

ORDINANCE NUMBER: 79-81

INTRODUCED BY: COMMISSIONER WALDRON

AN 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 MODIFIES DISTRICT CLASSIFICATIONS AND ADDS CATEGORY CLASSIFICATIONS; IT ADDS TO PERMITTED USES IN RESIDENTIAL, RMH AND OR ZONING DISTRICTS; IT PERMITS HEIGHT RESTRICTIONS OF 35 FEET BY ADDING THE SUFFIX "B" TO A DISTRICT; IT ADDS TO THE REQUIREMENTS FOR REZONING APPLICATIONS; IT CLARIFIES THE RESTRICTIONS AGAINST SUCCESSIVE REZONING APPLICATIONS; IT MODIFIES THE PENALTY PROVISION; AND PROVIDES AN EFFECTIVE DATE.

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

Section 1. St. Johns County Ordinances No. 73-1, 73-4, 73-5, 74-3 and 77-6, which are the ordinances described in the above title, are hereby amended as follows:

a.) Section 4-1. Reference to District Names is deleted and removed from the ordinances;

and the following is added and substituted in its stead:

Section 4-1. Reference to District Names

Where the phrases "all residential districts", "residential districts", "zoned residentially" are used in this Zoning Ordinance, the phrases shall be construed to include RS-E, RS-1, RS-2, RS-3 and RMH District and no others. Where the phrase "multi-family district" is used in this Zoning Ordinance, it shall be construed to include RG-1 and RG-2 districts and no others. For the purpose of reapplication in cases of rezoning, variance, or exception, the terms RS-E, RS-1, RS-2, and RS-3 shall be construed to be one separate category; RG-1 and RG-2 shall be construed to be another separate category; and RMH shall be a third separate category. Where the phrase "commercial districts" is used in this Zoning Ordinance, the phrase shall be construed to include the CN, CHT, CG and CI Districts and no others. For the purpose of reapplication in cases of rezoning, variance or exception, the CN, CHT, CG and CI districts shall each be construed to be a separate and individual category. Where the phrase "industrial districts" is used in this Zoning Ordinance, the phrase shall be construed to include the IW district and category, and no others. Where the phrase "Open Use Districts" appears in this Zoning Ordinance, the phrase shall be construed to include the OR-Open Rural District and category and no others.

b.) Section 5-5-1. RMH: Permitted Principal Uses and Structures is modified by adding the following thereto:

5-5-1 (c). In RMH Zoning Classifications with the suffix "S", a single family residence is a permitted use. Provided, however, that such residence is built in compliance with the RS-3 District regulations.

c.) Section 5-11-4. OR: Permissible Uses By Exception is modified by adding the following thereto:

o. Mobile home as temporary placement in conjunction with established residential use. This temporary placement shall not exceed 24 months unless a further exception is granted.

d.) Section 6-1-37. Height of a Building is deleted and removed from the ordinances;

and the following is added and substituted in its stead:

6-1-37. Height of a Building. The vertical distance from the established grade at the center of the front of a building to the highest point of the roof or parapet. In zoning classifications with the suffix "B", the structure is limited to 35 feet in height.

e.) Section 7-16. Supplementary Regulations For Certain Uses is modified by adding the following section 7-16-12 thereto:

7-16-12. Two Family Dwelling. Two family dwelling may be a permissible use by exception in all residential districts.

f.) Section 11-10-2. Initiation of Proposals is deleted and removed from the ordinances;

and the following is added and substituted in its stead:

11-10-2. Initiation of Proposals. An ordinance for the rezoning of land may be proposed only by the St. Johns County Board of County Commissioners or any member thereof or the owner of subject property, his attorney or duly authorized agent. An amendment to the Zoning Code may be proposed only by the St. Johns County Board of County Commissioners or any member thereof. All such proposals shall be submitted in writing accompanied by all pertinent information which may be required by the Zoning Board for proper consideration of the matter which shall include certificate of title by a title or abstract company, or Attorney, licensed in the State of Florida, or Current Copy of Recorded Deed.

g.) Section 11-11-1. Mailed Notice is deleted and removed from the ordinances;

and the following is added and substituted in its stead:

11-11-1. Mailed Notice. Notice of a time and place of any required public hearing with respect to the rezoning of land, zoning exceptions, or zoning variances shall be posted at least fifteen days in advance of the hearing by the United States Mail to all owners of real property within three hundred feet of the boundaries of the land upon which rezoning, an exception, or a variance is requested, provided, however, that where the applicant is the owner of land not included in such application and such land that is not included in the application is a part or adjoins the parcel upon which such request is made, the Zoning Board may in its discretion give mailed notice to such owners as the Zoning Board may determine. For the purpose of notice requirements to adjoining owners, the names, addresses, and legal descriptions, shall be provided by the applicant and shall be those listed on the current tax records in the office of St. Johns County Property Appraiser.

h.) Section 11-10-6. Limitations On Rezoning Of Land is modified by deleting subparagraph (c) from the ordinances;

and the following is added and substituted in its stead:

c. Whenever the Board of County Commissioners has denied an application for the rezoning of land, no further application shall be filed for the same rezoning category of any part, or all of the same land for a period of one year from the date of such action. In the event that two or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning category of any part or all of the same land for a period of two years from the date of such action denying the last application filed.

i.) Section 11-5. Penalties is deleted and removed from the ordinances;

and the following is added and substituted in its stead:

Section 11-5. Penalties. Any person, firm, corporation, association or other group or body who shall violate the zoning ordinances or any codes, regulations, restrictions and limitations promulgated under the authority of the zoning ordinances shall, upon conviction thereof, be punished by a fine not to exceed \$500.00 or by imprisonment in the County jail not to exceed 60 days or by both such fine and imprisonment. Each day that an offense or violation of the ordinance, as amended, continues shall be deemed a separate offense.

Section 2. This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA this 27th day of December, 1979.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Chester E Benet  
Its Chairman



ATTEST:  
Oliver Lawton  
Deputy Clerk  
for OLIVER LAWTON, CLERK

Adopted regular meeting 12/27/79  
Effective 1/3/80

(error)

COPY OF ADVERTISEMENT

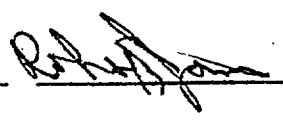
**The St. Augustine Record**  
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Robert E. James who on oath says that he is  
Advertising Manager of the St. Augustine Record, a  
daily newspaper published at St. Augustine in St. Johns County, Florida;  
that the attached copy of advertisement, being a Legal Notice  
Board of County Commissioners Meeting  
\_\_\_\_\_ in the matter of \_\_\_\_\_  
Comprehensive Zoning code  
\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
November 30, 1979

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 has heretofore been continuously published in said St.  
Johns County, Florida, each day, except Sundays, and has been entered  
as second class mail matter at the post office in the City of St. Augustine,  
in said St. Johns County, Florida, for a period of one year next preceding  
the first publication of the attached copy of advertisement; and affiant  
further says that he has neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me  
this 3rd day of December



A.D. 19 79  
Walter J. Moore

(SEAL) Notary Public  
My commission expires  
June 17, 1981

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE DECEMBER 27, 1979, at 10:40 O'CLOCK P.M. IN THE COUNTY COMMISSIONERS MEETING ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL CONSIDER PASSAGE OF THE FOLLOWING ORDINANCE:  
AN 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 MODIFIES DISTRICT CLASSIFICATIONS AND ADDS CATEGORY CLASSIFICATIONS; IT ADDS TO PERMITTED USED IN RESIDENTIAL, RMH AND OR ZONING DISTRICTS; IT PERMITS HEIGHT RESTRICTIONS OF 35 FEET BY ADDING THE SUFFIX "B" TO A DISTRICT; IT ADDS TO THE REQUIREMENTS FOR REZONING APPLICATIONS; IT CLARIFIES THE RESTRICTIONS AGAINST SUCCESSIVE REZONING APPLICATIONS; IT MODIFIES THE PENALTY PROVISION; AND PROVIDES AN EFFECTIVE DATE. The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.  
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
BY: s/ Oliver Lawton  
Clerk  
N30L598adv.

*Corrected*  
COPY OF ADVERTISEMENT

**The St. Augustine Record**  
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
Robert E. James who on oath says that he is  
Advertising Manager of the St. Augustine Record, a  
daily newspaper published at St. Augustine in St. Johns County, Florida;  
that the attached copy of advertisement, being a Legal Notice  
CORRECTED Board of County Commissioners Meeting  
\_\_\_\_\_ in the matter of \_\_\_\_\_  
Comprehensive Zoning Code  
\_\_\_\_\_ in the \_\_\_\_\_ Court,  
was published in said newspaper in the issues of \_\_\_\_\_  
December 5, 1979

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 has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me  
this 14th day of December \_\_\_\_\_ *[Signature]*

A.D. 19 79  
Wanya A. Moore  
Notary Public

SEAL  
My commission expires  
June 17, 1981

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON THE 27th OF DECEMBER, 1979, at 10:40 O'CLOCK A.M., IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE THE FOLLOWING ORDINANCE:  
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCES 73-1, 73-4, 73-5, 74-3, AND 77-8, 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 PONTEVEDRA ZONING DISTRICT, STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS. THIS AMENDMENT MODIFIES DISTRICT CLASSIFICATIONS AND ADDS CATEGORY CLASSIFICATIONS; IT ADDS TO PERMITTED USES IN RESIDENTIAL, RMH AND OR ZONING DISTRICTS; IT PERMITS HEIGHT RESTRICTIONS OF 35 FEET BY ADDING THE SUFFIX "B" TO A DISTRICT; IT ADDS TO THE REQUIREMENTS FOR REZONING APPLICATIONS; IT CLARIFIES THE RESTRICTIONS AGAINST SUCCESSIVE REZONING APPLICATIONS; IT MODIFIES THE PENALTY PROVISION; AND PROVIDES AN EFFECTIVE DATE.  
The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.  
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
BY: s/ Oliver Lawton  
Clerk  
D5L598Adv.



Secretary of State

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

GEORGE FIRESTONE
SECRETARY OF STATE

FILED

December 31, 1979

'80 JAN -3 AM 9 01

Honorable Oliver Lawton
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32084

Handwritten signature of Oliver Lawton
CLERK CIRCUIT COURT

Attention: Marie Hudson

Dear Mr. Lawton:

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

- 1. Receipt of your letter/s of December 28
and certified copy/ies of St. Johns
County Ordinance/s No./s 79-81 through 79-85
2. Receipt of County Ordinance/s
relative to:
(a)
which we have numbered
(b)
which we have numbered
3. We have filed this/these Ordinance/s in this office
December 31, 1979.
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Cordially,

Handwritten signature of Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/ mb