

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 FOR APPROXIMATELY 16.78 ACRES OF LAND LOCATED AT 7501 COWPEN BRANCH ROAD; 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 **Agriculture-Intensive (A-I) to Residential-A**, for approximately 16.78 acres of land located at 7501 Cowpen Branch Road, 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. It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during

codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. This amendment 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, respectively, issues a final order determining the adopted small scale amendment is in compliance.

SECTION 7. 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.

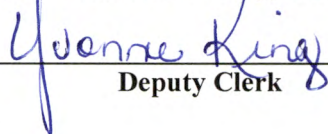
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21 DAY OF June 2022.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Henry Dean, Chair

Rendition Date JUN 23 2022

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

BY: 
Deputy Clerk

Effective Date: OCT 02 2022

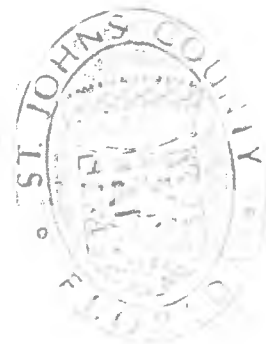


EXHIBIT A
2025 Future Land Use
From Agricultural-Intensive
To Residential-A

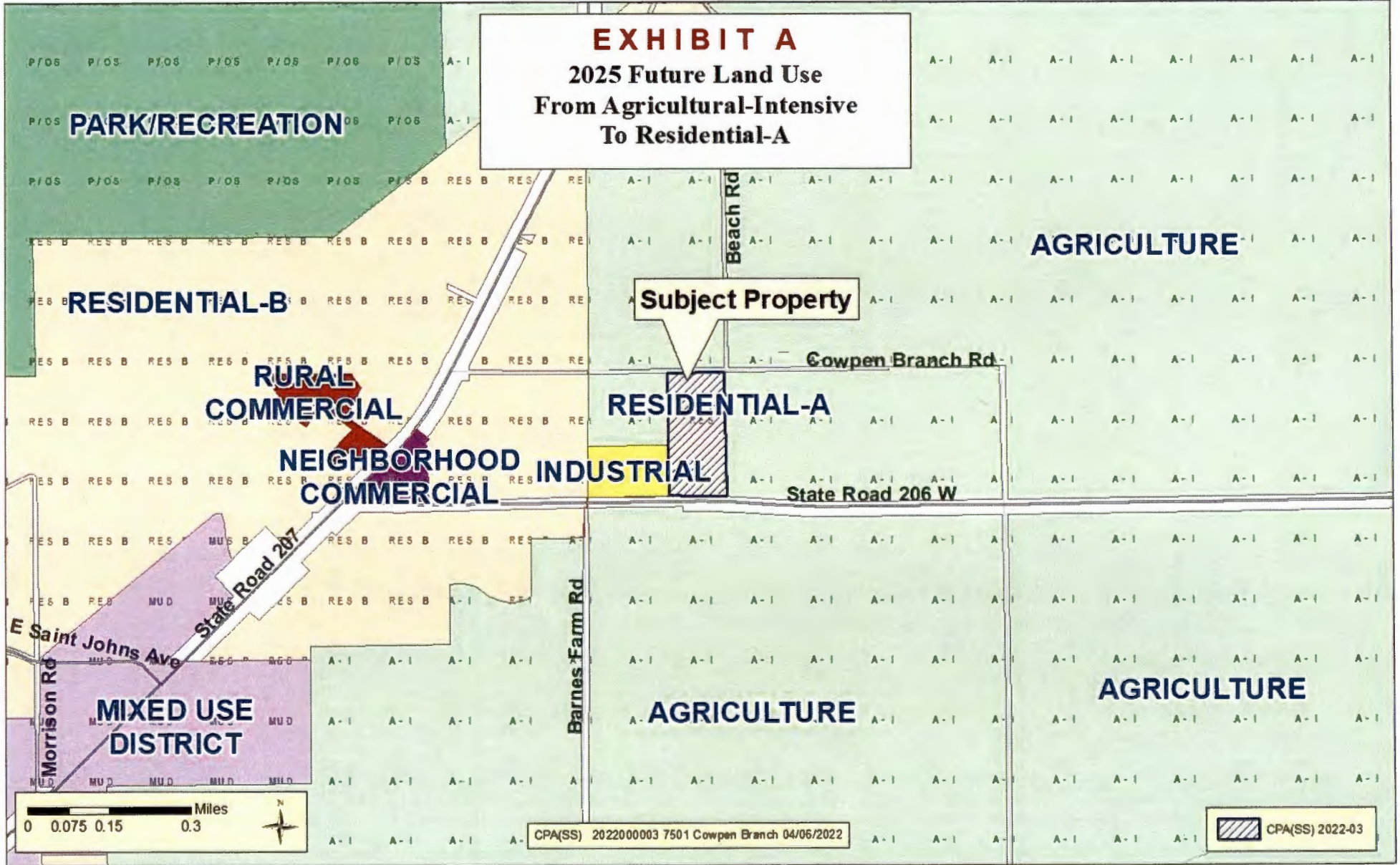


Exhibit B

The Southwest 1/4 of the Southwest 1/4 of Section 10, Township 9 South, Range 28 East, St. Johns County, Florida, being more fully described as follows: For the point of reference commence at the Southwest corner of said Section 10, thence North 01°27'06" East, along the West line of said Section 10, 121.24' to the North right of way line of State Road No. 206; thence South 89°29'11" East, along said North right of way line, 782.97' to the Southeast corner of a parcel as described in O.R. Book 2910, Page 868 and the Point of Beginning; thence continue South 89°29'11" East, along said North right of way line, 256.53' to the point of curvature of a curve being concave to the right, having a radius of 5779.65', delta angle of 3°08'44" and arc length of 317.30'; thence along the chord of said curve, South 87°54'49" East, 317.26' to a 5/8" rebar with identification Number, L.B. 6388, at the intersection of said Northerly right of way line and the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 10; thence North 00°52'49" East along said East line, 1196.12' to a concrete monument lying on the South right of way line Cowpen Branch Road, as monumented; thence North 89°40'10" West, along said South right of way line, 586.44' to the Northeast corner of a parcel as recorded in O.R. Book 3070, Page 1173, of the Public Records of said County; thence South 00°15'59" West, along the East line and projection thereof of said Parcel, 1,185.53' to the Point of Beginning.

Parcel ID Number: 038100-0000

Grantor warrants that said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s) and that the property described herein is not now, nor has it ever been, the primary residence/homestead of the owner or the owner's spouse or dependent child, if any.

In addition, the property is not contiguous to such persons' homestead, which is located at:
5399 5th Street St. Augustine, FL 32080

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Exhibit C:

ATTACHMENT
Text Amendment
CPA (SS) 2022-03 7501 Cowpen Branch

Land Use Element Policy A.1.11.1(m)(8): The 7501 Cowpen Branch property located along State Road 206 W, east of State Road 207, and south of Cowpen Branch Road (approximately 16 acres), is designated as Residential-A and is described in Ordinance 2022-46 [refer to small scale land use amendment ordinance]. The number of residential dwelling units on the Residential-A area of the 7501 Cowpen Branch Property shall be limited to a maximum of one (1) single family 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.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

TYLER LEE
5324 AIA SOUTH

SAINT AUGUSTINE, FL 32080

ACCT: 61374
AD# 0003411885-01
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)-2022000003 was published in said newspaper in the issue dated **04/22/2022**.

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.

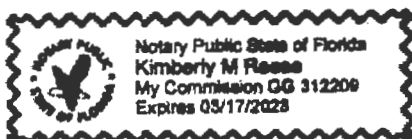
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ___ day of APR 22 2022

by *Tyler Lee* 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 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, 5/19/2022 at 1:30 p.m.~~ and the St. Johns County Board of County Commissioners on ~~Thursday, 6/21/2022 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:

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 16.78 acres and is located on 7501 Cowpen Branch, 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)-2022000003, 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.

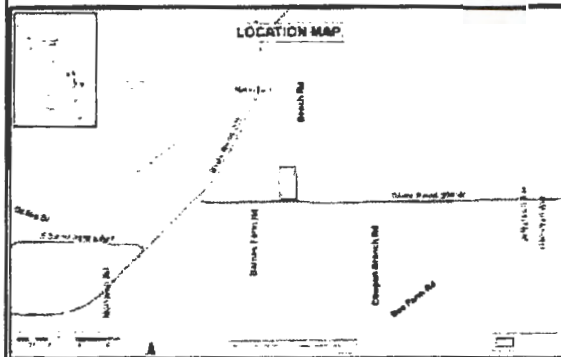
Interested parties may appear at the public hearings to be heard regarding the proposed amendment.

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 BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA ST. JOHNS COUNTY, FLORIDA
 GREG MATOVINA, CHAIR HENRY DEAN, CHAIR

File Number: CPA(SS)-2022000003, 7501 Cowpen Branch





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 27, 2022

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

Attention: Yvonne King

Dear Honorable Brandon Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2022-46, which was filed in this office on June 24, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh

FILED JUN 24 2022
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK