

ORDINANCE NUMBER: 2021- 72

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/SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A) FOR APPROXIMATELY 18.95 ACRES OF LAND LOCATED AT 10800 COUNTY ROAD 13 NORTH WITH A TEXT AMENDMENT LIMITING RESIDENTIAL USES ON THE SUBJECT PROPERTY TO A MAXIMUM OF SEVEN (7) SINGLE-FAMILY RESIDENTIAL DWELLING UNITS.; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapters 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, Sections 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/Silviculture (R/S)** to **Residential-A (Res-A)**, on approximately 18.95 acres of land located at 10800 County Road 13 North with a text amendment limiting residential uses on the subject property to a maximum of seven (7) single-family residential dwelling units, as described 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 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) 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 public 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.

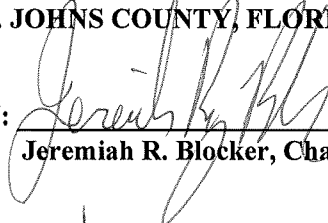
SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining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

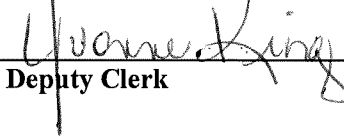
SECTION 6. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 5th DAY OF October 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

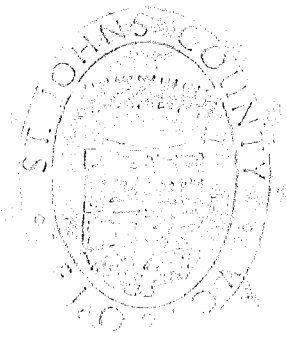
BY: 
Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit Court and Comptroller

BY: 
Deputy Clerk

Rendition Date: OCT 07 2021

Effective Date: NOV 05 2021



RUR/SYLV

County Road 208

Exhibit A 2025 Future Land Use From Rural Silviculture To Residential A

St Johns River

County Road 13 N

River Plantation Rd N

RUR/SYLV



CPA(SS) 201900002 Shaw Property 08/24/2021

CPA(SS) 2019-02 Revised

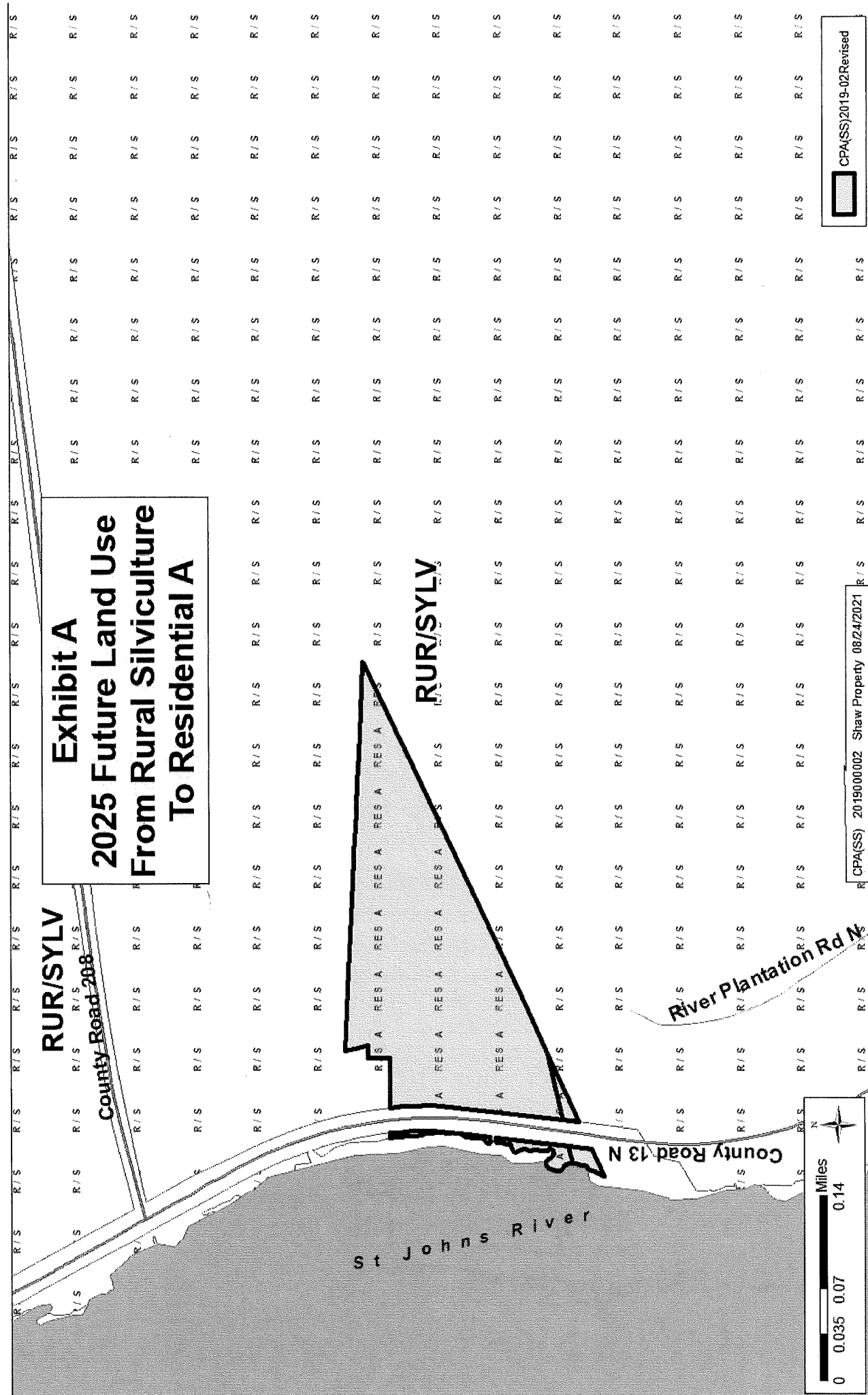


EXHIBIT "B"

A portion of the following described lands - Survey to be provided with a new description.

A Parcel of land situate, lying and being in the County of St. Johns, State of Florida, to-wit:

Commencing at the Southeast corner of the Grant to E. M. Wanton, Section Thirty-eight (38), Township Seven (7) South, Range Twenty-seven (27) East, for point of reference and run South 65 degrees 57 minutes 11 seconds West along the South boundary of said Section Thirty-eight (38), a distance of Five Hundred Twelve (512) feet to a concrete monument near the West edge of a grassy pond for Point of Beginning; From the Point at Beginning thus described run South 65 degrees 57 minutes 11 seconds West along the South boundary of the E. H. Wanton Grant (Section Thirty-eight (38) aforementioned), a distance of 1,527.41 feet to an iron pipe; run thence South 66 degrees 28 minutes 28 seconds West along the North side of an old ditch (said ditch being on the North side of an old road) a distance of Five Hundred Twenty (520) feet more or less to the stamp of a gun tree on the bark of the St. Johns River; continue thence South 66 degrees 28 minutes 28 seconds West to the waters of the said St. Johns River; run thence down said River in a Northerly direction a distance of Nine Hundred Seventy-five (975) feet more or less to the mouth of a creek; run thence in an Easterly and Southeasterly direction along the Southerly and Westerly bark of said creek until a point is reached on the Southwest bank of said creek, which lies South Eight-nine (89) degrees Thirty-one (31) minutes West from the Point of Beginning; run thence North Eighty-nine (89) degrees Thirty-one (31) minutes East, a distance of Fifteen Hundred Sixty-six (1,566) feet more or less to concrete monument at the Point of Beginning.

Excepting therefrom that certain portion of the above described land conveyed by said Joseph Burnett and wife to Joseph T. Goodwin, in Deed Book 134, Page 117 and being more particularly described as follows:

Commencing at a point where the Northerly line of the above described land intersects the center line of the branch now on said land; thence go Northwesterly along said branch, Sixty-five (65) feet to Point of Beginning; thence go Westerly parallel with the Northerly boundary of Joseph Burnett's said land to the high water mark of the St. Johns River; thence Northerly along the high water mark of said River to the mouth of said branch; thence along said branch to the Point of Beginning.

Also Excepting:

That certain portion of the above described land conveyed by W. B. Copeland, Jr. and Daniel Copeland, and Sharon L. Cope land, his wife, to E. A. Shaw and Elizabeth A. Shaw, his wife, by warranty deed recorded in Official Records Book 446, page 657, public records of said County.

Also Excepting any portion thereof lying within any road or right of way as currently located.

SHAW PROPERTY

(CPA (SS) 2019-02)

(8) Site-Specific Limitations on Density/Intensity

- () The Shaw property legally described in Ordinance No. 2021-72 is assigned the future land use designations of Residential-A as shown on the Future Land Use Map. Residential use on the Shaw property shall be limited to a maximum of 7 single-family residential dwelling units. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to the Comprehensive Plan. A 20-foot undisturbed, vegetative buffer will be provided along the far northern property boundary.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ST. JOHNS LAW GROUP
104 SEA GROVE MAIN ST

SAINT AUGUSTINE, FL 32080

ACCT: 15621
AD# 0003369428-01

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 Classified in the matter of CPA(SS)-2019-02, Shaw Property was published in said newspaper on 08/06/2021.

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.

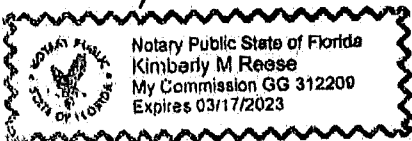
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of AUG 06 2021

by [Signature] who is personally known to me or who has produced as identification

[Signature]
(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, 9/2/2021 at 1:30 p.m. and the St. Johns County Board of County Commissioners on Tuesday, 10/5/2021 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 RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A), FOR APPROXIMATELY 18.95 ACRES OF LAND, SPECIFICALLY LOCATED AT 10800 COUNTY ROAD 13 N; 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 18.95 acres and is located on 10800 County Road 13 N, 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.

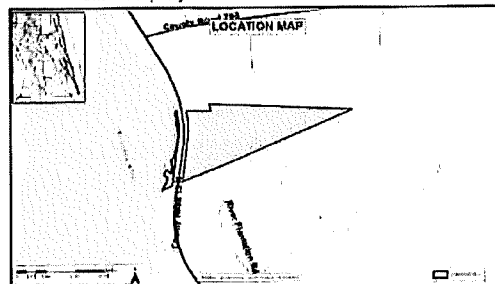
The proposed change is known as File Number CPA(SS)-2019000002, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

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 (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
GREG MATOVINA, CHAIR	JEREMIAH R. BLOCKER, CHAIR
File Number: CPA(SS)-2019-02, Shaw Property	





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 7, 2021

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. 2021-72, which was filed in this office on October 7, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED OCT 07 2021
ST. JOHNS COUNTY
CLERK OF COURT

BY: Yvonne King
DEPUTY CLERK