

INTRODUCED BY: COMMISSIONER WALDRON

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, & 77-6, AS AMENDED, WHICH ARE THE ORDINANCES ESTABLISHING AND ENACTING A COMPREHENSIVE ZONING CODE FOR ZONING DISTRICTS A, B, C, D & 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; FINDS A NEED TO PROVIDE AN ADMINISTRATIVE APPEAL OF ALL DECISIONS OF THE ST. JOHNS COUNTY PLANNING AND ZONING BOARD; PROVIDES FOR APPEAL TO THE BOARD OF COUNTY COMMISSIONERS FROM ANY DECISION OF THE ST. JOHNS COUNTY PLANNING AND ZONING BOARD; AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, Section 11-9-6 of the ST. JOHNS COUNTY ZONING ORDINANCE provides for review of certain decisions of the Zoning Board by the Board of County Commissioners; and,

WHEREAS, as a result of the recent adoption of several new ordinances, increased number of rezonings to PUD and PSD, and the combining of the planning and zoning agencies, the Planning and Zoning Board now renders several types of decisions not originally contemplated for which no review right is provided; and,

WHEREAS, the Board of County Commissioners, as final decisionmakers on rezonings, developments of regional impact, and other planning and zoning matters is uniquely qualified to review all zoning decisions rendered by the Zoning Board in order to maintain and promote consistency in planning and zoning decisions; and,

WHEREAS, the failure to provide a right of review by the Board of County Commissioners works an undue hardship on applicants and others adversely affected by decisions of the Planning and Zoning Board whose right of review is presently limited to appeal to Circuit Court which is not only costly but also significantly delays the final decision, and,

WHEREAS, any such appeal must be taken within 30 days from the date on which the decision was made thus rendering time of the essence;

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

Section 1. In order to prevent undue hardship to those persons aggrieved by decisions of the Planning and Zoning Board who would otherwise be forced to incur substantial costs by an appeal in Circuit Court, the Board of County Commissioners of

St. Johns County, Florida, 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. Section 11-9-6 of the ST. JOHNS COUNTY ORDINANCE is hereby modified to read as follows:

"11-9-6. Review of Decisions. All decisions of the Planning and Zoning Board on appeals, exceptions, variances, and all other planning and zoning variances, and all other planning and zoning matters shall be subject to review by the St. Johns County Board of County Commissioners on appeal, provided that such appeal is filed with the Clerk of the Board of County Commissioners within 30 days of the Planning and Zoning Board decision. Appeals from the Board of County Commissioners shall be appealed to the Circuit Court."

Section 3. This Ordinance is passed pursuant to Florida Statute 125.66(3) and the Clerk is directed on September 29th, 1982 to cause a certified copy of this Ordinance to be accepted by the postal authorities of the United States for special delivery by registered mail to the Department of State at which time this Ordinance shall take effect.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULARLY SCHEDULED MEETING, this 28th day of September, 1982.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis M. Brubaker
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson
Deputy Clerk

ADOPTED: regular meeting 09/28/82, emergency

EFFECTIVE: 9-30-82

9060 P.O. 1978-267-304

POSTMARK OF
ST. JOHNS COUNTY, FLORIDA
SEP 28 1982

REGISTERED NO.	367
Value	\$
Reg. Fee	\$ 3.25
Penalty Charge	\$
Postage	\$ 3.7
POSTMASTER (BY)	<u>MA</u>
FROM	COUNTY COMMISSIONERS
	13X 300
	ST. JOHN-FL
TO	KANSAS
	DEPT. OF STATE
	TALLAHASSEE, FLA.

P S Form 3906, Mar. 1979



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

Oct. 1, 1982

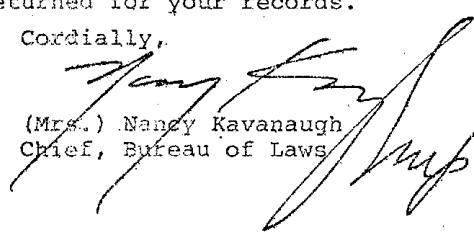
Honorable C. Markel, Clerk
St. Johns County
P.O. Box 300
St. Augustine, FL 32084

Dear Mr. Markel:

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

1. Receipt of your letter/s of Sept. 28
and certified copy/ies of St. Johns Emergency
County Ordinance/s No./s 82-58
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
on Oct. 1 1982.
4. The original/duplicate copy/ies showing the filing
date is/are being returned for your records.

Cordially,


(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/ mp

FLORIDA-State of the Arts