

**SECTION 18.0 SPECIAL USES  
PART 2.03 LAND DEVELOPMENT CODE**

**Section 18.01 Introduction**

A special use is a use that is not permitted by right in a zoning district and requires review and approval by the Planning and Zoning Agency to determine impacts of the proposed use on the surrounding area. Examples of special uses are alcoholic beverages, manufactured, mobile homes, home occupation, horses/ponies in residential districts, churches in residential districts, land excavation/borrow areas, antenna towers and special care housing in residential districts. The Planning and Zoning Agency may impose conditions on any special use approval. In addition to the approval of the Planning and Zoning Agency, special uses must meet certain minimum requirements which are found in Part 2.03 of the Land Development Code.

Special Use Applications are submitted to and processed by the Planning and Zoning Section.

ADDRESS: 4040 Lewis Speedway  
St. Augustine, Florida 32084

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Fax: 904-209-0743

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[Fee Schedule](#)

Special Use Permits-Minor Review: Mobile Homes, erection of more than one main use structure, horses/ponies in residential districts, home occupation, one and two family dwellings in residential district, churches, psychics, household animal increase in residential district.

Special Use Permits-Major Review: All special uses found in Section 2.03.00 not listed above

Special Use Permits – Transfer: Alcoholic Beverage permits meeting Section 2.03.02.B of the Land Development Code

Appeal of Special Use Permit

**Section 18.02 Application Process**

One (1) copy (unless otherwise noted) of the following items are required to process a request for Special Use:

- A. Application
- B. Proof of ownership

- C. Owner's Authorization for Agent (with original signatures).
- D. A dimensioned or to scale site plan of property as appropriate to the project, showing all structures on property, use of structures, roads, signage, and easements, landscape features including septic tank and drainfield, and any other items appropriate for the specific request. Identify development on adjacent properties to establish minimum use buffers.
  - 1. For a special use that involves construction, such as but not limited to, mini-warehouse facilities, school, general store, truck stop, etc., a rendering of building design, landscaping and signage should be included with the submittal.
  - 2. Each special use request must provide sufficient data to show compliance with the individual criteria of that particular use. See part 2.03 of the Land Development Code. In addition, Telecommunication Tower requests require compliance with the guidelines of Section 6.08.12 and must be included with the application for special use.
- E. Letter or general summary statement of the desired request. The information should include reasons for approval, address compatibility with surrounding properties and compatibility with all codes.
- F. Any additional information or material to support the request, such as pictures, professional reports or drawings, etc.
- G. Legal Description of subject property

Note: Legal descriptions must be approved by the County before applications can be scheduled for hearings. Applicants who fail to respond to staff comments regarding legal descriptions may have their projects delayed until the problem is corrected and staff signs off on these comments due to the following reasons:

Legal descriptions are required to be included with all Orders for Special Use Permits. Correct and accurate legal descriptions are critical for County staff to create accurate maps for public hearing ads and creation of all other project maps (location maps, road maps, aerials, Zoning maps and Future Land Use maps). Accurate legal descriptions are necessary for Staff to correctly analyze applications and develop staff recommendations. Correct and accurate legal descriptions are required for the County GIS Department to properly query all adjacent property owners within 300 feet of the parcel for notification of hearings. And finally, the Land Development Code and the Comprehensive Plan have different criteria for different sized parcels therefore accurate legal descriptions and identification of parcel size on applications is also critical (example: 5 acres, 10 acres, 17.5 acres, 39 acres, 40 acres, 50 acres, 100 acres).

- H. Submit filing fee as defined in adopted [Fee Schedule](#).

### **Section 18.03 Review Process**

- A. Complete application package is submitted to the Planning and Zoning Section, reviewed for completeness and fee is processed.
- B. Application is routed to reviewing departments; reviewing departments have 5 working days to review and provide comments to the Planning and Zoning Section.
- C. Reviewing departments comments are compiled and one of the following will occur:
  - 1. The comment report is sent to the applicant or his/her representative for additional information or specific comments to be addressed. Comments should be addressed in a resubmittal to the Planning and Zoning Section. Resubmittals are routed to the appropriate reviewing department for 5 working days.
  - 2. If application is determined to be complete, item will be scheduled for public hearing before the Agency.
- D. Above item "C" is repeated until the application is ready to be scheduled for public hearing or the applicant requests in writing that the application be scheduled.

Applications have six months from the most recent date of the review comment notification to substantially respond to comments. Failure to substantially respond during this period shall expire the application.

- E. If it is determined that all the conditions of a Special Use cannot be met a Zoning Variance is required. The Zoning Variance can be combined with the Special Use Permit with the appropriate [fee](#).

### **Section 18.04 Public Hearing Process**

- A. Upon notification by the County and prior to setting the application for public hearing, the applicant must provide a list of adjacent property owners shall include all owners within 300 feet of the subject property. The list shall contain the name, address and legal description of each parcel as it appears in the St. Johns County Property Appraiser's records.

The list is available from St. Johns County by completing the Adjacent Property Owners List Request Form, included in this Section. Complete and return the form to the County office handling your application, or fax it directly to the attention of the GIS Division at 904-209-0761. You are not required to use St. Johns County as a source; the list may also be obtained through private sources such as an abstract company, title company, or legal office.

In addition to the above list, the applicant must also provide one legal size envelope, addressed and stamped for each name on the list of adjacent property owners. If the name appears more than once (owner of more than one parcel), only one envelope is required.

Advertisement within the St. Augustine Record newspaper will be completed by staff; however, payment is the responsibility of the applicant. Please provide contact information for the party responsible for payment of published notice. That party will be contacted by the St. Augustine Record (904-819-3436) for payment once the ad has been sent for publishing. Please be aware that failure to make payment of the advertisement will delay the application from proceeding to the scheduled public hearing date.

- B. Item is scheduled for a public hearing to be heard by the Agency. A notice, is placed in the St. Augustine Record newspaper, a sign is posted on the property, and a notice is mailed to all property owners within 300 feet of the property. Notification is also sent to the applicant advising of the date.
- C. A staff report is drafted by the Planning and Zoning Section and is distributed to the Agency approximately one week prior to the public hearing. Copies will be made available to the applicant and public.
- D. The reviewing Agency will consider the request during public hearing. A Final Order is prepared and signed by the Agency's Chairperson. An appeal may be filed within 30 days of the signed Order.
- E. Special uses shall be granted to the applicant only, and shall be commenced within one year of the effective date of the Final Order, except when the Agency or Board adopts a longer period of time or allows transferability as provided in Section 2.03.01, Land Development Code.