

4

AGENDA ITEM
Planning & Zoning

Meeting

3/21/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: March 7, 2024

FROM: Saleena Randolph, Senior Planner

PHONE: 904 209-0688

SUBJECT OR TITLE: CPA(SS) 2023-07 Burchfield Property

AGENDA TYPE: Business Item, Legislative, Recommendation, Report

PRESENTER: Michael Burchfield, Property Owner

BACKGROUND INFORMATION:

Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 7.89 acres of land from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of two (2) dwelling units; property is located on an unaddressed parcel located to the north of 1511 St. Marks Pond Blvd.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to recommend approval of CPA(SS) 2023-07 Burchfield Property based upon four (4) findings of fact as provided in the Staff Report.

DENY: Motion to recommend denial of CPA(SS) 2023-07 Burchfield Property based upon four (4) findings of fact as provided in the Staff Report.



Growth Management Department
Planning Division Report
Application for Small Scale
Comprehensive Plan Amendment
CPA(SS) 2023-07 Burchfield Property

To: Planning and Zoning Agency

From: Saleena Randolph, Senior Planner

Date: March 4, 2024

Subject: **CPA(SS) 2023-07 Burchfield Property**, a request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 7.89 acres of land from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of two (2) dwelling units; property is located on an unaddressed parcel located to the north of 1511 St. Marks Pond Blvd.

Applicant/Owner: Michael Burchfield

Hearing Dates: Planning and Zoning Agency – March 21, 2024
Board of County Commissioners – May 7, 2024

Commissioner District: District 5

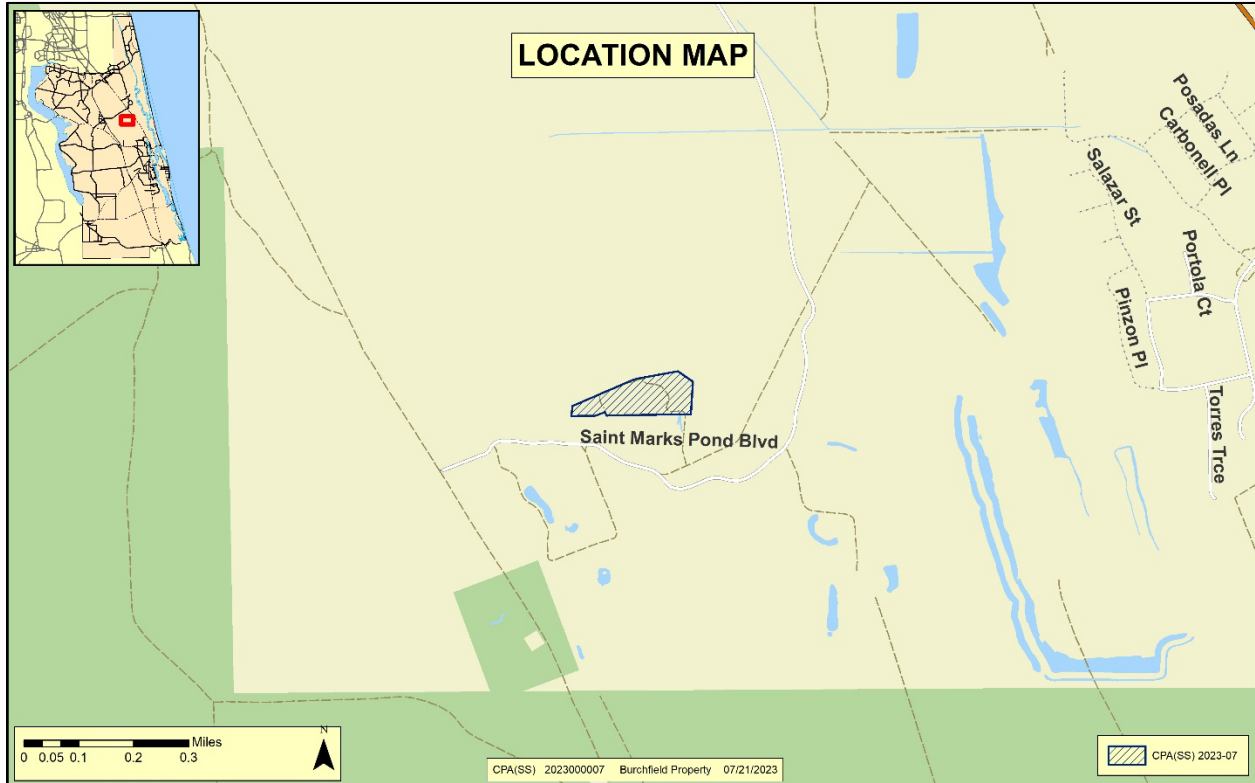
SUGGESTED MOTION/ACTION

APPROVE: Motion to recommend approval of **CPA(SS) 2023-07 Burchfield Property** based upon four (4) findings of fact as provided in the Staff Report.

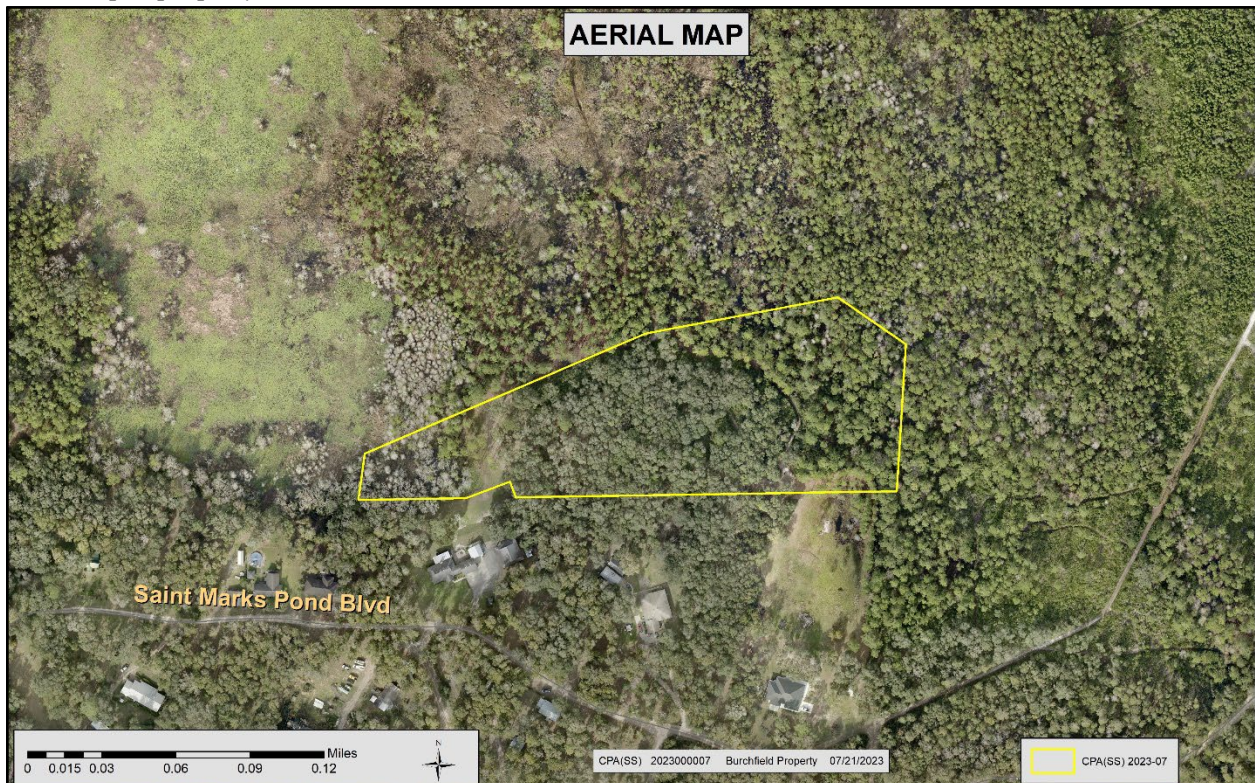
DENY: Motion to recommend denial of **CPA(SS) 2023-07 Burchfield Property** based upon four (4) findings of fact as provided in the Staff Report.

MAP SERIES

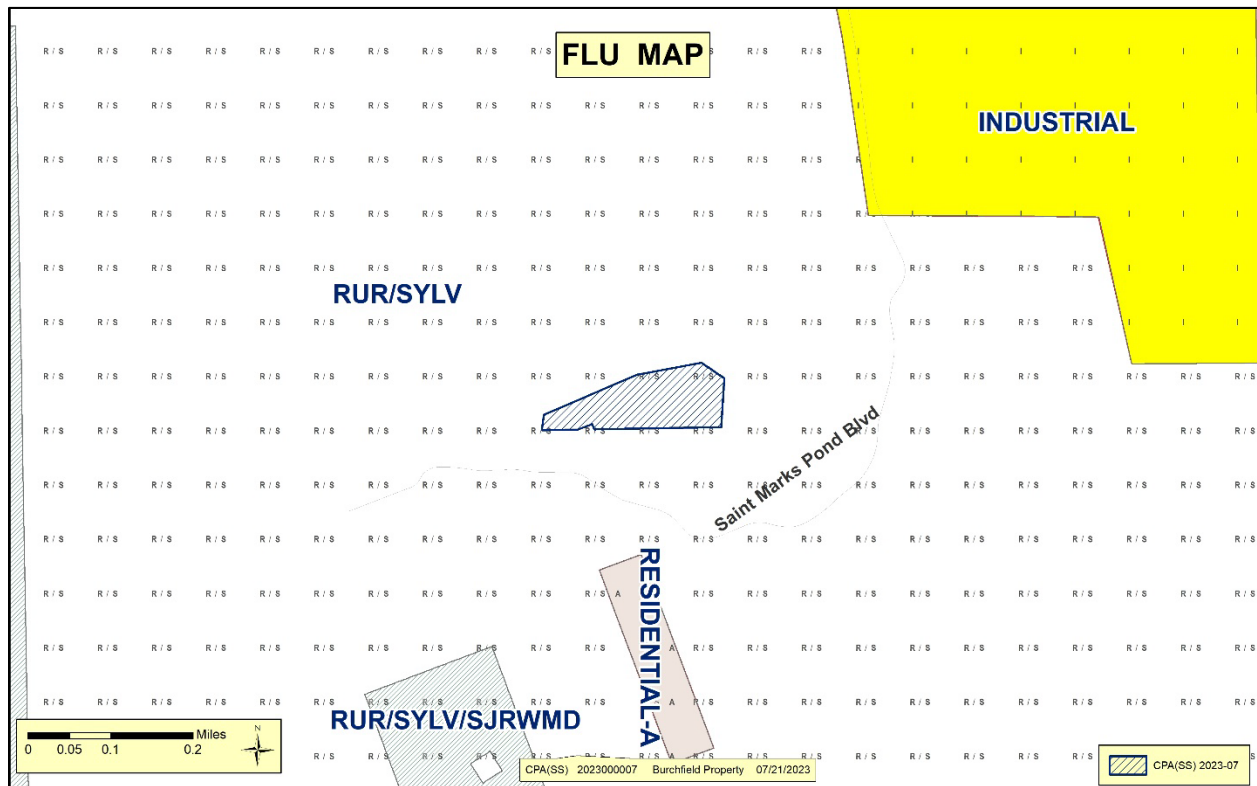
Location: The subject property is located on the northwest side of Saint Marks Pond Boulevard, approximately 2.5 miles south of International Golf Parkway.



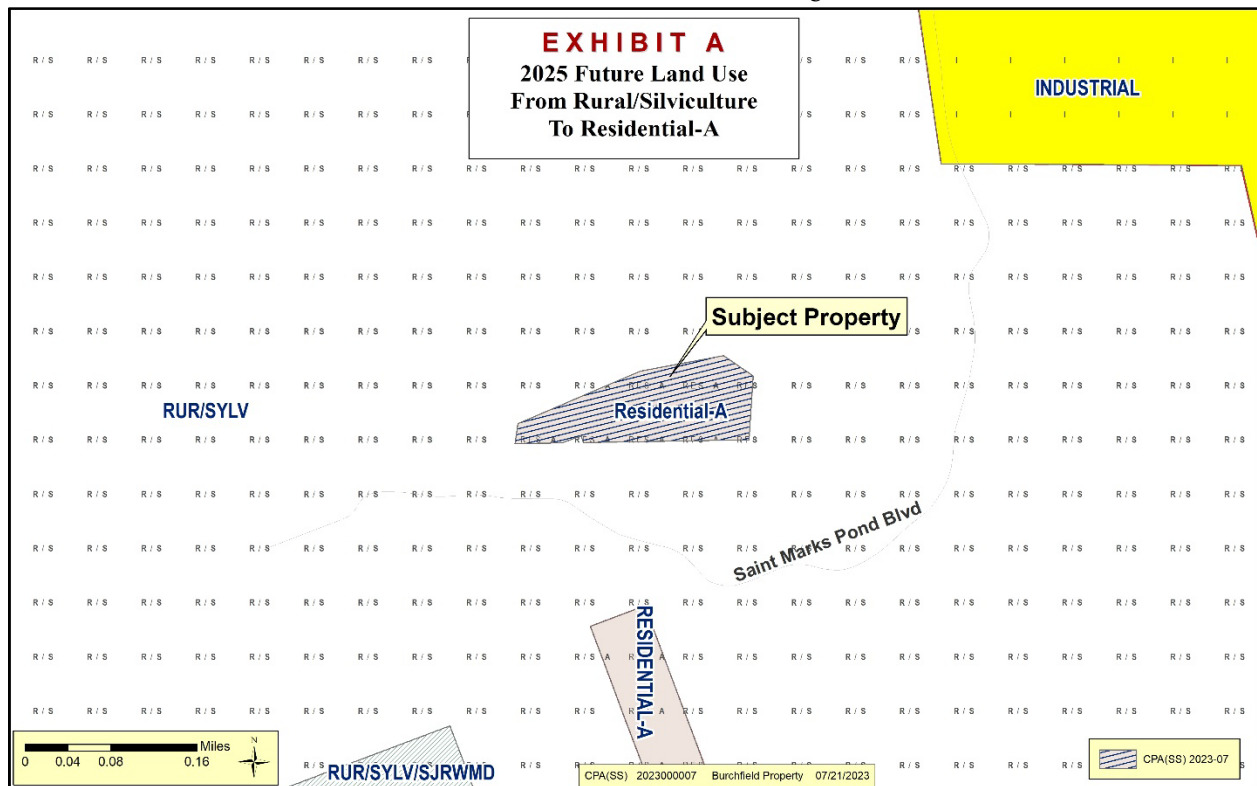
Aerial Imagery: The subject property is approximately 7.89 acres in size and appears to be heavily wooded, undeveloped property.



