

ORDINANCE NO. 2015- 31

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA MAKING FINDINGS OF FACT; REPEALING ST. JOHNS COUNTY ORDINANCES 1981-16, 1982-13, 1988-10, 1994-37, 1995-22, 1996-72, 1998-48, 1998-57, EMERGENCY PROCLAMATIONS 2008-1 AND 2008-2, 2008-33, 2008-42 AND 2008-43; DIRECTING THE CLERK OF COURT TO REMOVE REPEALED ORDINANCES FROM THE COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR VENUE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Findings of Fact.

The Board of County Commissioners (the Board) makes the following findings of fact in support of this ordinance:

A. Section 125.68, Florida Statutes, requires Florida counties to maintain a current codification of all ordinances.

B. St. Johns County Ordinance No. 2001-56 provides that the St. Johns County Code shall consist of a systematic compilation of ordinances maintained in alphabetical order by the St. Johns County Clerk of Court (the Clerk).

C. The purpose of codification is to provide access to the County's ordinances in such a way that members of the public can efficiently identify and directly access the full text of enacted ordinances.

D. There are ordinances within the County Code that have been superseded by statute or that are outdated, redundant, or no longer in the public interest.

E. The ordinances listed in Section 2 of this ordinance either have been superseded by statute or are outdated, redundant, or are no longer in the public interest.

F. The ordinances listed in Section 3 of this ordinance have previously been repealed but are still listed in the County Code.

G. It is in the public interest to identify and repeal ordinances that have been superseded by statute or that are outdated, redundant, or no longer in the public interest in order to provide the public greater transparency and more efficient access to the County's ordinances.

Section 2. Repeal of Ordinances.

The Board repeals the following ordinances in their entirety:

- A. Ordinance No. 1981-16;
- B. Ordinance No. 1982-13;
- C. Ordinance No. 1988-10;
- D. Ordinance No. 1994-37;
- E. Ordinance No. 1995-22;
- F. Ordinance No. 1996-72;
- G. Ordinance No. 1998-48;
- H. Ordinance No. 1998-57;
- I. Emergency Proclamation 2008-1;
- J. Emergency Proclamation 2008-2;
- K. Ordinance No. 2008-33;
- L. Ordinance No. 2008-42; and
- M. Ordinance No. 2008-43.

Section 3. Removal of Repealed Ordinances from County Code.

A. The Board directs the Clerk to remove the ordinances listed in Section 2 of this ordinance from the County Code and to place them in the Clerk's compilation of repealed ordinances.

B. The Board directs the Clerk to remove the following ordinances, which have previously been repealed, from the County Code and to place them in the Clerk's compilation of repealed ordinances:

- 1. Ordinance No. 1972-2 (repealed by Ordinance No. 1987-36);
- 2. Ordinance No. 1976-11 (repealed by Ordinance No. 1987-36);
- 3. Ordinance No. 1977-35 (repealed by Ordinance No. 1999-68);

4. Ordinance No. 1981-84 (repealed by Ordinance No. 1982-41);
5. Ordinance No. 1982-38 (repealed by Ordinance No. 1995-22);
6. Ordinance No. 1985-48 (repealed by Ordinance No. 1986-61);
7. Ordinance No. 1989-20 (repealed by Ordinance No. 1999-27);
8. Ordinance No. 1989-34 (repealed by Ordinance No. 2004-41);
9. Ordinance No. 1989-58 (repealed by Ordinance No. 1999-27);
10. Ordinance No. 1990-31 (repealed by Ordinance No. 1999-27);
11. Ordinance No. 1990-58 (repealed by Ordinance No. 1999-27);
12. Ordinance No. 1990-64 (repealed by Ordinance No. 1999-27);
13. Ordinance No. 1991-10 (repealed by Ordinance No. 1999-27);
14. Ordinance No. 1991-33 (repealed by Ordinance No. 1999-27);
15. Ordinance No. 1992-14 (repealed by Ordinance No. 1999-27);
16. Ordinance No. 1992-39 (repealed by Ordinance No. 1999-27);
17. Ordinance No. 1993-44 (repealed by Ordinance No. 1999-27);
18. Ordinance No. 1995-60 (repealed by Ordinance No. 1999-27);
19. Ordinance No. 1996-26 (repealed by Ordinance No. 2004-41);
20. Ordinance No. 1996-59 (repealed by Ordinance No. 1996-73);
21. Ordinance No. 1996-60 (repealed by Ordinance No. 1996-72);
22. Ordinance No. 1996-61 (repealed by Ordinance No. 1996-72);
23. Ordinance No. 1996-62 (repealed by Ordinance No. 1996-72);
24. Ordinance No. 1997-28 (repealed by Ordinance No. 1999-27);
25. Ordinance No. 1998-70 (repealed by Ordinance No. 2004-41);
26. Ordinance No. 1999-27 (repealed by Ordinance No. 2006-98);

27. Ordinance No. 1999-68 (repealed by Ordinance No. 2001-51); and

28. Ordinance No. 2004-41 (repealed by Ordinance No. 2005-86).

Section 4. Severability.

If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remainder of this ordinance.

Section 6. Venue.

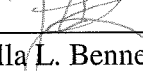
Venue for any legal or administrative action in connection with this ordinance shall lie exclusively in St. Johns County, Florida.

Section 7. Effective Date.

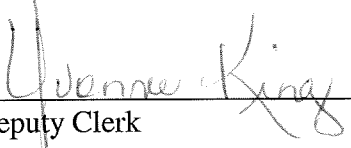
This ordinance shall be effective upon a certified copy being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 5th day of May, 2015.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:  _____
Priscilla L. Bennett, Chair

ATTEST: Cheryl Strickland, Clerk

By:  _____
Deputy Clerk

RENDITION DATE May 7, 2015

Effective Date: May 8, 2015



THE ST. AUGUSTINE RECORD

MCCLURE BLOODWORTH PL
81 KING STREET STE A
SAINT AUGUSTINE FL 32084

Ref.#: L989-15
P.O.#: HG 4-21

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **NICOLE CORRIVEAU**
who on oath says that he/she is an Employee 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 **NOTICE OF HEARING**
In the matter of **NZVAR 2015-01 - HOTEL VILANO - HG APR 21, 2015**
was published in said newspaper on **04/06/2015**

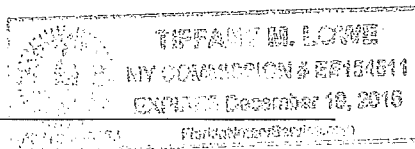
Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore has been continuously published in said St. Johns County, Florida,
each day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he/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 _____ day of APR 06 2015

by Nicole Corriveau who is personally known to me
or who has produced as identification

Tiffany M. Zorn

(Signature of Notary Public)

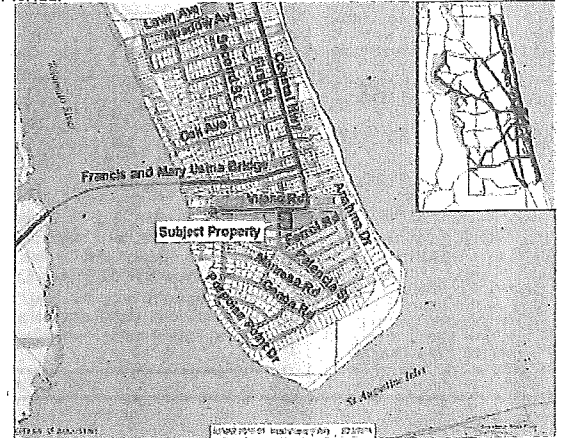


(Seal)

NOTICE OF A PROPOSED NON ZONING VARIANCE

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, April 21, 2015 at 9:00 a.m.** by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, the applicant requests a Non-Zoning Variance to Section 6.01.01 Table 6.01 in accordance with 2025 Comprehensive Plan Policy A.1.11.3 (13) to exceed the maximum Floor Area Ratio (FAR) of 80% within the TCMU District to allow the construction of a hotel.

The subject property is located at 125 Vilano Road within St. Johns County, Florida.



This file is maintained in the Planning & Zoning Section of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

Interested parties may appear at the meeting and be heard with respect to the proposed request.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

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

This matter is subject to court imposed quasi-judicial rules of procedures. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

BOARD OF COUNTY COMMISSIONERS
PRISCILLA L. BENNETT, CHAIR
FILE NUMBER: NZVAR 2015-01 Hotel Vilano
L989-15 Apr 6, 2015



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 8, 2015

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2015-31, which was filed in this office on May 8, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED
2015 MAY -8 PM 12:35
CLERK OF THE SUPREME COURT
STATE OF FLORIDA
TALLAHASSEE, FLORIDA