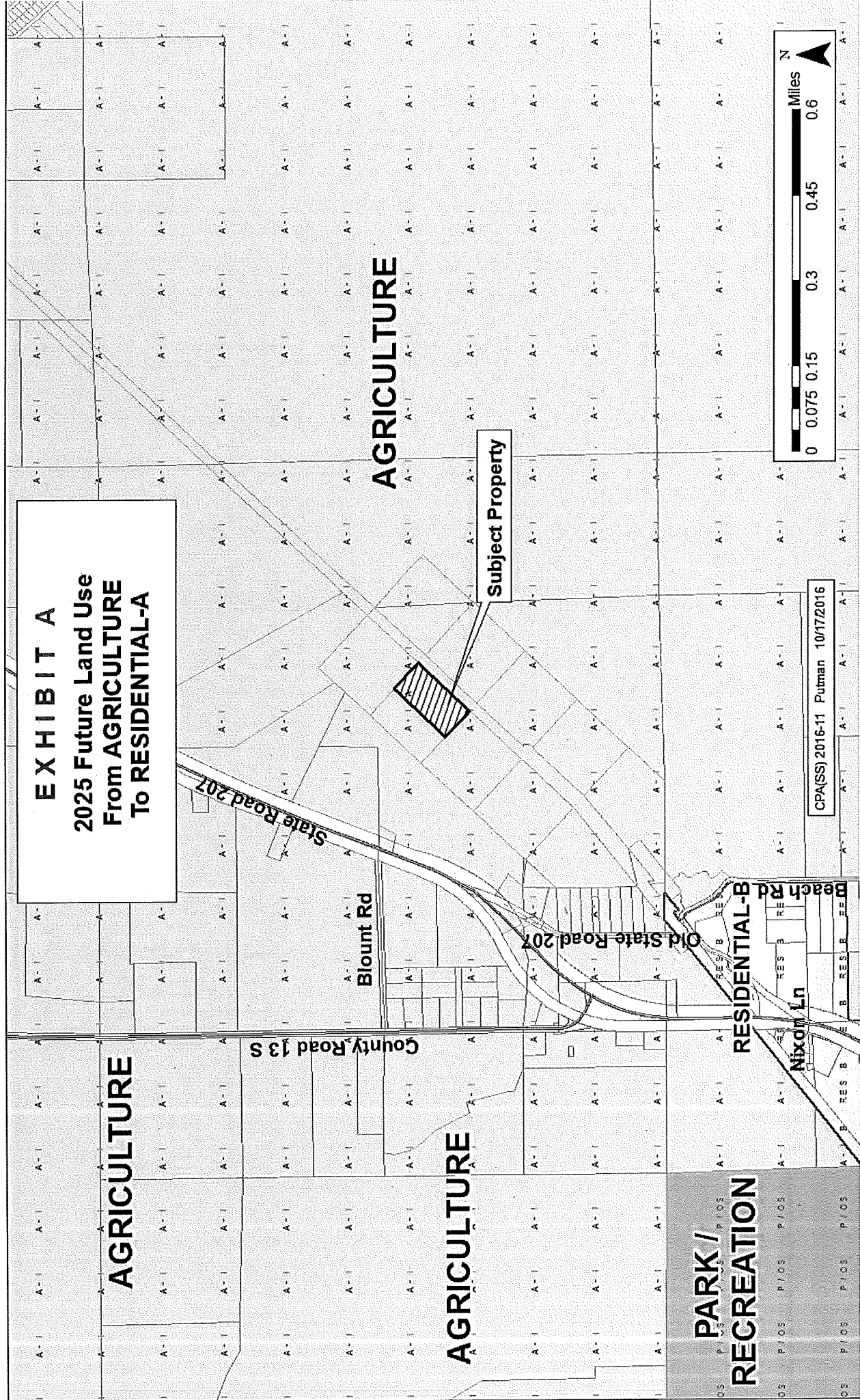


EXHIBIT A

2025 Future Land Use
From AGRICULTURE
To RESIDENTIAL-A



PARCEL No.:

036740-0020

LEGAL DESCRIPTION

Easterly One Half of Lot 2 of the Wanless Subdivision Section 3, Township 9 South, Range 28 East, Saint Johns County, Florida as recorded in Plat Book 1, Page 145 of the Public Records for Saint Johns County, Florida, Being more particularly described below as follows:

Commence at the Northeast corner of Section 3, Township 9 South, Range 28 East; thence South 00°26'06" East a distance of 1011.86 feet to the Westerly Right of Way line of an abandoned Florida East Coast Railway (100' in width); thence South 43°05'27" West along said abandoned Right of Way line a distance of 3356.35 feet to the Southeasterly corner of Lot 2 Wanless Subdivision said corner being the Point of Beginning; thence North 46°53'33" West a distance of 330.00 feet; thence North 43°05'27" East a distance of 660.00 feet; thence South 46°53'33" East a distance of 330.00 feet; thence South 43°05'27" West a distance of 660.00 to the Point of Beginning.

