

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 AMENDS ORDINANCE 90-33 WHICH WAS AN ORDINANCE THAT AMENDED THE ABOVE ORDINANCES BY DISALLOWING THE ERECTION OF MORE THAN ONE MAIN USE STRUCTURE ON A LOT WITHIN A RECORDED, OR LEGALLY DOCUMENTED UNRECORDED, RESIDENTIAL SUBDIVISION; THIS AMENDMENT ADDS GRANDFATHER AND EXCEPTION PROVISIONS THERETO AND FURTHER 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, 77-6 and 90-33, which are the ordinances described in the above title, are hereby amended as follows:

Section 7-3, Erection of More Than One Main Use Structure on a Lot, is hereby deleted from said ordinances and the following is added and substituted in its stead:

7-3. Erection of More Than One Main Use Structure on a Lot.

More than one main use structure for a permitted or principal use shall not be erected on a single lot except as follows:

- a. More than one main use structure may be erected on a single lot provided yard, area and other requirements of this Zoning Ordinance are met for each structure as though it were on an individual and separate lot, Except:
 - (aa) Lots located within a recorded or legally documented unrecorded residential subdivision shall not be allowed more than one main use structure for a permitted or principal use (except as provided in paragraph (b) and (c)), unless such additional main use structure was legally placed on the lot on or before July 10, 1990, date of adoption of ordinance #90-33. If such is the case, the primary principal use structure shall be identified and after identification any additional main use structures shall be considered "grandfathered" and allowed to continue subject to all applicable provisions of Article 10 of this Code relating to non-conforming uses and structures.
 - (aaa) for the purpose of Subsection (aa) above, "legally documented unrecorded residential subdivision" shall mean an unrecorded subdivision depicted by a drawing, plat, or sketch that is in actual existence as

of June 19, 1978 (the "legally documented date"), provided that there has been an actual sale or conveyance of a lot or parcel within such subdivision by the original subdivider to another person or entity prior to the legally documented date. Further provided that for the purpose of subsection (aa), the term "legally placed" shall be defined as (i) "physically in place in accord with all necessary permits", or; (ii) "having obtained a building or move-on permit between January 10, 1990 and July 10, 1990, but has not received Certificate of Occupancy (CO)", or; (iii) "having obtained a zoning clearance sheet approving the location no more than 6 months prior to July 10, 1990, but has not obtained move-on or building permit" or; (iv) "having obtained a septic tank permit(s) for the subject property in compliance with an approved zoning clearance sheet dated between January 10, 1990 and July 10, 1990, but has not obtained building or move-on permit(s)". Notwithstanding (ii), (iii), and (iv) above, no structure shall be deemed "legally placed" under such subsections unless a Certificate of Occupancy for such structure has been issued prior to July 10, 1991.

- b. Notwithstanding the provisions of Subsection (aa) above, more than one main use structure for permitted or principal use may be erected on land located within a recorded or legally documented unrecorded residential subdivision by an approved Exception, provided the total number of main use structures to be placed on the original parcel does not exceed a greater density than one dwelling unit per acre and further provided that the property is sufficient to allow each structure to meet yard, area and other requirements of this Zoning Ordinance pertaining to the zoning district in which it is located as though it were on an individual and separate lot. Such exception shall further be subject to the appropriate safeguard provisions of section 11-9-1. All such exceptions may be granted only by the Board of County Commissioners. Such requests shall be considered by the Planning and Zoning Agency and by the Board of County Commissioners pursuant to requirements of Section 11-11, requiring public hearing and notification. The Planning and Zoning Agency shall submit a report and recommendation pursuant to Section 11-10-4.
- c. More than one structure used for multiple-family residential purposes may be erected on a single lot, either in a recorded subdivision or as defined in Section 6-1-47, provided that an open space of not less than ten feet is provided between each structure, required yards are provided between any structure and all lot lines, and minimum and maximum lot coverage for all of such buildings taken together complies with district regulations.

SECTION 2. This Ordinance shall take effect immediately upon receipt of official acknowledgment by the Department of the 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 11th day of September, 1990.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Craig Maguire
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Carl Bud Markel
Clerk

Adopted at a Regular meeting September 11, 1990

Effective: September 19, 1990



COPY OF ADVERTISEMENT

The St. Augustine Record

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

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

ANN JACKSON who on oath says that she is

ACCOUNTING CLERK of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida; that

she attached copy of advertisement, being a NOTICE OF INTENT

RE: ORDINANCE 90 in the matter of _____

_____ in the _____ Court,

was published in said newspaper in the issues of AUGUST 22, 1990

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 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Ann Jackson this 22nd day of AUGUST

A.D. 19 90

Debbie W. Faba Notary Public (SEA)

Notary Public, State of Florida My Commission Expires Sept. 26, 1993 Bonded thru Troy Fair - Insurance Inc.

\$33.38

NOTICE OF INTENT TO CONSIDER ENACTMENT OF ORDINANCE NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON TUESDAY, SEPTEMBER 11, 1990, AT 2:00 O'CLOCK P.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:

ORDINANCE NO. 90 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 77-4, 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 AMENDS ORDINANCE 90-33 WHICH WAS AN ORDINANCE THAT AMENDED THE ABOVE ORDINANCES BY DISALLOWING THE ERECTION OF MORE THAN ONE MAIN USE STRUCTURE ON A LOT WITHIN A RECORDED, OR LEGALLY DOCUMENTED, UNRECORDED, RESIDENTIAL SUBDIVISION; THIS AMENDMENT ADDS GRANDFATHER AND EXCEPTION PROVISIONS THERETO AND FURTHER 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 Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.

All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA Carl "Bud" Markel, Its Clerk By: Connie E. McDaniel Deputy Clerk L479 Aug. 22, 1990