

ORDINANCE NO. 559

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING THE CITY OF PORT ST. JOE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR ADDITIONAL LAND USES UNDER ARTICLE III, SECTION 3.04, DISTRICT R-2A IN SPECIFICLY DEFINED AREAS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described in Exhibit A, attached hereto and made a part hereof (hereinafter "Property") was platted as part of the City of Port St. Joe in 1937; and

WHEREAS, the City Commission having found that expanded land use allowances within those specifically identified Property located within Article III, Section 3.04, District R-2A, of the land Development Code, is in the best interest of the City; and

WHEREAS, the Property consists of primarily residential property; and

WHEREAS, the current allowances for the Property creates hardship for the owners of individual lots within the Property area due certain City Land Development Regulations prohibitions;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE:

SECTION 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. From and after the effective date of this ordinance, Land Development Regulation Code, Article III, Section 3.04, District R-2A is amended to read as follows (text stricken and amended shall be delineated as follows, ~~stricken~~; new text added, underlined):

1. R-2A single-family district.
 - a. Uses permitted in R-2A: Any uses permitted in the VLR and R-1 district.
 - b. Building height limit: No building shall exceed 35 feet in height, except as provided in subsection 3.10(3).
 - c. Floor area required: No building shall be constructed in subdistrict R-2A of less than 800 square feet of living area. In computing the floor space as provided above the areas occupied by porches, patios, terraces, attached garages, carports or nonroofed areas shall be excluded.

- d. No home occupations shall be allowed in subdistrict R-2A.
- e. Front yard required: There shall be a front yard not less than 20 feet deep measured to the front line of the building. Where lots comprising 25 percent or more of the frontage on the same street within the block are developed with buildings having an average yard with a variation in depth of not more than six feet, no building hereafter erected or structurally altered shall project beyond the average front yard so established, provided the front yard shall not exceed 30 feet. Where the distance between dwellings on adjacent lots is 150 feet or more, the next above yard requirements will not apply. Where interior lots have a double frontage, the required front yard shall be provided on both streets, but no more than 30 percent of the total need be used for front yards.
- f. Side yard required: There shall be a side yard on each side of a lot, having a width of more than 50 feet, of at least ten feet. On lots of record as of October 3, 1995 having widths of 50 feet or less, the side yard on each side of the lot shall be no less than seven feet.
- g. Rear yard required: There shall be a rear yard of not less than 20 feet. On corner lots there shall be a setback of not less than 15 feet.
- h. No more than seven units per acre shall be allowed in district R-2A and intensity shall be no more than 60 percent lot coverage.
- i. Single-family sectional or modular homes shall be allowed within the boundary of the Property designated in Exhibit "A" so long as they meet any and all State and Federal regulations applicable thereto and all other requirements of the Ordinances, rules, and regulations of the City of Port St. Joe. Those State and Federal regulations are incorporated herein by reference.

SECTION 3. INCLUSION INTO THE CODE OF ORDINANCES. It is the intent of the City Commission of the City of Port St. Joe that the provisions of this ordinance shall become and be made a part of the City of Port St. Joe's Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 5 REPEALER. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 6. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

SECTION 7. This Ordinance shall take effect immediately upon passage.

THIS ORDINANCE ADOPTED this the 6th day of August, 2019.

**BOARD OF CITY COMMISSIONERS
PORT ST. JOE, FLORIDA**


WILLIAM REX BUZZETT
MAYOR-COMMISSIONER

ATTEST:


CHARLOTTE M. PIERCE
CITY CLERK

EXHIBIT A

The 300 Block of Avenue A all having frontage along Avenue A, Port St. Joe, Florida which is more specifically described within the following listed parcel identification numbers located in the public records of Gulf County, Florida;

1. 05995-00R
2. 05998-000R
3. 06000-000R
4. 06002-000R
5. 06004-000R
6. 06022-000R
7. 06006-000R
8. 06008-000R
9. 06011-000R
10. 06013-000R
11. 06013-000R
12. 06017-000R
13. 06021-000R