

SECTION 20.0 ZONING VARIANCES

Section 20.01 Introduction

The Planning and Zoning Agency (PZA) or the Ponte Vedra Zoning and Adjustment Board (PVZAB) may grant zoning variances which are found not to be contrary to the public interest and owing to special conditions, a literal enforcement of the Land Development Code (LDC) or Ponte Vedra Zoning District Regulations (PVZDR) will result in unnecessary and undue hardship. The Agency may provide conditions and safeguards as may be appropriate and in harmony with the purpose and intent of the LDC or PVZDR as part of the Variance. A zoning variance shall be limited to those specific regulations relating to zoning, including but not limited to building or structure heights, setbacks, buffers, lot or yard requirements, lot coverage, required parking and any Special Use standard. A use variance is not allowed except as may be permitted by the Ponte Vedra Zoning District Regulations.

Zoning variance applications are submitted to and processed by the Planning and Zoning Section.

Address 4040 Lewis Speedway
 St. Augustine, Florida 32084

Phone: 904-209-0675
Fax: 904-209-0743

E-mail: faxplandept@sjcfl.us

[Fee Schedule](#)

Section 20.02 Application Process

The following documents/information must be provided to process your Application.

- A. Application
- B. Proof of Ownership
- C. Owners' Authorization for Agent
- D. Site plan of property showing all existing or proposed structures, easements, and any other features of the land that may affect the development of land, such as topography, natural landscape or geographical features.
- E. General summary of request, with specific reasons how the literal enforcement of the Code will result in unnecessary and undue hardship as defined in Part 12.01, Land Development Code.
- F. 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 adopted ordinances for land use amendments, rezonings, PUDs and Major Modifications to PUDs and with all approved concurrency certificates. 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).

G. For setback variances along State Roads i.e. Coastal Highway, contact FL Department of Transportation at (904) 825-5036 regarding the proposed reduction.

H. [Filing Fee](#)

Section 20.03 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 item 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.

Section 20.04 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 within 300 feet of the subject

property. The list shall contain the name and address 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 a 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.

- 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 the public hearing. If the item is approved, a Final Order is prepared and signed by the Agency's Chairperson. If the item is denied, an appeal may be filed within 30 days of the signed Order.

The Board of County Commissioners shall take final action for Variances for increases in permitted height of structures. For such Variance requests, the Agency shall make a recommendation on the application.

- E. Variances 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 10.04.02 (A), Land Development Code.

ST. JOHNS COUNTY PROCEDURES ZONING VARIANCE