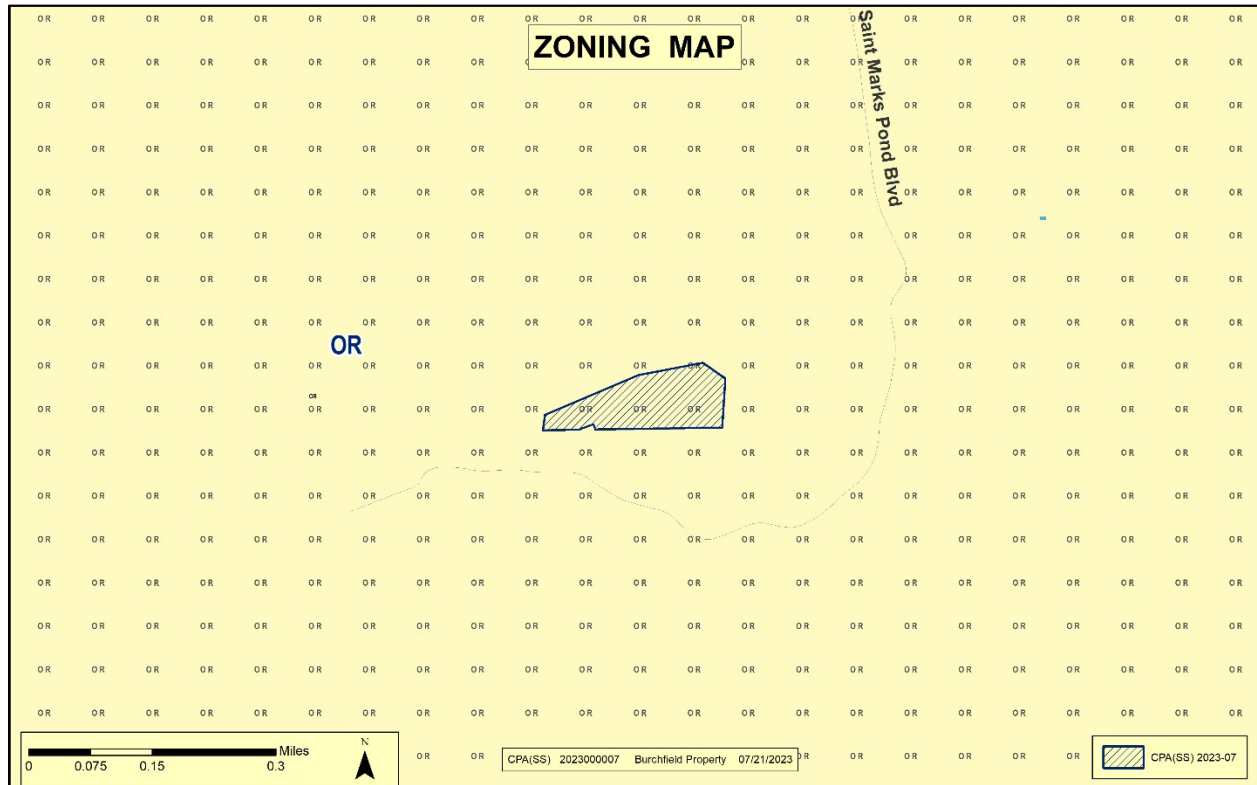
Existing Future Land Use: The subject property is currently designated Rural/Silviculture (R/S) on the Future Land Use Map. Surrounding properties are designated Rural/Silviculture (R/S). Other properties in the area are R/S, Residential-A, and Industrial.



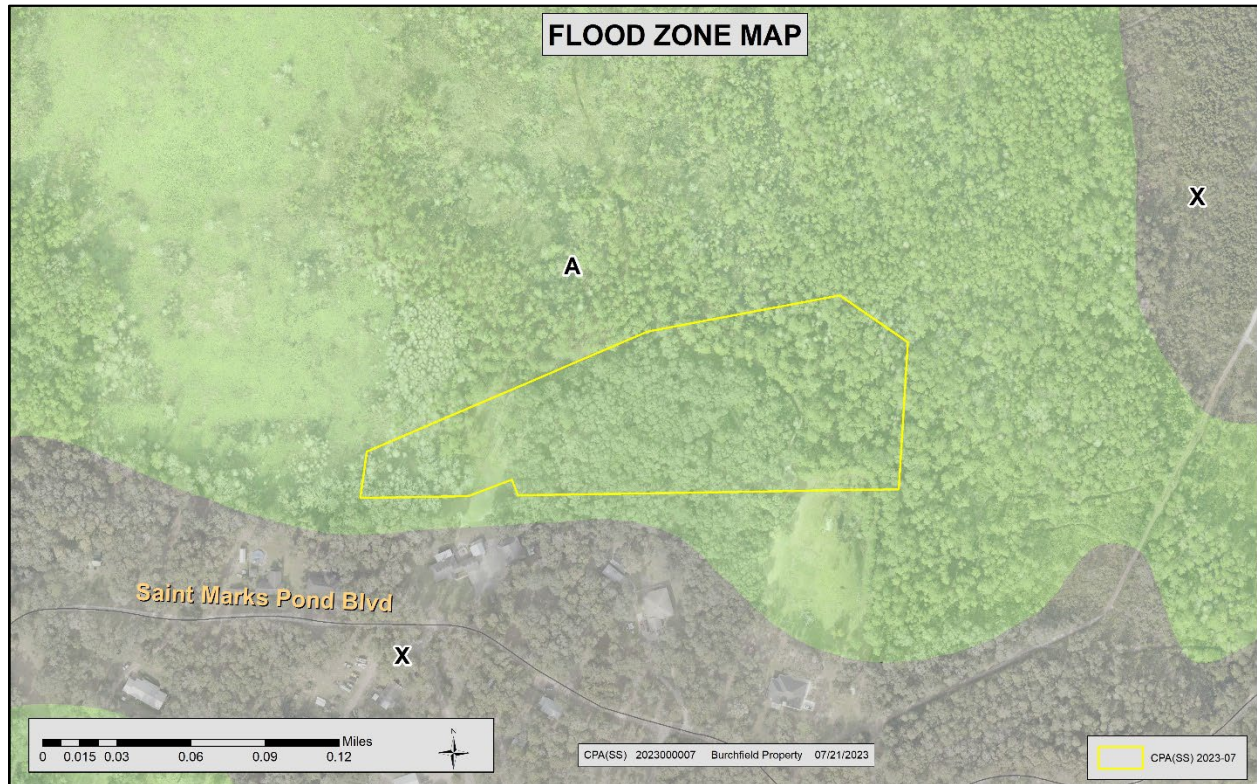
Proposed Future Land Use: The applicant is proposing a Residential-A (RES-A) Future Land Use designation with a text amendment to limit the site to a maximum of two (2) dwelling units.



Zoning District: The subject property and surrounding properties are zoned Open Rural (OR).



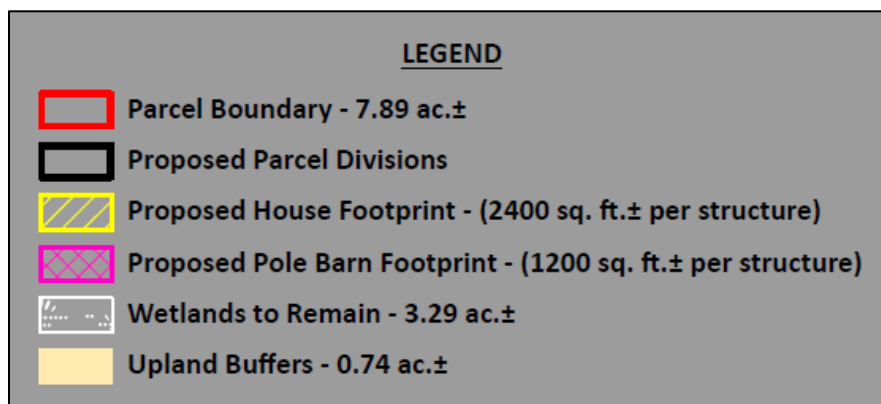
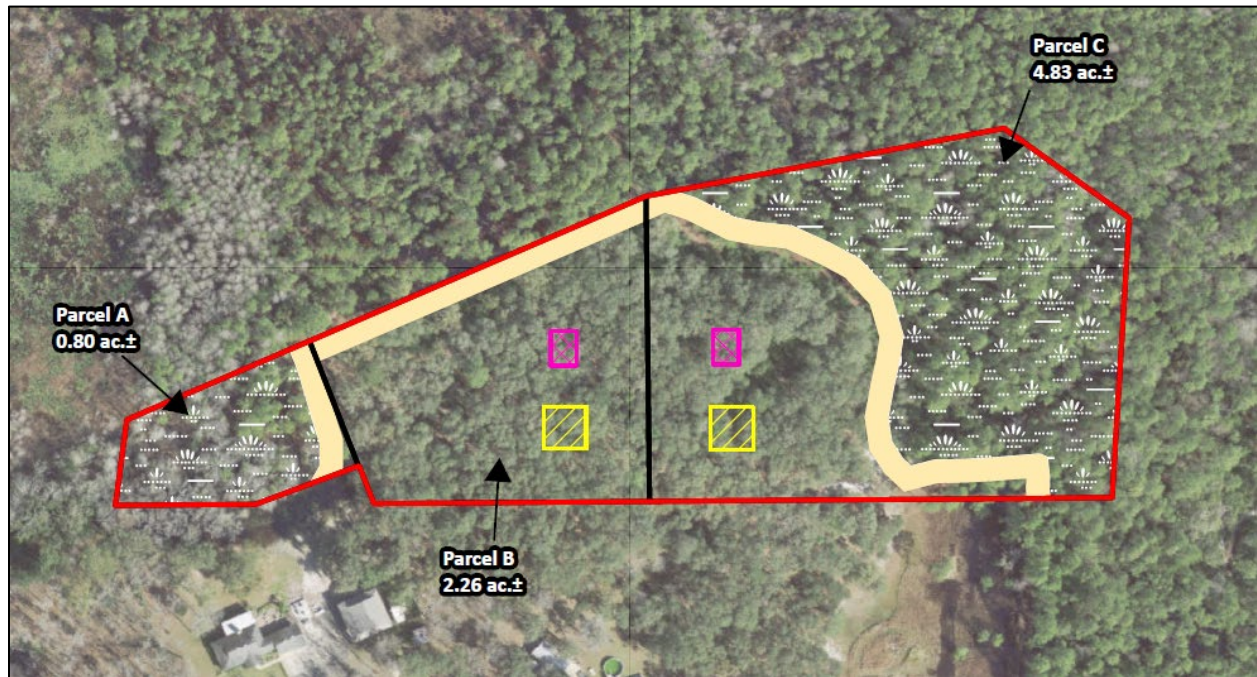
Flood Zone: The subject property is located within the flood zone designation A.



APPLICATION SUMMARY

This is a request to amend the Future Land Use Map (FLUM) designation from Rural/Silviculture (R/S) to Residential-A (RES-A) for property located off of Saint Marks Pond Boulevard. The property contains approximately 7.89 total acres. The applicant is providing a text amendment to limit the site to a maximum of two (2) dwelling units of which the narrative states will be division for each of his two (2) children. As provided within the applicant's narrative, the subject property is located within an area that has been owned by the Pacetti family since 1927. The applicant is a descendant of the Pacetti family. The provided narrative details the familial history of the area and explains the desire to use the property for the immediate family. The full Narrative is included in **Attachment 2 - Supporting Documents**.

Site Plan (provided in part and as a general representation):



IMPACT REVIEW

Transportation:

Project classified as a Small Project estimated to generate less than 10 average weekday peak hour trips pursuant to Section 11.02.01.E of the Land Development Code. A formal concurrency review is not required. The determination of concurrency is made simultaneously with the processing of the applicant's development review application (clearance sheet). Project is subject to compliance with all applicable land development regulations in effect at the time of permitting.

Water and Sewer:

The project will utilize private well and septic tank.

Drainage and Stormwater Management:

The project will comply with all applicable federal, state, regional and local permitting requirements.

Solid Waste:

The project will comply with all applicable federal, state, regional and local requirements.

Parks and Recreation, Open Space, and Mass Transit:

Not applicable.

Schools:

A school concurrency determination by the St. Johns County School District is required prior to issuance of a Final Certificate of Concurrency by the County.

Fire Services:

ISO's Public Protection Classification (PPC) information plays an important part in the decisions many insurers make affecting the underwriting and pricing of property insurance. ISO analyzes the relevant data and assigns a PPC- grading from 1 (lowest risk) to 10 (highest risk). A higher ISO rating could mean higher homeowner insurance. This information is provided for the consideration of future homeowners. It is important to note, St. Johns County Fire Rescue does and will continue to respond to all properties within the County regardless of the ISO rating.

As of August 2016, ISO applies the following classification to properties in St Johns County:

- Class 3- property within 5 road miles of an existing fire rescue station and within 1000 feet of a creditable water supply such as a fire hydrant, suction point, or dry hydrant.
- Class 3X- property within 5 road miles of an existing fire rescue station but beyond 1000 feet of a creditable water supply.
- Class 10W- property beyond 5 road miles but less than 7 road miles from an existing fire rescue station, and has a creditable water source.
- Class 10- property beyond 5 road miles of a recognized fire rescue station.

Based on this project submitted, parcel 072610-0020, as well as the current primary fire station location at 220 Pine Island Rd and lack of creditable water supply, ISO would assign a rating of Class 10.

DEPARTMENTAL REVIEW

The Planning and Zoning Division has routed this request to all appropriate reviewing departments. There are no open comments.

Office of the County Attorney Review:

All amendments to the St. Johns County comprehensive plan are legislative in nature. This is a policy-making decision to determine the future growth pattern of St. Johns County (i.e. is it appropriate to expand the development area boundary or to change the maximum theoretical growth in this area). A determination of consistency with the Comprehensive Plan and state law and approval or denial of the proposed amendment must not be arbitrary and capricious. Decisions on approval or denial of legislative land-use policy are determined on whether the decision is supported by evidence that is fairly debatable (i.e. whether reasonable minds may differ). This item is a legislative hearing, and therefore the Agency may take into account policy preferences expressed by persons with an interest in the amendment. The types of information, evidence, and documentation that the Agency may consider is broader than the competent substantial evidence of a quasi-judicial hearing.

Technical Division Review:

All future site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the development has met all applicable local regulations and permitting requirements. No permits will be issued prior to compliance with all applicable regulations. A Non-Zoning Variance companion application (NVZAR 2023-19) for the additional units gaining an access via an easement will be required when this project goes forward to BCC.

Environmental Review:

Development Plans shall be designed to conform to and take advantage of topographic and other natural features of the land, including the conservation of existing Trees, Wetlands, water bodies, and Environmentally Sensitive Areas. Environmentally Sensitive Areas shall be shown on the site plan and applicable buffers and setbacks from these areas shall also be shown. (LDC Sections 4.01.04.A.1, 4.01.06, and 5.00.01) All proposed site plans should depict the location of the State Jurisdictional Wetland Line, the 25' Undisturbed Upland Buffer and the 25' Building Setback.

Development Review Division Review:

The subject property appears to be in the same configuration as shown on the deed recorded on 12/7/1997 in OR 1368 PG 1387. Based on the materials presented, 2 additional parcels are proposed (2 acres & 4 acres). The residual 1 acre is proposed to be combined with Parcel # 082250-0010, which is recognized as a reconfiguration. Therefore, since only two additional parcels are proposed, replatting and subdivision standards will not be required. If the intent is to create more than a total of two (2) lots, platting and subdivision regulations are applicable.

Planning and Zoning Division Review:

This is a request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map (FLUM) designation of the subject property from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the development to a maximum of two (2) dwelling units. The property contains approximately 7.89 acres.

The Comprehensive Plan contains several policies regarding Comprehensive Plan Amendments, including Policies A.1.2.5, A.1.2.7, and A.1.3.11. These policies state the following (provided in part):

- Policy A.1.2.5: All Comprehensive Plan amendments shall provide justification for the need for the

proposed amendment and demonstrate how the proposed amendment discourages urban sprawl and not adversely impact natural resources. In evaluating proposed amendments, the County shall consider each of the following:

- a) the extent to which the proposed amendment is contiguous to an existing Development Area that has developed in a manner providing a compact, contiguous development pattern with the proposed amendment;
 - b) the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;
 - c) the extent to which adequate infrastructure to accommodate the proposed amendment exists or is programmed and funded through an adopted Capital Improvement Schedule, such as the County Capital Improvement Program, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or will be privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;
 - d) the extent to which the amendment will result in an efficient use of public funds needed for the provision of new infrastructure and services related to it;
 - e) the extent to which the amendment will not result in a sprawl development pattern as determined by Chapter 163, Florida Statutes, and will not discourage infilling of more appropriate areas available for development within existing Development Area Boundaries; and
 - f) the extent to which the amendment will result in a sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates an efficient use of land; ensures compatible development adjacent to agriculture lands; protects environmental qualities and characteristics; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.
 - g) the extent to which the amendment results in positive market, economic and fiscal benefits of the area as demonstrated through a market demand analysis, economic impact analysis, and fiscal impact analysis.
- Policy A.1.2.7: The County shall encourage urban and suburban growth within the development areas where public facilities and services exist. Development Areas are those areas designated on the Future Land Use Map, which depict the overall future growth pattern of the County. Areas designated R/S and A-I are not Development Areas. Comprehensive Plan amendments to add development areas shall be discouraged unless the applicant demonstrates the amendment provides economic development, job creation, preservation of the natural environment, or other public benefit.
 - Policy A.1.3.11: When a Comprehensive Plan amendment, rezoning or development application is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, include but are not limited to permitted uses, structures, and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use. Compatibility does not mean “the same as”. Compatibility refers to the sensitivity of development proposals in maintaining the character of existing development and environments. The compatibility of land uses is dependent on numerous characteristics which may impact adjacent or surrounding uses... In order to ensure compatibility with a Comprehensive Plan amendment, the County may require the submittal of a companion rezoning application, such as a PUD, Special Use request or other application showing development of the property.

The Comprehensive Plan contains policies directed towards Rural/Silviculture (R/S), including A.1.6.1 and A.1.6.3. These policies state the following (provided in part):

- **Policy A.1.6.1:** The County shall maintain the Rural/Silviculture (R/S) as depicted on the Future Land Use Map. Unless determined an Exempt Parcel the minimum lot size for residential development within the R/S designation is 40 acres. This Policy shall not be construed to prevent amendments of the Future Land Use Map to re-designate lands presently classified as R/S pursuant to the requirements of this Plan and applicable law.
- **Policy A.1.6.3:** Parcels of land designated as R/S on the Future Land Use Map recorded as of September 14, 1990 that do not meet the acreage requirement for R/S shall be considered Exempt Parcels. Each Exempt Parcel shall be permitted one dwelling unit.

Review by staff found that the existing 7.89-acre parcel was divided in 1997 and is not considered an Exempt Parcel per SJC Comprehensive Plan Policy A.1.6.3; as such, the site currently has no development rights under the current R/S FLUM designation. To accommodate the development of one (1) or more new single-family residences, a Residential-A (RES-A) land use is needed as the current parcels contain a total of 7.89 acres in area and the configuration of the subject property was created after September 14, 1990.

The applicant is asking for allowance of a maximum of two (2) dwelling units on the 7.89 acres; this restriction of units is made via a Text Amendment. Approval of the request without any limitation would allow a total of 4 residential units as the site contains approximately 4.6 upland acres and 3.29 wetland acres. Per St. Johns County Comprehensive Plan Policy A.1.11.1(m)(1), the RES-A land use allows one (1) dwelling unit per net acre. According to LDC Table 6.01, the zoning of OR allows one (1) dwelling unit per acre. A zoning change is not being proposed.

On March 15, 2022, an application for a property located approximately 900 feet from the subject property was approved [CPA(SS) 2021-19 Pacetti Burchfield Family] for a Small-Scale Comprehensive Plan Amendment to change the FLUM designation for approximately 8.6 acres of land from R/S to RES-A. The BCC voted 5-0 to approve the amendment, which did not include a text amendment to limit the number of dwelling units.

Figure 1 provides a comparison of permitted use categories within the current and proposed Future Land Use Map designations.

Figure 1: FLUM Designation Allowed Use Categories

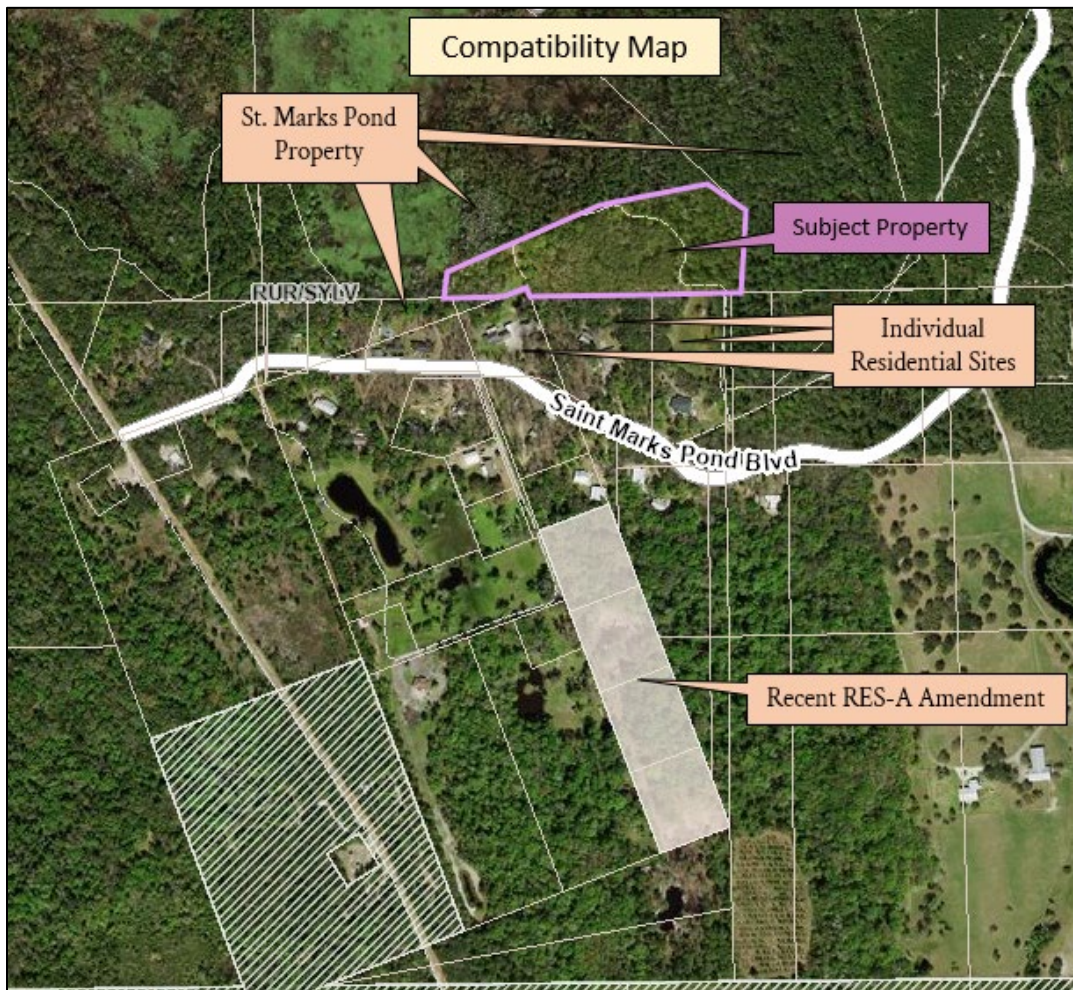
Permitted Uses	Residential-A (RES-A) (proposed)	Rural/Silviculture (R/S) (current)
Residential	X	X
Agricultural	X *	X
Cultural/Institutional	X	X
Mining and Extraction		X
Outdoor/Passive	X	X
Neighborhood Public Service	X	X
Solid Waste and Correctional Facilities		X
*When not incompatible with the surrounding area		

Figures 2 and 3 provide a compatibility analysis and map of adjacent lands. The subject property is surrounded by existing residential sites and undeveloped residential sites.

Figure 2: Compatibility Analysis

Criteria	Subject Property	North	East	South	West
Current / Proposed FLUM	Currently: R/S Proposed: RES-A	R/S	R/S	R/S	R/S
Zoning	Open Rural	OR	OR	OR	OR
Current / Proposed Use	Proposed maximum of 2 dwelling units	St. Marks Pond Property conservation	St. Marks Pond Property conservation	Various sized Single-Family sites	St. Marks Pond Property conservation
Density	Proposed: maximum 2 units; calculates to 0.44 units per net acre ($2/4.6 = 0.435$)	N/A	N/A	Various sized lots ranging from 0.22 to 0.44 dwelling units per acre	N/A

Figure 3: Compatibility Map



As provided in the above Figures, parcels of land in the immediate area are residential in nature. The minimum lot size for residential development in the Rural/Silviculture (R/S) future land use designation is 40 acres as provided in Policy A.1.6.1 of the Comprehensive Plan. It appears several of the neighboring sites are owned by relatives of the Pacetti-Burchfield family. Nonetheless, several of the immediate parcels are comparable in both size and density to that proposed by the applicant. To the north, west and east of the subject property is conservation land owned by St. Marks Pond Property LLC. Further north, west, and south of the subject property is the Twelve Mile Swamp Conservation Area.

While staff finds the proposed lots to be generally compatible with the immediately surrounding area, staff recognizes the proposal creates an enclave of Residential-A (RES-A) amongst surrounding parcels with R/S Future Land Use Map designations. The land in and around Saint Marks Pond Blvd is a rural area and R/S Future Land Use Map designations are predominant. Although any future comprehensive plan land use amendments will be determined and analyzed on their own merits under a land use policy decision review, staff acknowledges that the approval could set a trend of smaller lot development in the immediate area.

As stated previously, review by staff found that the subject property consists of one (1) parcel totaling 7.89 acres; the parcel was created after 1990 making it a non-exempt parcel that is not eligible for development. The recent division of the parcel is not consistent with the Comprehensive Plan and the property's R/S designation. In order to develop on the recently divided parcel and in order to develop, or further divide the parcel, a Comprehensive Plan Amendment is needed.

CORRESPONDENCE/PHONE CALLS

As of the writing of this staff report, Staff has received no correspondence regarding this request.

ACTION

Staff offers four (4) findings of fact to support a motion to recommend approval or four (4) findings of fact to recommend denial. These findings are subject to change during the public hearing process.

ATTACHMENTS

1. Recorded Documents Section
2. Application and Supporting Documents

PROPOSED FINDINGS OF FACT
CPA(SS) 2023-07 Burchfield Property

APPROVE	DENY
1. The proposed Comprehensive Plan Amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.	1. The proposed Comprehensive Plan Amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
2. The proposed Comprehensive Plan Amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Regional Policy Plan, the Community Planning Act and Land Development Regulation Act (Chapter 163, Florida Statutes).	2. The proposed Comprehensive Plan Amendment is not consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Regional Policy Plan, the Community Planning Act and Land Development Regulation Act (Chapter 163, Florida Statutes).
3. The proposed Comprehensive Plan Amendment is procedurally consistent with Part 9.05.00 of the Land Development Code.	3. The proposed Comprehensive Plan Amendment is not procedurally consistent with Part 9.05.00 of the Land Development Code.
4. 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.	4. The amendment is not 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.

<p style="text-align: center;">PROPOSED TEXT AMENDMENT CPA(SS) 2023-07 Burchfield Property</p>
<p>A.1.11.1(m)(8)(__) Site-Specific Limitations on Density/Intensity</p> <p>The subject property legally described in Ordinance No. 2024-__ is assigned the future land use designation of Residential-A as shown on the Future Land Use Map. Residential uses on the property shall be limited to a maximum of two (2) single-family residential dwelling units. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan.</p>

ATTACHMENT 1
RECORDED DOCUMENTS SECTION

**BEGIN DOCUMENTS
TO BE RECORDED**

ORDINANCE NO. 2024 - _____

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) WITH A TEXT AMENDMENT LIMITING THE PROPERTY TO A MAXIMUM OF TWO (2) SINGLE-FAMILY DWELLING UNITS, FOR APPROXIMATELY 7.89 ACRES OF LAND LOCATED ON UNADDRESSED PROPERTY TO THE NORTH OF 1511 ST. MARKS POND BLVD; 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 **Rural/Silviculture (R/S)** to **Residential-A (RES-A)** with a text amendment limiting the property to a maximum of two (2) single-family dwelling units, for approximately 7.89 acres of land 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 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 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 scriveners 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. Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

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 _____ DAY OF _____ 2024.

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

BY: _____
Sarah Arnold, Chair

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

BY: _____
Deputy Clerk

Effective Date: _____

EXHIBIT A
2025 Future Land Use
From Rural/Silviculture
To Residential-A

INDUSTRIAL

Subject Property

RUR/SYLV

Residential-A

Saint Marks Pond Blvd

RESIDENTIAL-A

RUR/SYLV/SJRWMD

CPA(SS) 2023000007 Burchfield Property 07/21/2023

CPA(SS) 2023-07

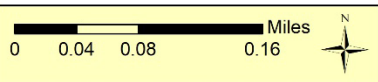


Exhibit B:

Legal Description

A PORTION OF THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 16; THENCE NORTH 89°-17'-07" EAST, ALONG THE SOUTHERLY LINE OF THE NORTHWEST ¼ OF SAID SECTION 16, 730.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°-17'-07" EAST, ALONG SAID SOUTHERLY LINE, 161.40 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE E.B. GOULD GRANT, SECTION 74; THENCE NORTH 69°-15'-54" EAST, ALONG SAID NORTHERLY LINE, 127.55 TO THE NORTHEAST CORNER OF SAID E.B. GOULD GRANT; THENCE SOUTH 21°-23'-21" EAST, ALONG THE EASTERLY LINE OF SAID E.B. GOULD GRANT, 47.05 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF THE NORTHWEST ¼ OF SAID SECTION 16; THENCE NORTH 89°-17'-07" EAST, ALONG SAID SOUTHERLY LINE, 850.38 FEET; THENCE NORTH 03°-15'-49" EAST, 322.70 FEET; THENCE NORTH 54°-38'-51" WEST, 177.50 FEET; THENCE SOUTH 79°-00'-04" WEST, 419.80 FEET; THENCE SOUTH 66°-28'-35" WEST, 650.68 FEET; THENCE SOUTH 07°-30'-21" WEST, 99.91 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A 30 FOOT WIDE INGRESS AND EGRESS EASEMENT:

A PORTION OF GOVERNMENT LOT 11, SECTION 16, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 16; THENCE NORTH 89°-17'-07" EAST, ALONG THE NORTHERLY LINE OF THE SOUTHWEST ¼ OF SAID SECTION 16, 892.23 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE E.B. GOULD GRANT, SECTION 74; THENCE NORTH 69°-15'-54" EAST, ALONG SAID NORTHERLY LINE, 127.55 TO THE NORTHEAST CORNER OF SAID E.B. GOULD GRANT; THENCE SOUTH 21°-23'-21" EAST, ALONG THE EASTERLY LINE OF SAID E.B. GOULD GRANT, 47.05 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE SOUTHWEST ¼ OF SAID SECTION 16; THENCE NORTH 89°-17'-07" EAST, ALONG SAID NORTHERLY LINE, 621.35 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE EAST LINE OF THE EASTERLY 420 FEET OF THE NORTHERLY 650.57 FEET OF GOVERNMENT LOT 11; THENCE SOUTH 00°-39'-47" EAST, ALONG SAID EASTERLY LINE, 621.35 FEET TO THE NORTH LINE OF A PROPOSED 60 FOOT WIDE INGRESS AND EGRESS EASEMENT, THENCE NORTH 89°-20'-13" EAST, ALONG SAID NORTH LINE, 30.00 FEET; THENCE NORTH 00°-39'-47" EAST, 621.38 FEET TO THE NORTH LINE OF THE SOUTH WEST ¼; THENCE SOUTH 89°-17'-07" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

Exhibit C

Text Amendment

A.1.11.1(m)(8)(____) Site-Specific Limitations on Density/Intensity

The subject property legally described in Ordinance No. 2024-____ is assigned the future land use designation of Residential-A as shown on the Future Land Use Map. Residential uses on the property shall be limited to a maximum of 2 single-family residential dwelling units. Proposed changes to increase the allowed development density are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan.

**END DOCUMENTS
TO BE RECORDED**

ATTACHMENT 2

**APPLICATION AND SUPPORTING
DOCUMENTS**



Comprehensive Plan Amendment Pre-Application
St. Johns County Growth Management Services Department
4040 Lewis Speedway
St. Augustine, Florida 32084

Phone (904) 209-0675 Fax (904) 209-0676

This application, together with ALL REQUIRED EXHIBITS and application fee, should be completed and filed with the Long Range Planning Division at least five (5) working days prior to the established pre-application meeting.

File No. _____ Date 6/21/23

Property Owner(s) MICHAEL BURCHFIELD Phone 904 599 2693

Address 1511 ST MARKS POND BLVD Fax _____

City ST AUGUSTINE State FL Zip Code 32095 Email mburchfield@sjcfl.us

Are there any owners not listed ☒ No ☐ Yes If yes please list on separate sheet to be included with your application

Applicant Michael Burchfield Phone 904 599 2693

Address 1511 st marks pond blvd Fax _____

City st augustine State FL Zip Code 32095 Email mburchfield@sjcfl.us

Type of Request This is a request to amend the **St. Johns County Comprehensive Plan as follows:**

☐ Text Amendment (Sign certification statement and attach additional pages as necessary)

Element _____ Goal, Objection or Policy # _____ Page _____

☒ Future Land Use Map Amendment (Complete the following sections)

Existing Future Land Use Map Designation RS ☐ Zoning OR ☐

Proposed Future Land Use Map Designation A ☐ Zoning OR ☐

Location/Description: Property Appraiser's Parcel Identification No. 0726100020

Street Address/Location 1511 St Marks Pond blvd

Total Acreage 7.89 Overall Dimensions _____ Flood Zone A

Adjacent Future Land Use Designation North: RS South: RS East: RS West: RS

Wetlands: Yes: ☒ No: ☐ Type: MARSH & Tidal Lands Acres: _____

Soil Associations: _____

Provide brief description of existing property. Include existing land cover and uses, any existing structures, infrastructure.

see Attached

RECEIVED
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BY: ASH

CONSISTENCY WITH COMPREHENSIVE PLAN (attach separate pages):

1. Provide justification/reasons for not developing in designated development areas as shown on Future Land Use Map. Include economic reasons and, if available, market study.
2. Provide information regarding the consistency of the proposed land use amendment with the adopted Future Land Use Element objectives and Policies and any other relevant section of the Comprehensive Plan. Also address consistency with the Strategic Regional Policy Plan and the State Comprehensive Plan.

ESTIMATED IMPACT ON THE AVAILABILITY OF PUBLIC FACILITIES:

3. Describe how property is to be developed. Include phasing, uses and estimates of (a) number and type of dwelling units; (b) square feet and type of commercial/industrial uses; (c) open space and recreational area; (d) buffers; (e) wetlands; (f) drainage and infrastructure areas; and (g) other uses and sizes. Account for all acres. Provide phasing dates and anticipated buildout.
4. (a) The project will use: ☐ public sewer or ☒ private sewer or ☒ septic tank.
(b) The project will use: ☐ public water or ☒ private water or ☒ private well.
5. (a) Will the project build its own water plant? ☐ Yes ☒ No.
(b) Will the project build its own sewage plant? ☐ Yes ☒ No.
6. If public or private utilities are to provide services, attach letters from the utility company or companies stating whether the utility company anticipates the availability of capacity to service the project through all phases.

7. Estimated Water and Sewage Demand:

	Phase (Years)	Use	GPD	Peak
Water	1			
Sewage	1			
Water Utility	Name: SJCUD		Address:	
Sewer Utility	Name: SJCUD		Address:	

8. Describe anticipated drainage system:

ANY REQUIRED STORM WATER MANAGEMENT WILL BE ADDRESS WITH EACH CLEARENCE SHEET APPROVAL WITH INDIVIDUAL OR JOINT USE

9. Estimate the Solid Waste Demand by 5.7 pounds per person per day or by use. Indicate methodology:

Phase (Years)	Number of People or Use	Pounds per Day
1	4.88	27.82

10. Estimate the Transportation Disadvantaged Van Services Demand by applying 1.5 percent times the number of Dwelling Units times 2.44 Persons Per Unit. (Only applies to residential developments.)

Phase (Years)	demand = Dwelling Units X 2.44 Persons Per Unit X 0.015
1	0.007

11. Estimate the Recreation and Open Space Demand of residential projects by applying the following formulas:

- (a) Number of Dwelling Units X 2.4 Persons Per Unit X 5 Acres Per 1,000 Population for Neighborhood/Community Park Recreation, by phase:

0.024

- (b) Number of Units X 2.5 Persons Per Unit X 24 Acres per 1,000 Population for Regional/Open Space, by Phase.

0.12

12. Traffic – Estimate Average Weekday Peak Hour Trips by phase by number of dwelling units and square feet of each on-residential use using the trip generation rates from the latest edition of the Institute of Transportation Engineers *Trip Generation Manual*.

Phase (Years)	Dwelling Units or Square Feet of Each Use	Trips
1	2	

13. Estimate the area of impact using the *Traffic Impact Methodology and Procedures* contained in Appendix A of the **Land Development Code** and estimate the impacts on the Levels of Service on the segments within the Area of Impact by Phase. ATTACH CALCULATIONS (staff will complete for up to 29.99 peak hour trips).

Phase Years)	Road Segment #	Existing LOS	Project Trips	LOS with Project & Background Traffic by Phase End

REQUIRED EXHIBITS: (MUST BE SUBMITTED IN THIS ORDER)

1. Owner's Authorization for Agent Form. All persons listed on the deed, purchase agreement, title opinion or other acceptable proof of ownership must complete an Owners Authorization.
2. Proof of ownership (copy of deed or purchase agreement, and title opinion).
3. Legal description and tax identification number.
4. General location map with subject property clearly identified.
5. Property Appraiser's Map with identification of subject property, zoning, and Comprehensive Plan Land Use Designation within 300 feet of property.
6. Comprehensive Plan Future Land Use Map with subject property clearly identified.
7. Most recent aerial of site showing property boundaries.
6. Copy of soils map showing property boundaries.
8. Generalized site plan with uses, phases as described in Question 13.
9. Water and Sewer Utility letter, if applicable (Question 16).
10. One (1) copy of application and exhibits.

NOTE: On each map include north arrow, property outline, name of person or firm who prepared the map, date of map preparation, and source of the map.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner(s) or authorized person if Owner's Authorization Form is attached:

Printed or typed name(s): Michael and Julie Burchfield

Signature(s): X Michael Burchfield Julie Burchfield

NAME AND ADDRESS OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION:

Name: Michael Burchfield

Mailing Address: 1511 St Marks Pond Blvd

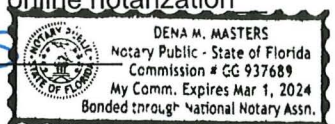
Phone: 904-599-2698 FAX: _____ E-mail: mburchfield@stcfl.us

State of Florida County of St. Johns

The foregoing instrument was acknowledged before me by means of physical presence ☒ or online notarization

this 27th day of June, 2023, by Michael and Julie Burchfield as owners

for _____ Notary Public, State of Florida



Name Dena M. Masters # GG937689

Oath sworn: Yes ☒ No ☐

Notary Signature Dena M. Masters

My Commission expires: Mar 1, 2024

BURCHFIELD PACETTI FAMILY
SMALL SCALE COMPREHENSIVE PLAN ADMENDMENT - CPA (SS)
JUSTIFICATION AND ANALYSIS

My wife and I own a separate 7.89 acre parcel that borders our north/eastern property line that we would like to divide, 4 acres to my son, Jess Burchfield and 2.5 acres to my daughter, Brandi Burchfield, which will keep the lot sizes Consistence with the current neighboring properties. Leaving 1.39 acre of wet land that will stay attached to my homestead. (Exhibit A)

LITTLE HISTORY OF ST MARKS POND, I am a Descendants of Charles Pacetti who originally purchase the property back in the 1920's and built the ST MARKS VILLA as we know it today. Hence the reason for the name of the road. The Villa and property has been a family hub for as long as I can remember, still hosting our annual Thanksgiving dinners, Weddings, Halloween gatherings, to name a few. Over the years several of our family, The Villa has also been a place to where several of our family's new newlywed couples could call home, where they benefitted to live as they save money to build their forever home somewhere out here or within SJC, which is becoming harder and harder to afford.

Since the 1920's several of our family members has called St Marks pond home. I myself has benefited from this Villa property by building my own home on part of the original pieces. Recently march of 2022 my sister Kellie Pacetti was also approved through the CPA(SS) on the remainder of VILLA property, which she divided for her kids to build their forever family homes. So over the last few years, cousin's, nephews, nieces, myself have all been approved and built our forever family home on St Marks Pond.

EXHIBIT A - subject property

EXHIBIT B - legal description

EXHIBIT C - text amendment

EXHIBIT D - FLUM

My intention is to build 2 family homes for my son and daughter, on the property for residential use, which consistent with its current and historical use, while maintaining Open Rural zoning. Lot 1 will be a minimum of 4.0 acre while lot 2 will be 2.5. The remainder 1.39 acre to be combined with my existing property. This plan of development is also consistent and compatible with the homes owned by other Burchfield/ Pacetti family members.

B. Project Benefits

The project proposes to develop consistent with decades of historic use by the Burchfield/Pacetti family.

C. Compatibility with Surrounding Uses

The proposed use is consistent and compatible with area.

Comprehensive Plan Policy A.1.3.11 defines “compatibility” to mean a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is unduly negatively impacted directly or indirectly by another use. The proposed FLUM amendment for this approximately 7.89 acres to Residential A is consistent with the land uses and FLUM designations of surrounding properties and the vision of the St. Johns County Comprehensive Plan. Therefore, the project meets the requirements of the Comprehensive Plan, including Policies A.1.3.11 and A.2.1.9.

LAND USE ELEMENT

Goal A.1

To effectively manage growth and development by designating areas of anticipated future development which satisfy demand where feasible, in a cost-efficient and environmentally acceptable manner. Encourage/accommodate land uses which made St. Johns County a viable community. Creating a sound economic base and offering diverse opportunities for a wide variety of living, working, shopping, and leisure activities, while minimizing adverse impact on the natural environment.

Objective A.1.2 Control of Urban Sprawl

The County shall control urban sprawl, characterized by leapfrog, development, strip development, and low-density residential over a large area.

Policy A.1.2.1 The County shall only issue development orders or development permits consistent with the provisions of the County’s Concurrency Management System, as provided in the Land Development Code

Policy A.1.2.5 All Comprehensive Plan amendment shall provide justification for the need for the proposed amendment and demonstrate how the proposed amendment discourages urban sprawl and not adversely impact natural resources. In evaluating proposed amendments, the County shall consider each of the following:

(a) the extent to which the proposed amendment is contiguous to an existing Development Area which has developed in a manner providing a compact, contiguous development pattern with the proposed amendment; The Property is a total of 7.89 acres that will be contiguous with other Burchfield family properties where homes have been built and are occupied in the area. There are single-family homes currently located around the site.

(b) the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;

- Since the 1920's The Burchfield Pacetti family has owned land and lived in this area of the St Marks Pond longer than any other residents. The intent desired was to pass it down to family only.

(c) the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County Capital Improvement Program, the Florida

Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or will be privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;

- Access to the Property is via ST. MARKS POND BLVD, as currently exists. No additional off-site roads will be needed to provide access to the Property. All driveways within the Property will be owned and maintained by Burchfield Family, or its successor.

(d) The extent to which the amendment will result in an efficient use of public funds needed for the provisions of new infrastructure and services related to it.

- The Property can be easily served by the existing ST. MARKS POND BLVD. No public funds are needed for the provision of new infrastructure or services for the project.

(e) The extent to which the amendment will not result in a sprawl development pattern as determined by Chapter 163, (exhibit A)

- Florida Statutes, and will not discourage infilling of more appropriate areas available for development within existing Development Area Boundaries; and Section S16-T6S-R29E Florida Statutes, states that a Comprehensive Plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

- Not really applicable.

2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

-- Project accomplishes by using the existing roadway network of ST. MARKS POND BLVD. To the extent there is not central water or sewer, this location was not intended to be a center for urban development. Rather, the rural nature of the land is exactly what is sought to be preserved through this application.

3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

- Not applicable on this scale of project. However, the walkability and connectivity of the community could not be better by bringing a family together where other family members already reside.

4. Promotes conservation of water and energy. Not applicable. 5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

- Not applicable.

6. Preserves open space and natural lands and provides for public open space and recreation needs.

-Not applicable.

7. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area

- Not applicable.

8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in section 163.3164.

-Not applicable.

(f) the extent to which the amendment will result in a sustainable development pattern through a balance of land used that is internally interrelated; demonstrates an efficient use of land; ensures compatible development adjacent to agriculture lands; protects environmental qualities and characteristics; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.

- The proposed FLUM change is consistent and compatible with the surrounding lands. The project will use the existing ST. MARKS POND BLVD for site access

Policy A.1.2.6 The extension or expansion of utilities and roads should promote compact, contiguous development patterns.

-not applicable.

Policy A.1.2.7 amending from R/S to a Development Area shall be discouraged unless the applicant demonstrates the amendment provides economic development, job creation, preservation of the natural environment, or other public benefit

-Policy A.1.2.7 was not even conceived at the time the Burchfield Family intended, planned and invested in the future family use of the property.

Objective A.1.3 Surrounding Land Use

The County shall locate land uses so they are compatible and complementary.

-The project will be consistent and compatible with the adjoining Pacetti /Burchfield family member homes.

Objective A.1.11 Provision of Efficient, Compact Development

The County shall encourage an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development.

- The proposed FLUM amendment allows an efficient and compact land use pattern that provides overall densities and adequate land uses to support balanced growth in this area of the County.

TRANSPORTATION ELEMENT

Objective B.1.6 Transportation and Land Use

All residential, non-residential, and planned unit developments shall provide a circulation system which: provides safe access to the major roadway network; provides for proper design of local and collector streets within such development; and otherwise supports the objectives and policies of the Land Use and Transportation Elements of the Plan.

-my family will utilize ST. MARKS POND BLVD, along with a few neighbors we have always taken care of the existing road in the past, present and I'm sure the future.

Policy B.1.6.4 Circulation within and between Developments. The County shall, as necessary, ensure that development shall include features and provisions which encourage internal automobile circulation, bicycle use, pedestrian movement, and other features to minimize utilization of the major roadway network; and still make provisions for public road, public bikeway, and pedestrian access to the adjoining properties.

-Not applicable.

STRATEGIC REGIONAL POLICY PLAN (SRPP) CONSISTENCY

The Northeast Florida Regional Council adopted its Strategic Regional Policy Plan (SRPP) in 1997 as a means to identify and provide direction on a variety of issues impacting the region as a whole. As noted in the document, "the SRPP is not a regulatory document.... but is intended to identify key and important issues/areas which will influence and direct northeast Florida to where it desires to be as the region moves forward into the next century." The SRPP addresses five key elements including Affordable Housing, Economic Development, Emergency Preparedness, Natural Resources of Regional Significance, and Regional Transportation.

The Applicant has reviewed the SRPP and related exhibits for consistency in project approach and intent. Although the SRPP is directed more towards regional and/or municipal level guidance, there are several elements of that plan that can be applied or have been proposed as part of the proposed project.

TRANSPORTATION ELEMENT

Regional Policy 5.2.3

Concentrate high-density land uses (such as compact residential, commercial and mixed- use land use patterns) and infill development along multi-modal transportation corridors.

-Not applicable.

STATE AND COMPREHENSIVE PLAN CONSISTENCY

An analysis of this proposed amendment, including consistency with Section 163.3177, Florida Statutes, is provided below.

Section 163.3177(6)(a)9.b,

Florida Statutes, states that a Comprehensive Plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following

a. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

-Project accomplishes through the natural shape and features of the Property.

b. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

-Project accomplishes by using the existing roadway network

c. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

- Not applicable.

d. Promotes conservation of water and energy.

- Not applicable

e. Preserves open space and natural lands and provides for public open space and recreation needs.

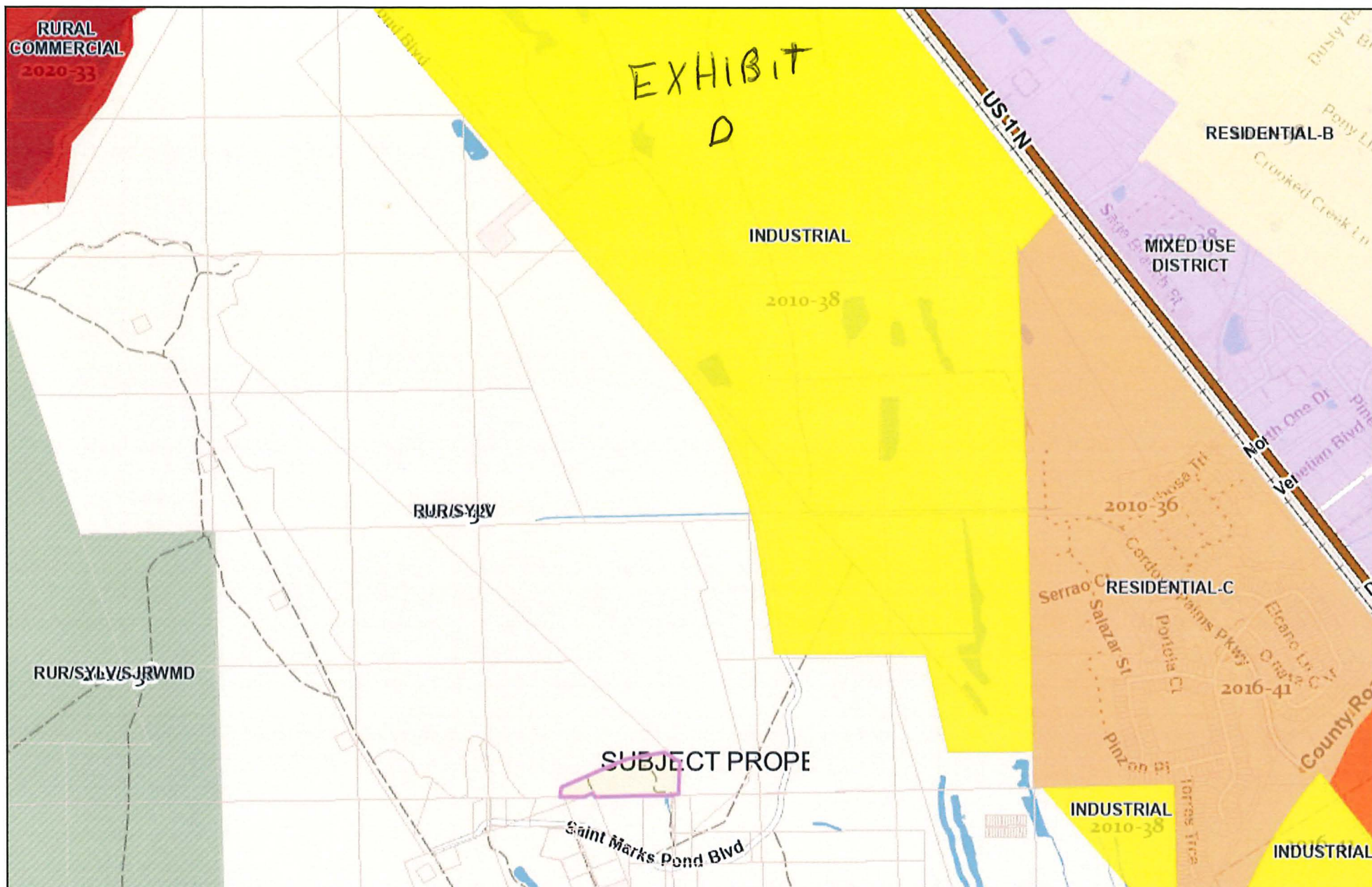
- Not applicable.

f. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

-Not applicable.

h. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in section 163.3164.

- Not applicable



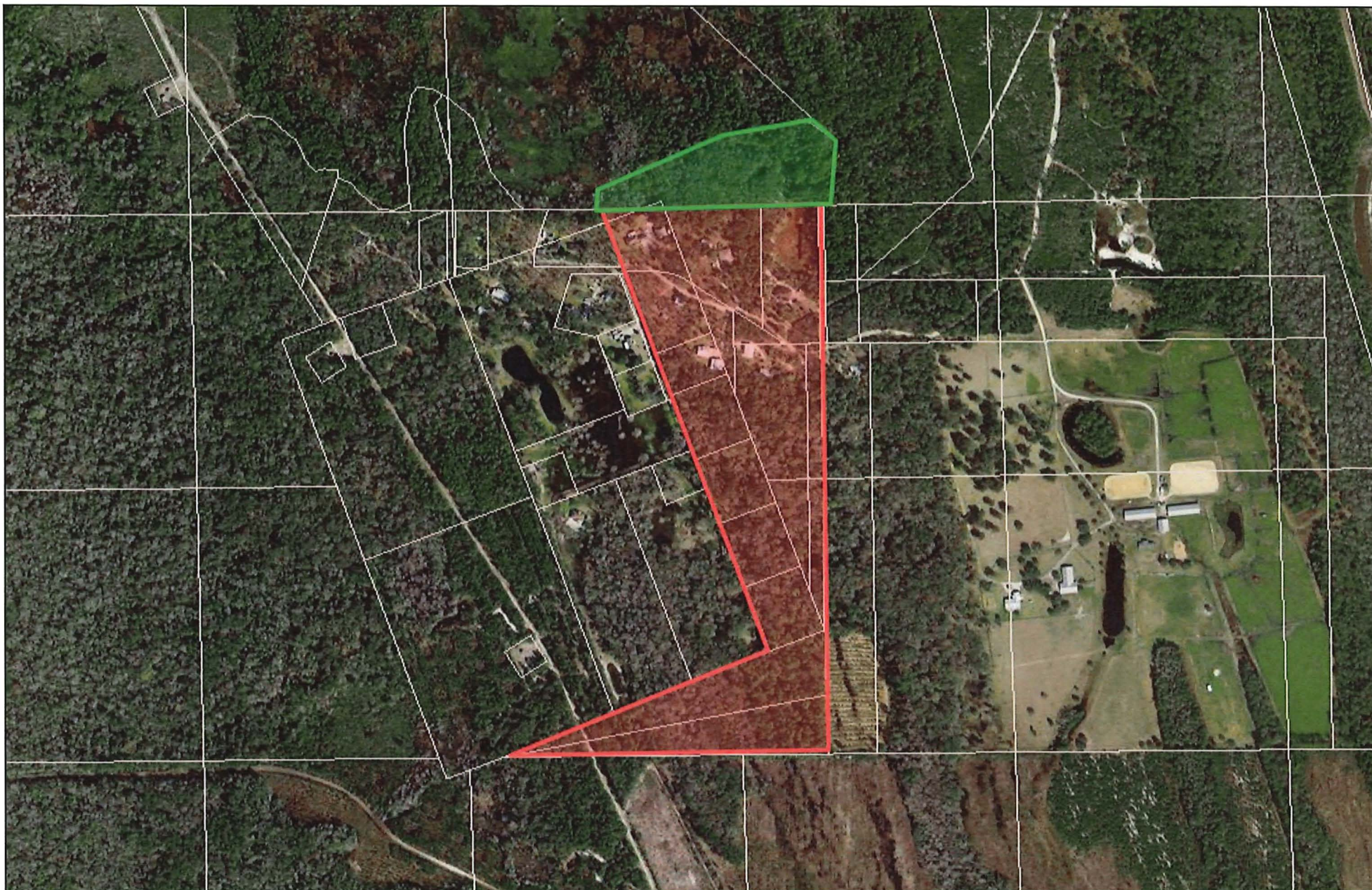
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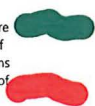
The existing Future Land Use Map ("FLUM") designation of the Property is R/S. The Applicant is requesting a FLUM amendment to change the designation of the Property to Residential-A to reflect the Pacetti family's extensive presence in the area, the long-term intent of the family and the unique characteristics of the property.





Map created with St. Johns County's iMap

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PURPOSED PROPERTY

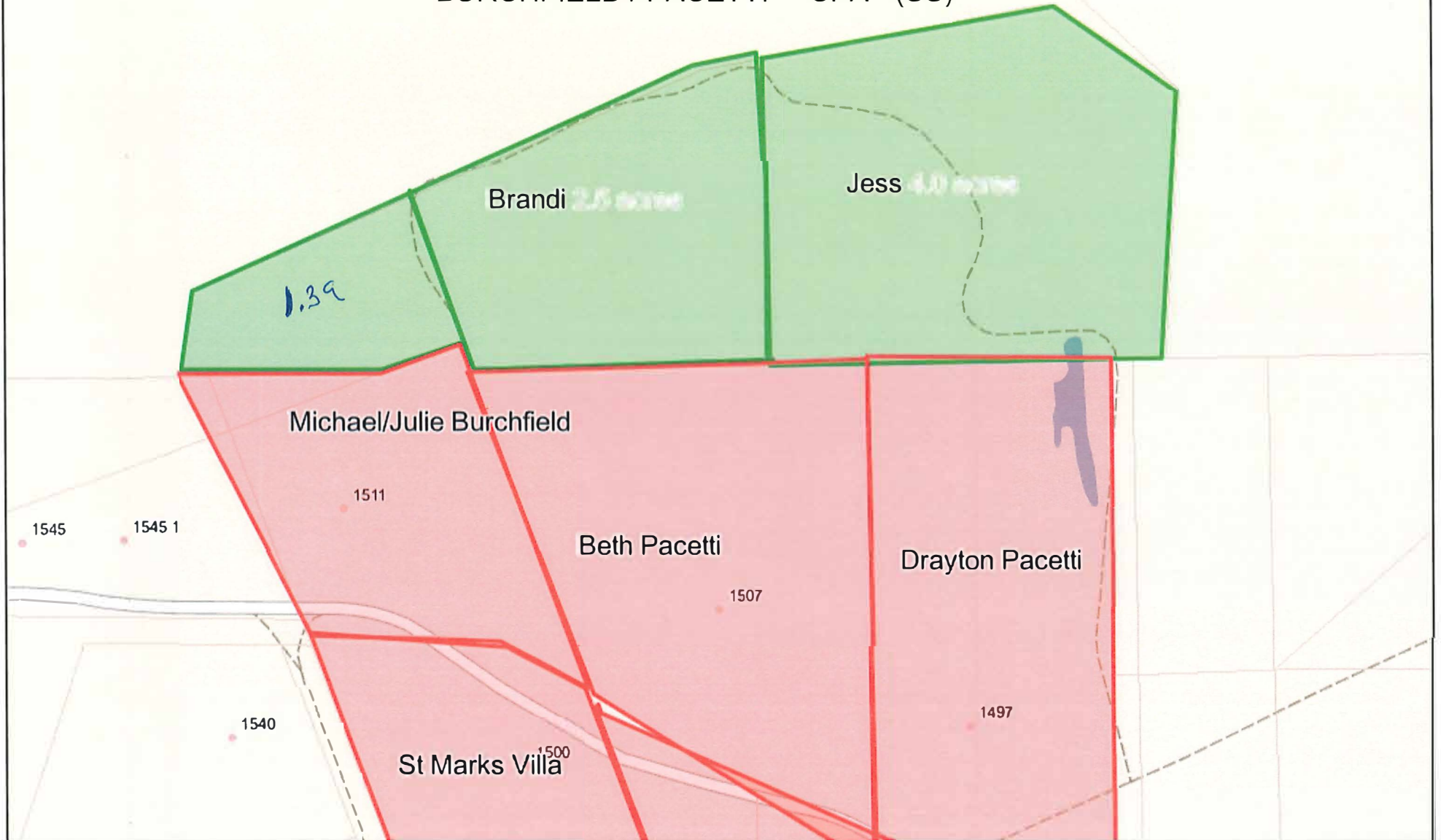
FAMILY PROPERTIES

AERIAL EXHIBIT A



Date Created: 6/19/2023

BURCHFIELD / PACETTI CPA - (SS)



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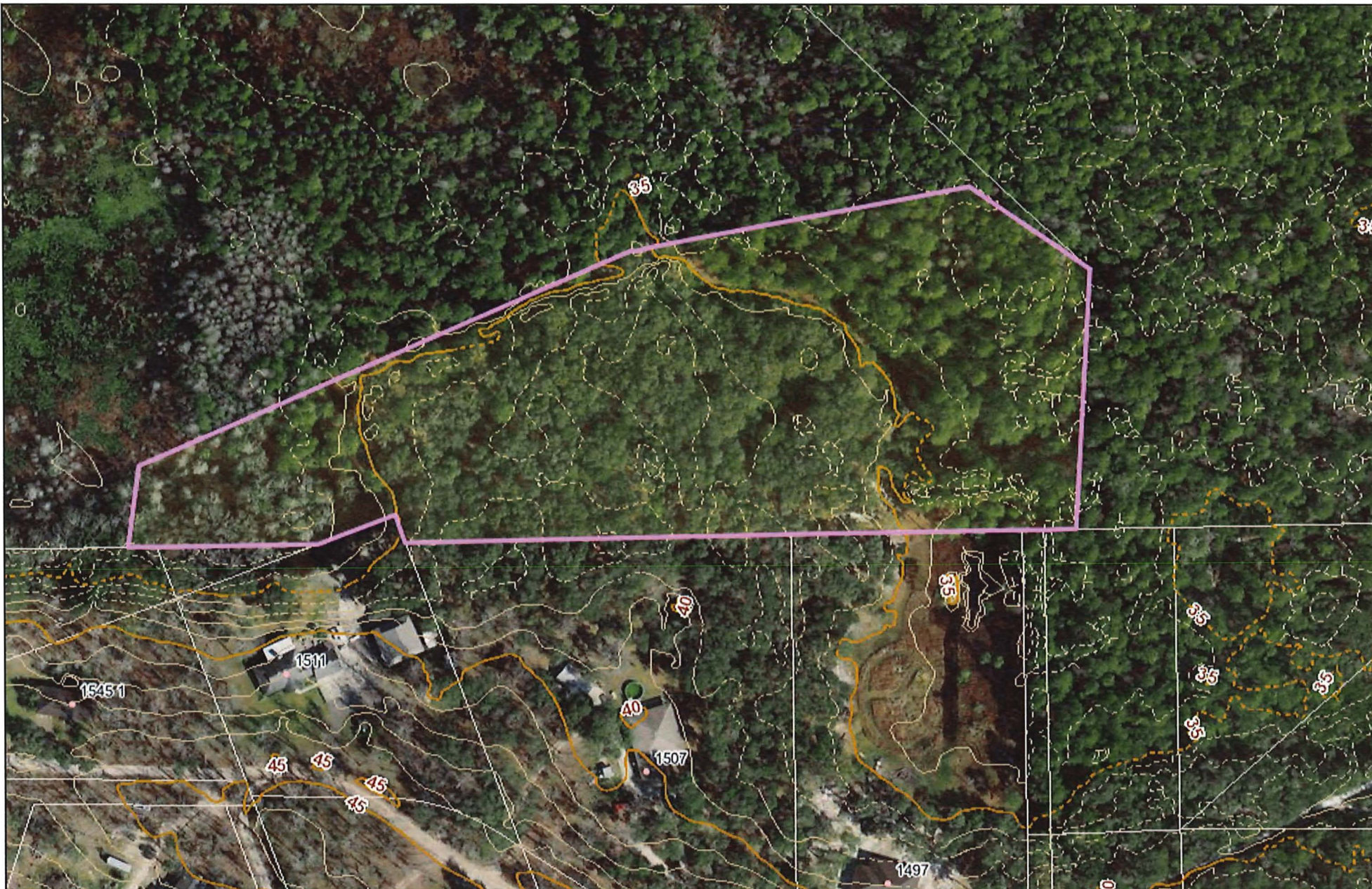
Date Created: 6/19/2023

 PURPOSED PROPERTY

 FAMILY PROPERTY

EXHIBIT A





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Date Created: 6/19/2023

ELEVATION

P0726100020





PM. 0726100020

National Wetland Mapper

Burchfield Parcel
Wetlands and Wildlife Assessment
EES Job # 23-016

Prepared For:

Mr. Michael Burchfield
2416 Dobbs Road
St. Augustine, FL 32086

Prepared By:

Esser Environmental Services
11624 Saint Josephs Road
Jacksonville Florida 32223



October 2023

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1.0 INTRODUCTION

1.1 Background

On 30 August 2023, Esser Environmental Services, LLC (EES) conducted a wetlands and wildlife assessment on the 7.89-acre± Burchfield Parcel (herein referred to as “subject parcel”). The site is located north of St. Marks Pond Boulevard and just south of St. Marks Pond Swamp, in Sections 16 and 74, Township 6 South, Range 29 East, in St. Johns County, Florida (Exhibit 1). The assessment was performed in association with the desire of the property owner to split the existing parcel into three separate. The splitting of the subject parcel will result in the creation of two additional parcels (2.26 acres± and 4.83 acres±), with the residual 0.80 acres± being combined with an existing parcel owned by the property owner. Plans for future development of the uplands within the subject parcel can be viewed on the Proposed Site Conditions map (Exhibit 2). EES was tasked with performing a wetlands and wildlife assessment within the provided boundary of the subject parcel to identify the presence/absence of environmental resources; including wetlands, threatened and endangered species, and critical habitat utilized by listed species.

1.2 General Site Description

The subject parcel consists of approximately 7.89 acres of undeveloped land. According to historic aerials, a small trail road was installed prior to 1999 that cuts through a portion of the uplands on-site. No additional development or clearing has occurred on the subject parcel. The site is completely forested and exists in a relatively undisturbed state. The subject parcel is bordered to the north, east, and west by St. Marks Pond Mitigation Bank and to the south by low density residential homes. The site is bisected by the SJRWMD Sixmile & Julington Creeks Nested (5) and Tolomato River & Intracoastal Nested (6) drainage basins and is located in the federal Hydrologic Unit Code (HUC) 03080201.

1.3 Soils

According to the U.S. Department of Agriculture-Natural Resource Conservation Service (USDA-NRCS) *Soil Survey of St. Johns County, Florida* (1983), the following soil types are associated with the site.

- Astatula fine sand (Soil Identification No. 2)
- Hontoon muck, frequently flooded (35)

Soils present and their approximate locations on the subject parcel are depicted on Exhibit 3.

2.0 METHODOLOGIES

2.1 On-site Habitats and Listed Species

Prior to initiation of the site visit, EES biologists consulted available sources to determine the potential occurrence of environmental resources located within the boundary of the subject parcel. Official lists of endangered and threatened species known to occur in St. Johns County were reviewed, in addition to recent/historic aerial maps and available approximate wetland mapping. The following sources aided in the desktop assessment of the subject parcel prior to the completion of the field work:

- True Color and Infrared Aerials
- Historic Aerials
- USDA NRCS Soils Mapping
- Digital National Wetlands Inventory Mapping
- Florida Fish and Wildlife Conservation Commission (FWC) threatened and endangered species occurrence documentation
- U.S. Fish and Wildlife Service (FWS) threatened and endangered species occurrence documentation
- Florida Natural Areas Inventory (FNAI) threatened and endangered species occurrence documentation

Upon completion of the desktop assessment, a site visit was conducted on 30 August 2023. EES biologists traversed the entirety of the subject parcel, using a hand-held Global Positioning System (GPS) unit to locate environmental resources present. On-site habitats and land use/cover were classified according to the *SJRWMD Land Use and Land Cover* (2004) modified from *Florida Land Use, Cover and Forms Classification System* [FLUCFCS, Florida Department of Transportation (FDOT)]. On-site wetlands were approximated pursuant to 62-340, Florida Administrative Code (F.A.C.), and the wetland line was demarcated using a hand-held GPS unit. Vegetative communities present on the subject parcel are described in the following section, and their approximate locations on the subject parcel are depicted on Exhibit 4.

All habitats with potential to be utilized by FWC and/or FWS listed species were examined, and any sign of utilization by listed species was documented. Results of the wildlife assessment are presented in Section **3.2 Listed Species**.

3.0 RESULTS

3.1 On-site Habitats and Land Use/Cover

A total of four land use types/communities were identified during the site assessment: Pine Flatwoods (411), Live Oak (FLUCFCS Code 421), Streams and Lake Swamps (Bottomland) (615), and Hydric Pine Flatwoods (625). These communities are described below, and their approximate locations on the subject parcel are illustrated on Exhibit 4.

3.1.1 Uplands

Pine Flatwoods (411)

Approximately 0.16 acre of Pine Flatwoods (411) are located within the subject parcel boundary. The canopy strata is a monoculture of mature slash pine (*Pinus elliottii*). Subcanopy species observed include slash pine, saw palmetto (*Serenoa repens*), and wax myrtle (*Morella cerifera*). This upland community has dense canopy coverage; therefore, ground cover is sparse with Elliot's milk pea (*Galactia elliottii*), bracken fern (*Pteridium aquilinum*), and rough witchgrass (*Dichanthelium leucothrix*) observed.

Live Oak (421)

Live Oak (421) uplands represent the dominant community type located within the subject parcel. Live oak (*Quercus virginiana*) comprises the majority of the canopy strata, with minor inclusions of southern magnolia (*Magnolia grandiflora*) and sand live oak (*Quercus geminata*) present. Observed species in the subcanopy include immature canopy species, saw palmetto, rusty staggerbush (*Lyonia ferruginea*), wax myrtle, and fetterbush (*Lyonia lucida*). Ground cover is sparse due to dense canopy closure, with species observed including bracken fern, running oak (*Quercus pumila*), dwarf huckleberry (*Gaylussacia dumosa*), Elliott's milkpea, and shiny blueberry (*Vaccinium myrsinites*).

3.1.2 Wetlands

Streams and Lake Swamps (Bottomland) (615)

Approximately 0.69 acres of Streams and Lake Swamps (Bottomland) (615) are located on the western boundary of the subject parcel. The mature wetland canopy consists of bald cypress (*Taxodium distichum*), red maple (*Acer rubrum*), pop ash (*Fraxinus caroliniana*), and swamp tupelo (*Nyssa biflora*). In the subcanopy, buttonbush (*Cephalanthus occidentalis*) presents as the dominant species. Groundcover species include warty sedge (*Carex verrucosa*), lizard's tail (*Saururus cernuus*), Virginia chain fern (*Woodwardia virginica*), soft rush (*Juncus effusus*), sawgrass (*Cladium jamaicense*), maidencane (*Panicum hemitomon*), pickerelweed (*Pontederia cordata*), and shortbristle horned beaksedge (*Rhynchospora inundata*). This habitat will be folded into the existing parcel owned by the applicant and will not be part of the parcel splitting. Proposed activities will not impact this wetland habitat.

Hydric Pine Flatwoods (625)

This 2.60 acre± wetland community is located on the eastern portion of the subject parcel and has a canopy comprised primarily of slash pine, with bald cypress, loblolly bay (*Gordonia lasianthus*), and dahoon holly (*Ilex cassine*) interspersed. The subcanopy consists of immature canopy species in addition to myrtle leaved holly (*Ilex myrtifolia*),

wax myrtle, fetterbush, and swamp bay (*Persea palustris*). Observed groundcover species include redroot (*Lachnanthes caroliniana*), maidencane, bunched beaksedge (*Rhynchospora cephalantha*), coastalplain yelloweyed grass (*Xyris ambigua*), and Virginia chain fern. All wetland habitat is located outside of the proposed site plan for the construction of the two home sites. Proposed activities will not impact this wetland habitat.

3.2 Listed Species

Prior to initiation of the field reconnaissance, the aforementioned GIS data was consulted to determine the documented of listed species in proximity to the subject parcel. In northeast Florida, FWS defines wood stork (*Myceteria americana*) core foraging area (CFA) as all appropriate foraging habitat located within 13 miles of an active wood stork nesting colony. The nearest documented wood stork nesting colony is located 9.1 miles± Southeast of the subject parcel. The nearest documented wading bird rookery is located approximately 1.3 miles North of the subject parcel within St. Marks Pond and was last documented as active during the 1990's FWC rookery survey. Please see Exhibit 5 for the location of wood stork and wading bird rookeries in relation to the subject parcel.

Exhibit 6 depicts the FNAI documented occurrences of listed species within five miles of the subject parcel. Listed species that have been documented within five miles include eastern indigo snake (*Drymarchon couperi*), gopher tortoise (*Gopherus polyphemus*), little blue heron (*Egretta caerulea*), and tricolored heron (*Egretta tricolor*), documented 1.9, 3.9, and 0.5 miles from the subject parcel, respectively. While the bald eagle (*Haliaeetus leucocephalus*) is no longer listed as an endangered or threatened species, it is afforded protection under the Bald and Golden Eagle Protection Act (BAGEPA). The closest documented active bald eagle nest is located 2.4 miles Northeast of the subject parcel.

Following the consultation of available listed species databases, a wildlife assessment was conducted. During the field assessment, EES evaluated the site for evidence of utilization by FWC and FWS listed species, and/or the presence of their critical habitat. The subject parcel is bordered by conservation lands; however, no critical habitat for these species exist on-site. Therefore, the occurrence of listed species on the subject parcel is unlikely. The subject parcel was assessed for the potential occurrence of those species identified in the FNAI tracking list of protected species known to occur in St. Johns County (Table 1). Table 1 identifies species listed by FWS and/or FWC, their designated status, and the potential for each species to occur within the boundary of the subject site. Each species was assigned a probability of occurrence of none, low, moderate, and high. Species with a probability of occurrence of low, moderate, and high are discussed below. Those species with no potential to occur within the project due to lack of potential habitat will not be discussed further.

Table 1: Listed Species Known to Occur in St. Johns County (FNAI)

Scientific Name	Common Name	Federal Status	State Status	Potential to Occur on Subject Parcel
<i>Acipenser brevirostrum</i>	Shortnose Sturgeon	E	E	None
<i>Acipenser oxyrinchus oxyrinchus</i>	Atlantic Sturgeon	E	E	None
<i>Microphis brachyurus</i>	Opossum Pipefish	SC	N	None
<i>Notophthalmus perstriatus</i>	Striped Newt	N	T	None
<i>Alligator mississippiensis</i>	American Alligator	T	T	Low
<i>Caretta caretta</i>	Loggerhead Sea Turtle	T	T	None
<i>Chelonia mydas</i>	Green Sea Turtle	T	T	None
<i>Dermochelys coriacea</i>	Leatherback Sea Turtle	E	E	None
<i>Drymarchon couperi</i>	Eastern Indigo Snake	T	T	Low
<i>Gopherus polyphemus</i>	Gopher Tortoise	N	T	Low
<i>Pituophis melanoluecus</i>	Pine Snake	UR	T	Low
<i>Charadrius melodus</i>	Piping Plover	T	T	None
<i>Egretta caerulea</i>	Little Blue Heron	N	T	Low
<i>Egretta tricolor</i>	Tricolored Heron	N	T	Low
<i>Haematopus palliatus</i>	American Oystercatcher	N	T	None
<i>Mycteria americana</i>	Wood Stork	T	T	Low
<i>Platalea ajaja</i>	Roseate Spoonbill	N	T	None
<i>Rhynchops niger</i>	Black Skimmer	N	T	None
<i>Sternula antillarum</i>	Least Tern	N	T	None
<i>Eubalaena glacialis</i>	North Atlantic Right Whale	E	E	None
<i>Peromyscus polionotus phasma</i>	Anastasia Island Beach Mouse	E	E	None
<i>Trichechus manatus latirostris</i>	Florida Manatee	T	T	None

*(E), Endangered, (T), Threatened; (SC), Species of Special Concern; (U), Under Review

Gopher Tortoise

A 100% gopher tortoise burrow survey was completed by FWC Authorized Gopher Tortoise Agent Walt Esser # GTA 20-00055A). No potentially occupied or abandoned gopher tortoise burrows were located within the subject parcel.

American Alligator

The American alligator utilizes open water as well as marsh habitats during their life cycle. There have been alligator occurrences within the pond of St. Marks Pond Mitigation Bank. While it is possible that alligators may periodically occupy bottomland swamps located within the subject parcel, it is unlikely that they will occupy this area for any extended period of time. During the site assessment, no American alligators or their

sign were observed. No impacts are proposed to the wetland communities within the subject parcel and appropriate vegetative buffers will remain adjacent to all wetlands. Therefore, there will be no impact to this species as a result of proposed activities.

Eastern Indigo Snake

Eastern indigo snakes prefer well-drained, sandy soils in dry upland habitats (scrub, sandhill) as refuge areas, and forage in a wide array of upland and wetland habitats. In northeast Florida, the eastern indigo snake is synonymous with the gopher tortoise and their burrows, which they utilize for refuge, particularly in the winter months. The eastern indigo snake was not observed during the site visit, and no sign of eastern indigo utilization was observed. No scrub or sandhill uplands are located on the subject parcel, decreasing the likelihood of occurrence of this species. Furthermore, no potentially occupied or abandoned gopher tortoise burrows are located within, or adjacent to, the subject parcel. Therefore, no impacts to this species are anticipated as a result of proposed activities.

Pine Snake

The Florida pine snake spends most of its life burrowed underground, and as such, prefers well-drained, sandy soils in dry upland. While the soils located within the uplands of the subject parcel are desirable for the pine snake, the communities they prefer to inhabit are longleaf pine stands or xeric oak forests with moderate or open canopy. The pine snake is strongly associated with the presence of gopher tortoises and pocket gophers. No pine snakes or their sign were observed during the site assessment. Uplands located within the subject parcel possess dense canopy closure and are more mesic in nature than typical pine snake habitats. Additionally, no gopher tortoise burrows or pocket gopher burrows were observed within, or adjacent to, the subject parcel. No impacts to this species are anticipated as a result of proposed activities.

Wading Birds (Wood Stork, Little Blue Heron, Tricolored Heron)

Wading birds typically spend their life cycles in open marshes, tidal flats, streams, swamps, or flooded fields. Wading birds frequent the adjacent St. Marks Pond Mitigation Bank, and wading birds may periodically forage in the bottomland swamps located within the subject parcel. No wading birds or their sign were observed during the site assessment. Additionally, no wetland impacts are proposed and appropriate vegetated buffers will remain adjacent to wetland habitats. As such, no impacts to these wading bird species are anticipated as a result of proposed activities.

While bald eagles are not listed as endangered or threatened, they are afforded additional protections under the BAGEPA. No active bald eagle nests were observed within 660 feet of the subject parcel. If an active nest is established within 660 feet of proposed construction activities, FWS "National Bald Eagle Management Guidelines" (2007) should be followed.

In summary, no listed species or critical habitat were observed during the site assessment, and no impact to listed species will occur as a result of proposed activities.

4.0 Permitting

4.1 Environmental Resource Permitting

No wetland impacts will occur as a result of proposed activities, therefore, no Environmental Resource Permitting efforts are anticipated. Additionally, the majority of the site will remain forested and appropriate vegetated buffers will remain adjacent to wetland habitats in accordance with St. Johns County development protocols.

4.2 Wildlife

No listed species or critical habitat were observed during the site assessment. No listed species permitting efforts are anticipated.

5.0 CONCLUSIONS

On 30 August 2023, EES biologists conducted a wetlands and wildlife assessment on the 7.89 acre± Burchfield Parcel in association with a request to split the existing parcel and to construct two single family homes. The subject parcel was assessed for the presence of environmental features including wetlands, listed species, and critical habitat.

Based upon the field survey, EES identified four land use/cover categories. The areas include Pine Flatwoods (411), Live Oak (421), Streams and Lake Swamps (Bottomland) (615), and Hydric Pine Flatwoods (625). A total of 4.60 acres± of upland habitat was identified during the site assessment, sufficient for the splitting of the parcel into two separate parcels and the construction of two single family homes (Exhibit 2). No wetland impacts will occur as a result of proposed activities. The majority of the site will remain forested and appropriate vegetative buffers will remain adjacent to wetland habitat.

No listed wildlife species were observed, and no critical habitat is present within the boundary of the subject parcel. No impacts to listed wildlife species are anticipated as a result of proposed activities. Furthermore, a 100% gopher tortoise survey was completed by FWC Authorized Gopher Tortoise Agent Walt Esser (# GTA 20-00055). No potentially occupied or abandoned gopher tortoise burrows were located during the 100% survey.

LEGEND

 Parcel Boundary - 7.89 ac.±

Project Area

Section: 16, 74
Township: 6 South
Range: 29 East

Lat: 29° 58' 56.34" N (29.982316 dd)
Long: 81° 23' 31.87" W (-81.392186 dd)

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

Burchfield Parcel Project Location

St. Johns County, Florida

By: NEE

Project No.: 23-016

Exhibit No.: 1

Date: 9-14-23

Rev. Date:

N







0 2,000'



Source: USGS The National Map

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LEGEND

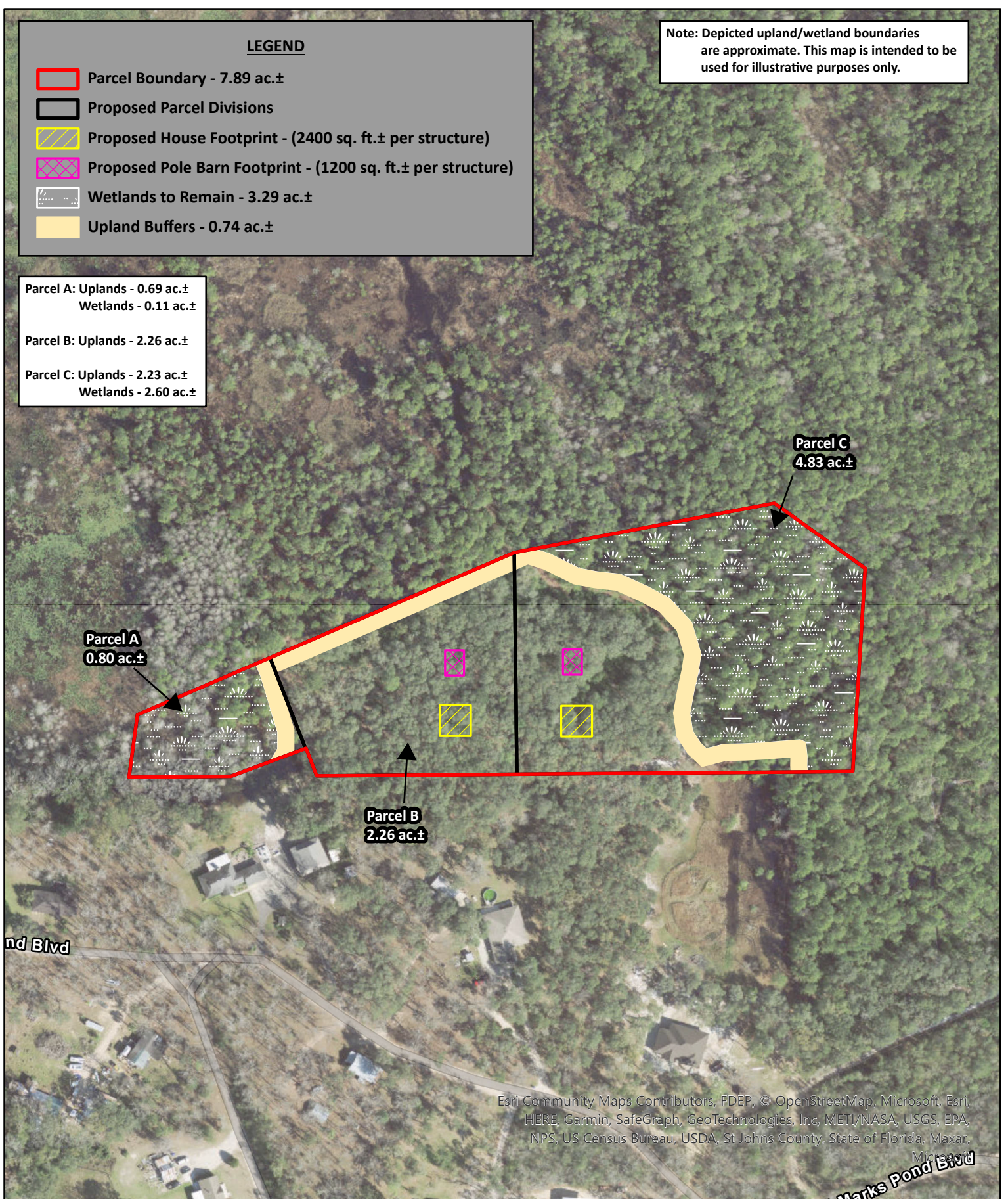
-  Parcel Boundary - 7.89 ac.±
-  Proposed Parcel Divisions
-  Proposed House Footprint - (2400 sq. ft.± per structure)
-  Proposed Pole Barn Footprint - (1200 sq. ft.± per structure)
-  Wetlands to Remain - 3.29 ac.±
-  Upland Buffers - 0.74 ac.±

Note: Depicted upland/wetland boundaries are approximate. This map is intended to be used for illustrative purposes only.

Parcel A: Uplands - 0.69 ac.±
Wetlands - 0.11 ac.±

Parcel B: Uplands - 2.26 ac.±

Parcel C: Uplands - 2.23 ac.±
Wetlands - 2.60 ac.±



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Burchfield Parcel Proposed Site Conditions

St. Johns County, Florida

By: NEE

Project No.: 23-016

Exhibit No.: 2



Date: 10-2-23

Rev. Date:

N

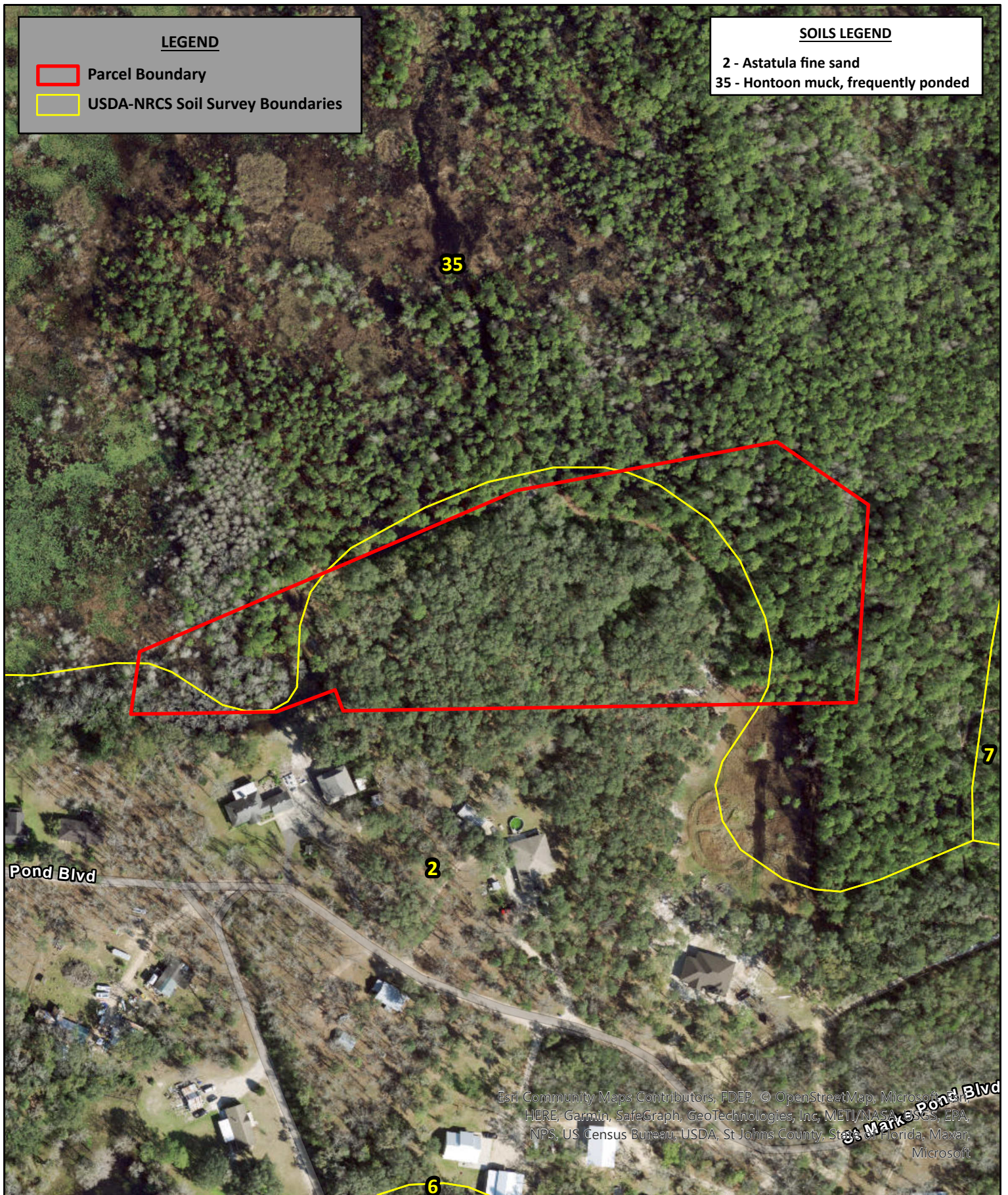


LEGEND

-  Parcel Boundary
-  USDA-NRCS Soil Survey Boundaries

SOILS LEGEND

- 2 - Astatula fine sand
- 35 - Hontoon muck, frequently ponded



Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, St. Johns County, State of Florida, Maxar, Microsoft



Burchfield Parcel USDA-NRCS Soil Survey

St. Johns County, Florida

By: NEE

Project No.: 23-016

Exhibit No.: 3

Date: 9-14-23

Rev. Date:

N



0 200'



Source: ArcGIS Online Imagery and Hybrid Reference Layer; USDA-NRCS soil survey classifications

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LEGEND


 Parcel Boundary - 7.89 ac.±

FLUCFCS Classification Boundaries

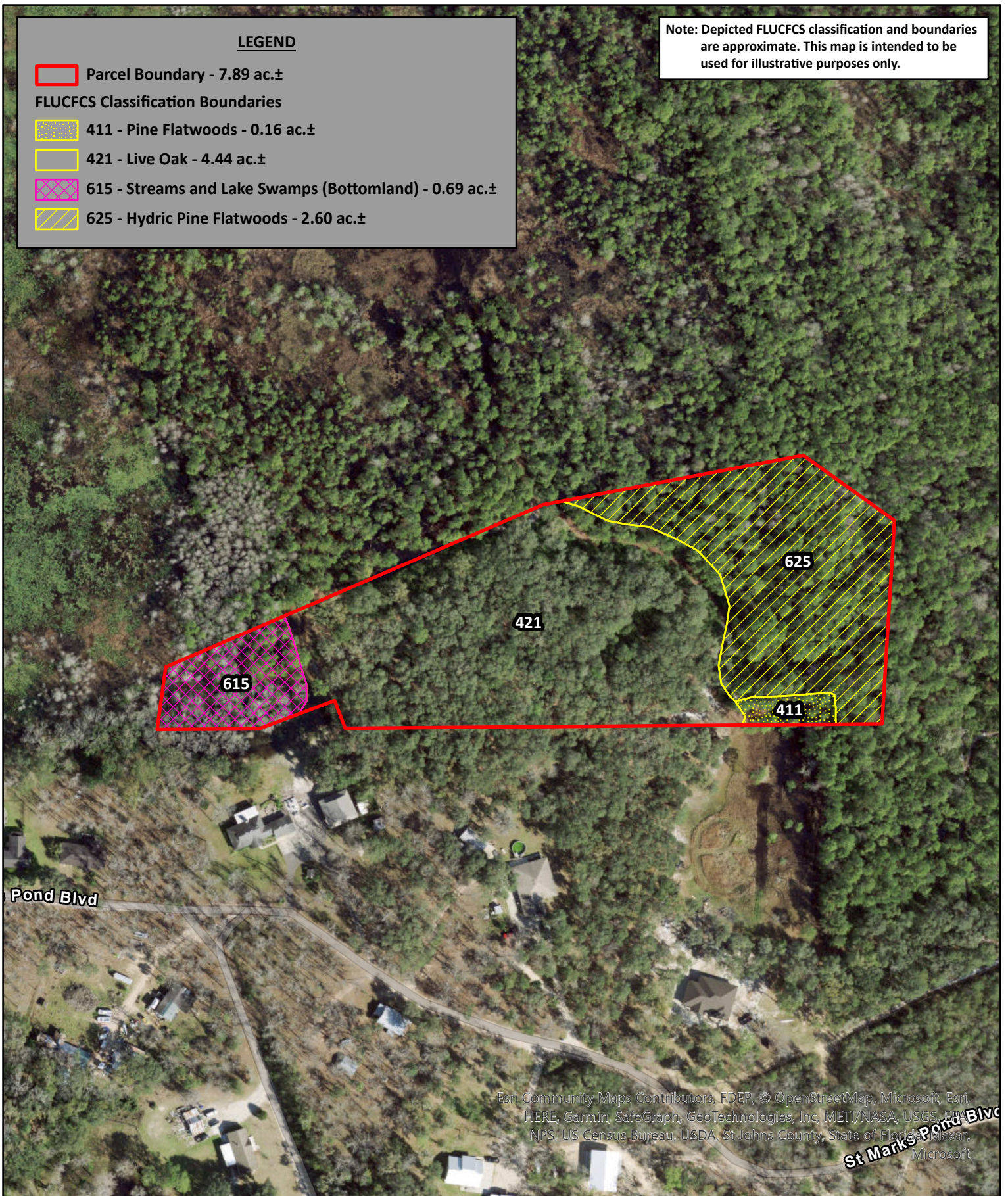
 411 - Pine Flatwoods - 0.16 ac.±

 421 - Live Oak - 4.44 ac.±

 615 - Streams and Lake Swamps (Bottomland) - 0.69 ac.±

 625 - Hydric Pine Flatwoods - 2.60 ac.±

Note: Depicted FLUCFCS classification and boundaries are approximate. This map is intended to be used for illustrative purposes only.



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Burchfield Parcel FLUCFCS Classification Boundaries

St. Johns County, Florida

By: NEE

Project No.: 23-016

Exhibit No.: 4

Date: 9-14-23

Rev. Date:

N

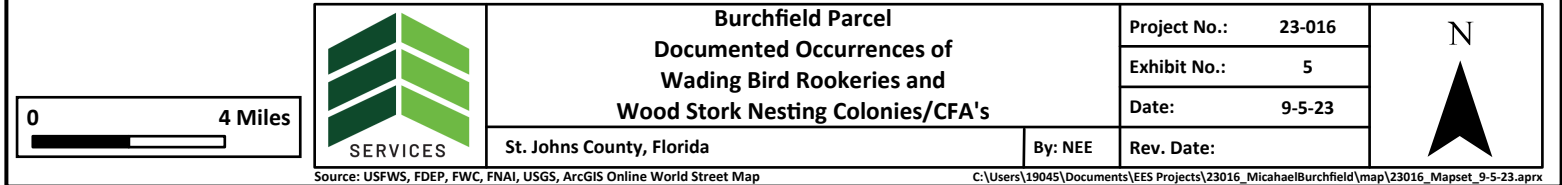


0 200'



Source: ArcGIS Online Imagery and Hybrid Reference Layer

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LEGEND

- Parcel Boundary
- 5 Mile Radius of Parcel Boundary
- Bald Eagle Nest Locations (FWC, 2023)
- (Documented Observation Date; Distance from Site)
- Eastern Indigo Snake (1982-pre; 1.9 Miles)
- Gopher Tortoise (2011; 3.9 Miles)
- Little Blue Heron/Tricolored Heron (1976; 0.5 Mile)

Closest documented bald eagle nest is FWC Nest ID# SJ043, approx. 2.4 miles Northeast of site, last documented as active in 2016.

Note: The following databases showed no documented occurrences and/or coverage within the 5-mile radius:

1. Red Cockaded Woodpecker Occurrences (FWC, 2019)
2. Scrub Jay Occurrences (FWC, 1994)
3. Scrub Jay Habitat (FWC, 2004)



Burchfield Parcel Documented Occurrences of Protected Wildlife Within 5 Miles

St. Johns County, Florida

By: NEE

Project No.: 23-016

Exhibit No.: 6

Date: 9-5-23

Rev. Date:

N



0 2 Miles



Source: USFWS, FDEP, FWC, FNAI, USGS, ArcGIS Online Imagery & Hybrid Reference Layer

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St. Johns County, FL

Apply for Exemptions

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Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

Summary

No Image Available

Parcel ID	0726100020
Location Address	ST MARKS POND BLVD SAINT AUGUSTINE 32095-0000
Neighborhood	M&B IGP/US1 area w/St Marks Pond (SF) (6440)
Tax Description*	2-2 PT OF LOTS 5 & 6 OR5701/200 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	N/A
Sec/Twp/Rng	16-6-29
District	South Ponte Vedra & US 1 North Area (District 450)
Millage Rate	12.8576
Acreage	7.890
Homestead	N

Owner Information

Owner Name	Burchfield Michael, Julie 100% Burchfield Julie 100%
Mailing Address	1511 SAINT MARKS POND BLVD SAINT AUGUSTINE, FL 32095-0000

Map



Valuation Information

	2023
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$99,452
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$99,452
Total Deferred	\$27,578
Assessed Value	\$71,874
Total Exemptions	\$0
Taxable Value	\$71,874

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$0	\$99,452	\$0	\$0	\$99,452	\$65,340	\$34,112	\$65,340
2021	\$0	\$59,400	\$0	\$0	\$59,400	\$59,400	\$0	\$59,400
2020	\$0	\$57,928	\$0	\$0	\$57,928	\$57,928	\$0	\$57,928
2019	\$0	\$57,928	\$0	\$0	\$57,928	\$57,928	\$0	\$57,928
2018	\$0	\$57,928	\$0	\$0	\$57,928	\$54,865	\$3,063	\$54,865
2017	\$0	\$57,928	\$0	\$0	\$57,928	\$49,877	\$8,051	\$49,877
2016	\$0	\$57,928	\$0	\$0	\$57,928	\$45,343	\$12,585	\$45,343
2015	\$0	\$48,504	\$0	\$0	\$48,504	\$41,221	\$7,283	\$41,221
2014	\$0	\$37,474	\$0	\$0	\$37,474	\$37,474	\$0	\$37,474
2013	\$0	\$37,474	\$0	\$0	\$37,474	\$37,474	\$0	\$37,474
2012	\$0	\$37,474	\$0	\$0	\$37,474	\$37,474	\$0	\$37,474
2011	\$0	\$41,583	\$0	\$0	\$41,583	\$41,583	\$0	\$41,583
2010	\$0	\$46,148	\$0	\$0	\$46,148	\$46,148	\$0	\$46,148

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	0	0	5.89	AC	\$98,952
Marshes & Tidal Lands	0	0	2	AC	\$500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/30/2023	1/30/2023	\$100.00	QUIT CLAIM DEED	5701	200	U	V	BURCHFIELD BRIAN E	BURCHFIELD MICHAEL, JULIE
	5/14/1999	\$39,500.00	WARRANTY DEED	1414	1050	U	V	MAGUIRE BRUCE A CUSTODIAN	BURCHFIELD BRIAN E
	5/14/1999	\$100.00	CORRECTIVE DEED	1414	1047	U	V	MAGUIRE BRUCE A	MAGUIRE BRUCE A CUSTODIAN
	3/1/1998	\$100.00	QUIT CLAIM DEED	1398	1600	U	V	MAGUIRE BRUCE A	MAGUIRE BRUCE A CUSTODIAN
	6/12/1997	\$0.00	WARRANTY DEED	1368	1387	U	V	MAGUIRE CRAIG A	MAGUIRE BRUCE A

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.

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