

WHEREAS, Section 3a of Ordinance 97-30 provides for the Board of County Commissioners, based upon the recommendations of the Planning and Zoning Board, to determine the total acreage to be used for commercial neighborhood purposes within this 13 acre tract of the Nassau Lakes PUD; and,

WHEREAS, Section 3b of Ordinance 97-30 provides for the Board of County Commissioners, based upon the recommendations of the Planning and Zoning Board, to determine the location and types of commercial uses within this 13 acre tract of the Nassau Lakes PUD; and,

WHEREAS, the owner of a 1.59 acre parcel described in Exhibit "A", and within this 13 acre tract of the Nassau Lakes PUD, has submitted a specific request to the Planning and Zoning Board to develop a karate school as a commercial neighborhood use on this 1.59 acre parcel in accordance with the Nassau Lakes PUD master plan; and,

WHEREAS, the Planning and Zoning Board has considered said application and held public hearings on July 1, 2003 on the application after due notice, and made its findings and recommendations thereon; and

WHEREAS, the Board of County Commissioners has considered the findings and recommendations of the Planning and Zoning Board and held its own public hearings on the application after due notice, and finds that the property described in the attached Exhibit "A" is suitable in location and character for the uses proposed in said request according to the criterion as set forth

in Article 15 of Ordinance No. 97-19, as amended, known as the Nassau County Zoning Code, and Section 3 of Ordinance 97-30.

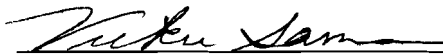
NOW, THEREFORE BE IT ORDAINED this 28th day of July, 2003, by the Board of County Commissioners of Nassau County that:

1. Exhibit "B", providing for 1.59 acres of the thirteen (13) acre tract set forth in Ordinance No. 97-30 be utilized as a Karate School, is hereby approved.
2. The Planning Director shall attach this Ordinance to Ordinance 97-30 in order to plan for the remaining acreage within the thirteen (13) acre tract.

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


ADOPTED this 28th day of July, 2003.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA




VICKIE SAMUS
Its: Chairman

ATTEST:



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

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT A
LEGAL DESCRIPTION

MAP TO SHOW BOUNDARY SURVEY OF
A PORTION OF GOVERNMENT LOT 2, SECTION 27,
TOWNSHIP 2 NORTH, RANGE 28 EAST,
NASSAU COUNTY, FLORIDA

(BEING A PORTION OF LANDS OF RAYLAND COMPANY, INC. DESCRIBED IN BOOK 555, PAGE 859 (et), OF THE OFFICIAL RECORDS OF SAID COUNTY)

FOR: ABDOL RAHIM KHOIE & JALEH KHOIE,
FIRST COAST COMMUNITY BANK & OLDE TOWNE TITLE COMPANY

LEGAL DESCRIPTION:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, SECTION 27, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, SAID TRACT BEING A PORTION OF LANDS OF RAYLAND COMPANY, INC. DESCRIBED IN DEED RECORDED IN BOOK 555, PAGE 859 (et), OF THE OFFICIAL RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A CONCRETE MONUMENT FOUND AT THE POINT WHERE THE SOUTHERLY RIGHT-OF-WAY LINE OF PARLIAMENT DRIVE (A VARIED RIGHT-OF-WAY) INTERSECTS THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD No. 107 (A 66-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) AND RUN SOUTH 04°-33'-30" EAST, ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 232.71 FEET TO A 1/2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OF FERNANDINA BEACH, FLORIDA, CONGREGATION OF JEHOVAH'S WITNESSES, INC. AND FIRST COAST COMMUNITY BANK AND FIRST AMERICAN TITLE INSURANCE COMPANY, ACCORDING TO DEED RECORDED IN BOOK 789, PAGE 899, OF THE OFFICIAL RECORDS OF SAID COUNTY; RUN THENCE SOUTH 85°-32'-03" WEST, ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 345.14 FEET TO A 1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF LAST MENTIONED LANDS, SAID POINT LYING ON THE EASTERLY LINE OF TRACT "C" OF NASSAU LAKES SUBDIVISION ~ PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 AND 71 OF THE OFFICIAL RECORDS OF SAID COUNTY; RUN THENCE NORTH 00°-59'-55" WEST, ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 180.10 FEET TO A CONCRETE MONUMENT FOUND LYING ON AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF PARLIAMENT DRIVE; RUN THENCE NORTH 74°-56'-00" EAST, ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 79.30 FEET TO A CONCRETE MONUMENT FOUND AT AN ANGLE POINT; RUN THENCE NORTH 81°-37'-20" EAST, ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.59 FEET TO A CONCRETE MONUMENT FOUND AT A SECOND ANGLE POINT; RUN THENCE NORTH 74°-50'-00" EAST, ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 174.62 FEET TO THE POINT OF BEGINNING.

THE LAND THIS DESCRIBED CONTAINS 1.59 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT MAY LIE WITHIN.

NOTES:

- 1.) BEARINGS & COORDINATES SHOWN HEREON REFER TO THE STATE SYSTEM OF PLANE COORDINATES AS ESTABLISHED FOR THE EAST ZONE OF FLORIDA, AND ARE BASED ON THE BEARING OF N00°59'55"W FOR THE EASTERLY LINE OF NASSAU LAKES SUBDIVISION PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 & 71, PUBLIC RECORDS OF SAID COUNTY.
- 2.) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
- 3.) REFERENCE SURVEYS:
 - A.) SURVEY BY THIS FIRM FOR RAYLAND CO., INC. DATED: FEBRUARY 12, 1990, OUR DRAWING NUMBER: B-2-571-1-90.
 - B.) SURVEY BY THIS FIRM FOR FLORIDA POWER AND LIGHT COMPANY DATED: JULY 24, 1990, OUR DRAWING NUMBER: B-1-1244-7-90.
 - C.) SUBDIVISION PLAT OF NASSAU LAKES, PHASE 1A, BY THIS FIRM DATED: 1-6-85, DWG. No. B-2-184(A)-6-84.
 - D.) SURVEY BY THIS FIRM FOR FERNANDINA BEACH FLORIDA, CONGREGATION OF JEHOVAH'S WITNESSES DATED: 03-13-97, DWG. No. B-1-2037-02-97.
- 4.) NO ATTEMPT HAS BEEN MADE TO DETERMINE WETLAND AREAS OR OTHER ENVIRONMENTAL ISSUES, IF ANY, THAT MAY AFFECT THE SUBJECT PROPERTY.
- 5.) REFER TO COUNTY ZONING REGULATIONS FOR BUILDING RESTRICTION LINES.

Legal Description

SECTION 27
 SECTION 10
 CONCRETE MONUMENT
 No. 2841

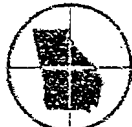
WESTERLY RIGHT-OF-WAY LINE
 232.71'
 STATE ROAD No. 107
 (66-FOOT RIGHT-OF-WAY ~ PAVED)

NO RAYMOND CONCRETE
 REFERENCE MONUMENT
 0.5' NWLY
 FOUND 1/2" IRON PIPE
 R.L.S. No. 2841
 TA 2282529.97
 JT 337042.04

I HEREBY CERTIFY THAT THE ABOVE LAND WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THE CORNERS ARE LOCATED UPON SAME AS SHOWN AND THAT THERE NO ENCROACHMENTS UPON SAID LAND, EXCEPT AS SHOWN.

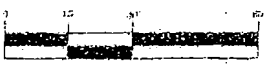
FLOOD CERTIFICATE: THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS SHOWN TO BE IN FLOOD HAZARD ZONE "X" (UNSHADED) AS PER F.I.R. MAP No. _____ COMMUNITY PANEL No. 1201700380 SUFFIX C, DATED MAY 4, 1988 FOR NASSAU COUNTY, FLORIDA.

DWN BY: I.L.P. CRD. BY: R.E.



PRIVETT & ASSOCIATES, INC.
 SURVEYORS & LAND PLANNERS
 LICENSED BUSINESS No. 106, GA.
 LICENSED BUSINESS No. 4204, FLA.
 1201 SHAGOPLAWN DRIVE
 ST. MARYS, GEORGIA 31558
 (912) 852-3738

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



SCALE: 1" = 30'

SURVEY DATE: MARCH 17, 2003.

Ernest R. Bennett, Jr.
 ERNEST R. BENNETT, JR.
 FLORIDA PROFESSIONAL
 SURVEYOR AND MAPPER No. 5737

MAP TO SHOW BOUNDARY SURVEY OF
A PORTION OF GOVERNMENT LOT 2, SECTION 27,
TOWNSHIP 2 NORTH, RANGE 28 EAST,
NASSAU COUNTY, FLORIDA

(BEING A PORTION OF LANDS OF RAYLAND COMPANY, INC. DESCRIBED IN BOOK 555, PAGE 869 (97), OF THE OFFICIAL RECORDS OF SAID COUNTY)

FOR: **ABDOL RAHIM KHOIE & JALEH KHOIE,**
FIRST COAST COMMUNITY BANK & OLDE TOWNE TITLE COMPANY

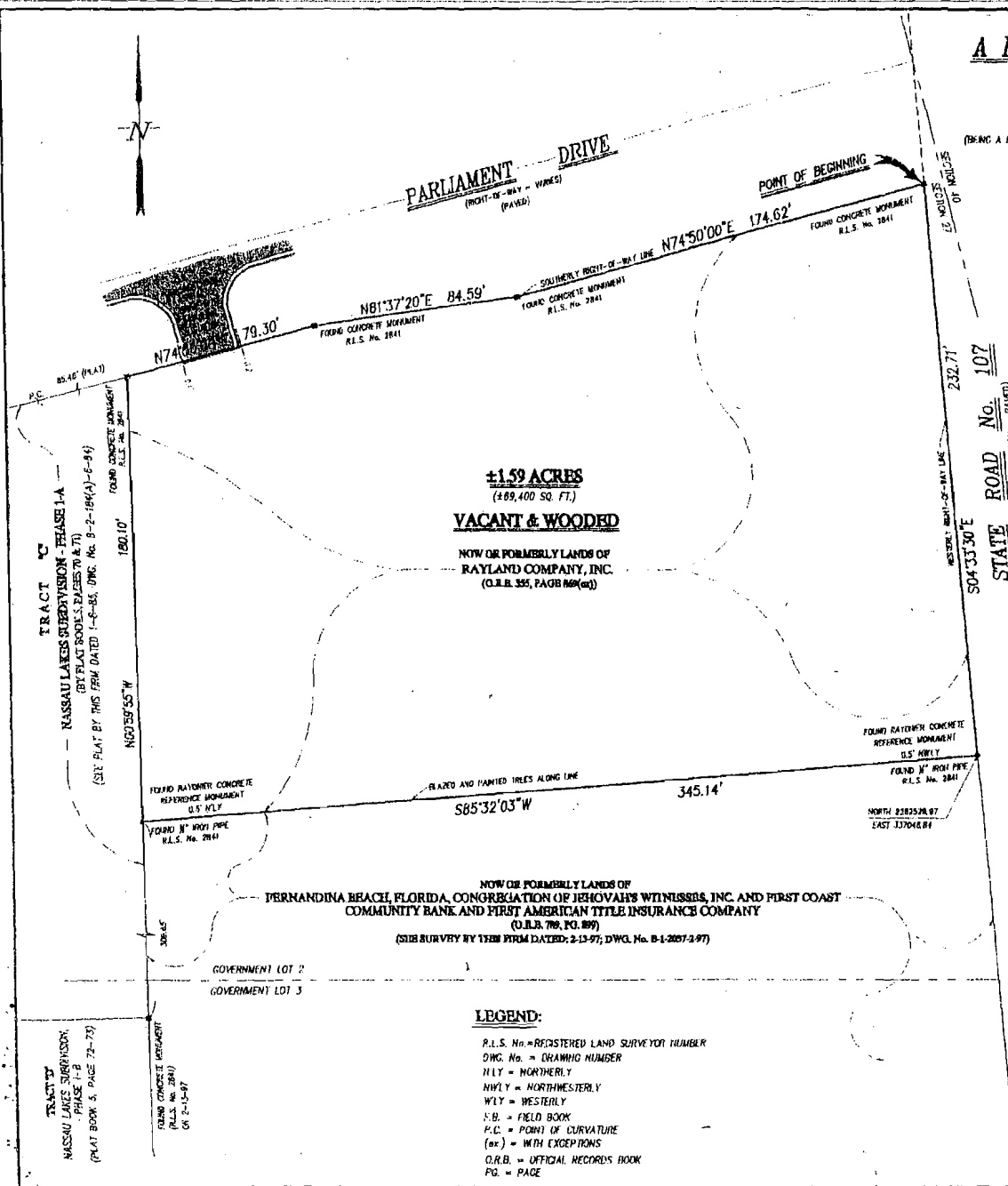
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THE LAND THIS DESCRIBED CONTAINS 1.59 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT MAY LIE WITHIN.

NOTES:

- 1) BEARINGS & COORDINATES SHOWN HEREON REFER TO THE STATE SYSTEM OF PLANE COORDINATES AS ESTABLISHED FOR THE EAST ZONE OF FLORIDA, AND ARE BASED ON THE BEARING OF N00°59'45"W FOR THE EASTERLY LINE OF MASSAU LAKES SUBDIVISION PHASE 1-A, ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGES 70 & 71, PUBLIC RECORDS OF SAID COUNTY.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE ABSTRACT.
- 3) REFERENCE SURVEYS:
 - A) SURVEY BY THIS FIRM FOR RAYLAND CO., INC. DATED: FEBRUARY 12, 1990, OUR DRAWING NUMBER: 6-2-571-1-90.
 - B) SURVEY BY THIS FIRM FOR FLORIDA POWER AND LIGHT COMPANY DATED: JULY 24, 1999, OUR DRAWING NUMBER: 6-1-1244-7-90.
 - C) SUBDIVISION PLAT OF MASSAU LAKES, PHASE 1A, BY THIS FIRM DATED: 1-5-85, DMC No. 0-2-18(A)-6-84.
 - D) SURVEY BY THIS FIRM FOR TERNANONIA BEACH FLORIDA, CONGREGATION OF JEHOVAH'S WITNESSES DATED: 03-13-97, DMC No. 0-1-2037-02-97.
- 4) NO ATTEMPT HAS BEEN MADE TO DETERMINE WETLAND AREAS OR OTHER ENVIRONMENTAL ISSUES, IF ANY, THAT MAY AFFECT THE SUBJECT PROPERTY.
- 5) REFER TO COUNTY ZONING REGULATIONS FOR BUILDING RESTRICTIONS.



