

ORDINANCE NUMBER: 2000-62

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF OPEN RURAL (OR)
TO COMMERCIAL HIGHWAY TOURIST(CHT);
MAKING FINDINGS OF FACT; REQUIRING
RECORDATION;AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, Kyle Fegley, Zev Cohen & Associates representing Todd Duplantis, RaceTrac Petroleum, owner of lands described herein, filed an application for zoning change dated August 8, 2000, described hereinafter, and after required notice was published a public hearing was held on the 24th day of October 2000 at 9:00 AM on said application.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Upon consideration of the application, R-00-032, known as RaceTrac @ St. Augustine, supporting documents, statements from the applicant, correspondence received by the Planning Department, recommendation of the Planning and Zoning Agency, and comments from the staff and applicant at the public hearing, finds as follows:

- a. The request for rezoning has been fully considered after public hearing pursuant to legal notice duly published as required by the law.
- b. The proposed rezoning to Commercial Highway Tourist (CHT) does not adversely affect the orderly development of St. Johns County as embodied in the Zoning Ordinance and the Comprehensive Plan.
- c. The proposed classification will not adversely affect the health, safety, and welfare of residents or workers in the area and will not be detrimental to the natural environment, development of adjacent properties, or general neighborhood.
- d. The proposed classification will accomplish the objectives, standards and criteria of the Land Development Code.
- e. The rezoning is consistent with the development of property in the area and is compatible with the desired future development of the area.
- f. The proposed intensity of development is consistent with the uses allowable by the Comprehensive Plan designation.

Ordinance Book 26 Page 283

Direct - P. Augustine
Min + Rec

3

3

SECTION 2. Pursuant to the application of the zoning classification of Open Rural (OR) on the following described land:

See Exhibit A

is hereby changed to Commercial Highway Tourist..

SECTION 3. Except to the extent that they conflict with specific provisions of this Ordinance, all building code, Land Development Code, and other land use and development regulations of St. Johns County, including, without limitation, any Concurrency Management Ordinances and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development.

SECTION 4. This Ordinance shall take effect upon receipt by Secretary of State.

SECTION 5. This Ordinance shall be recorded by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official records of St. Johns County, Florida.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas filed in the office of Planning by the Planning Director or his designee.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 24th DAY OF October 2000.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Jamie D. Bryant
Its Chair

ATTEST: CHERYL STRICKLAND, CLERK

BY: Patricia A. Grande
Deputy Clerk



EFFECTIVE DATE: 11-01-2000

K:\PNZSHARE\ORDFILES\FORMS\ORDREZON.FRM

RACETRAC SERVICE STATION

© ST. AUGUSTINE

Exhibit "A"

LEGAL DESCRIPTION

TOGETHER WITH THIS PARCEL TO BE REZONED CHT

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 8, BEING THE NORTHEAST CORNER OF SECTION 7 OF SAID TOWNSHIP AND RANGE, SAID CORNER BEING AS INDICATED ON STATE ROAD DEPARTMENT RIGHT OF WAY MAP FOR STATE ROAD NO. 9 F.I.95, ST. JOHNS COUNTY, SECTION 78080-2405 SHEET NO. 9; THENCE WESTERLY, ON THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 116.29 FEET TO THE CENTERLINE OF STATE ROAD NO. 9 F.I.95; THENCE SOUTH 14 DEGREES 35 MINUTES 20 SECONDS EAST, ON SAID CENTERLINE, TO THE CENTERLINE OF STATE ROAD 16; THENCE SOUTH 73 DEGREES 56 MINUTES EAST, ON SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 610.59 FEET TO A POINT OPPOSITE THE END OF LIMITED ACCESS RIGHT OF WAY FOR SAID STATE ROAD NO. 9, F.I.95; THENCE SOUTH 16 DEGREES 04 MINUTES WEST 68 FEET TO THE SOUTH RIGHT OF WAY LINE FOR SAID STATE ROAD NO. 16 AT THE END OF SAID LIMITED ACCESS RIGHT OF WAY; THENCE SOUTH 73 DEGREES 56 MINUTES, ON SAID SOUTH RIGHT OF WAY LINE FOR STATE ROAD NO. 16, A DISTANCE OF 226.28 FEET TO THE POINT OF A CURVE TO THE LEFT WITH A RADIUS OF 5797.58 FEET; THENCE ON SAID CURVE TO THE LEFT AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 2 DEGREES 28 MINUTES 26 SECONDS, AN ARC DISTANCE OF 250.29 FEET TO A POINT AT THE NORTHWEST CORNER OF PARCEL 1; THENCE CONTINUING ON SAID CURVE TO THE LEFT AND ON SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 38 MINUTES 34 SECONDS, AN ARC DISTANCE OF 65.08 FEET; THENCE CONTINUING ON SAID RIGHT OF WAY LINE SOUTH 77 DEGREES 03 MINUTES EAST 85.29 FEET; THENCE SOUTH 2 DEGREES 09 MINUTES EAST 200 FEET; TO THE POINT OF BEGINNING; THENCE SOUTH 2 DEGREES 09 MINUTES EAST 50.00 FEET; THENCE NORTH 76 DEGREES 54 MINUTES 30 SECONDS WEST 150.36 FEET; THENCE NORTH 2 DEGREES 09 MINUTES WEST 50.00 FEET; THENCE SOUTH 76 DEGREES 54 MINUTES 30 SECONDS EAST 150.36 FEET; TO THE POINT OF BEGINNING; AND CONTAINING 7254 SQUARE FEET, MORE OR LESS.

