

SECTION 26.0 APPEALS

Section 26.01 Purpose

This Section sets out the procedures for Appeals to decisions of the Planning and Zoning Agency as allowed by Part 9.07.03 of the Land Development Code, Appeals to decisions of an Architectural Review Committee or Design Review Board, and Appeals to decisions of the County Administrator in enforcing the Code as allowed by Part 9.07.02 of the Land Development Code and appeals to decisions of the Growth Management Department as allowed by Part 11.06.00 of the Land Development Code.

Section 26.02 Introduction

An applicant or an adversely affected party, as defined in Section 9.07.01 of the Land Development Code, may appeal any final decision of the Planning and Zoning Agency, Architectural Review Committee or Design Review Board, or the County Administrator to the Board of County Commissioners. Appeals are made to the Board of County Commissioners by filing a notice of appeal with the County Administrator, through the Growth Management Department, within thirty (30) days of the date when the written final order is signed and dated. The decision of the Board of County Commissioners shall constitute final action for the county and may, thereafter be appealed to circuit court in accordance with Florida law.

An applicant or any adversely affected person may appeal any final decision of the County Administrator in enforcing this Code to the Board of County Commissioners by filing a notice of appeal with the County Administrator within thirty (30) days of the decision. The Board of County Commissioners shall consider the appeal at the next reasonably available meeting of the Board of County Commissioners. The decision of the Board of County Commissioners shall constitute final action for the county and may thereafter be appealed to circuit court in accordance with Florida law.

Appeals are processed by the Division of the Growth Management Department responsible for the application or decision under appeal.

Location: 4040 Lewis Speedway

 St. Augustine, Florida 32084

Appeals to decisions regarding zoning issues or zoning program determinations regarding the Land Development Code are submitted to and processed by the Growth Management Department.

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

E-mail: faxplandept@sjcfl.us

Appeals to decisions regarding minor modifications, architectural review boards or growth management department decisions are processed by the Planning Division.

Phone: 904-209-0675- GENERAL INFORMATION
Fax: 904-209-0743
Email: faxplandept@sjcfl.us

Appeals to decisions made by the Development Review Committee

Phone: 904-209-0660
Fax: 904-209-0743
E-mail: lbrown@sjcfl.us

[Fee Schedule](#)

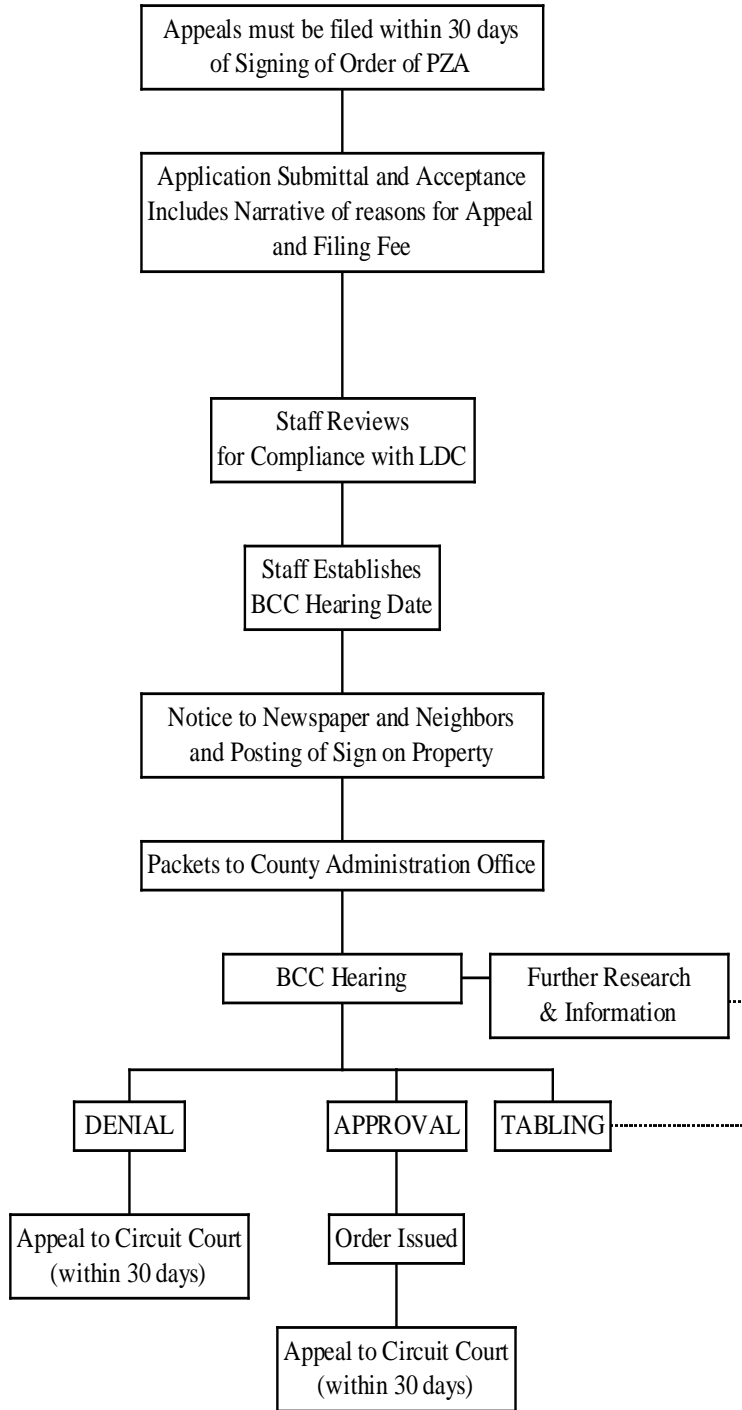
Section 26.03 Application Process

- A. Complete Application Form.
- B. Submit Filing Fee.
- C. Appeals must be submitted by an adversely affected person or the applicant of a special use, or variance final order or an adversely affected person in regard to decision by staff acting on the enforcement of the provisions of the Land Development Code.
- D. The appeal must be filed within 30 days of the date of the signing of the final Order by the Chairperson of the Planning and Zoning Agency; or, 30 days of any final decision by the County Administrator, or zoning staff (designee) acting on the enforcement of the Land Development Code.
- E. Submit with application form the following additional documents/information.
 - 1. Narrative of reasons for appeal citing the alleged adverse effect being suffered by the appellant and/or those who share the adverse effect. Refer to Part 11.06 of the LDC for specific criteria for appeals of CRC decisions.
 - 2. List of adjacent property owners as originally defined in application of special use or variance. See II (A)(6) and (A)(7) above. Address and stamp envelopes as provided above (not required for appeals of CRC decisions).
 - 3. Any additional information may be provided to support request.

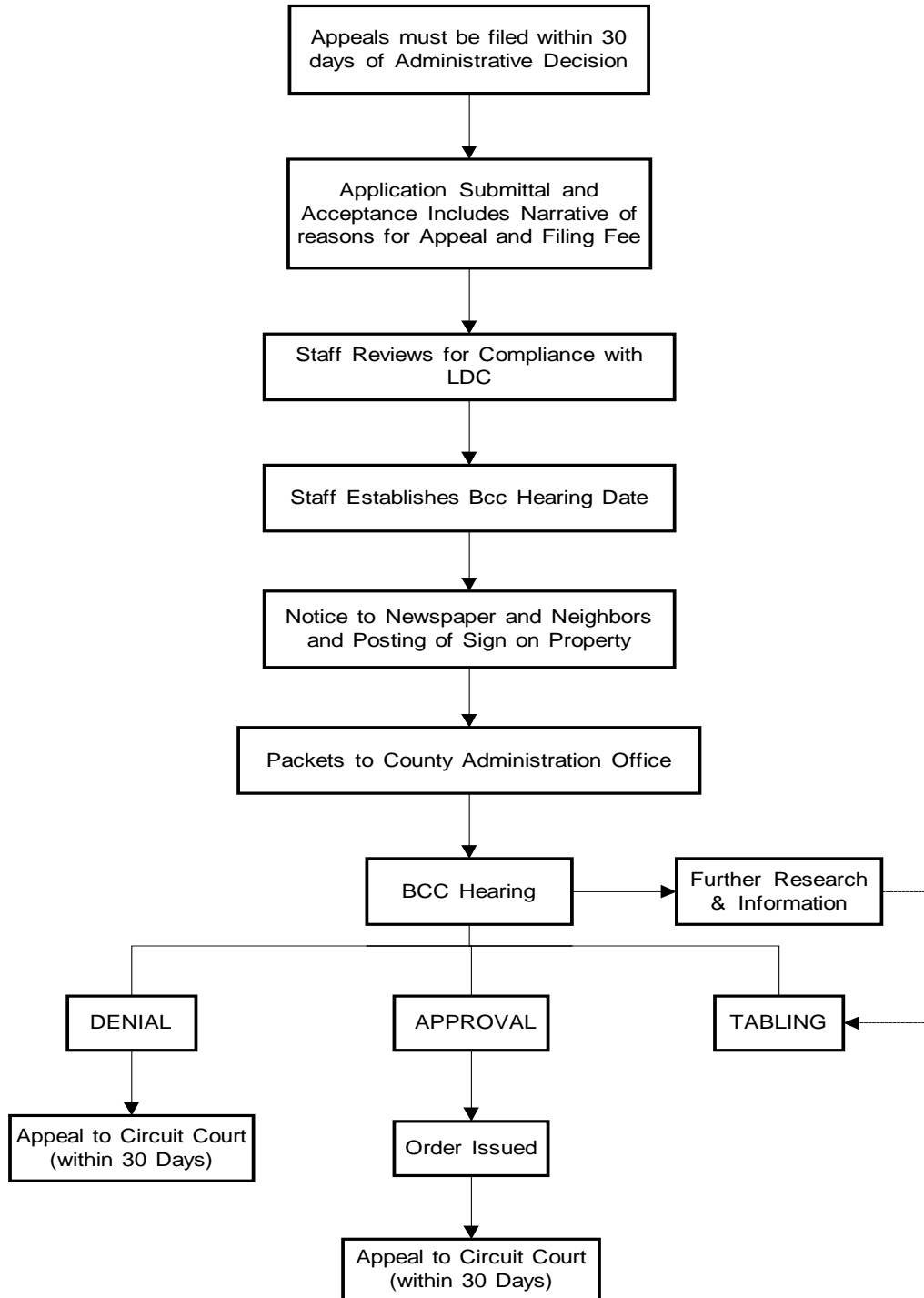
Section 26.04 Public Hearing Process

- A. After submission of a completed application and appropriate fees a public hearing before the Board of County Commissioners will be established, on the next reasonably available meeting.
- B. Staff will mail notices of the scheduled hearing and provide information on the subject of appeal to all owners within 300 feet of the subject property. Appeals to decisions of a County designee may not effect adjacent property owners and the County Administrator may not require mailed notices.
- C. Staff will cause to be published in the St. Augustine Record a notice of hearing in a manner as required by Section 9.06.04, Land Development Code (15 days in advance of the scheduled hearing).
- D. The public hearing by the Board of County Commissioners shall be conducted as a quasi-judicial hearing as set forth in Part 9.06, Land Development Code. The decision of the Board of County Commissioners shall constitute final action for the County, and may thereafter, be appealed to Circuit Court in accordance with Florida Law.

ST. JOHNS COUNTY
 PROCEDURES FOR APPEALS
 FROM DECISIONS OF THE PLANNING & ZONING AGENCY



ST. JOHNS COUNTY PROCEDURES FOR ADMINISTRATIVE APPEALS



**St. Johns County Growth Management Services Department
Application for an Appeal**

- A Decision of the County Administrator**
A Decision of the Planning & Zoning Agency
A Decision of the Architectural Review Committee or Design Review Board

Date _____

File Number _____

1. Project Name	
2. Appellant's Name, Address, and Phone No.	
3. Location of property that is the subject of this Appeal.	
4. Decision to be considered as an Appeal. (Attach a copy of the final decision.)	
5. Parcel ID Number	6. Map Page Number
7. Administrative official whose decision is being appealed.	
8. The specific error alleged as the grounds for the Appeal.	
9. Describe what interest the person filing this Appeal has in the issue(s) being appealed.	

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT AND REQUEST AN APPEARANCE BEFORE THE APPROPRIATE COUNTY BOARD FOR PUBLIC HEARING ON THE ABOVE MENTIONED APPEAL:

Printed or typed name(s): _____

Signature(s): _____

ADDRESS AND CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION Name: _____

Mailing Address: _____

Phone: _____ FAX: _____ E-mail: _____

Pursuant to Section 9.07.02 of the St. Johns County Land Development Code, any decision of the County Administrator, or designee of the County Administrator, may be appealed to the Board of County Commissioners. **Appeals must be filed with the appropriate Division within thirty (30) days from the date the final decision being appealed. An Application must include: the completed application form and the filing fee of \$300.00. Any supporting documentation should be included by attachment.** The person identified to receive all correspondence related to this request will be notified in writing once the Appeal has been scheduled for public hearing. When filing an appeal of a CRC decision refer to Part 11.06.00 of the LDC for specific criteria.

When a person decides to appeal a decision made by any St. Johns County Board or Committee, with respect to any matter considered at a public meeting, he may need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.