

**ORDINANCE NO. 2008- 23**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 200 ACRES OF REAL PROPERTY LOCATED BETWEEN HARTS ROAD AND US17, IMMEDIATELY ADJACENT TO HARTS ROAD AND CSX ROW FROM PLANNED UNIT DEVELOPMENT (PUD) TO INDUSTRIAL WAREHOUSE (IW); PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Harts Road LLC, owner of the real property described in this Ordinance, filed Application R08-007 for a rezoning and reclassification of the property from Planned Unit Development (PUD) to Industrial Warehouse (IW); and

**WHEREAS**, the property is the subject of a companion Future Land Use amendment to the Nassau County Comprehensive Plan CPA08-004; and

**WHEREAS**, the Planning and Zoning Board, after due notice conducted a public hearing on November 4, 2008 and voted to recommend approval of the companion rezoning request (R08-007) to the Industrial Warehouse (IW) district to the Commission; and

**WHEREAS**, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the overall Comprehensive Land Use Plan and orderly development of the County of Nassau, Florida, and the specific area; and

**WHEREAS**, public notice of this rezoning has been provided in accordance with Chapter 125, Florida Statutes and the Nassau County Land Development Code.

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

**SECTION 1. FINDINGS:** That the proposed rezoning to Industrial Warehouse (IW) is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan Policies 1.01.04, 1.02.04, 1.10.03 and 6.02.03(c).



A portion of the John Lowe Mill Grant, Section 42, Township 2 North, Range 27 East, Nassau County, Florida, being more particularly described as follows.

Begin at the Intersection of the Northerly line of Lot 1, "Wide Road Acres", according to the plat thereof recorded in Plat Book 5, Pages 404-406, of the public records of Nassau County, Florida, with the Easterly right-of-way line of Harts Road, an 80 foot right-of-way as now laid out and in use; thence along said Easterly right-of-way line the following (5) courses; (1) North 22°32'31" West a distance of 616.85 feet to the beginning of a curve concave to the East having a radius of 758.08 feet; (2) thence Northerly along the arc of said curve through a central angle of 25°51'00", an arc distance of 342.02 feet and being subtended by a chord bearing North 09°37'01" West a distance of 339.13 feet; (3) thence North 03°18'29" East a distance of 1803.37 feet; (4) thence South 89°17'53" West a distance of 10.02 feet to a point where said right-of-way transitions to a 60 foot right-of-way; (5) thence North 03°18'29" East a distance of 3625.08 feet; thence North 51°09'44" East, departing said Easterly right-of-way line, a distance of 177.53 feet; thence South 38°50'16" East a distance of 690.40 feet; thence North 51°14'34" East a distance of 567.90 feet to intersect the Westerly right-of-way line of the C.S.X. Railroad right-of-way (a transitional right-of-way); thence South 14°43'23" East, along said Westerly right-of-way line, a distance of 2073.63 feet to a point where said right-of-way becomes a 200 foot right-of-way; thence South 05°55'38" West, along said Westerly right-of-way line, a distance of 3956.58 feet to the Northeasterly corner of Lot 36, "Wide Road Acres", according to the plat thereof recorded in Plat Book 5, Pages 404-406, of the public records of Nassau County, Florida; thence South 67°27'21" West, along the Northerly line of said Lot 36, a distance of 394.32 feet to the Southeasterly corner of aforesaid Lot 1; thence North 22°31'30" West, along the Easterly line of said Lot 1, a distance of 150.08 feet to the Northeasterly corner thereof; thence South 67°28'48" West, along the Northerly line of said Lot 1, a distance of 780.46 feet to the POINT OF BEGINNING.

Less therefrom right-of-way for William Burgess Road recorded in Official Record Book 1049, Pages 1753-1755 of the public records of Nassau County, Florida.

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**SECTION 3. EFFECTIVE DATE:** This Ordinance shall become effective after filing with the Secretary of State and contemporaneously with CPA08-004 being found in compliance.

PASSED AND ADOPTED THIS 22nd DAY OF December, 2008.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY FLORIDA

  
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BARRY HOLLOWAY  
Its: Chairman

ATTEST as to Chairman's Signature:

  
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JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form and legality by the  
Nassau County Attorney:

  
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DAVID A. HALLMAN,  
County Attorney