FIELD MEASURED: 0.1669 ACRES, OR 7269 SQUARE FEET MORE OR LESS.

R-00-032 Racetrac Service

ORDINANCE BOOK 26 PAGE 285

ZC 98170

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared Linda Y. Murray who on oath says that she is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement, being a

NOTICE OF PROPOSED REZONING

in the matter of # R 00 032

RACETRAC SERVICE STATION

in the Court, was published in said newspaper in the issues of

OCTOBER 9, 2000

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 10TH day of OCTOBER 2000,

by Linda Y. Murray who is personally known to me or who has produced PERSONALLY KNOWN as identification.

(Signature of Notary Public)



Zoe Ann Moss MY COMMISSION # CC641814 EXPIRES August 22, 2001 BONDED THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

ORDINANCE BOOK 26 PAGE 286

COPY OF AD

REZONING IS HEREBY GIVEN a public hearing will be held on the 24th day of October, 2000 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditor's County Administration Building, 4020 Lewis Speedway, (County Road 16A), and US1 North, St. Augustine, Florida, to consider rezoning of land located at 2335 State Road 16 more particularly described as follows: EXHIBIT "A" RACETRAC SERVICE STATION AT ST. AUGUSTINE TOGETHER WITH THIS PARCEL TO BE REZONED CHT A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 8 TOWNSHIP 7 SOUTH RANGE 29 EAST ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 8 BEING THE NORTHEAST CORNER OF SECTION 7 OF SAID TOWNSHIP AND RANGE SAID CORNER BEING AS INDICATED ON STATE ROAD DEPARTMENT RIGHT OF WAY MAP FOR STATE ROAD NO. 9 F.1.95, ST. JOHNS COUNTY, SECTION 78080-2405 SHEET NO. 9; THENCE WESTERLY ON THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 116.29 FEET TO THE CENTERLINE OF STATE ROAD NO. 9 F.1.95; THENCE SOUTH 1 DEGREES 35 MINUTES 20 SECONDS EAST, ON SAID CENTERLINE, THE CENTERLINE OF STATE ROAD 16; THENCE SOUTH 73 DEGREES 36 MINUTES EAST, ON SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 610.59 FEET TO A POINT OPPOSITE THE END OF LIMITED ACCESS RIGHT OF WAY FOR SAID STATE ROAD NO. 9 F.1.95; THENCE SOUTH 11 DEGREES 04 MINUTES WEST 68 FEET TO THE SOUTH RIGHT OF WAY LINE FOR SAID STATE ROAD NO. 16 AT THE END OF SAID LIMITED ACCESS RIGHT OF WAY; THENCE SOUTH 73 DEGREES 36 MINUTES, ON SAID SOUTH RIGHT OF WAY LINE FOR STATE ROAD NO. 16, A DISTANCE OF 226.28 FEET TO THE POINT OF A CURVE TO THE LEFT WITH A RADIUS OF 5797.58 FEET; THENCE ON SAID CURVE TO THE LEFT AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 28 DEGREES 28 MINUTES 29 SECONDS, AN ARC DISTANCE OF 250.29 FEET TO A POINT AT THE NORTHWEST CORNER OF PARCEL 1; THENCE CONTINUING ON SAID CURVE TO THE LEFT AND ON SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 00 DEGREES 38 MINUTES 34 SECONDS, AN ARC DISTANCE OF 45.08 FEET; THENCE CONTINUING ON SAID RIGHT OF WAY LINE SOUTH 77 DEGREES 03 MINUTES EAST 83.29 FEET; THENCE SOUTH 09 DEGREES 09 MINUTES EAST 200 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 09 DEGREES 09 MINUTES EAST 50.00 FEET; THENCE NORTH 30 DEGREES 54 MINUTES 30 SECONDS WEST 150.34 FEET; THENCE NORTH 2 DEGREES 09 MINUTES WEST 50.00 FEET; THENCE SOUTH 71 DEGREES 54 MINUTES 30 SECONDS EAST 150.34 FEET; TO THE POINT OF BEGINNING; AND CONTAINING 7254 SQUARE FEET, MORE OR LESS. FIELD MEASURED: 0.1669 ACRES OR 7261 SQUARE FEET MORE OR LESS.

The aforementioned property is currently zoned Open Rural (OR) and it is proposed that it be rezoned to Commercial Highway Tourist (CHT).

The application for rezoning, FILE NUMBER R-00-032 (Racetrac Service Station), is maintained in the Growth Management Services, Planning Division, County Administration Building, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing, and all interested parties shall be granted an opportunity to be heard at said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact David Holstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

It is anticipated that one or more St. Johns County Commissioners may attend and participate in the meeting.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the County Commissioners and Planning & Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County, Planning Department, P.O. Drawer 349, St. Augustine, Florida, 32095.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY,
FLORIDA
BY: James Bryant, its
Chairman
FILE NUMBER: R 00 032,
Racetrac Service Station
L2801 Oct 9, 2000

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

November 1, 2000

Honorable Cheryl Strickland
Clerk to Board of Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 27, 2000 and certified copies of Ordinance Nos. 2000-59 through 2000-62, which were filed in this office on November 1, 2000.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

ORDINANCE BOOK 26 PAGE 266

BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us