

ORDINANCE 98-39

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING ORDINANCE 98-9, WHICH WAS AN ORDINANCE ADOPTING, READOPTING, AND RESTATING PONTE VEDRA DISTRICT REGULATIONS PREVIOUSLY ADOPTED AND OR AMENDED BY ST. JOHNS COUNTY RESOLUTIONS 10/8/74, 11/12/74, 8/19/75, 82-147, 83-48, 84-10, 85-99, 85-105, 86-80, 86-135, 87-200, 87-215, 87-223, 90-176, 91-52, AND ORDINANCES 78-65 AND 95-59. THIS AMENDMENT AMENDS THE REFERENCED ITEMS IN THE R-1 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; AMENDS THE YARD REQUIREMENTS FOR THE R-3 COMMERCIAL DISTRICT; AMENDS THE GOVERNMENTAL AGENCIES THAT DELINEATE THE JURISDICTIONAL WETLANDS LINE; AMENDS THE REFERENCED ITEMS IN SECTION IX, PERTAINING TO THE REMOVAL OF NON-CONFORMING SIGNS; AMENDS THE REVIEW PROCEDURES OF SUBMITTED PLANS; DELETES AND AMENDS SECTIONS XI.H.1.c. AND XI.H.1.d. PERTAINING TO THE FIFTEEN (15) WORKING DAY REQUIREMENT FOR THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD TO SUBMIT TO THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS TO A THIRTY (30) WORKING DAY REQUIREMENT; AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of St. Johns County considered the opinions expressed at duly called and published hearings and determined that the best interest of the citizens of the Ponte Vedra Zoning District and the County will be served by adoption of this Ordinance.

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

Section 1. St. Johns County Ordinance 98-9 is hereby amended by deleting Section III.B. and by substituting in its place:

III.B.

B. REQUIREMENTS AND LIMITATIONS. The following requirements and limitations shall apply to any Building or Land in these Districts:

1. Minimum Dimensions

District	R-1-A	R-1-B	R-1-C	R-1-D
Lot Area	22,500 S.F.	17,000 S.F.	7,200 S.F.	7,200 S.F.

District	R-1-A	R-1-B	R-1-C	R-1-D
Width of Bldg. Line	150 Ft.	100 Ft.	60 Ft.	60 Ft.
Yard Requirement *1, *2, *6 -Front	40 Ft.	40 Ft.	25 Ft.	25 Ft.
*3 -Side	10 Ft.	10 Ft.	7 ½ Ft.	7 ½ Ft.
*1, *6 -Rear	40 Ft.	40 Ft.	25 Ft.	25 Ft.
Bldg. Area *4 -Total	1,800 S.F.	1,800 S.F.	1,000 S.F.	1,800 S.F.
*5 -1st Fl.	1,200 S.F.	1,200 S.F.	700 S.F.	1,200 S.F.

- *1 Ocean Front Lots - See Section VII.H.
- *2 Attached Structures - See Section VII.K.
- *3 Corner Lots - See Section VII.G.
- *4 Exclusive of Porches, Verandas and Garages.
- *5 For 1 ½ and 2-Story Dwellings Only.
- *6 Building Restriction Lines - See Section VII.D.

2. Maximum Building Height - two (2) Stories except Section III.B.9-10; thirty-five (35) feet - See Section VII.I.

3. Accessory Structures. See Section VII.L.

4. Maximum Lot Coverage. See Section VII.M.

5. Parking Requirements. See Section VIII.A.

6. Where a Lot in a plat recorded prior to the date of the adoption of the original Resolution (October 26, 1965) has an area less than the required minimum, said Lot may be occupied by a Single Family Dwelling provided that the minimum Front and Side Yard requirements set out herein are met and that the depth of the Rear Yard set back is at least twenty (20) feet for the R-1-A and B Districts and ten (10) feet for the R-1-C and D Districts. For the R-1-D District only, the minimum Dwelling size shall be that amount equal to the minimum square footage shown above times the percentage that the actual Lot size is to the minimum specified Lot size. In no event, however, shall the minimum be less than that shown above for the R-1-C District.

7. The following objects may be allowed on Building plots only if same are located within the Dwelling or within a Utility Yard: Pens, houses for pets, above ground storage or construction materials, wood, coal, oil tanks, gas tanks, clothes racks, clothes lines, garbage and trash receptacles.

8. Applicable provisions of all other Sections of these Regulations shall apply.

9. In the R-1-B District from the Sawgrass Planned Unit Development south to the end of the Ponte Vedra Zoning District, between the west side of County Road 203 (becomes State Road A-1-A south of Micklers Landing) and the marsh line, a three (3) Story, thirty-five (35) foot height Building is allowed if the footprint of the Building is to be more than five (5) feet below the center line of the Road. Prescribed uses for the lower level, which shall constitute the first Story of the Building, shall be non-habitable and limited to Garages, storage, and laundry.

10. In the R-1-A District from the Sawgrass Planned Unit Development south to the end of the Ponte Vedra Zoning District, between the east side of County Road 203 (becomes State Road A-1-A south of Micklers Landing) and the Atlantic Ocean, a three (3) Story, thirty-five (35) foot maximum height Building is allowed if the lower level is constructed into the existing dune. No more than three (3) feet of the lower level may extend above the dune on the ocean side of the Building. The oceanside Wall must be west of the oceanside platted Building Restriction Line or the Coastal Construction Control Line which ever is the more westerly line. Prescribed uses for the lower level, which shall constitute the first Story of the Building, shall be non-habitable and limited to Garages, storage and laundry.

Section 2. St. Johns County Ordinance 98-9 is hereby amended by deleting Section V.B.2. and by substituting in its place:

V.B.2.

2. For all other uses
 - a. Maximum Building Height allowed - sixty-five (65) feet above mean sea level for Land presently zoned R-3; thirty-five (35) feet above Established Grade for any Land which may be rezoned R-3 in the future (see Section VII.I.)
 - b. Maximum length of Building allowed parallel to and within one hundred fifty (150) feet of the right-of-way of any public Road or Street - three hundred (300) feet.
 - c. Minimum dimensions
 - (1) Lot area - 17, 000 square feet.
 - (2) Width at Building line - 100 (one hundred) feet
 - (3) Yard Requirements -

Front - 30 (thirty) feet
Side - 10 (ten) feet
Rear - 10 (ten) feet

(4) Distance between Buildings - 20 (twenty) feet

(5) Corner Lots - See Section VII.G.

d. Minimum Lot area for Multiple Family Dwellings of five (5) or more units - twenty thousand (20,000) square feet.

Section 3. St. Johns County Ordinance 98-9 is hereby amended by deleting Section VII.F.9. and by substituting in its place:

VII.F.9.

An undisturbed vegetative buffer of twenty-five (25) feet shall be required between the wetlands line, as defined by the St. Johns River Water Management District or Florida Department of Environment Protection, and developed property, unless otherwise approved by State or Federal agencies.

Projects that have been approved in writing prior to January 1, 1998, by the St. Johns County Planning Department having an established buffer zone will not require additional review.

Section 4. St. Johns County Ordinance 98-9 is hereby amended by deleting Section IX.F., by substituting in its place:

IX.F.

F. REMOVAL OF NON-CONFORMING SIGNS. Applicable to all Zoning Districts.

All non-conforming Signs and Sign Structures in legal existence prior to the effective date of this section shall be removed by the owner of said Sign or by the owner of the property where the Sign is located within two (2) years, except for Section VII.Q.5.b. (5.) (c.) and (d.), following the effective date of the Regulations to which it is in non-conformity. The Code Enforcement Officer, or other authorized official, of St. Johns County may cause to be removed any Sign not conforming with the provisions of these Sign Regulations.

Section 5. St. Johns County Ordinance 98-9 is hereby amended by

deleting Section X.C. and substituting in its place,:

X.C.

Plans submitted for review shall include: (i) a certified survey of the parcel(s) and if the parcel(s) is adjacent to wetlands, a wetlands line, as defined by the appropriate State or Federal agency, shall be shown; (ii) a site plan giving the location and description of the parcel(s) of Land and showing all Property Lines, Building Restriction Lines, Coastal Construction Control Line where applicable, buffer areas and location, use and dimensions of all Structures to be constructed or planned to be constructed in the future, including accessory Structures, Hardscape, paving, Docks, bulkheads, Walls and Fences. For those Structures for which Building permits are being requested, plans shall include elevation drawings, floor plans and first floor elevation, existing and Established Grade elevations at Building perimeters, centerline elevation of the abutting Streets, Building height and a certified survey. Plans shall be accompanied by calculations of the Building Pad elevations, of parking and loading requirements, the square foot areas of the Lot, Structures and paving and percentage of Lot coverage. Plans for Land Fill, Land grading, Retaining Walls, Building Pad location or elevation, beach/dune walkways and increases in Lot coverage shall be submitted before commencing work. Where applicable, submission shall also include identification of features required by the State of Florida relative to Coastal Construction Control Line and verification that Non-Conforming Uses and Structures to be restored existed on the effective date of the Regulations to which the use or Structure is not in conformity.

They shall be submitted and reviewed in accordance with the following procedures:

1. For projects requiring a Building permit, three (3) complete sets of plans will be submitted to the Building Department and reviewed by the Planning Advisor. For projects not requiring a Building permit three (3) complete sets of these plans shall be submitted to the Planning Advisor. Two (2) sets of plans with comments will be returned.

2. The Planning Advisor shall respond within ten (10) days, excluding Saturday, Sunday and holidays, from date of receipt of the plans, by (i) returning copies of the plans signed by the Planning Advisor, indicating by remarks or notations on the plans, the conformity and any non-conformities, of the plans with the Ponte Vedra Zoning District Regulations, or (ii) requesting further information if the plans are incomplete or illegible.

3. The St. Johns County Planning and Zoning Department shall not issue a zoning clearance nor shall the St. Johns County Building Department issue a Building permit, without having first received the preliminary review remarks of the Planning Advisor. However, in the event the Planning Advisor does not furnish the preliminary review remarks in a timely period, then the Building Department may issue a permit without delay if the Planning and Zoning Department finds the plans to be in conformity with the Ponte Vedra Zoning District Regulations, and the Building Department determines that the plans meet all other applicable Building ordinances, Regulations and rules.

4. Further, to allow a field review immediately after start of construction, Lot corners shall be permanently marked by steel pins guarded by at least one inch by four inches by four feet (1"x 4"x 4') stakes with two (2) above ground, so physical site review may be performed to ascertain only approved work is commenced.

Section 6. St. Johns County Ordinance 98-9 is hereby amended by deleting Section XI.H.1.c. and substituting in its place:

XI.H.1.c.

The PVZAB shall submit, within thirty (30) working days after the conclusion of the public hearing, a report with recommendations and findings of fact to the St. Johns Board of County Commissioners. A planning or legal staff member shall present the findings of fact and recommendations of the PVZAB to the St. Johns County Board of County Commissioners at the public hearing. The report shall be advisory only and shall not be construed to be binding upon the St. Johns County Board of County Commissioners.

Section 7. St. Johns County Ordinance 98-9 is hereby amended by deleting Section XI.H.1.d. and substituting in its place:

XI.H.1.d.

In the event that the PVZAB makes recommendations and findings to the Board of County Commissioners that an application to rezone Land within the Ponte Vedra Zoning District be denied, the applicant may apply to the PVZAB for a rehearing of said application within fourteen (14) working days after the conclusion of the original public hearing before the PVZAB on such application. The filing of such request for rehearing shall stay the requirement in Subsection H.1.c., above, that the PVZAB file with the Board of County Commissioners within thirty (30) working days after the

conclusion of the original hearing a report of the action taken at the original hearing. The request for rehearing shall set forth the basis for such request, including any materials to be presented at the rehearing that were not presented at the original hearing. The PVZAB shall, at its next regular monthly meeting determine whether the applicant has set forth sufficient grounds for a rehearing. If the PVZAB determines that a rehearing shall be held, such rehearing shall be held at the earliest possible regular monthly meeting of the PVZAB consistent with the giving of appropriate notice to all parties concerned. If the PVZAB determines that a rehearing is not warranted, the PVZAB shall, within thirty (30) working days after the conclusion of the public hearing denying the rehearing request, submit a report to the Board of County Commissioners setting forth the original recommendations and findings and the basis for the denial of the request for a rehearing. The requirements of Subsection J. hereof with respect to appeals or recommendations to the Board of County Commissioners of any determination of the PVZAB shall apply.

Section 8. This Ordinance shall be effective upon filing with the Secretary of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 23 day of June, 1998.

BOARD OF COUNTY
COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Jim Bryant

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk

EFFECTIVE DATE: June 26, 1998

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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 _____
Sandra D.Oliver

_____ 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 _____ Notice of Public Hearing

in the _____ Court, was published in said newspaper in the
issues of _____ June 1, 1998

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 2 day of June, 1998,
by Sandra D. Oliver who is personally
Personally Known
known to me or who has produced _____ as
(Type of Identification)
identification.



Zoe Ann Moss
MY COMMISSION # CG841814 EXPIRES
August 22, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

Zoe Ann Moss
(Signature of Notary Public)
Zoe Ann Moss

(Seal)

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

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St. Augustine, FL 32085-0590
 FAX 904-823-8618

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BUSINESS INSURANCE
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of Quality Education



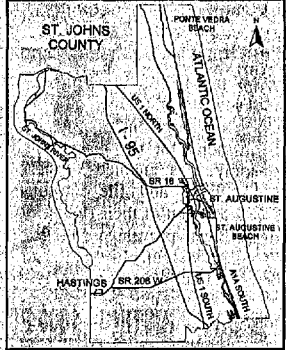
WINTER TOURS
 2, June 9 & June 16
 9 AM - 5 PM
 for parents and administrators that
 have questions regarding a private
 school option for your child.
 Free for new students
 before June 30th
24-6176
 and information
 St. Augustine, Florida 32086

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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, REVISING THE PONTE VEDRA ZONING REGULATIONS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on Tuesday, June 9, 1998 at 1:30 p.m. and on Tuesday, June 23, 1998 at 5:30 p.m. in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. #1 North), St. Augustine, Florida, will hold public hearings to consider adoption of the following ordinance.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ORDINANCE 98-9, WHICH WAS AN ORDINANCE ADOPTING, READOPTING, AND RESTATING PONTE VEDRA DISTRICT REGULATIONS PREVIOUSLY ADOPTED AND OR AMENDED BY ST. JOHNS COUNTY RESOLUTIONS 10/8/74, 11/12/74, 8/19/75, 82-147, 83-48, 84-10, 85-98, 85-105, 86-80, 86-135, 87-200, 87-215, 87-223, 90-176, 91-52, AND ORDINANCES 78-65 AND 95-59. THIS AMENDMENT AMENDS THE REFERENCED ITEMS IN THE R-1 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; AMENDS THE YARD REQUIREMENTS FOR THE R-3 COMMERCIAL DISTRICT; AMENDS THE GOVERNMENTAL AGENCIES THAT DELINEATE THE JURISDICTIONAL WETLANDS LINE; AMENDS THE REFERENCED ITEMS IN SECTION IX, PERTAINING TO THE REMOVAL OF NON-COMFORMING SIGNS; AMENDS THE REVIEW PROCEDURES OF SUBMITTED PLANS; DELETES AND AMENDS SECTIONS XI.H.1.c. AND XI.H.1.d. PERTAINING TO THE FIFTEEN (15) WORKING DAY REQUIREMENT FOR THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD TO SUBMIT TO THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS TO A THIRTY (30) WORKING DAY REQUIREMENT; AND PROVIDES AN EFFECTIVE DATE.



The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida, and may be examined by parties interested prior to the said public hearings. Please take note that the 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.

Excluding the incorporated municipalities of
 City of St. Augustine
 City of St. Augustine Beach
 Town of Hastings
 That portion of the Town of Maitland
 within St. Johns County
 And excluding the unincorporated portions of
 St. Johns County outside the Ponte Vedra
 Zoning District

If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceeding, and for such purposes he/she may need to ensure that a verbatim record of the proceeding 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, Florida 32095.

For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service 1-800-955-8770, no later than 5 days prior to the dates of these hearings.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
 By: Yvonne Carter, Deputy Clerk

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 _____

Sandra D. Oliver 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 Notice of Public Hearing

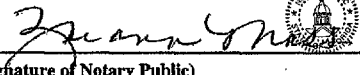

in the _____ Court, was published in said newspaper in the

issues of June 16, 1998

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 17 day of June, 1998,

by Sandra D. Oliver who is personally
known to me or who has produced Personally Known as
(Type of Identification) identification.


(Signature of Notary Public)  (Seal)
Zoe Ann Moss

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

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