

Sec. 134-23. Applicability.

- (a) Sexually oriented businesses shall be allowed in land per chapter 130, article III, with the following restrictions:
- (1) No sexually oriented business shall be located on property used for residential purposes.
 - (2) No sexually oriented business shall be located adjacent to a place of worship, a public park, or a school.
 - (3) No sexually oriented business shall be located adjacent to a business.
 - (4) Sexually oriented businesses shall operate in such a manner that a person at the establishment may not observe sexual activities.
 - (5) Signs for a sexually oriented business shall not display sexual activities.
- (b) For the purposes of subsection (a) of this section, distances shall be measured by straight line measurement from property line to property line, using the closest property lines or the parcels of land involved.

(Code 1979, § 9.5-437; Ord. No. 027-2002, § 1)

Sec. 134-24. Nonconforming uses.

- (a) A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a resident, a property used as a place of worship, a park, or a school within 500 feet of it. This provision applies only to a legally established sexually oriented business, not to any sexually oriented business that had been terminated for any reason or discontinued for a period of 90 days or more subsequent to the location of the residential use, place of worship, park or school.
- (b) Within one year of the effective date of the ordinance from which this section is derived, all existing sexually oriented businesses shall conform to the provisions of this article, or the use shall be terminated.

(Code 1979, § 9.5-438; Ord. No. 027-2002, § 1)

Secs. 134-25—134-51. Reserved.**ARTICLE III. ARCHAEOLOGICAL, HISTORICAL OR CULTURAL LANDMARKS****Sec. 134-52. Purpose.**

It is hereby declared a matter of public policy that the protection and enhancement of properties of historical, cultural, archeological, and architectural merit are in the interests of the health, prosperity, and welfare of the people of the county. Therefore, this article is intended to:

- (1) Effect and accomplish the protection and enhancement of buildings, structures, improvements, landscape features, and archeological resources of sites and districts that represent distinctive elements of the county's cultural, social, economic, political, scientific, prehistoric, and architectural history;
- (2) Safeguard the county's historical, cultural, archeological, and architectural heritage, as embodied and reflected in such individual sites, districts, and archeological areas;
- (3) Foster civic pride in the accomplishments of the past;
- (4) Protect and enhance the county's attraction to visitors and thereby support and stimulate the economy;

From Donna Hanson May 2013

Details of how to become designated "Historic Tavernier"

- Don & recommend - have to get permission for all changes future

ers requesting that the board revoke the ad valorem tax exemption. The administrator must furnish the property owner with a written notice of the hearing, stating the time, date and place of the hearing, together with a written summary of the reason that the revocation is being requested, and a statement that the owner will have an opportunity to be heard and to present witnesses or offer other evidence as to why the exemption should not be revoked. The hearing before the board of county commissioners may be informally conducted. At the hearing, the county administrator (or designee) and the property owner (or designee) may present witnesses or other evidence they believe is relevant. Although the formal rules of evidence will not apply, the mayor may reject proffered testimony or evidence that is irrelevant or repetitive. Following the hearing, the board of county commissioners may, by majority vote, revoke the exemption, in which case the exemption shall no longer be in effect, or the board may determine that the events described in subsection (a)(1), (a)(2) or (a)(3) of this section did not occur or, if they did occur, were insufficient to justify revoking the exemption, in which case the exemption will remain in effect. All determinations made by the board of county commissioners pursuant to this section must be memorialized in a written resolution.

(Code 1979, § 9.5-465; Ord. No. 4-1998, § 5)

Sec. 134-86. Ad valorem tax exemption resolutions to be furnished to the property appraiser.

The clerk, on behalf of the board of county commissioners, must deliver a certified copy of each resolution granting or revoking a historic preservation ad valorem tax exemption to the property appraiser. Upon certification of the assessment roll, or recertification, if applicable pursuant to F.S. § 193.122, for each fiscal year for which this article is in effect, the property appraiser, must report the following information to the board of county commissioners:

- (1) The total taxable value of all property within the county for the current fiscal year; and
- (2) The total exempted value of all property within the county that has been approved to receive historic preservation ad valorem exemption for the current fiscal year.

(Code 1979, § 9.5-466; Ord. No. 4-1998, § 6)

Sec. 134-87. Article nonexclusive.

This article authorizes ad valorem tax exemptions for improvements to historic property and a procedure for the board of county commissioners to grant such exemptions. This article does not supersede, or in any way excuse compliance with, any county ordinance regulating the use of land or the construction, repair or renovation, of buildings, or other structures.

(Code 1979, § 9.5-467; Ord. No. 4-1998, § 7)