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Returned to:  
Joyce Bradley \*

ORDINANCE NO. 2001-15

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 "ST. MARTIN'S ISLAND PUD"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 28<sup>th</sup> 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 28<sup>th</sup> day of July, 1997; and

WHEREAS, the "owners" of that certain property in the attached Exhibit "A" intends 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" 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

05.95  
REC

FILE 200512053 OR BOOK 01307 PGS 0472-0479 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 23rd day of April, 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 St. Martin's Island Preserve, L.L.C., owners.

**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 23rd day of April, 2001.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



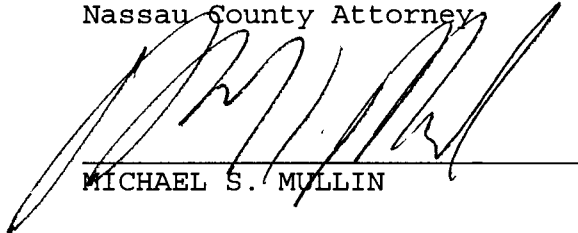
MARIANNE MARSHALL  
Its: Chairman

ATTEST:



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

Approved as to form by the  
Nassau County Attorney



MICHAEL S. MULLIN

EXHIBIT "A"  
LEGAL DESCRIPTION

IN OR 329 PG 159 PARCELS 1 & 1-1 AS RECORDED IN RECORDS OF NASSAU  
COUNTY, FLORIDA.

EXHIBIT "C"  
ST. MARTIN'S ISLAND PUD  
R00-021

1. Development shall be in accord with the adopted Nassau County Comprehensive Plan and Policies:
  - 1.02.05,I,1 PUD Overlay
  - 1.04B.05 Archeological sites
  - 1.09.02 Consistent with Comprehensive Plan
  - 5.09.07 Environmental Concerns
  - 5.11.01 Coastal resources
  - 5.15.03 Central Water & Sewer
  - 6.05.09 Environmental Compatibility
2. Emergency Plan: Developer shall prepare and submit to the County's Emergency Management Department an Emergency Evacuation Plan that shall be reviewed by the Department and must be approved prior to final development plan approval.
3. The Developer shall include in each deed conveying property a disclosure that the county of Nassau does not and cannot provide fire, police or rescue protection for the island.
4. All Streets, Roads and Driveways: All streets, roads, and driveways shall be constructed with an oyster shell base, and the Developer shall provide to the Director of Public Works a cross-section of proposed roads for review and approval. The Homeowners' Association shall permanently maintain all roads and driveways.
5. Vehicles: The following vehicles shall be allowed: Electric cars, fire trucks, maintenance and security trucks, and/or vehicles.
6. Sewer and Water: Developer shall install water and wastewater services.
7. Other Utilities: All electric, telephone, and cable lines shall be carried underground.
8. PUD: The Developer shall provide language in each and every deed that there is a PUD Ordinance governing said property.
9. Fire Protection: Fire protection shall be provided by the Homeowner's Association.
  - a. All buildings shall be protected by a sprinkler system.

- b. To allow for sprinkler failure, to fight wild fires and to protect wooded areas, a four-wheel drive fire truck with a 500 GPM pump and 500-gallon water tank shall be provided on the island. Said equipment shall be provided by the Developer and shall be maintained by the Homeowners' Association. The Homeowners' Association shall be responsible for hiring properly certified personnel to operate the vehicle and perform firefighting duties.

10. Environmental Protection:

- a. Floodplain: All building sites shall be elevated to a point of one (1) foot above any 100-year flood plain.
- b. Rare and Endangered/Threatened Species: Prior to construction of any facility, Developer will develop a development plan that will have no significant adverse impact upon the adequate protection of rare, endangered, and/or threatened species, including the Great Blue Heron and their nesting site and the Southern Soapberry (*Sapindus saponaria*) and Morning Flower (*Ruellia caroliniensis*).

11. Archeological/Historical Sites:

Developer shall comply with all State and Federal laws regarding any items of archeological significance prior to commencing construction of or selling of any lots. Nothing contained herein shall be construed as a commitment on the County's part to grant any approvals or to waive the necessity of compliance with the terms and conditions of applicable ordinances and/or State and Federal laws.

- 12. School Transportation: Property owners shall be responsible for transporting children off the Island for school purposes.
- 13. The helicopter pad shall only be used for emergency purposes (i.e. - Lifeflight).
- 14. The Homeowners' Association shall employ State certified private rescue personnel to be on the Island twenty-four (24) hours per day.
- 15. The docking facility shall not include a marina, and there shall be no fueling facility or commercial facility or operation of any type other than docking of vessels by residents of St. Martin's Island.

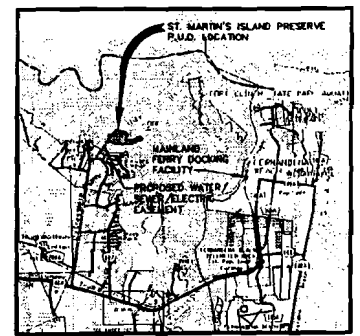
16. The Developer and/or the Homeowners' Association shall have a ferry available to transport County officials and agents as required by the County for building inspections, general site inspections, or emergency purposes. There shall be no charge for said ferry service.

**LEGEND:**

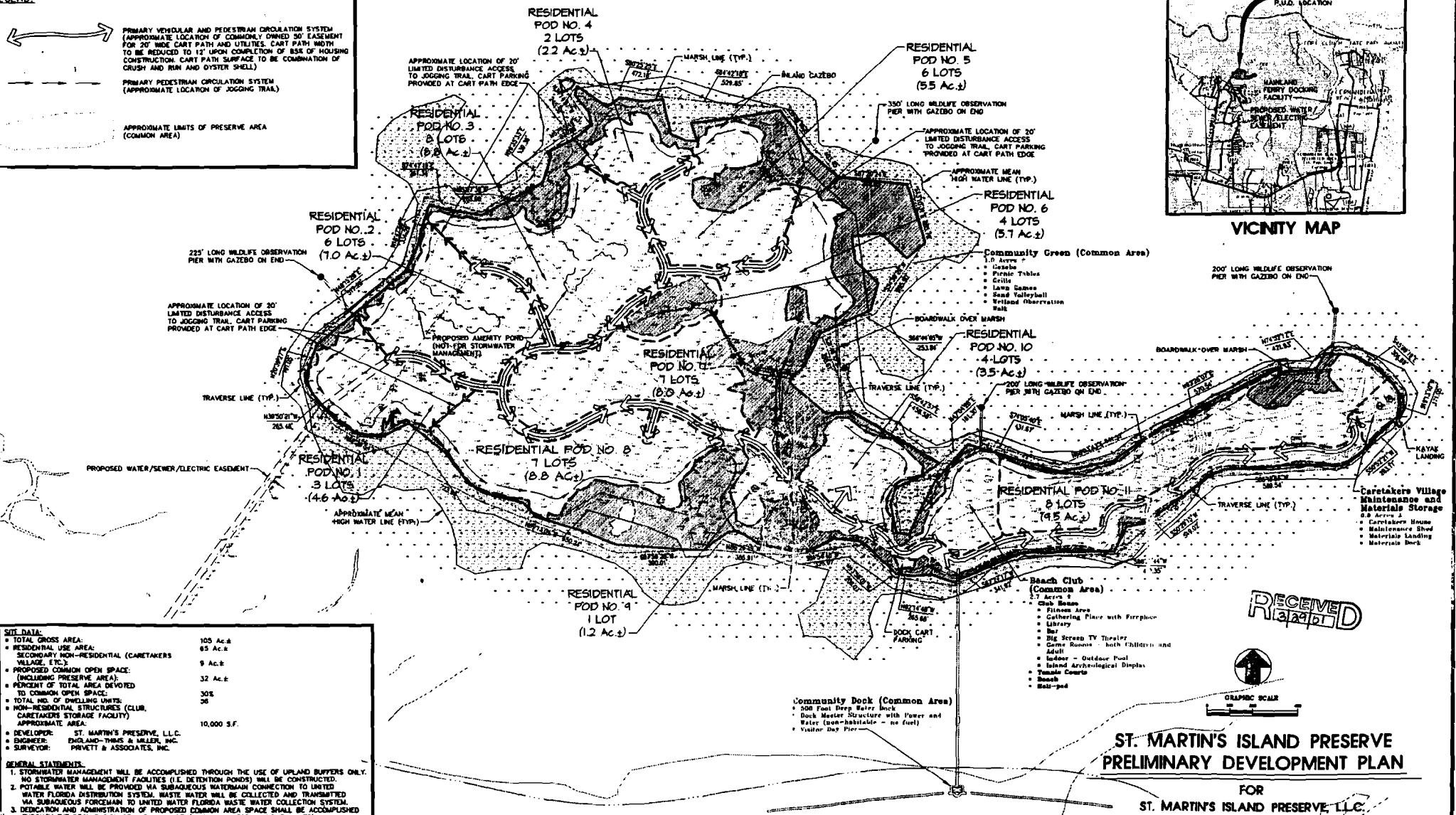
PRIMARY VEHICULAR AND PEDESTRIAN CIRCULATION SYSTEM (APPROXIMATE LOCATION OF COMMONLY OWNED 30' EASEMENT FOR 20' WIDE CART PATH AND UTILITIES. CART PATH WIDTH TO BE REDUCED TO 12' UPON COMPLETION OF USE OF HOUSING CONSTRUCTION. CART PATH SURFACE TO BE COMBINATION OF CRUSH AND RUM AND OYSTER SHELL.)

PRIMARY PEDESTRIAN CIRCULATION SYSTEM (APPROXIMATE LOCATION OF JOGGING TRAIL.)

APPROXIMATE LIMITS OF PRESERVE AREA (COMMON AREA)



VICINITY MAP



**SITE DATA:**

• TOTAL GROSS AREA:	105 Ac.±
• RESIDENTIAL USE AREA:	85 Ac.±
• SECONDARY NON-RESIDENTIAL (CARETAKERS VILLAGE, ETC.):	9 Ac.±
• PROPOSED COMMON OPEN SPACE (INCLUDING PRESERVE AREA):	32 Ac.±
• PERCENT OF TOTAL AREA DEVOTED TO COMMON OPEN SPACE:	30%
• TOTAL NO. OF DWELLING UNITS:	26
• NON-RESIDENTIAL STRUCTURES (CLUB, CARETAKERS STORAGE FACILITY):	10,000 S.F.
• DEVELOPER:	ST. MARTIN'S PRESERVE, L.L.C.
• ENGINEER:	ENGLAND-THIBBS & MILLER, INC.
• SURVEYOR:	PRIVETT & ASSOCIATES, INC.

- GENERAL STATEMENTS:**
1. STORMWATER MANAGEMENT WILL BE ACCOMPLISHED THROUGH THE USE OF UPLAND BUFFERS ONLY. NO STORMWATER MANAGEMENT FACILITIES (I.E. DETENTION PONDS) WILL BE CONSTRUCTED.
  2. POTABLE WATER WILL BE PROVIDED VIA SUBSEQUENT WATERMAIN CONNECTION TO UNITED WATER FLORIDA DISTRIBUTION SYSTEM. WASTE WATER WILL BE COLLECTED AND TRANSMITTED VIA SUBSEQUENT FORCEMAIN TO UNITED WATER FLORIDA WASTE WATER COLLECTION SYSTEM.
  3. DEDICATION AND ADMINISTRATION OF PROPOSED COMMON AREA SPACE SHALL BE ACCOMPLISHED THROUGH THE DECLARATION OF THE ST. MARTIN'S ISLAND PRESERVE HOME OWNERS ASSOCIATION, INC. AND THE DEED RESTRICTIONS PROMULGATED THEREBY.
  4. AN ADEQUATE NUMBER OF PARKING SPACES SHALL BE PROVIDED AT THE MAINLAND DOCKING FACILITY TO SERVE THE RESIDENTS OF ST. MARTIN'S ISLAND PRESERVE.

**LEGAL DESCRIPTION:**  
ROBERT MILLER GRANT, SECTION 40, TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA.

RECEIVED



**ST. MARTIN'S ISLAND PRESERVE  
PRELIMINARY DEVELOPMENT PLAN**

FOR  
ST. MARTIN'S ISLAND PRESERVE, L.L.C.

**England-Thibbs & Miller, Inc.**  
ENGINEERS - PLANNERS - LANDSCAPE ARCHITECTS  
1015 W. UNIVERSITY BLVD., SUITE 200  
TALLAHASSEE, FLORIDA 32310  
PHONE: (904) 844-1122 FAX: (904) 844-1120

MARCH/29, 2001

**BELLS RIVER**