

AN ORDINANCE REZONING FRANKLIN COUNTY, FLORIDA TO ESTBALISH ORDINANCE NO. 78-1 AND 78-2 AS A REZONING ORDINANCE, AND ADOPTING A MINIMUM LOT SIZE OF ONE ACRE THROUGHOUT FRANKLIN COUNTY.

ORDINANCE NO. 78-3

FRANKLIN COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Franklin County, Florida finds it necessary to re-adopt as a rezoning, Franklin County Ordinances 78-1 and 78-2 since said ordinances were previously adopted by the Board of County Commissioners of Franklin County, Florida, as County Ordinances, and advertised as such, but were not advertised as "rezoning" ordinances, and

WHEREAS, the Board of county Commissioners of Franklin County, Florida finds that residential development of a density greater than one residential unit per acre is unsafe and unhealthy, and will result in pollution and overcrowding, will overload storm escape routes, and will damage the land and marine environment and the seafood industry,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA, in order to protect the health, safety and welfare of the people of Franklin County, Florida:

A. Franklin County Ordinance 78-1 is hereby reordained, readopted and reestablished:

AN ORDINANCE AMENDING SECTION 523(6.), BY LIMITING MULTI-FAMILY RESIDENTIAL DISTRICT MAXIMUM HEIGHT TO 35 FEET, AND ADDING SECTIONS 467, 524, 601 and 602, ESTABLISHING A MAXIMUM BUILDING HEIGHT OF 35 FEET IN COMMERCIAL ZONES, PROVIDING THAT MULTI-FAMILY RESIDENTIAL USES IN COMMERCIAL ZONES SHALL BE SUBJECT TO BULK REGULATIONS APPLICABLE TO MULTI-FAMILY RESIDENTIAL DISTRICTS, AND THAT MULTI-FAMILY AND TRAILER PARK BUILDING APPLICATIONS BE REVEIWD BY THE FRANKLIN COUNTY PLANNING BOARD AND BOARD OF COUNTY COMMISSIONERS.

WHEREAS, existing fire control units in Franklin County would have difficulty providing evacuation and fire protection in structures exceeding 35 feet in height, and

WHEREAS, bulk requirements should be established for commercial districts multi-family dwellings in order to prevent over-crowded and dense development, and

WHEREAS, in order to provide for the health, safety and welfare, of the people of Franklin County, Florida, it is necessary that Franklin County Zoning Ordinance be amended as follows:

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA:

The Franklin County Zoning Code is amended as follows:

1. Section 523(6.). This section is hereby repealed and deleted in its entirety: "MAXIMUM HEIGHT: Principal buildings 45 feet, except that for each one foot that the building or a portion of it sets back beyond the required front yards, one foot may be added to the height limit of such building or portion thereof, provided, however, that no building shall exceed a height of 125 feet."

2. A new Section 523(6.) is hereby added and established: "MAXIMUM HEIGHT: No building shall exceed a height of 35 feet higher than the first floor."

3. Section 600 of the Franklin County Zoning Ordinance is hereby added and established: "BULK REGULATION OF MULTI-FAMILY STRUCTURES: In all the commercial zones, multi-family dwellings in excess of 3 units shall be subject to the bulk requirements established by Franklin County Zoning Code for the R-2 Zones, including maximum height of 35 feet higher than the first floor."

4. Section 602 of the Franklin County Zoning Code is hereby added and established: "REVIEW BY PLANNING BOARD AND COUNTY COMMISSION: All building permit application for multi-family units in excess of 3 in the aggregate shall be subject to prior review by the Franklin County Planning Board and the County Commission, and shall be first presented to the Planning Board."

5. Section 524 of the Franklin County Zoning Code is hereby added and established: "REVIEW OF PERMIT APPLICATION: All building permit applications in the R-2 zone shall be subject to prior review by the Franklin County Planning Board and the County Commission before such building permit is issued."

6. Section 467 of the Franklin County Zoning Code is hereby added and established: "MOBILE HOMES, TRAILERS AND TRAILER PARKS:

All applications for building permits for the parking or installation of more than one mobile home, trailer or travel trailer will be subject to prior review of the Franklin County Planning Board and the Franklin County Commissioners, in the same manner as subdivisions."

B. Franklin County Ordinance 78-2 is hereby reordained, readopted and reestablished:

AN ORDINANCE AMENDING THE FRANKLIN COUNTY ZONING ORDINANCE, PROVIDING THAT R-2 MULTI-FAMILY DISTRICT USES NOT BE PERMITTED IN THE HIGHWAY COMMERCIAL (C-2) AND TOURIST COMMERCIAL (C-3) DISTRICTS, THROUGHOUT THE COUNTY, AND PROVIDING THAT R-1/MH MOBILE HOME USES NOT BE PERMITTED ON BARRIER ISLANDS.

ORDINANCE 78-2

FRANKLIN COUNTY, FLORIDA

WHEREAS, the Highway Commercial (C-2) District in Franklin County, Florida is intended to provide shopping areas, and

WHEREAS, the Tourist Commercial District (C-3) in Franklin County is intended to provide accommodations for tourists and other travelers, and

WHEREAS, use of R-2 Multi-Family District use in the Highway Commercial and Tourist Commercial Zones would result in excessive density, is not compatible with the Highway Commercial and Tourist Commercial Zones, and should be removed from these Commercial Zones; and R-1/MH Mobile Homes uses on barrier islands have been prohibited by a previous ordinance of this County, and

WHEREAS, in order to promote the health, safety and welfare of the people of Franklin County, it is necessary that the Franklin County Zoning Ordinance be amended by removing the R-2 Multi-Family District use from the Highway Commercial and Tourist Commercial Zones, and removing the R-1/MH Mobile Homes use from barrier islands,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA, that paragraph 16 of Section 621 and paragraph 8 of Section 631, of the Franklin County Zoning Code are hereby repealed, and new paragraphs substituted therefore, to-wit:

621 16. " Any use permitted in R-1 Single-family, R-1/MH Mobile Home, and R-1/HI Home Industry, except that R-1/MH Mobile Home use shall not be permitted on barrier islands."

631 8. " All uses in R-1 Single-family, R-1/MH Mobile Home, R-1/HI Home Industry, except that R-1/MH Mobile Home use shall not be permitted on barrier islands."

C. Section 463 of the Franklin County Zoning Code is repealed and a new Section 463 is ordained:

463. Water and Sewage Requirements: In any residential district where approved public water and public sanitary sewer are accessible, the lot area shall be at least one acre and the lot width at building line at least One Hundred feet; provided that where either does not exist, the Board of County Commissioners may require such lots to be of such greater size as may be necessary to insure that pollution does not occur.

D. Section 513 of the Franklin County Zoning Code is amended by repealing subparagraph 1 thereof:

"1. Lot area: 10,000 square feet."

and a new subparagraph 1 of Section 513 is ordained:

"1. Lot area: One acre."

This Ordinance adopted in open regular meeting this 17<sup>th</sup> day of August, 1978, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law in the Apalachicola Times, a newspaper of general circulation within the County.

This Ordinance has also been advertised as a rezoning according to Section 125.66, Florida Statutes, as a rezoning of more than 5% of the County.

THE BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, FLORIDA.

ATTEST

Robert H. Howell  
Clerk

BY:

Cecil Yarnes  
Cecil Yarnes

(SEAL)