TOGETHER WITH A 60 foot Easement for Ingress, Egress and Utilities along the Easterly 60' of aforesaid Lot 2, as recorded in Official Records Book 2909, Page 230 of the Public Records for Saint Johns County, Florida.

SUBJECT TO a 20 foot wide utility easement along the Northerly 20 feet of aforesaid Lot 2, as recorded in Official Records Book 2993, Page 1940 of the Public Records for St. Johns County, Florida.

Subject to an easement for ingress and egress described as follows:

A portion of the Easterly One Half of Lot 2 of the Wanless Subdivision Section 3, Township 9 North, Range 28 East, Saint Johns County, Florida as recorded in Plat Book 1, Page 145, of the Public Records of Saint Johns County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Section 3, Township 9 South, Range 28 East, thence South 00°26'06" East, a distance of 1011.86 feet to the Westerly Right of Way line of an abandoned Florida East Coast Railway (100' in width); thence South 43°05'27" West along said abandoned Right of Way line a distance of 2696.35 feet to the Point of Beginning; thence continue along last said line South 43°05'27" West, 35.00 feet; thence North 49°19'18"seconds West, a distance of 330.30 feet; thence North 43°06'27" seconds East, a distance of 49.00 feet; thence South 46°53'33" East, a Distance of 330.00 feet to the Point of Beginning.

Putman House Small Scale Comp Plan Amendment

CPA (SS) 2016-011

Proposed Amendment Text

A.1.11.1(m)(8)(TBD) The Putman House property, approximately 5 acres, legally described in Ordinance No. 2016-07 is assigned the future land use designation of Residential-A, as shown on the Future Land Use Map. The number of residential dwelling units on the Putman House property shall be limited to a maximum of one (1) single-family residential dwelling unit. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan.

AKERMAN LLP
ATTN: WILL GIBBS
50 N LAURA ST
JACKSONVILLE FL 32202

Ref. #:
P.O. #:

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

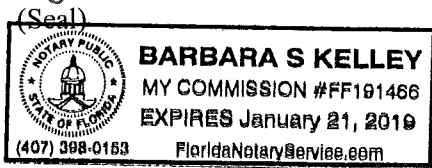
Before the undersigned authority personally appeared **NICOLE CORRIVEAU**
who on oath says that he/she is an Employee of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement being a
In the matter of **CPA(SS)2016-11 PUTNAM HOUSE -**
was published in said newspaper on **10/12/2016**

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 _____ day of OCT 31 2016
by Nicole Corriveau who is personally known to me
or who has produced as identification

Barbara S. Kelley

(Signature of Notary Public)



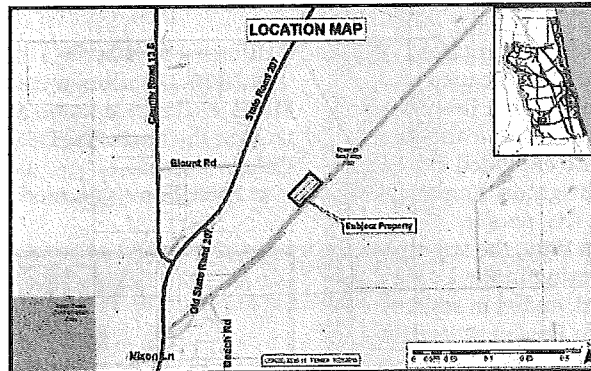
**NOTICE OF PUBLIC HEARING TO CONSIDER
ADOPTION OF A PROPOSED SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT TO THE
FUTURE LAND USE MAP OF THE ST. JOHNS
COUNTY 2025 COMPREHENSIVE PLAN**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 11/3/2016 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 12/20/2016 at 9:00 a.m., will each hold public hearings, as follows: The Planning and Zoning Agency to consider and issue a recommendation on the approval of a proposed Small Scale Comprehensive Plan amendment to the St. Johns County Future Land Use Map of the 2025 Comprehensive Plan and the Board of County Commissioners will consider whether or not to approve the same 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 AGRICULTURAL-INTENSIVE (A-I) TO RESIDENTIAL-A (RES-A) WITH A TEXT AMENDMENT LIMITING THE PROPERTY TO ONE (1) SINGLE-FAMILY DWELLING UNIT, FOR APPROXIMATELY FIVE (5) ACRES OF LAND LOCATED AT 7122-A OLD STATE ROAD 207; 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 5 acres and is located on 7122-A Old State Road 207, Elkton, FL 32033, within St. Johns County, Florida. See attached map generally depicting the location (Exhibit A). A complete description is available in the *St. Johns County Planning and Zoning Office*.



The proposed change is known as File Number CPA(SS)-2016000011, and is available for review in the Planning and Zoning Division of the Growth Management 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 public hearings to be heard regarding 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
JEFF MARTIN, CHAIR
File Number: CPA(SS)-2016000011, Putman House

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

1002207919 October 12, 2016



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 21, 2016

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

Attention: Ms. Yvonne King

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. 2016-67, which was filed in this office on December 21, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED December 21, 2016
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK