

ORDINANCE NO. 2004 - 107

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY – B TO PUBLIC (P) FOR PROPERTIES LOCATED ON THE WEST SIDE OF MIZELL ROAD BETWEEN WEST POPE ROAD AND WEST 16th STREET; 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; and,

WHEREAS, Section 163.3184, 163.3187 and 163.3189 Florida Statutes provides 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 2015 Comprehensive Plan is amended to change the Future Land Use Map designation from Residential Density - B to Public (P) for the public properties located on the west side of Mizell Road between West Pope Road and West 16th Street, as shown on **EXHIBIT A**; based on 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 proposed Future Land Use Map Amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2000-34, as amended; the Northeast Florida Strategic Regional Policy Plan; the Florida Statutes (Chapter 163, Part II); and Rule 9J-5 of the Florida Administrative Code.
- (c) The amendment is consistent with applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan, 2000-34 and the 2015 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 3. Should any section, subsection, sentence, clause, phrase, or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be


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

SECTION 4. The amendment to the St. Johns County Comprehensive Plan shall become effective on the date the State Land Planning Agency issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (9) Florida Statutes, or in the alternative and if applicable on the date the Florida Administration Commission issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (10) Florida Statutes.

SECTION 5. 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.

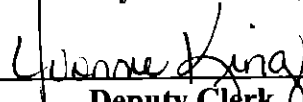
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 3rd DAY OF November 2004.

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

BY: 
Karen R. Stern, Chair

RENDITION DATE 11/06/04

ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

EFFECTIVE DATE: 01/20/05



EXHIBIT A

RESIDENTIAL-B TO PUBLIC (P)

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CITY OF ST. AUGUSTINE

RESIDENTIAL-B

PUBLIC (P)

RESIDENTIAL-B

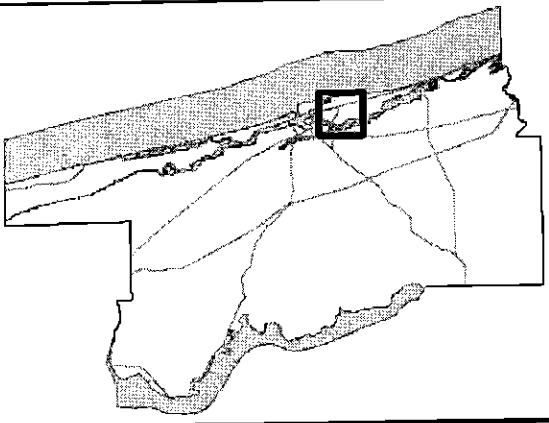
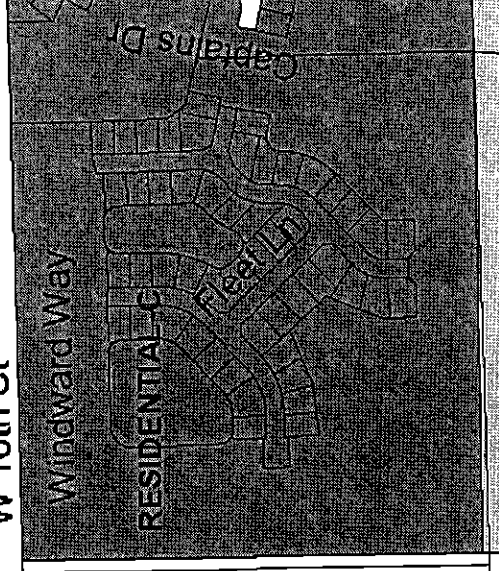
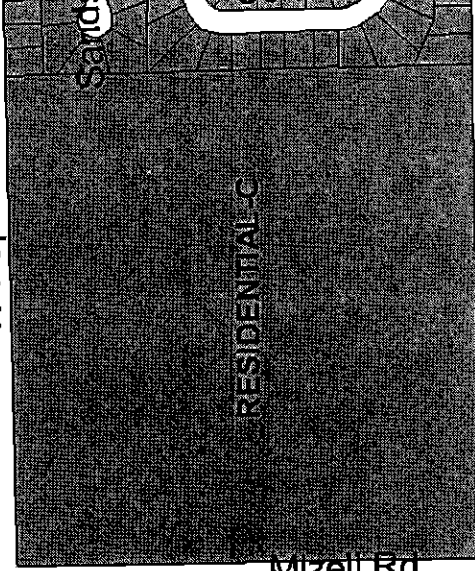
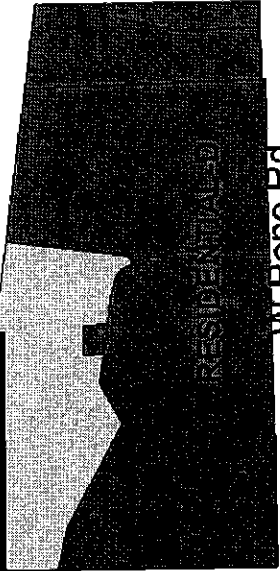
SUBJECT PROPERTY

Fiddler's Point Dr

RESIDENTIAL-B



PROPOSED



Future Land Use Map



Map Prepared: Apr 19, 2004
Depicts General Project Boundary

**COMP. PLAN
AMENDMENT
PUBLIC SITE
MIZELL ROAD**

St. Johns County Ord. 2004-107

FILE: MIZELL ROAD



St. Johns County
Growth Mgmt. Svcs.
Planning Division

EXHIBIT "A"

A parcel of land in the Northwest Quarter of the Northwest Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, being a portion of that land described and referred to as parcel "B" in Official Record Book 454, Page 175 of the public records of said County, and being more particularly described as follows:

Commence at the intersection of the westerly right of way line of Mizell Road, having a right of way width of 60 feet, with the northerly right of way line of 16th Street, having a right of way width of 100 feet; thence North 89°18'30" West, along said northerly right of way line of 16th Street, being also a line parallel with and 50 feet North of the South line of the North One-half of the Northwest Quarter of Section 33, a distance of 300.00 feet to the point of beginning of the herein described parcel; thence continuing along said northerly right of way line of 16th Street, North 89°18'30" West, a distance of 990.00 feet to the West line of Section 33; thence Northerly along said west line of Section 33, a distance of 792.0 feet; thence South 89°18'30" East, parallel with the aforementioned right of way line of 16th Street, a distance of 990.0 feet; thence South 00°40'06" West, parallel with the aforementioned westerly right of way line of Mizell Road, a distance of 792.0 feet to the point of beginning; containing 18.0 acres, more or less.

AND

A parcel of land being a part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 7 South, Range 30 East, St. Johns County, Florida, more particularly described as follows:

Beginning at the intersection of the northerly right of way line of 16th Street, having a right of way width of 100 feet as it is now established, with the westerly right of way line of Mizell Road, having a right of way width of 60 feet as it is now established; thence North 00 degrees 40 minutes 06 seconds East along said westerly right of way line of Mizell Road, a distance of 1,272.29 feet to the southerly right of way line of Pope Road, having a right of way width of 100 feet as it is now established; thence North 89 degrees 18 minutes 30 seconds West, along said southerly right of way line of Pope Road, also being the north line of said Northwest Quarter of the Northwest Quarter of Section 33, a distance of 1,290 feet, more or less, to the Northwest corner of said Section 33; thence South along the west line of said Section 33, a distance of 480.0 feet, more or less, to the north line of that parcel for the Sewage Treatment Plant; thence South 89 degrees 18 minutes 30 seconds East along said north line, 990.0 feet; thence South 00 degrees 40 minutes 06 seconds West, 792.0 feet to the aforementioned northerly right of way line of 16th Street; thence South 89 degrees 18 minutes 30 seconds East along said northerly right of way line, a distance of 300.00 feet to the point of beginning; containing 19.68 acres, more or less.

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THE ST. AUGUSTINE RECORD

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES BARRETT

who on oath says that he is an Accounting Clerk of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being DISPLAY ADVERTISEMENT

in matter NOTICE OF PUBLIC HEARING

was published in said newspaper in the issues of

OCTOBER 6, 2004

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 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 6TH day of OCTOBER, 2004.

by Charles Barrett who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Patricia A. Bergquist

(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,

**AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34,
AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION
FROM RESIDENTIAL DENSITY-B TO PUBLIC (P) FOR PROPERTIES
LOCATED ON THE WEST SIDE OF MIZELL ROAD BETWEEN WEST POPE
ROAD AND WEST 16TH STREET; PROVIDING FOR FINDINGS OF FACT;
FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.**



NOTICE IS
HEREBY GIVEN
that the St. Johns
County Planning
and Zoning
Agency at its
regular meeting,
Thursday, Octo-
ber 21, 2004 at
1:30 p.m., and the
St. Johns County
Commissioners
on Wednesday,
November 3,
2004 at 9:00 a.m.
will hold a public
hearing to con-
sider adoption of

a proposed amendment to the St. Johns County 2015 Future Land Use Map. Said hearings will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment.

A complete description is available in the St. Johns County Planning Office. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Residential Density-B to Public (P).

It should be noted the Board of County Commissioners may consider one or more amendments to the Goals, Objectives and Policies of the 2015 Comprehensive Plan as appropriate relating to this request.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need records of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings are made, which record includes 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 ADA Coordinator, at (904) 823-2501 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095 For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearings.

RESIDENTS, PROPERTY OWNERS AND OTHER INTERESTED INDIVIDUALS ARE ENCOURAGED TO PARTICIPATE IN THESE PROCEEDINGS AND ALL OTHER COMPREHENSIVE PLANNING PROCESSES TO THE FULLEST EXTENT POSSIBLE.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
ROBERT TAYLOR, CHAIR

BOARD OF COUNTY COMMISSION
ST. JOHNS COUNTY, FLORIDA
KAREN STERN, CHAIR