

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 CLASSIFICATION FROM RURAL/SILVICULTURE TO RESIDENTIAL-A, WITH A TEXT AMENDMENT LIMITATION OF FIVE (5) DWELLING UNITS, FOR APPROXIMATELY 16.48 ACRES OF LAND LOCATED ON THE NORTH SIDE OF FAVER DYKES ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCE; 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 Use classification of approximately 16.48 acres of land from Rural/Silviculture (R/S) to Residential-A (Res-A) with a Text Amendment limitation of five (5) dwelling units, as described and shown on the attached **EXHIBITS A, B and C.**

SECTION 2. The 2025 Comprehensive Plan amendment described in Section 1 is based upon the following Findings of Fact:

- (a) The proposed amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
- (b) The proposed Comprehensive Plan Amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Planning Policy Plan, the Community Planning Act, and Land Development Regulation Act (Chapter 163, Florida statutes), subject to further assessment at the adoption hearing.
- (c) The proposed Comprehensive Plan Amendment is procedurally consistent with Part 9.05.00 of the Land Development Code, subject to further assessment at the adoption hearing.
- (d) The amendment is consistent with the Goals, Objectives, and Policies of the St. Johns County Comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the hearing.

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 16 DAY OF June 2020.

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

BY: _____

Jeb S. Smith
Jeb S. Smith, Chair

ATTEST: BRANDON PATTY, Clerk

Rendition Date: _____

JUN 18 2020

BY: _____

Brandon Patty
Deputy Clerk

Effective Date: _____

JUL 26 2020



EXHIBIT A
2025 Future Land Use
From RURAL/SILVICULTURE
To RES-A

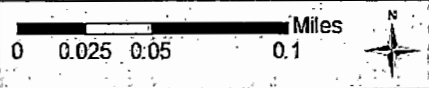
PARK/RECREATION

Subject Property

CONSERVATION

RUR/SYLV

RUR/SYLV



COMPAMD: 2019000006 Faver Dykes Homesites 12/18/19

 **COMPAMD 2019-06**

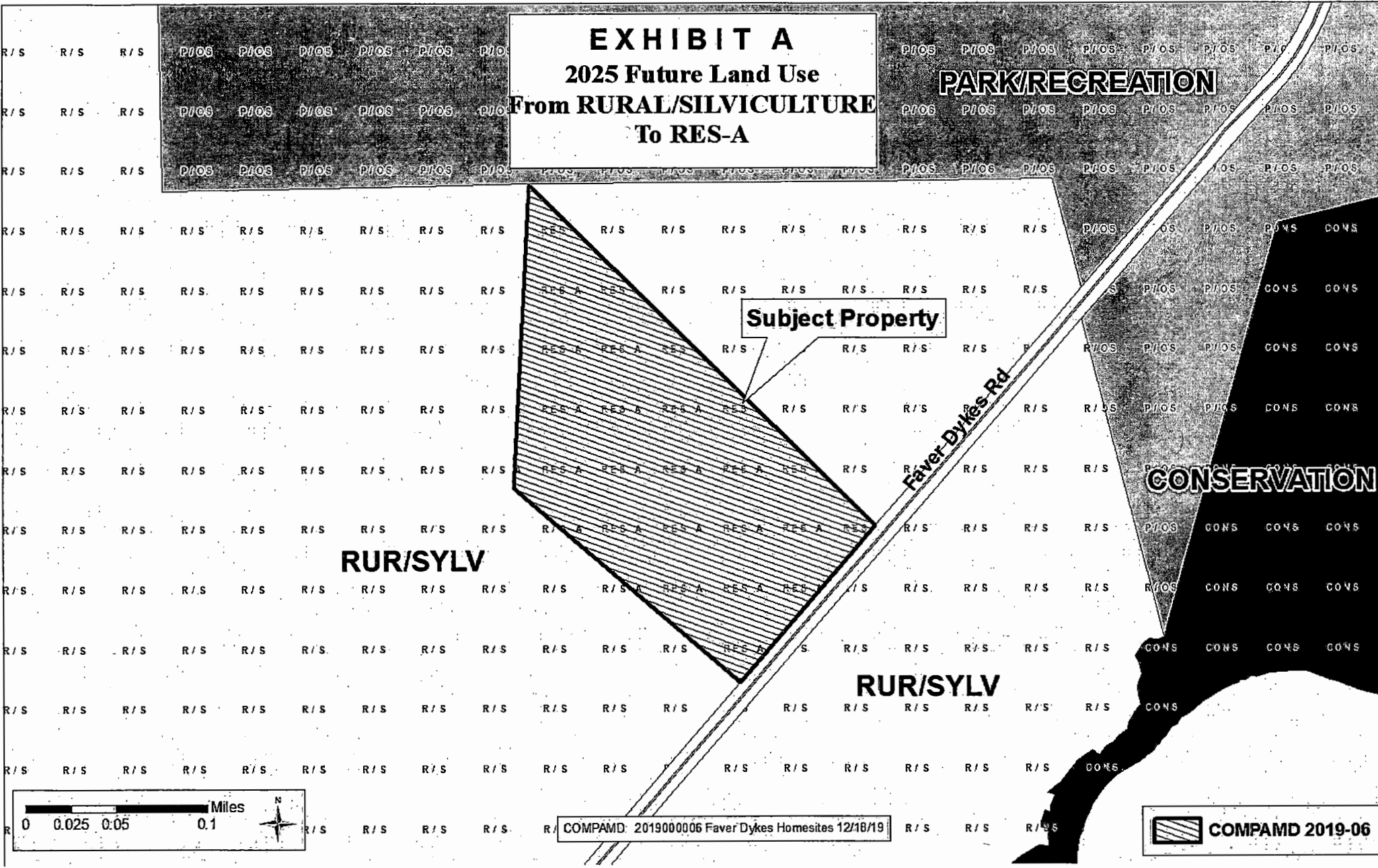


EXHIBIT B
LEGAL DESCRIPTION AND SURVEYS
Faver Dykes Homesites CPA

DAVIS FAMILY

A PARCEL OF LAND SITUATED IN SECTION 3, TOWNSHIP 10 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 3; THENCE S 88°49'55" W ALONG THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 1482.82 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4547, PAGE(S) 1439 OF THE PUBLIC RECORDS OF SAID COUNTY AND THE CENTERLINE OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE S 03°12'21" W, ALONG THE WESTERLY LINES OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4547, PAGE(S) 1439 AND SAID CENTERLINE OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT, A DISTANCE OF 400.85 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4547, PAGE(S) 1439 AND THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S 45°14'52" E, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4547, PAGE(S) 1439, A DISTANCE OF 1155.20 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF FAVER DYKES ROAD (66 FOOT RIGHT OF WAY); THENCE S 40° 45'40" W, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 299.27 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3810, PAGE(S) 497 OF SAID PUBLIC RECORDS; THENCE N 49°04'37" W, ALONG THE EASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3810, PAGE(S) 497, A DISTANCE OF 862.35 FEET TO SAID CENTERLINE OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT AND THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2089, PAGE(S) 334 OF SAID PUBLIC RECORDS; THENCE N 03°12'21" E, ALONG SAID NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2089, PAGE(S) 334, A DISTANCE OF 475.85 FEET TO THE POINT OF BEGINNING.

THE AFOREDESCRIBED PARCEL CONTAINS 7.685 ACRES MORE OR LESS.

MASTERCRAFT BUILDERS

OFFICIAL RECORDS BOOK 4547, PAGE 1437-1439

PARCEL 1:

A PARCEL OF LAND BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 814, PAGE 159 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA IN SECTION 3, TOWNSHIP 10 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 3; THENCE SOUTH 88 DEGREES 49 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 1483.19 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 45 DEGREES 14 MINUTES 52 SECONDS EAST, 1400.12 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FAVER DYKES ROAD (66 FOOT RIGHT-OF-WAY); THENCE SOUTH 40 DEGREES 45 MINUTES 40 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 150.36 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 52 SECONDS WEST, 1277.66 FEET TO THE CENTER OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE NORTH 03 DEGREES 12 MINUTES 21 SECONDS EAST ALONG THE CENTER OF SAID FLORIDA POWER AND LIGHT COMPANY EASEMENT 200.42 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A REQUIREMENT IMPOSED BY ST. JOHNS COUNTY THAT THE PORTION OF THE PROPERTY DESIGNATED FOR "PRESERVATION OF SIGNIFICANT NATURAL COMMUNITY HABITAT" ON THE MAP OF SURVEY PREPARED BY MICHAEL A. PIESCO, BEING A FIELD WORK DATE OF 12/29/99, REMAIN IN ITS NATURAL STATE.

PARCEL 2:

A PARCEL OF LAND BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 814, PAGE 159 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA IN SECTION 3, TOWNSHIP 10 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 3; THENCE SOUTH 88 DEGREES 49 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 1483.19 FEET TO THE CENTER OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE SOUTH 03 DEGREES 12 MINUTES 21 SECONDS WEST ALONG SAID CENTER OF FLORIDA POWER AND LIGHT COMPANY EASEMENT 200.42 FEET TO THE POINT OF BEGINNING FOR THE THEREIN DESCRIBED PARCEL; THENCE SOUTH 45 DEGREES 14 MINUTES 52 SECONDS EAST, 1277.66 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FAVER DYKES ROAD (66 FOOT RIGHT-OF-WAY); THENCE SOUTH 40 DEGREES 45 MINUTES 40 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 150.36 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 52 SECONDS WEST, 1155.20 FEET TO THE CENTER OF A 100 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE NORTH 03 DEGREES 12 MINUTES 21 SECONDS EAST ALONG THE CENTER OF SAID FLORIDA POWER AND LIGHT COMPANY EASEMENT 200.42 FEET TO THE POINT OF BEGINNING.

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EXHIBIT C
Text Amendment
Faver Dykes Homesites CPA

"The property known as Faver Dykes Homesites (CPA 2019-06) containing approximately 16.48 acres, as legally described in Ordinance 2020-29, is designated Residential A on the Future Land Use Map, which is limited to 5 single family homesites (3 on the western parcel and 2 on the eastern parcel), maintaining a zoning of Open Rural (OR), with only the OR uses as described within the St. Johns County Land Development Code allowed, and prohibiting impacts (other than for maintenance or access) to the Basin Swamp area on the east parcel.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003273082-01

PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says 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 SA Legal Retail in the matter of COMPAMD 2019-06 Faver Dykes was published in said newspaper on 04/13/2020.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in 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, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

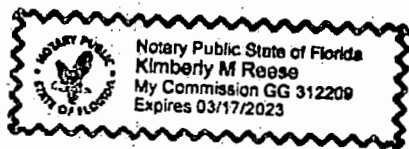
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ___ day of APR 13 2020

by Melissa Rhinehart who is personally known to me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED 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, 4/13/2020 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 4/14/2020 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 adoption of a proposed 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 adopt the same proposed 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. 2010-33, AS AMENDED, TO CHANGE THE FUTURE LAND USE CLASSIFICATION FROM RURAL RESIDENCE TO WITH TEXT AMENDMENT LIMITATION OF FIVE (5) DWELLING UNITS, FOR APPROXIMATELY 16.48 ACRES OF LAND LOCATED ON THE NORTH SIDE OF FAVER DYKES ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCE; 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 16.48 acres and is located on Faver Dykes Road, 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.

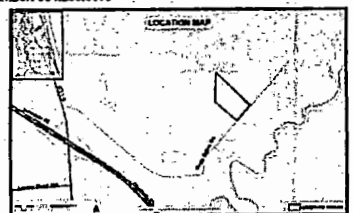
The proposed change is known as File Number COMPAMD-201900006, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the public hearings to be heard regarding the proposed amendment.

In accordance with Executive Order 20-59, and St. Johns County emergency proclamation 2020-03, this meeting may be conducted remotely, under communication media technology (CMT) without a physical quorum of the members present. CMT means the electronic transmission of printed matter, audio, full motion video, frame-frame video, compressed video, and digital video by any method available. CMT being used to conduct the meeting includes Government TV (GTV), phone, and wireless microphones. Should a person wish to submit printed material, it must be submitted a minimum 5 days in advance of this meeting. Such printed documentation will be presented at the meeting.

A person may attend this CMT meeting by calling the telephone number at 904.209.1266 and viewing the meeting on [GTV or <http://www.sjcfl.us/GTV/watchstjv.aspx>]. Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine, FL 32084, or e-mail address: plandoc@sjcfl.us. A designated access point to this CMT meeting is located at 500 San Sebastian View.

Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084
Email address: plandoc@sjcfl.us
Phone number: 904.209.0676



If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any evidence, testimony, and argument which is offered utilizing CMT shall be afforded equal consideration as if were offered in person and shall be subject to the same objections.

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 (18009558770), 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
MKE KORPENHAUER, CHAIR JEB S. SMITH, CHAIR
File Number COMPAMD-201900006, Faver Dykes Homesites
0003273082-01 0003273082 April 13, 2020

Scanned
SCANNED



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 18, 2020

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2020-29, which was filed in this office on June 18, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED JUN 18 2020
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK