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FILE 200518480 OR BOOK 01319 PGS 1582-1587 RECORDED 05/24/2005 13:53:10 NASSAU COUNTY, JOHN A. CRAWFORD, CLERK

ORDINANCE NO. 92 - 3

AN ORDINANCE AMENDING ORDINANCE NO. 83-19. THIS ORDINANCE RE-ZONES AND RE-CLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA FROM A PRESENT ZONING CLASSIFICATION OF COMMERCIAL, NEIGHBORHOOD (CN) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "BAXTERS RESTAURANT"; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance 83-19, an Ordinance enacting and establishing a comprehensive zoning code for the unincorporated portion of Nassau County, Florida; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibit "A" intend to develop the described property in accordance with a master plan; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibit "A" have applied for a re-zoning and re-classification of that property from COMMERCIAL, NEIGHBORHOOD (CN) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

WHEREAS, the Planning Board of Nassau County has considered said application and held public hearings on the same after due notice, and made its findings and recommendations thereon; and

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning Board

and held its own public hearings on the application after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibit "A" is suitable in location and character for the uses proposed in said application according to the criterion as set forth in Article 24 of Ordinance 83-19 of the County of Nassau;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County that the application for the Planned Unit Development is hereby approved and the land shall be re-zoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions of Article 24 of Ordinance 83-19 of the County of Nassau and further subject to the additional conditions and requirements:

Section I The Planned Unit Development concept shall be as indicated on a land use plan to be provided to the County and subject to the review process set forth in Ordinance 83-19.


Section II Owner and Description: The land re-zoned by this Ordinance is owned by ROBERT HART.

Section III Conditions: The conditions set forth as Exhibit "B" shall be made a part of this P.U.D., and the property shall be subject to said constrictions. Additional conditions may be imposed during the time that the final development plan is provided to the respective Boards.

Section IV This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's office.

ADOPTED this 13th day of January , 1992, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

By: 

Its: Chairman

Attest: 

F.J. GREESON
Its: Ex-Officio Clerk

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EXHIBIT "A"

PARCEL NO. 2

A PORTION OF LOT 4, A SUBDIVISION OF THE SOUTHERLY TWO-THIRDS OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA.

According to Plat recorded in the Public Records of said County, in Deed Book "R", Page 394.

Said portion being more particularly described as follows: Begin at a point where the Southeasterly right-of-way line of Manucy Road (a 28.0' foot R/W) formerly School Road intersects with the Westerly right-of-way line of State Road No. 105, A-1-A (a 200.0' foot R/W); and run thence South 18°-04'-40" East along said Westerly right-of-way, a distance of 283.71' feet; run thence South 51°-46'-20" West, a distance of 252.27' feet; run thence North 38°-13'-40" West, a distance of 266.34' feet to the Southeasterly right-of-way line of Manucy Road aforementioned; run thence North 51°-46'-20" East along said right-of-way, a distance of 350.0' feet to the POINT OF BEGINNING.

The portion of land thus described contains 1.841 acre, more or less.

EXHIBIT "B"

BAXTERS RESTAURANT

PLANNED UNIT DEVELOPMENT (PUD), R-91-11

STIPULATIONS TO DEVELOPMENT

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- Public water and sewer are to be provided by Southern State Utilities. The hydrants and water & sewer line location shall be approved during Final Development Review.
- Any "wet" retention areas shall be designed with the side slope not to exceed a slope of 4:1, and the design be irregular in shape in order to provide the appearance of a lake or pond. Final drainage design to be approved during Final Development Review.
- A landscape buffer shall be provided between the commercial property and surrounding residential property. In order to meet the 20% gross site acreages requirements for open space, the landscape buffers and retention lake shall be designated as "Reserved for Open Space" per Section 24.04(F). An opaque buffer shall be required between any commercial and residential land uses.
- Maintenance of the open space would be the responsibility of the owner.
- The entire project will be constructed in one phase. Construction will commence within one (1) year from the date of Final Development Plan approval.
- A 6' wide sidewalk will be required along A-1-A the width of the property. The location and design of the sidewalk will be reviewed during Final Development Plan Review.
- Right-of-way dedication will be required along Manucy Road, the length of the property. The right-of-way to be dedicated shall be 30' to the centerline of the existing right-of-way.
- The existing "Cock of the Walk" building shall be incorporated into the Final Development Plan Review.