

ST. JOHNS COUNTY, FLORIDA  
ORDER  
REZONING/EXCEPTION/VARIANCE

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NAME OF APPLICANT

APPLICATION NUMBER

Ruth Powell  
c/o Kathryn Edwards  
2400 North Ponce De Leon Blvd.  
St. Augustine, Florida 32084

R-89-014

DECISION OF  
COUNTY COMMISSION

GRANTED

GRANTED WITH  
CONDITIONS

DENIED

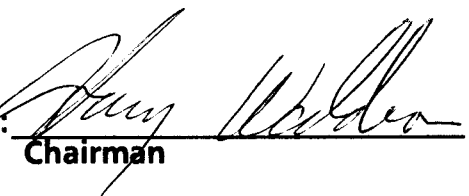
CONDITIONAL ORDINANCE NO. --

\*See Attached Copy of Minutes

DATE OF COMMISSION ACTION: MAY 23, 1989

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BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Connie E. McDaniel  
DEPUTY CLERK

(Pursuant to St. Johns County Zoning Code, Section 11-9-5b: failure to exercise an exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board, shall render the exception or variance invalid and all rights granted thereunder shall terminate)

IS HEREBY CHANGED TO: CG

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Gas shall be stored within a double walled tank with interior sensors and exterior monitors.
2. Accel-decel lanes will be provided along U.S. 1 and Stokes Landing Road if permitted by D.O.T.
3. Access shall be limited to one access point along U.S. 1 and one access point along Stokes Landing Road - designed in accordance with D.O.T. County Standards.
4. A site plan including signage will be submitted for Staff review and approval prior to any land clearing or building construction.
5. A 10 foot natural green buffer shall be provided, along with the normally required fencing, on the easterly boundary of the property to adequately screen the subject use from residential uses. A retention pond will be provided as approved and according to county Engineering Department requirements.
6. All structures shall be limited to a maximum of 35 feet.
7. Intention to restrict signage to two signs, (one free standing, two sided, 8 feet x 16 feet each side) and one building sign, with no flags, banners, etc.
8. There shall be a 25 feet vertical building and gas island setback from the right of way of US 1 and Stokes Landing Road.
9. Property shall be restricted for the sole use of a convenience store with gas pumps.

developer would extend the mains to their area. Jones stated by June 15, 1989 staff will know exactly where they stand on all the commitments whether they come from the City or DER, allowing them to over-commit and modify their pumps; however, Jones stated he would like to commit no more than they can develop or build out in one year, thus by the one year time frame the new plant will be on line with much more capacity. Jones expects to have approximately 600-800 commitments and possibly 1,000 to be able to deal with developers on. Discussion followed on septic tanks and wetlands. Joca stated the final surveying has not been done on the wetlands area or uplands area. Discussion followed. Conditions were modified and added to with the agreement of Joca. Upon motion by Maguire, seconded by Herold, carried 5/0, to approve Ordinance No. 89-23 with conditions.  
(5/23/89 - 9 - 3.1629)

Jerry Sizemore, H. A. Durden, reported on Item #15 of the Regular Agenda, page 7 (3.0122) of these minutes; Sizemore asked for continuation until June 13. Upon motion by Brubaker, seconded by Bailey, carried 5/0, to continue the Final plat for Marsh Pointe at Marsh Landing Unit 16, Sawgrass, June 13, 1989 at 1:30 p.m.  
(5/23/89 - 9 - 3.1666)

Hearing on R-89-013/Brooks and Helen Brown, rezoning from OR to RS-3 with possible conditions, located on west side of A1A, south of and adjacent to Barrataria Island Development, Ordinance No. 89-24; proof of publication of notice of hearing on R-89-013 was received having been published in The St. Augustine Record on April 20, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. John Bailey, 780 No. Ponce de Leon Boulevard requested rezoning with conditions. Upon motion by Herold, seconded by Maguire, carried 5/0, to approve Ordinance No. 89-24 with conditions.  
(5/23/89 - 9 - 3.1738)

Hearing on E-89-011/Appeal/The Crescent Group Inc., appealing the denial for placement of on-site sign and variance to no lighting as required for signs in residential districts. Proof of publication for hearing on E-89-011 was received having been published in The St. Augustine Record on April 19, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Michael Trainor, 22 Cathedral Place representing the Crescent Group request an exception in an RG-2 area to move an existing sign 15' west of the previous location and for a variance to allow lighting for the sign; the property is located at 3rd street, Crescent Beach Ramp, a/k/a Sand Castle II Motel. Discussion followed. (3.2134) Alice Murphree, 6896 "A" Avenue, Crescent Beach submitted 11 letters to the Clerk opposing this item as well as photos were submitted. (3.2493) John Robinson, 3200 A1A South does not know where there would be a good place to place the sign. (3.2554) Clyde Murphree, 6896 "A" Avenue commented. Upon motion by Maguire, seconded by Herold, carried 5/0, to deny E-89-011.  
(5/23/89 - 9 - 3.2641)

Hearing on R-89-014/Ruth Powell, rezoning from IW to CG/with exception also applied for gasoline tanks (self-serve), the rezoning also contains possible conditions; located U.S. #1 North at Stokes Landing Road. Proof of publication of notice of hearing on R-89-014 was received having been published in The St. Augustine Record on April 22, 1989; upon motion by Brubaker, seconded by Bailey, carried 5/0, was ordered filed. Katherine Edwards, 2400 No. Ponce de Leon Boulevard representing Mrs. Powell request rezoning. Deputy Clerk read the conditions to which Edwards to the conditions. Discussion followed regarding the proximity of the tanks to the drinking water supply. (3.3092) Rita Cornwell, 6810 U.S. 1 North commented in opposition to the gas tanks. Cornwell submitted photos and a petition with 196 signatures in opposition to the installation of gasoline tanks on the property at Stokes Landing Road and U.S. #1 North; Charley T. Powell, Jr, son of applicant commented on a discrepancy of petition with 196 petitions. Glenda Ryder, 336 Stokes Landing Road commented in opposition to the gas pumps; Catherine Edwards commented on gas stations versus the number of reports regarding accidents; Herold expressed concern with placing gas tanks; Napier reported that this conditional rezoning and the exception to it has been granted by the PZA subject to the rezoning; Upon motion by Herold, seconded by Bailey, carried 3/2, Brubaker and Waldron dissenting, to deny the rezoning of R-89-014/Ruth Powell  
(5/23/89 - 9 - 3.3788)

Continued hearing on R-89-009/James Dimsdale - Lyndale Investments; rezoning from OR to RS-2 with conditions; located on north side of Watson Road west of FEC, adjacent to property of R-89-008, Ordinance No. 89-25. (4.0123) J. E. Dimsdale, 107 May Street requested rezoning from OR to RS-2 with conditions. Deputy Clerk read conditions into the minutes to which Dimsdale agreed to the conditions; Upon motion by Brubaker, seconded by Herold, carried 5/0, to approve Ordinance No. 89-25.  
(5/23/89 - 9 - 4.0074)

Alice Murphree interjected at this point on E-89-011/Appeal/The Crescent Group Inc., questioning what the time limit on this denial of petition is; Napier responded

that theoretically the county could site the applicant tomorrow for having an illegal sign up however, normally they are given 10 days to remove it; upon motion by Herold, seconded by Bailey, carried 5/0, to instruct The Crescent Group Inc., to remove sign by June 15, 1989.

(5/23/89 - 10 - 4.0374)

Waldron stated for information purposes Item #9 from the Consent Agenda this morning was pulled as there is work which has to be done on this item.

(5/23/89 - 10 - 4.0388)

Sisco reported on the garbage assessment ordinance which will require a great deal of coordination on the part of county staff, Bucky Powers staff including our computer staff. Sisco stated that Powers has indicated to him that it is absolutely imperative that all persons involved with the ordinance's implementation have a meeting to get an idea of what tasks each will perform. Discussion followed with regard to the true capability of computer hardware and software with regard to Ludy Beaver's staff.

(5/23/89 - 10 - 4.0629)

Maguire submitted the name of individual, Charles E. Pellicer, he has chosen to represent him on the study committee for different forms of government

(5/23/89 - 10 - 4.0649)

Charles T. Powell, Jr., 478 Coopersville Road asked for a time frame to appeal rezoning on R-89-014/Ruth Powell. Sisco responded that this issue can be appealed in Circuit Court within 30 days, with the possibility the Circuit Court will overturn the decision made by the BCC or you can ask for a waiver of time to reply; Maguire suggested a time waiver be accepted until a new application can be issued. Upon motion by Maguire, seconded by Bailey, carried 5/0, to waive time limit to reapply.

There being no further business to come before the Board the meeting recessed until May 25, 1989 at 10:00 a.m. There were present, Maguire, Brubaker, Waldron, Bailey, Herold, and McDaniel. Also present were: Allen Powers, Property Appraiser, Carl "Bud" Markel, Clerk of Court, Penny Hallyburton, Supervisor of Elections, Cheryl Kent, Chief Deputy Clerk, Henry Hendrix, Finance Director, Mr. White from the Courthouse Committee.

(5/25/89 - 10 - 5.371)

Waldron stated the purpose of the meeting today was to follow-up on the last public hearing regarding the courthouse issue, whereby staff and Dr. Sobel was instructed to attain a point on size, financing and whatever questions that were brought up at the previous meeting.

(5/25/89 - 10 - 5.385)

The BCC decided at this point to take care of Item #15 from the Regular Agenda on Tuesday; Final plat for Marsh Pointe at Marsh Landing Unit 16, Sawgrass, Resolution No. 89-116. All the paperwork has been submitted with regard to this item; upon motion by Bailey, seconded by Brubaker, carried 5/0, to approve Resolution No. 89-116.

#### RESOLUTION NO. 89-116

#### RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

(5/25/89 - 10 - 5.391)

Waldron reported on issue by DNR writing the rule re driving on the beach, which the major request by St. Johns County was that DNR allow the county to fly the beaches to take pictures. Discussion followed.

(5/25/89 - 10 - 5.418)

Dr. Sobel made a presentation on ~~St.~~ St. Johns County Facilities Study in outline form. An outline of the study was submitted and are enclosed with a copy of these minutes. The following projected costs identify several scenarios to be reviewed, evaluated and reconciled with appropriate funding.

Option A: County Administrative Facility - 48,331 sq. ft. - this includes construction of space needs to 2015, finishing the needs for 2005 and shell remainder; for Constitutional offices - 56,357 sq. ft. - this includes construction of space needs to 2015, finishing the needs for 2005 and shell remainder; Lastly, the Courts and related offices - 80,224 sq. ft. - this includes construction of space needs to 2015, finishing the needs for 2005 and shell remainder.

Option B: County Administrative Facility - 44,400 sq. ft. - including construction and finishing space needs to 2005 and space in existing building to be renovated; Courts and Constitutional Offices - 74,678 sq. ft. - this includes construction space needs to