±1.59 ACRES
 (±89,400 SQ. FT.)
VACANT & WOODED
 NOW OR FORMERLY LANDS OF
RAYLAND COMPANY, INC.
 (O.L.B. 335, PAGE 869(97))

NOW OR FORMERLY LANDS OF
TERNANONIA BEACH, FLORIDA, CONGREGATION OF JEHOVAH'S WITNESSES, INC. AND FIRST COAST COMMUNITY BANK AND FIRST AMERICAN TITLE INSURANCE COMPANY
 (O.L.B. 788, PG. 889)
 (SUBSURVEY BY THEM FROM DATED: 2-13-97; DMC No. 0-1-2037-02-97)

LEGEND:

R.L.S. No. = REGISTERED LAND SURVEYOR NUMBER
 DMC No. = DRAWING NUMBER
 NLY = NORTHERLY
 NWLY = NORTHWESTERLY
 WLY = WESTERLY
 F.B. = FIELD BOOK
 P.C. = POINT OF CURVATURE
 (etc.) = WITH EXCEPTIONS
 O.R.B. = OFFICIAL RECORDS BOOK
 PG. = PAGE

<p>I HEREBY CERTIFY THAT THE ABOVE LAND WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THE CORNERS ARE LOCATED UPON SAID LAND, EXCEPT AS SHOWN.</p>	<p>DATE: MAY 4, 1998 FOR: NASSAU COUNTY, FLORIDA</p>
<p>FLOOD CERTIFICATE: THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS SHOWN TO BE IN FLOOD HAZARD ZONE "X" (UNSHADED) AS PER F.I.R. MAP No. _____, COMMUNITY PANEL No. 1201700380 SUFFIX C, DATED: MAY 4, 1998 FOR: NASSAU COUNTY, FLORIDA.</p>	<p>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>
<p>SCALE: 1" = 20'</p>	<p>SURVEY DATE: MARCH 12, 2001</p>

PRIVETT & ASSOCIATES, INC.
 SURVEYORS & LAND PLANNERS
 LICENSED BUSINESS No. 166, CA
 LICENSED BUSINESS No. 4214, FLA.
 1201 SHILOHLAWN DRIVE
 ST. MARYS, GEORGIA 31550
 (612) 452-3738

Ernest R. Bennett, Jr.
 ERNEST R. BENNETT, JR.
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. 2235

EXHIBIT B

To: Board of County Commissioners

From: Jay Marlles, AICP
Planning Director

Re: R03-021, Nassau Lakes PUD Modification

Date: July 10, 2003

SECTION 1. Description of Property: 1.59 acres located at the southwest corner of County Road 107 and Parliament Drive in the Nassau Lakes Planned Unit Development. See Exhibit "A" for the legal description of the property.

SECTION 2. Justification: The Intent of Article 15, Commercial Neighborhood states that this "district is intended to apply to areas where small groups of selected establishments may be appropriately located to serve within convenient traveling distance from one or several neighborhoods. The Commercial Neighborhood District is not intended for use by major commercial or service establishments."

The proposed karate school is a land use consistent with the intent of the Commercial Neighborhood zoning district and planning of the Nassau Lakes Planned Unit Development, and specifically the 13 acre tract designated as commercial neighborhood for planning purposes in Ordinance 97-30.

The population density of the existing residential communities, and residential communities currently under construction or proposed for construction in the County Road 107/Nassauville/Nassau Lakes area demonstrates that there is a justifiable need for commercial neighborhood facilities in the local area.

SECTION 3. Proposed Use: Karate School

SECTION 4. Conditions: The property described herein Exhibit "A" shall be subject to the following conditions:

- 1) No access shall be provided for this property off of CR 107. Access shall be provided via the existing driveway cut off of Parliament Drive.
- 2) The applicant shall provide sidewalks along the length of the property along CR 107. Sidewalks shall be provided

along Parliament Drive, which connect to the sidewalks currently under construction in Nassau Lakes Phase 1 (and provided by the developer of Phase 2B, The Reserve at Nassau Lakes). The applicant shall submit a pedestrian circulation plan as part of the application for site plan approval. The pedestrian circulation plan shall include clear delineation of pedestrian walkways from the sidewalks through the property (including the surface parking area) to the main entry of the building.