

8.
Return to:
Joyce Bradley

ORDINANCE NO. 2001-11

AN ORDINANCE AMENDING ORDINANCE NO. 83-19, AS AMENDED. THIS ORDINANCE REZONES AND RECLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "CARTESIAN POINTE PUD"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance No. 83-19, an Ordinance Enacting and Establishing a Comprehensive Zoning Code for the unincorporated portion of Nassau County, Florida, and which Ordinance has been subsequently amended including Ordinance No. 97-19, adopted on the 28th day of July, 1997; and

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

WHEREAS, the "owner" of that certain property described in the attached Exhibit "A" has applied for a re-zoning and re-classification of that property from OPEN RURAL (OR) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

WHEREAS, the Planning and Zoning 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

REC 69.50

FILE 200512054 OR BOOK 01307 PGS 0480-0487 RECORDED 04/06/2005 09:25:28 NASSAU COUNTY, JOHN A. CRAWFORD, CLERK

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 25 of Ordinance No. 97-19 of the County of Nassau.

NOW, THEREFORE, BE IT ORDAINED this 26th day of March, 2001, by the Board of county Commissioners of Nassau County, Florida 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 25 of Ordinance No. 97-19, of the County of Nassau and further subject to the additional conditions, requirements, and findings described below:

SECTION 1. The Planned Unit Development concept shall be as indicated on the Preliminary Development Plan attached hereto as Exhibit "B". The Planned Unit Development is further subject to the requirements of Ordinance No. 97-19.

SECTION 2. Owner and Description. The land rezoned by this ordinance is owned by Augustus W. Jones, owner.

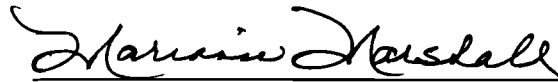
SECTION 3. Conditions. The conditions set forth as Exhibit "C" shall be made a part of this PUD, as recommended by staff, and the property shall be subject to said conditions. Further, the conditions set forth for site plan review are applicable as are Goals and Objectives of the Comprehensive Plan in existence at the date of the ordinance or as amended pursuant

to the E.A.R. based amendments as approved by the Florida Department of Community Affairs.

SECTION 4. This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

ADOPTED this 26th day of March, 2001.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



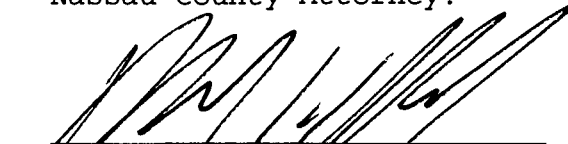
MARIANNE MARSHALL
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULVAN

EXHIBIT "A"

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 8 (SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 9);

THENCE North 89 degrees 23 minutes 51 seconds East for a distance of 481.14 feet TO A POINT;

THENCE South 06 degrees 05 minutes 06 seconds East for a distance of 301.81 feet TO A POINT;

THENCE North 89 degrees 24 minutes 48 seconds East for a distance of 199.87 feet TO A POINT;

THENCE North 89 degrees 52 minutes 20 seconds East for a distance of 215.96 feet TO A POINT;

THENCE North 89 degrees 01 minutes 46 seconds East for a distance of 198.67 feet TO THE BEGINNING OF A CURVE;

THENCE along a curve to the left having a radius of 25.00 feet and an arc length of 37.57 feet, being subtended by a chord of North 45 degrees 58 minutes 52 seconds East for a distance of 34.13 feet TO A POINT;

THENCE South 03 degrees 07 minutes 05 seconds West for a distance of 303.28 feet TO A POINT;

THENCE North 89 degrees 12 minutes 23 seconds East for a distance of 780.18 feet ALONG THE SOUTHERLY LINE OF SPRING MEADOW SUBDIVISION, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 5, PAGE 142. OF SAID PUBLIC RECORDS, TO A POINT;

THENCE North 89 degrees 10 minutes 46 seconds East for a distance of 885.05 feet ALONG THE SOUTHERLY LINE OF SPRING MEADOWS PHASE TWO, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 5, PAGE 363, OF SAID PUBLIC RECORDS, TO A POINT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF HARTS ROAD (AN 80 FOOT RIGHT-OF-WAY); THENCE South 03 degrees 14 minutes 45 seconds West for a distance of 258.88 feet ALONG SAID RIGHT-OF-WAY TO A POINT;

THENCE North 77 degrees 53 minutes 18 seconds West for a distance of 51.31 feet TO A POINT;

THENCE South 69 degrees 45 minutes 44 seconds West for a distance of 77.07 feet TO A POINT;

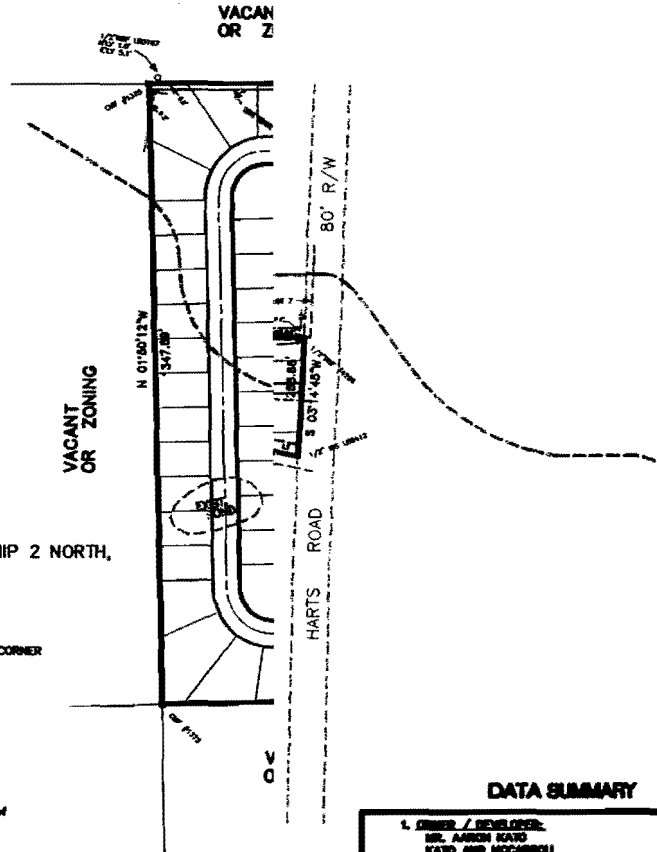
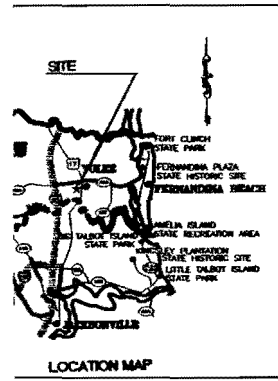
THENCE South 07 degrees 22 minutes 44 seconds West for a distance of 140.95 feet TO A POINT;

THENCE South 45 degrees 32 minutes 53 seconds West for a distance of 65.94 feet TO A POINT;

THENCE South 15 degrees 38 minutes 35 seconds West for a distance of 193.14 feet TO A POINT;

THENCE South 52 degrees 14 minutes 44 seconds West for a

EXHIBIT "B"



MAP SHOWING BOUNDARY SURVEY OF PORTIONS OF SECTION 8 AND SECTION 9, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA.

S&D PORTIONS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 8 (SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 9);

- THENCE North 88 degrees 23 minutes 51 seconds East for a distance of 481.14 feet TO A POINT;
- THENCE South 08 degrees 05 minutes 08 seconds East for a distance of 301.81 feet TO A POINT;
- THENCE North 89 degrees 24 minutes 48 seconds East for a distance of 198.87 feet TO A POINT;
- THENCE North 89 degrees 32 minutes 20 seconds East for a distance of 213.98 feet TO A POINT;
- THENCE North 59 degrees 01 minutes 48 seconds East for a distance of 198.87 feet TO THE BEGINNING OF A CURVE;
- THENCE along a curve to the left having a radius of 25.00 feet and an arc length of 31.87 feet, being subtended by a chord of North 45 degrees 58 minutes 32 seconds East for a distance of 34.13 feet TO A POINT;
- THENCE South 03 degrees 07 minutes 05 seconds West for a distance of 303.28 feet TO A POINT;
- THENCE North 88 degrees 12 minutes 23 seconds East for a distance of 780.18 feet ALONG THE SOUTHERLY LINE OF SPRING MEADOW SUBDIVISION, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 5, PAGE 142, OF SAID PUBLIC RECORDS, TO A POINT;
- THENCE North 89 degrees 10 minutes 48 seconds East for a distance of 882.05 feet ALONG THE SOUTHERLY LINE OF SPRING MEADOWS PHASE TWO, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 5, PAGE 303, OF SAID PUBLIC RECORDS, TO A POINT LOCATED ON THE WESTERN RIGHT-OF-WAY LINE OF HARTS ROAD (AN 80 FOOT RIGHT-OF-WAY); THENCE South 03 degrees 14 minutes 45 seconds West for a distance of 258.88 feet ALONG SAID RIGHT-OF-WAY TO A POINT;
- THENCE North 77 degrees 53 minutes 18 seconds West for a distance of 31.31 feet TO A POINT;
- THENCE South 88 degrees 45 minutes 44 seconds West for a distance of 77.07 feet TO A POINT;
- THENCE South 07 degrees 22 minutes 44 seconds West for a distance of 140.95 feet TO A POINT;
- THENCE South 45 degrees 32 minutes 53 seconds West for a distance of 85.84 feet TO A POINT;
- THENCE South 15 degrees 38 minutes 35 seconds West for a distance of 193.14 feet TO A POINT;
- THENCE South 52 degrees 14 minutes 44 seconds West for a distance of 75.18 feet TO A POINT;
- THENCE North 87 degrees 47 minutes 52 seconds West for a distance of 54.82 feet TO A POINT;
- THENCE North 48 degrees 11 minutes 13 seconds West for a distance of 108.32 feet TO A POINT;
- THENCE South 85 degrees 18 minutes 43 seconds West for a distance of 232.78 feet TO A POINT;
- THENCE North 48 degrees 11 minutes 57 seconds West for a distance of 116.05 feet TO A POINT;
- THENCE North 80 degrees 17 minutes 44 seconds West for a distance of 302.83 feet TO A POINT;
- THENCE North 04 degrees 19 minutes 20 seconds West for a distance of 273.38 feet TO A POINT;
- THENCE South 88 degrees 30 minutes 15 seconds West for a distance of 122.80 feet TO A POINT;
- THENCE South 80 degrees 12 minutes 30 seconds West for a distance of 150.78 feet TO A POINT;
- THENCE North 87 degrees 16 minutes 14 seconds West for a distance of 247.78 feet TO A POINT;
- THENCE North 82 degrees 51 minutes 08 seconds West for a distance of 100.70 feet TO A POINT;
- THENCE South 74 degrees 05 minutes 43 seconds West for a distance of 185.87 feet TO A POINT;
- THENCE North 80 degrees 23 minutes 05 seconds West for a distance of 33.46 feet TO A POINT;
- THENCE North 88 degrees 08 minutes 15 seconds West for a distance of 183.54 feet TO A POINT;
- THENCE South 87 degrees 18 minutes 57 seconds West for a distance of 151.37 feet TO A POINT;
- THENCE South 64 degrees 19 minutes 32 seconds West for a distance of 134.66 feet TO A POINT;
- THENCE South 01 degrees 33 minutes 18 seconds East for a distance of 81.90 feet TO A POINT;
- THENCE South 88 degrees 10 minutes 46 seconds West for a distance of 1344.54 feet TO A POINT;
- THENCE North 01 degrees 50 minutes 12 seconds West for a distance of 1347.58 feet TO A POINT;
- THENCE North 88 degrees 29 minutes 18 seconds East for a distance of 1351.41 feet TO THE POINT OF BEGINNING.

COURSE	
L-1	N
L-2	S
L-3	S
L-4	S
L-5	S
L-6	S
L-7	N
L-8	N
L-9	S
L-10	N
L-11	N
L-12	N
L-13	S
L-14	S
L-15	S
L-16	S
L-17	N
L-18	N
L-19	N
L-20	S
L-21	S

Said property contains 85.98 acres more or less.

DATA SUMMARY

- OWNER / DEVELOPER:**
MR. ARON KATO
KATO AND MCCARROLL
1327 ANNET ROAD
YULEE, FLORIDA 32087
PHONE: (904) 225-2887
- ENGINEER:**
WILL BORG
HILL, BORG, DUNN & ASSOCIATES, INC.
7850 BELFORT PARKWAY, SUITE 1600
JACKSONVILLE, FLORIDA 32226
PHONE: (904) 281-7121
FAX: (904) 281-0871
- SURVEYOR:**
JAMES PEACOCK, CONSULTING LAND SURVEYORS
34 NORTH FORTLEIGH STREET
NASSAU BEACH, FLORIDA 32064
PHONE: (904) 281-8888
FAX: (904) 277-8888
- EXISTING ZONING:**
CURRENT: SECTION 6 4L-7 AC - NW (WEST PORTION);
SECTION 9 4L-3 AC - RS (EAST PORTION)
PROPOSED: PUD
- TOWN SITE AREA SUMMARY:**
TOWN SITE AREA: 85.98 AC. 100%
LAND AREA: 83 AC. 95%
100' R/W AREA: 7.53 AC. 8.7%
ADDITIONAL SUBDIVISION R/W AREA: 15.74 AC. 18.2%
LOT AREA: 53.88 AC. 62.6%
MAXIMUM NUMBER OF LOTS: 238 LOTS
GROSS DENSITY: 2.83 LOTS/AC
DRAINAGE: SITE SHALL BE DESIGNED TO MEET PRE/POST AND WATER QUALITY IN ACCORDANCE WITH SURFACE AND NASSAU COUNTY REQUIREMENTS.
WATER AND SEWER: SITE IS WITHIN WATER FLORIDA SERVICE AREA.
- TOPOGRAPHIC DATA:** CONTOURS SHOWN HEREIN WERE TAKEN FROM THE USGS QUADRANGLE MAP.
- ELECTRICAL SERVICE:** FPL
- STORM WATER POND:** ON-SITE DETENTION POND
- PILE FOUNDATIONS:** PILE FOUNDATIONS AS REQUIRED
- WILLIAM BURGESS COLLECTOR ROAD:** SHALL BE SINGLE SECTION. ALL SUBDIVISION ROADS WILL BE CURB AND GUTTER.

FLOOD ZONE

BASED UPON AN EXAMINATION OF FLOOD INSURANCE MAP NO. 13077D C&S C, FOR NASSAU COUNTY, FLORIDA, REVISION DATE: MAY 4, 1988 THE SITE SHOWN HEREIN APPEARS TO BE IN FLOOD HAZARD AREA ZONE "X".

NO.	DATE	DESCRIPTION	BY:

DESIGNED BY: HBD
DRAWN BY: HBD
CHECKED BY: V. DUNN
SCALE: 1" = 200'
DATE: JANUARY, 2001
PROJ. NO.: 0101-101
REGISTERED ENGINEER

Hill, Boring, & Dunn & Associates, Inc.
CIVIL ENGINEERS & LAND PLANNERS
7850 BELFORT PARKWAY, SUITE 1600
JACKSONVILLE, FLORIDA 32226
904-281-7121

WILLIAM BURGESS SUBDIVISION
DEVELOPED BY: KATO AND MCCARROLL
NASSAU COUNTY, FL
PRELIMINARY SKETCH PLAN

EXHIBIT "C"
CONDITIONS
CARTESIAN POINTE PUD

1. The Developer shall dedicate the 100-foot right of way and will participate in the improvement to the portion of William Burgess Boulevard running through his development that will be turned over to the County.
2. The Developer will pay into a County Recreational Capital Construction Fund the amount equal to the following pursuant to the Planning Director's comments for Cartesian Point PUD distributed on March 6, 2001: A provision has been made for public education through the school district; recreation demand is fulfilled by offering to pay to a recreational trust fund the amount that would be assessed a rate of 2.5 acres per 100 units based on lot value. Transportation needs are being addressed for the County by the developer through the provision of a 100 foot right of way and the construction of the Section of William Burgess Boulevard, a county collector road that runs through the property. This amounts to a total of 7.53 acres or eight percent of the site. Water supply and sewage disposal is within the United Water service area and surface drainage and flood control have been addressed.
3. The Developer shall be required to meet the conditions offered pursuant to Section VIII, PUD Special Conditions, which is attached hereto.
4. The County shall grant an exception to install single-side four foot wide sidewalks.
5. Staff shall determine the amount of screening to be provided within the right of way.
6. Staff shall determine rear setback.

VIII. PUD SPECIAL REQUIREMENTS – PUD CONDITIONS

Nassau County's Zoning ordinance requires that proposed PUD rezoning Ordinance enumerate conditions that assure that certain requirements attend to execution of the Ordinance will be met. The following is a proposed set of conditions that the Applicant is committing to meet in response to the County's requirements. It is anticipated that these conditions will be converted into an exhibit that is attached to the PUD Ordinance.

A. Ownership and Maintenance: The proposed PUD and related facilities, other than individual residential lots, will be owned, maintained and operated as follows:

1. Any common areas associated with the residential properties, including common preservation areas, amenities, landscape areas, signage, etc., will be managed by a homeowner's or property owner's association to be established by the developer through deed restrictions.
2. The roadways and storm water managements facilities will be public and it is proposed that these items be maintained and operated by the county or the homeowner's or property owner's association as established by the developer through deed restrictions.
3. Ownership, maintenance and operation of the water, sewer, electrical, telephone and other service utilities will be the responsibility of the respective franchise companies serving the area.

B. Permitted Uses: The following uses are permitted as illustrated on the Preliminary Development Plan.

1. Up to 220 Single-family residences, in areas designated as residential use on the Preliminary Development Plan.

C. Temporary Uses: The following temporary uses are permitted:

1. A temporary sales office for the sale of lots, & houses, will be permitted at or near each entrance to the site until all of the residential lots are sold.
 2. Temporary construction trailers as needed to support the construction process for the various uses. All trailers shall be removed within thirty days of the completion of the permanent structures and facilities.
 3. These temporary facilities may utilize septic tanks and/or pump-out sewerage storage tanks as approved by the County Health Department, and temporary overhead electrical service.
- D. Silvicultural Uses: The property may continue to be used for silviculture activity until such time as construction commences on specific portions of the site and any portions not subject to construction or other encumbrances may continue to be used for silviculture subject to application of "best management practices" including controlled burning as approved by the Florida Forest Division.
- E. Access and Circulation: There shall be two primary entrances to the project as depicted on the Preliminary Development Plan. The initial entrance will be from Harts Road with a second entrance to be provided from the extension of William Burgess Road. A maintenance/service access will be provided from the William Burgess Road access point along the power line. The future alignment of William Burgess Road may also be utilized as a temporary access road to support construction. An emergency access drive may be provided from this extension as shown on the Preliminary Development Plan.
- F. Development Standards: The development shall be subject to the following standards:
1. Minimum Lot Requirements
 - a.) Minimum lot width: seventy-five (75) feet for single-family units.
 - b.) Minimum lot area: Eight thousand seven hundred (8,700) square feet for single-family units.
 2. Minimum Yard Requirements:
 - a.) Front yard: Twenty-five (25) feet.
 - b.) Side yards: Seven and one-half (7.5) feet for single-family houses.
 - c.) Rear yard: Ten (10) feet.
 - d.) All yards shall be measured from the finished face of the exterior foundation wall.
 3. Building Restrictions:
 - a.) Maximum building height: Thirty-five (35) feet as measure to the cornice line.
 - b.) Maximum lot coverage: Forty (40) percent for single-family houses.
 4. Signage: Project identification signs, not to exceed 150 square feet on each face may be installed at the Harts and William Burgess Road project entrances or at William Burgess Road and SR 200. A service entry sign not to exceed 50 square feet on each face may be installed at the service entrance on SR 200.