

ORDINANCE NUMBER: 79-61

INTRODUCED BY: COMMISSIONER BENET

AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCES 73-1, 73-4, 73-5, 74-3 AND 77-6, WHICH ARE THE ORDINANCES ESTABLISHING AND ENACTING A COMPREHENSIVE ZONING CODE FOR ZONING DISTRICTS A, B, C, D AND E, BEING ALL THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THE PONTE VEDRA ZONING DISTRICT, STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS. THIS AMENDMENT DECLARES THAT AN EMERGENCY EXISTS AND WAIVES NOTICE REQUIREMENTS, IT PROVIDES THAT BUILDING PERMITS MAY BE ISSUED FOR SINGLE FAMILY DWELLINGS AND MOBILE HOMES FOR ALL LOTS IN PREVIOUSLY RECORDED SUBDIVISIONS THAT ARE IN OPEN RURAL (OR) ZONING PROVIDED THAT SUCH SUBDIVISIONS WERE RECORDED PRIOR TO OCTOBER 23, 1979 AND PROVIDED FURTHER THAT THE LOTS MEET OR EXCEED THE REQUIREMENTS SET FORTH IN SECTIONS 5-11-5, 5-11-6, AND 5-11-7; AND PROVIDES AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. Due to the fact that one or more subdivisions are presently recorded in the Official Public Records of St. Johns County, Florida, wherein the lands within said subdivision are located in areas presently zoned open rural and the lots in such previously recorded subdivisions meet the size criteria established for single family dwellings or mobile homes in open rural zoning; and due to the fact that section 5-11-2 (i) appears to conflict with the fact that the subdivisions were previously approved by the Board for recording and were in fact recorded; and whereas citizens have purchased such recorded lots for residential use and in reliance on both the recorded plat and the existence of open rural zoning and are having difficulty in obtaining county building permits because of section 5-11-2 i; the Board of County Commissioners of St. Johns County, Florida, hereby waives notice requirements for this emergency ordinance and declares that an emergency exists and that the immediate enactment of this emergency ordinance is necessary.

Section 2. St. Johns County Ordinance No. 73-1, 73-4, 73-5, 74-3 and 77-6, which are the ordinances described in the above title, are hereby amended by adding the following Section 5-11-9 OR thereto:

SECTION 5-11-9 OR: PREVIOUSLY RECORDED PLATS.
BUILDING PERMITS MAY BE ISSUED FOR SINGLE FAMILY DWELLINGS AND MOBILE HOMES, AND SUCH DWELLINGS OR HOMES MAY BE CONSTRUCTED OR PLACED UPON ALL LOTS IN PREVIOUSLY RECORDED SUBDIVISIONS THAT

ARE IN OPEN RURAL (OR) ZONING PROVIDED THAT SUCH SUBDIVISIONS WERE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, PRIOR TO OCTOBER 23, 1979 AND PROVIDED FURTHER THAT THE RECORDED LOTS, DWELLINGS AND MOBILE HOMES MEET THE REQUIREMENTS SET FORTH IN SECTIONS 5-11-5, 5-11-6, AND 5-11-7.

Section 3. This ordinance is passed pursuant to Florida Statute 125.66 (3) and shall take effect when a copy has been accepted by the postal authorities of the United States for special delivery by registered mail to the Department of State.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULARLY SCHEDULED MEETING THIS 23RD DAY OF OCTOBER, 1979.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY:

Robert E. Curran
Its Chairman

ATTEST:

Marie Hudson

Deputy Clerk

for OLIVER LAWTON, CLERK



Adopted: regular meeting 10/23/79

Effective: 10-24-79



Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304
(904) 488-3680

GEORGE FIRESTONE
SECRETARY OF STATE

FILED

October 25, 1979

'79 OCT 29 AM 9 47

Oliver Lawton
CLERK CIRCUIT COURT

Honorable Oliver Lawton
Clerk of the Circuit Court
P.O. Box 300
St. Augustine, FL 32084

Dear Mr. Lawton:

Pursuant to the provisions of Section 125.66, Florida Statutes,
this will acknowledge:

- 1. Receipt of your letter/s of October 24 and certified copy/ies of St. Johns County Ordinance/s No./s 79-61 Emergency
2. Receipt of County Ordinance/s relative to:
(a) which we have numbered County No.
(b) which we have numbered County No.
3. We have filed this/these Ordinance/s in this office October 25 1979.
4. The original/duplicate copy/ies showing the filing date is/are being returned for your records.

REGISTERED NO. 3563
Value \$ NO Special Delivery \$ 2.00
Reg. Fee \$ 3.00 Return Receipt \$.45
Handling Charge \$ Restricted Delivery \$
Postage \$ 1.28 AIRMAIL
POSTMASTER (By) WS. MAILING OFFICE
FROM BOARD OF County Comm, PO Box 300, ST. AUGUSTINE, FL, 32084
TO OFFICE OF SECRETARY OF STATE, THE CAPITOL, TALLAHASSEE, FL, 32304

Cordially,
Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws