

St. Johns County Government Development Review Division Frequently Asked Questions

(<https://www.sjcfcl.us/DevelopmentReview/FAQ.aspx>)

Issue, Concern, or Question? Use the PRIDE Online Issue Tracking System

(<https://www.sjcfcl.us/CodeEnforcement/PRIDE.aspx>)

How many people can live in a single family residence?

A single family residence can be **occupied by no more than three (3) unrelated persons.**

Dwelling Space (SJC Housing Code) (<https://www.sjcfcl.us/CodeEnforcement/HousingCode.aspx>)

To limit overcrowding, all dwellings must provide 150-sq. ft. of **habitable space** for one occupant and at least 100 additional sq. ft. for each additional occupant. **Sleeping rooms** must have at least 70-sq. ft. for one occupant and 50 additional sq. ft. for each additional occupant.

May I operate my business from my home?

If it is a home office only with no employees and it is designated residential. There are restrictions on signage, advertising and no material can be stored outside the home. If a homeowners association governs property, approval must be acquired by the association in writing.

What is the fencing regulation for St. Johns County?

In general, for residentially zoned property any fence, wall, or hedge shall not exceed six (6) feet, nor obstruct the view of oncoming traffic in each direction and provided that no fence, wall, or **hedge shall exceed four (4) feet within the front twenty-five (25) feet of the property line.** On corner lots the fence may be six (6) feet on the second frontage.

What are fencing requirements for pools, above ground and below ground?

All pools are required to be fenced unless the yard is fenced.

What are residential setbacks?

RS-1 Residential Single Family

- Front - 30'
- Sides - 10'
- Rear - 15'

Where are the setbacks measured?

Setbacks are measured to the eaves or any portion of a structure thirty inches (30") off-grade. There is an allowance for certain projections such as bay windows.

What are the setbacks for accessory uses?

Accessory uses are required to meet the minimum structure setbacks, unless it is separated from the main structure by ten (10) feet or more, then **the required setback is three (3) feet from the side and rear lot lines. It cannot be located in any required front yard.**

Can I use my RV camper or Fifth wheel for a temporary living facility?

RV campers and Fifth wheel vehicles are recognized as motor vehicles and are not permitted for living purpose unless parked in a properly zoned camp ground or park.

Legal Procedures

Upon observance of a code violation, **County Code Officers** will give notice to the person(s) responsible. These warnings will be in writing, stating the non-complying condition, setting forth the time allowed for correction, and advising the responsible person(s) that correction is required or legal action may begin for **violation** of the code. Continual violation may bring penalties to **\$268.00 per day of continuing violation.** Voluntary compliance is always sought, but fines can be imposed if necessary.

St. Johns County Government

Guide to Code Enforcement (<http://www.co.st-johns.fl.us/CodeEnforcement/guide.aspx>)

Junk and Abandoned Vehicles

Storage of any wrecked, dismantled, partially dismantled, inoperable motor vehicle, recreational vehicle, trailer, boat, or special purpose vehicle is prohibited. **A vehicle is considered inoperable** if it is being stored or parked with any wheels missing, any tires flat, or **if it does not have a current license tag**. Motor vehicles, mobile homes, or trailers of any type, without current license plates (except vehicles customarily used in agricultural pursuits) must be in a completely enclosed building on any residential, OR, CN zoned property.

Residential Parking of Heavy Vehicles

Heavy vehicles which are in excess of 8000 pounds net weight and are registered on the basis of gross vehicle weight shall not be parked or stored in any residential district except as may be required for normal loading or unloading of such vehicles during time normally required for service at dwellings, or at Structures or activities allowable or permissible in such residential districts by the terms of this code.

Recreational Vehicles

All recreational vehicles, boats and utility trailers must be parked or stored in a required rear or side yard. No recreational equipment shall be used for living, sleeping or housekeeping purposes when parked or stored in a residential zoned lot or any other area not approved for such use.

(Exception: some Planned Unit Developments may have more or less restrictive requirements and within the Ponte Vedra Zoning District, recreational vehicles cannot be seen on property).

Pets

Household pets are permitted in all residential districts, but the number of pets over 10 weeks of age shall not exceed 5.

St. Johns County Government

Frequently Asked Questions (<http://www.sjcfcl.us/Operations/FAQ.aspx>)

May I operate my business from my home?

If it is a home office only with no employees and it is designated residential. There are restrictions on signage, advertising and no material can be stored outside the home. If a homeowners association governs property, approval must be acquired by the association in writing.

May I take care of children in my home?

A family day care, which limits the number of children to those of two (2) unrelated families, (defined by F.S.) four (4) up to twelve (12) months of age; three (3) up to twelve (12) months and others up to maximum six (6); maximum six (6) older than twelve (12) months, maximum ten (10), with five (5) pre-school and of those two (2) under twelve (12) months.

How many people can live in a single family residence?

A single family residence can be occupied by no more than three (3) unrelated persons

St. Johns County Government

Animal Code - Ordinance 2017-36

Section 5. Definitions.

- CC. Minor injury** means any injury of less severity than a severe injury, including nips and superficial wounds.
- II. Severe injury** means any physical injury that results in a broken bone, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.
- MM. Unprovoked** means that a victim, whether person or animal, was acting peacefully and lawfully and was attacked, bitten, or chased in a menacing fashion by an animal.

Section 19. Damage by Animals.

- A.** It shall be a violation of this ordinance for the owner of an animal to allow the animal to damage real or personal property belonging to any other person or legal entity, whether through active or passive control of the animal or the lack thereof, without regard to the owner's knowledge, intent, or culpability. It shall not be a defense under this ordinance that the animal was leashed at the time the damage occurred or that the owner exercised utmost care to prevent the animal from causing damage. If the damage to property involves injury to a domestic animal, provocation may be asserted as a defense.

Section 21. Aggressive Animals.

- A.** An animal may be declared aggressive if it:
 - 1.** Causes severe injury to a person or domestic animal without provocation; or
 - 2.** Causes minor injury to a person or domestic animal without provocation twice within a 1-year period.

Section 22. Dangerous Animals.

- A.** An animal may be deemed dangerous if the Division determines that:
 - 1.** The animal aggressively bit, attacked, endangered, or inflicted severe injury on a person on public or private property;
 - 2.** The animal on more than one occasion severely injured or killed a domestic animal;
 - 3.** The animal has been used for fighting or is an animal that has been trained for fighting; or
 - 4.** When unprovoked, the animal chased or approached a person upon the streets, sidewalks, or any public property in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and duly investigated by the Division.

St. Johns County Government

Noise - Ordinance 2015-19 & Ordinance 2021-9 (Amendment)

Section 2. Recognition of Authority for Enacting this Ordinance.

- B.** It is intent of the Board of County Commissioners of St. Johns County, Florida to address excessive and/or loud and raucous noise which disturbs the peace, quiet, and comfort of neighboring inhabitants and to provide a civil remedy for breaches of the peace similar to those as set forth in §877.03, Florida Statutes, as amended from time to time.

Section 3. Measurement of Sound.

The measurement of sound or noise under this Ordinance shall be "plainly audible" by a human ear without the benefit of a hearing aid by a reasonable person of ordinary sensibilities, or "plainly discernible" by the human senses of a reasonable person of ordinary sensibilities. This Ordinance shall be in effect within the unincorporated areas of St. Johns County, Florida. Further, this Ordinance shall be measured and enforceable by the law enforcement agency or code compliance office which takes the complaint, including the St. Johns Sheriff's Office, the Division of Animal Control, and Code Enforcement.

Section 4. Definitions.

- C. "Noise"** means a sound or vibration that annoys or disturbs a human or which causes or tends to cause an adverse psychological or physiological effect on humans; loud or offensive disturbing sounds or vibrations. This term shall be used synonymously with "**sound.**"
- G. "Unprovoked"** means that the complaining witness has been conducting himself or herself peacefully and lawfully and not treating animals in a menacing fashion.

Section 5. Breach of the Peace prohibited; unnecessary and excessive noises prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, raucous, excessive, unnecessary, or unusual noise. The following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of this Ordinance, but this enumeration shall not be deemed to be exclusive, namely:

- C. Radios, televisions, phonographs, recording and playback devices, or sound reproduction equipment.** The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, recording and playback devices or any other similar devices reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighbors, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or dwelling unit or at a private indoor or outdoor venue at which such machine or device is operated and who are voluntary listeners thereto.

The operation of any aforementioned devices **between the hours of 10:00 pm until 7:00 am on Sunday through Thursday, 11:00 pm and 7:00 am on Friday and Saturday**, in such manner as to be plainly audible or plainly discernible inside the complainant's chamber or dwelling unit or at a distance of one hundred (100) feet or more from the source property line shall be prima facie evidence of a violation of this Ordinance

- G. Exhausts.** The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle, except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom is prohibited.
- K. Animals.** The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, **habitual or long continued noise which is plainly audible across the property line of the animal owner, lasting 30 minutes or more while the animal is unprovoked**, shall be prima facie evidence of a violation of this Ordinance. For purposes of this sub-section, **a citation may be issued when two (2) or more complaining witnesses who reside in two different chambers or dwelling unit(s) complete sworn affidavits alleging the**

disturbance of the peace. A citation may also be issued when an enforcement officer witnesses the violation. This provision shall not apply to properly zoned, licensed and permitted kennels.

M. Domestic Power tools and landscaping equipment. Between the hours of 9:00pm until 7:00am daily, it shall be unlawful to operate a noise-producing domestic power tool or similar tool which is used to maintain the property or used at a residence, so that excessively loud or raucous noise travels across any residential real property line. All such equipment shall be properly muffled and maintained in working order so as not to create excessive and unnecessary noise.

Section 6. Exemptions.

The following uses and activities shall be exempt from noise level regulations as herein described:

- A. Noises resulting from any authorized emergency vehicle** when responding to an emergency call or acting in time of emergency. All noises from official public service vehicles or from public service activities, including but not limited to; Solid Waste Collection, Utility Maintenance, Road and Bridges construction or repair. Private Contractors' vehicles and activities which are doing public service business with St. Johns County or other official local governments shall also be exempt. Nothing herein shall be deemed to change any franchise agreement or contract.
- H. Noises from all equipment tests required by law, so long as they are conducted between the hours of 8:00 a.m. and 5:00 p.m.,** and the duration of the test is the minimum recommended by the manufacturer of the equipment. This provision also applies to the testing/exercising of emergency generators.

Section 9. Enforcement.

- A.** This Ordinance is enforceable by the law enforcement agency which takes the complaint, including the St. Johns County Sheriff, Division of Animal Control and Code Enforcement.
- B.** For the purpose of determining and classifying any noise as one which is declared unlawful and prohibited by this Ordinance, the enforcement agent shall apply the measurement techniques provided above in Section 3, Measurement of Sound to determine if the standards set forth in Section 5 Breach of Peace Prohibited; Unnecessary and Excessive Noises Prohibited have been violated.
- C.** The following procedures shall be followed by the enforcement agent when enforcing this Ordinance:
 1. The appropriate County enforcement agent shall investigate and determine if any noise is in violation of the specific noise prohibitions provided in Section 5.
 2. If a noise level is found to be in violation of this Ordinance, the appropriate enforcement agent shall give warning to the person responsible for the sound. The warning shall advise the person of the violation and of the possible penalty if the person fails to eliminate the sound or reduce the sound so that it is not plainly audible or plainly discernible.
 3. The person receiving the warning shall have a reasonable time to comply with the warning. Absent special circumstances, a reasonable time is 15 minutes.
 4. For the purposes of this Ordinance, it is sufficient warning for all prohibited noises if the person responsible for such noise has been warned of, or cited for, one or more offending noises of the same type within the previous 60 days, or in the case of a business, in the time period since ownership of the business changed, whichever is less.
 5. If the noise is not eliminated or is not reduced to allowable limits within a reasonable time after the warning, or if the noise or sound reoccurs after warning and abatement, the person so warned and not complying shall be cited for a violation of this Ordinance as set forth in the Citation Procedures below.

St. Johns County Government

Citizen's Guide to Understanding Housing Code (<http://www.sjcfcl.us/CodeEnforcement/HousingCode.aspx>)

Health and Safety

Inhabited buildings must be maintained and kept in a safe and sanitary condition. Devices and safeguards required by the Code in effect when the building was built, repaired, or modified ***must also be maintained in good working order by the owner or the tenant.***

Structure Interior and Exterior

Exterior walls and roofs must be free of defects that admit water or dampness to the interior ***and must be kept in good repair to prevent leaks.***

Sanitation

It is unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises for the open storage of any inoperable motor vehicle, ice box, refrigerator, stove, glass, building material, building rubbish, or similar items. It is the responsibility of every such owner or occupant to keep the premises and yard of residential property clean and remove from the premises as listed above, ***including but not limited to weeds, dead trees, trash, garbage, etc.***

Every occupant of a single dwelling building (and every owner of a building containing two or more dwelling units) ***is responsible for the extermination of insects, rodents, or other pests within the building or premises.***

St. Johns County Government

Land Development Code May 4, 2021

Section 2.02.04.B.13. Garage, yard, patio and apartment sales are specifically permitted, as an Accessory Use, in all residential districts. **Such sales shall be limited to one (1) during each six (6) month period, for a duration not to exceed three (3) days.**

Section 2.02.04.B.9 Home Office, which shall be defined as Home Occupation consisting of a private office of a practitioner of a recognized profession, business or trade which does not involve in office contact with clients or the public shall be considered an allowable Accessory Use within all residential districts as well as any other district not allowing the Use as a allowable principal Use, subject to continuing compliance with the following criteria.

- a. No person shall be engaged in the conduct of the Home Office unless such person resides on the premises and that the premises shall be the primary residence for each of the persons engaged in the occupation.
- b. The Use of the premises for the Home Office shall be clearly incidental and subordinate to its Use for residential purposes by its occupants and shall, under no circumstances, change the residential character thereof.
- c. There shall be no change in the outside appearance of the Building or premises or other visible evidence of the conduct of the Home Office.
- d. No one shall call upon the premises in connection with the Home Office and no traffic shall be generated by the Home Office in a greater volume than the traffic typical in the subject residential neighborhood.
- e. There shall be no flammable or hazardous material stored on premises and no equipment or process shall be used in the Home Occupation which creates noise, vibration, glare, fumes, odors or electrical interference off the Lot.
- f. The activities of the Home Office shall occur entirely within the Dwelling Unit, excluding Accessory Structures such as garages, carports and sheds.
- g. The Home Office shall not occupy more than twenty-five percent (25%) of the gross Floor Area of the Dwelling Unit, exclusive of the area of an open porch or attached garage or similar space not suited or intended for occupancy as living quarters.
- h. Pick up or deliveries of any kind required by and made to the premises of the Home Office shall not exceed one business delivery per day.
- i. Any supplies stored on the premises shall be for the purpose of maintaining and operating the Home Office.
- j. The physical address of the Home Office shall not be advertised and no signage of any kind be placed on the Building or property identifying the Home Office Use.
- k. Home Offices not strictly conforming to all of the outlined criteria herein shall not be considered a Home Office and shall only be considered in accordance with the Home Occupation Special Use provisions contained in Part 2.03.00 of this Code.
- l. The Home Office shall be open to inspection by St. Johns County inspectors upon reasonable notice to occupants and at reasonable times.

m. No person shall receive an occupational license and begin a Home Office without first executing an affidavit with the County Administrator which certifies that the Applicant.

(1) Has received a copy of, understands, and will comply with the requirements for a Home Office set forth herein.

(2) Acknowledges that the County shall have the right to reasonably inspect the premises to assure compliance.

(3) Acknowledges that a departure from the standards will constitute a Code violation and may result in a suspension or termination of the Home Office Use.

Section 2.02.04.B.18 Domestic Hens shall be considered an allowable Accessory Use in all residential zoning districts subject to a Non-DRC site plan review and continual compliance with the following:

- a. The number of hens shall not exceed five (5) unless approved under Section 2.03.06.
- b. Roosters are prohibited.
- c. Duck, geese, turkeys, peafowl, or any other poultry or fowl are not allowed under the provisions of this section of the code.
- d. Hens must be kept in a coop and pen or portable chicken tractors, and such coops and enclosures may not include residential structures or garages. The coop and enclosure must be fenced and ventilated. All hens must be secured in an enclosure during non-daylight hours; however, during daylight hours, chickens may be located in the chicken pen and/or run.
- e. Chicken coops, enclosures, pens, and tractors (whether stationary or mobile) are only permitted in the rear of the house behind the line formed by the back wall of the residence. Chicken coops, enclosures, pens, and tractors (whether stationary or mobile) shall be located no closer than fifteen (15) feet of any side or rear property lines and must be closer to the Applicant's primary residence than the neighboring residence.
- f. Chicken coops, enclosures, pens, and tractors must be property designed and constructed to provide adequate security from rodents, wild birds, and predators.
- g. Chicken coops, enclosures, pens, and tractors shall be maintained in a clean and sanitary condition at all times. Hens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.
- h. The coop, enclosure, pen, or tractor shall not be taller than six (6) feet, as measured from the existing natural grade.
- i. All stored feed must be kept in a rodent and predator-proof container.