

ORDINANCE NO. 95-4

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 73-1, 73-4, 73-5, 74-3, 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 TOWN AND AMENDING ST. JOHNS COUNTY ORDINANCE 88-12 WHICH ESTABLISHED COUNTY BEVERAGE ZONES. THIS AMENDMENT AMENDS SECTION 7-16-13(2)(g) OF THE ZONING CODE WHICH SUBSECTION ESTABLISHES CERTAIN EXCEPTIONS TO THE APPLICABILITY OF THE DISTANCE REQUIREMENTS BETWEEN CERTAIN ALCOHOLIC BEVERAGE VENDORS AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of St. Johns County, Florida (the "Board") has previously adopted ordinances dealing with the service and sale of alcoholic beverages in St. Johns County; and

WHEREAS, the Board desires to amend a certain provision of such ordinances as related to the service and sale of alcoholic beverages at restaurants; and

WHEREAS, an immediate effect of this ordinance amendment would be to lower the minimum square footage and seating requirements to qualify for a particular county alcoholic beverage serving exemption for restaurants from 4,000 square feet of service area and equipment to service 200 persons full course meals, to 2,500 square feet and 150 persons respectively so long as such restaurant derives at least 51 percent of its non revenue from the sale of food and non alcoholic beverages, so as to conform with similar exemptions in State law, recognizing that in the future the ordinance exemption would be automatically conformed to that in Section 561.20 Florida Statutes, as it may be amended.

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

Section 1. St. Johns County Ordinance No. 73-1, 73-4,
73-5, 74-3, 77-6 and 88-12, which are the ordinances described in
the above title, are hereby amended as follows:

A. Subsection (2)(g) of Section 7-16-13 in said
Ordinances is amended to read as follows:

(2)(g) This subsection (2) of section 7-16-13 shall not
apply to cases arising under the provisions of
Section 561.20(2) Florida Statutes, 1955, or
subsection (2)(a)(4) of Section 561.20 Florida
Statutes, 1993, as such statute subsection
(2)(a)(4) may be amended from time to time.

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

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA this 28th day of February,
1995.

Effective Date: March 6, 1995

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Barbara Ward
Its Chair - Barbara Ward

ATTEST: Carl "Bud" Markel, Clerk

By: Carl B. Markel
Clerk

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 _____

Barbara Dresslar 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 the attached copy of advertisement, being a Display Ad

in the matter of _____
Change of A Regulation affecting the Use of Land

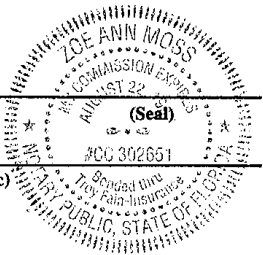
in the _____ Court, was published in said newspaper in the
issues of Feb. 7, 1995

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 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 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 this 8th day of Feb., 1995,
by Barbara Dresslar who is personally
known to me or who has produced personally known as
(Type of Identification)
identification.

Zoe Ann Moss
(Signature of Notary Public)

Zoe Ann Moss
(Print, Type or Stamp Commissioned Name of Notary Public)

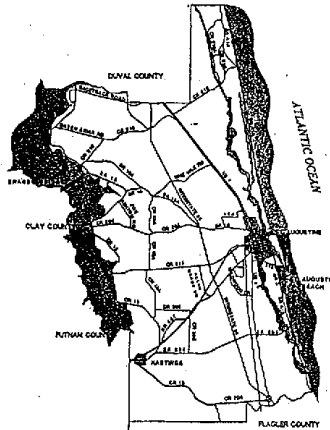


**NOTICE OF PUBLIC HEARINGS OF THE
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
ON ESTABLISHMENT OR CHANGE OF A REGULATION
AFFECTING THE USE OF LAND**

The St. Johns County Board of County Commissioners proposes to adopt or change a regulation affecting the use of land for the unincorporated areas of St. Johns County, Florida, being the areas of land shown on the map in this advertisement. The public hearings on the proposed ordinance affecting the use of land will be held at regular meetings on Tuesday, the 14th day of February, 1995, at 6:00 p.m. and on Tuesday, the 28th day of February, 1995, at 6:00 p.m. Both hearings will be held in the St. Johns County Auditorium, County Administration building, 4020 Lewis Speedway (CR 16-A and U.S. #1 North), St. Augustine, Florida, 32095. At such hearings, the St. Johns County Board of County Commissioners will hear comments from the public and at the February 28th, 1995 meeting will consider and may take action on the following ordinance:

ORDINANCE NO. 95-

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 73-1, 73-4, 73-5, 74-3, 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 TOWN AND AMENDING ST. JOHNS COUNTY ORDINANCE 88-12 WHICH ESTABLISHED COUNTY BEVERAGE ZONES. THIS AMENDMENT AMENDS SECTION 7-16-13(2)(g) OF THE ZONING CODE WHICH SUBSECTION ESTABLISHES CERTAIN EXCEPTIONS TO THE APPLICABILITY OF THE DISTANCE REQUIREMENTS BETWEEN CERTAIN ALCOHOLIC BEVERAGE VENDORS AND PROVIDES AN EFFECTIVE DATE.



The immediate effect of this ordinance amendment would be to lower the minimum square footage and seating requirements to qualify for a county alcoholic beverage serving exemption restaurant from 4,000 square feet of service area and equipment to service 200 persons full course meals, to 2,500 square feet and 150 persons respectively so as to conform with similar exemptions in State law, recognizing that in the future, the ordinance exemption would be automatically conformed to that in Section 561.70 Florida Statutes, as it may be amended.

The proposed Ordinance is on file in the office of the Clerk of the Board of County Commissioners, St. Johns County Administration Complex, Lewis Speedway, St. Augustine, Florida and in the County public libraries and may be examined by parties interested prior to said public hearings. Please take note that the draft ordinance is subject to revision prior to the hearings or adoption of the ordinance.

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

If a person decides to appeal any decision made with respect to any matter considered at these hearings, he/she will need a record of the proceedings, and for such purposes he/she 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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in these proceedings should contact, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 7 days prior to the dates of these hearings.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CARL "BUD" MARKEL, ITS CLERK
By:

Yvonne Carter, Deputy Clerk

COPY OF ADVERTISEMENT

The St. Augustine Record

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

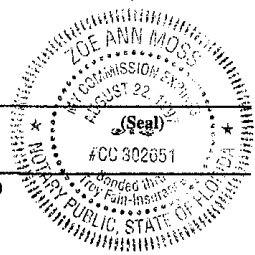
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____
Barbara Dresslar _____ 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 the attached copy of advertisement, being a _____
Display Ad _____
in the matter of _____
Change of a Regulation affecting the use of land _____
in the _____ Court, was published in said newspaper in the
issues of _____ Feb. 22, 1995 _____

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 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 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 this 22nd day of Feb., 19 95,
by Barbara Dresslar who is personally
known to me or who has produced _____ personally known _____ as
(Type of Identification)
identification.

Zoe Ann Moss
(Signature of Notary Public)
Zoe Ann Moss
(Print, Type or Stamp Commissioned Name of Notary Public)

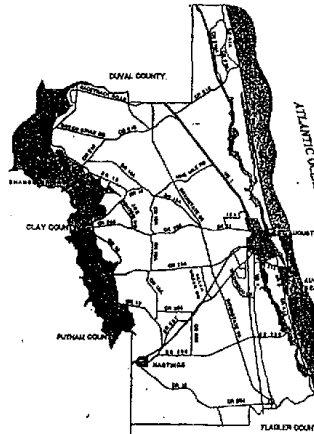


**NOTICE OF PUBLIC HEARINGS OF THE
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
ON ESTABLISHMENT OR CHANGE OF A REGULATION
AFFECTING THE USE OF LAND**

The St. Johns County Board of County Commissioners proposes to adopt or change a regulation affecting the use of land for the unincorporated areas of St. Johns County, Florida, being the areas of land shown on the map in this advertisement. The public hearings on the proposed ordinance affecting the use of land will be held at regular meetings on Tuesday, the 14th day of February, 1995, at 6:00 p.m. and on Tuesday, the 28th day of February, 1995, at 6:00 p.m. Both hearings will be held in the St. Johns County Auditorium, County Administration building, 4020 Lewis Speedway (CR 16-A and U.S. #1 North), St. Augustine, Florida, 32095. At such hearings, the St. Johns County Board of County Commissioners will hear comments from the public and at the February 28th, 1995 meeting will consider and may take action on the following ordinance:

ORDINANCE NO. 95-

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 73-1, 73-4, 73-5, 74-3, 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 TOWN AND AMENDING ST. JOHNS COUNTY ORDINANCE 88-12 WHICH ESTABLISHED COUNTY BEVERAGE ZONES. THIS AMENDMENT AMENDS SECTION 7-16-13(2)(g) OF THE ZONING CODE WHICH SUBSECTION ESTABLISHES CERTAIN EXCEPTIONS TO THE APPLICABILITY OF THE DISTANCE REQUIREMENTS BETWEEN CERTAIN ALCOHOLIC BEVERAGE VENDORS AND PROVIDES AN EFFECTIVE DATE.



The immediate effect of this ordinance amendment would be to lower the minimum square footage and seating requirements to qualify for a county alcoholic beverage serving exemption restaurant from 4,000 square feet of service area and equipment to service 200 persons full course meals, to 2,500 square feet and 150 persons respectively so as to conform with similar exemptions in State law, recognizing that in the future, the ordinance exemption would be automatically conformed to that in Section 561.70 Florida Statutes, as it may be amended.

The proposed Ordinance is on file in the office of the Clerk of the Board of County Commissioners, St. Johns County Administration Complex, Lewis Speedway, St. Augustine, Florida and in the County public libraries and may be examined by parties interested prior to said public hearings. Please take note that the draft ordinance is subject to revision prior to the hearings or adoption of the ordinance.

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

If a person decides to appeal any decision made with respect to any matter considered at these hearings, he/she will need a record of the proceedings, and for such purposes he/she 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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in these proceedings should contact, ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 7 days prior to the dates of these hearings.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CARL "BUD" MARKEL, ITS CLERK
By:

Yvonne Carter, Deputy Clerk