

RESOLUTION NO. 86- 69

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA, RELATING TO
PREVIOUS RESOLUTION OF THE BOARD AS TO THE
SALE OF ALCOHOLIC BEVERAGES IN CERTAIN AREAS

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, passed on February 28, 1957, a Resolution relating to zoning of certain areas against the sale of alcoholic beverages in certain areas and under certain conditions; and,

WHEREAS, said Resolution, among other things, prohibited the sale of alcoholic beverages within 3000 feet distance from an established alcoholic beverage vendor; and,

WHEREAS, the passage of said Resolution was at a time when St. Johns County was not totally zoned; and,

WHEREAS, at the present time the effect of the proximity of a new vendor's place of business to an existing vendor and to the surrounding neighborhood in general will be considered by the St. Johns County Planning and Zoning Agency on an application to them for a zoning exception; and,

WHEREAS, Goodbee's Restaurant is located in the Red Carpet complex at I-95 and SR-16 within the property legally described in Exhibit "A" attached to this Resolution and by this reference made a part hereof; and,

WHEREAS, Goodbee's Restaurant desires to file an application for a zoning exception for the sale of alcoholic beverages as a

part of the operation of the restaurant located on the above-described premises; and,

WHEREAS, an application for zoning exception to permit the sale of alcoholic beverages at the said property which is in an existing Commercial Highway Tourist (CHT) zoning district will not be accepted because of hereinbefore described Resolution passed on February 28, 1957;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, IN REGULAR AND LAWFUL SESSION, AS FOLLOWS:

SECTION ONE. The Resolution of this Board relating to prohibiting the establishment of an alcoholic beverage vendor within 3000 feet of an existing vendor shall not prohibit the filing and processing of the application of GOODBEE'S RESTAURANT, or their tenant or successor in interest, for an exception to permit a facility for retail sale of all alcoholic beverages for on premises consumption on the property described in Exhibit "A" attaches to this Resolution, which is in an existing "Commercial Highway Tourist" Zoning District, and the issue as to whether to waive the effect of said Resolution shall be considered and decided by the Planning and Zoning Agency in the formal hearing on the zoning exception application of GOODBEE'S RESTAURANT, of their tenant or successor in interest, before the ST. JOHNS COUNTY PLANNING AND ZONING AGENCY, and if appealed, by this Board.

SECTION TWO. This Resolution shall apply only to the above-designated zoning application and property.

SECTION THREE. This Resolution shall be come effective upon its passage.

PASSED AND ADOPTED this 10 day of June,
1986.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Francis W. Brubaker
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent
Deputy Clerk

EXHIBIT "A"

GOODBEE'S RESTAURANT located at I-95/SR-16, within the Red Carpet complex which is more particularly described as follows:

A tract of land in the Northwest one-quarter (N.W.1/4) of Section 8, Township 7 South, Range 29 East, St. Johns County, Florida and more fully described as follows: Commence at the intersection of the centerline of State Road No. 9 (Interstate 95) with the centerline of State Road No. 16 as shown on the Right-of-Way Maps of State Road No. 9; thence South $73^{\circ} 56'$ East 96.82 feet along said centerline of State Road No. 16 to a point on the West line of Section 8, Township 7 South, Range 29 East as established by Survey of D. D. Moody, the Northwest corner of Section 8 being North $0^{\circ} 16' 24''$ West 131.1 feet from this intersection point; thence continue South $73^{\circ} 56'$ East 413.77 feet along said centerline of State Road No. 16; thence South $16^{\circ} 04'$ West 68 feet; thence South $73^{\circ} 56'$ East 100 feet to the end of the limited access right-of-way; continuing thence South $73^{\circ} 56'$ East 50 feet to a point where the common boundary between the land of Grantor and land now or formerly of Shell Oil Company intersects the right-of-way of State Road No. 16, said point hereinafter referred to as "Point A" and being the point of beginning for the property herein conveyed; thence South $16^{\circ} 04'$ West 200 feet; thence South $73^{\circ} 56'$ East 265.85 feet; thence South $2^{\circ} 09'$ East 230 feet; thence South $87^{\circ} 50' 26''$ West 364.29 feet to a point on the East right-of-way line of State Road No. 9 (Interstate 95); thence North $5^{\circ} 35' 20''$ West 458 feet; thence North $41^{\circ} 42' 19''$ East 128.85 feet; thence South $73^{\circ} 56'$ East 150 feet to the point of beginning.