

INSTR # 200630324
OR BK 01434 PGS 1877-1885
RECORDED 08/04/2006 11:34:20 AM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 78.00

ORDINANCE NO. 2006 - 64

AN ORDINANCE AMENDING ORDINANCE NO. 2005-46, WHICH AMENDED ORDINANCE NO. 97-30, WHICH AMENDED ORDINANCE NO. 84-14 AS AMENDED, WHICH REZONED AND RECLASSIFIED PROPERTY TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS "NASSAU LAKES"; SPECIFICALLY ADDING EXHIBIT "B", PUD CONDITIONS, AND EXHIBIT "C", PRELIMINARY DEVELOPMENT PLAN, PERTAINING TO DEVELOPMENT PERMITTED ON THE 5.91 ACRE SITE AS DESCRIBED IN EXHIBIT "A"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County commissioners adopted Ordinance 83-19, enacting and establishing a Comprehensive Zoning Code for the unincorporated portion of Nassau County, Florida, and which Ordinance has been subsequently amended including Ordinance 97-19; and

WHEREAS, the Board of County Commissioners adopted Ordinance No. 97-30 on December 8, 1997; and

WHEREAS, the Board of County Commissioners adopted Ordinance No. 2005-46 on May 23, 2005; and

WHEREAS, the "owners" of that certain property have requested that Ordinance No. 2005-46 be amended; and

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

WHEREAS, the "owner" of that certain property in the attached

Exhibit "A" has applied for a PUD modification to convert the future use of this property from one (1) single-family residential home site to a neighborhood commercial site and four (4) single-family residential home sites as shown on Exhibit "C"; 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 Board of County Commissioners has considered the findings and recommendations of the Planning and Zoning Board and has 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 use proposed in said application according to the criterion as set forth in Ordinance No. 97-19, as amended, Article 25, Planned Unit Development.

NOW THEREFORE, BE IT ORDAINED this 24th day of July, 2006, by the Board of County Commissioners of Nassau County, Florida, that the application for the Planned Unit Development Modification is hereby approved and the land shall be subject to the conditions, requirements, and findings described below:

SECTION 1. The Planned Unit Development concept shall be as indicated in the PUD Conditions attached hereto as Exhibit "B" and

as shown on the Preliminary Development Plan attached hereto as Exhibit "C". The Planned Unit Development is further subject to the requirements of Ordinance No. 97-19, as amended, in effect on the date hereof except as otherwise provided herein.


SECTION 2. Owner and Description. Bryan County Holdings, LLC currently owns the property modified by this Ordinance and the applicant/Developer is Gillette and Associates, Inc.

SECTION 3. Conditions: The conditions set forth as Exhibit "B" (the "PUD Conditions") shall be made a part of this Planned Unit Development, and the property shall be subject to said PUD Conditions. Further, the conditions of the Nassau County Zoning Ordinance Code established pursuant to Ordinance 97-19, as amended, established for the final development plan review are applicable, as are Goals and Objectives of the Nassau County Comprehensive Plan as is currently in effect in Nassau County, Florida.

SECTION 4. This Ordinance shall take effect upon its being filed in the Office of the Secretary of State.

ADOPTED this 24th day of July, 2006.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



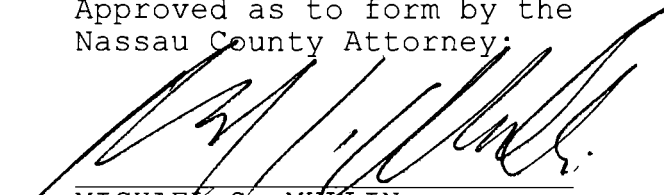
Thomas D. Branan, Jr.
Its: Chairman

ATTEST:



John A. Crawford
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

EXHIBIT "A"

Exhibit A

LEGAL DESCRIPTION:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF LOT 2, SECTION 27 AND A PORTION OF SECTION 40, 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 869(ex), OF THE OFFICIAL RECORDS OF SAID COUNTY) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A POINT WHERE THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD No. 107 (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) INTERSECTS THE NORTHERLY RIGHT-OF-WAY LINE OF PARLIAMENT DRIVE (A VARIED RIGHT-OF-WAY) AND RUN SOUTH 74°-50'-00" WEST, ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 193.37 FEET TO AN ANGLE POINT; RUN THENCE SOUTH 68°-02'-40" WEST, CONTINUING ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.59 FEET TO AN ANGLE POINT; RUN THENCE SOUTH 74°-50'-00" WEST, CONTINUING ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 59.11 FEET TO THE SOUTHEAST CORNER OF TRACT "A" OF NASSAU LAKES SUBDIVISION PHASE 1-A (ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGE 70-71 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 00°-40'-39" WEST, ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 426.89 FEET TO AN ANGLE POINT; RUN THENCE NORTH 14°-38'-58" EAST, ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 526.20 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF CALVIN NEWTON & DOROTHY JEAN NEWTON (ACCORDING TO DEED RECORDED IN BOOK 520, PAGE 767, OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 89°-12'-41" EAST, ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 350.00 FEET TO A POINT LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED STATE ROAD No. 107; RUN THENCE SOUTH 40°-16'-30" WEST, ALONG LAST MENTIONED NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 65.10 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OR A CURVE IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 107, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 606.69 FEET, A CHORD DISTANCE OF 462.71 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 17°-51'-30" WEST; RUN THENCE SOUTH 04°-33'-30" EAST, ALONG LAST MENTIONED EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 354.11 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 6.00 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD WHICH MAY LIE WITHIN.

EXHIBIT "B"

PUD Conditions

The following conditions shall limit development of the portion of the Nassau Lakes Planned Unit Development (PUD) as identified in Exhibit "A". This property contains approximately 5.91 acres and is located at the northwest corner of CR107 and Parliament Drive.

Uses

This property is converted from one (1) Single-Family Residential home site to one (1) Neighborhood Commercial site and four (4) Single-Family Residential home sites. The Commercial site shall be limited to uses permitted by the Commercial, Neighborhood (CN) Zoning District as described in Article 15 of the Nassau County Zoning Code.

Buffering, open space and access shall be provided as indicated on the Preliminary Development Plan (Exhibit "C").

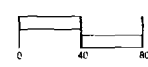
Access

This property shall be accessed solely from Parliament Drive.

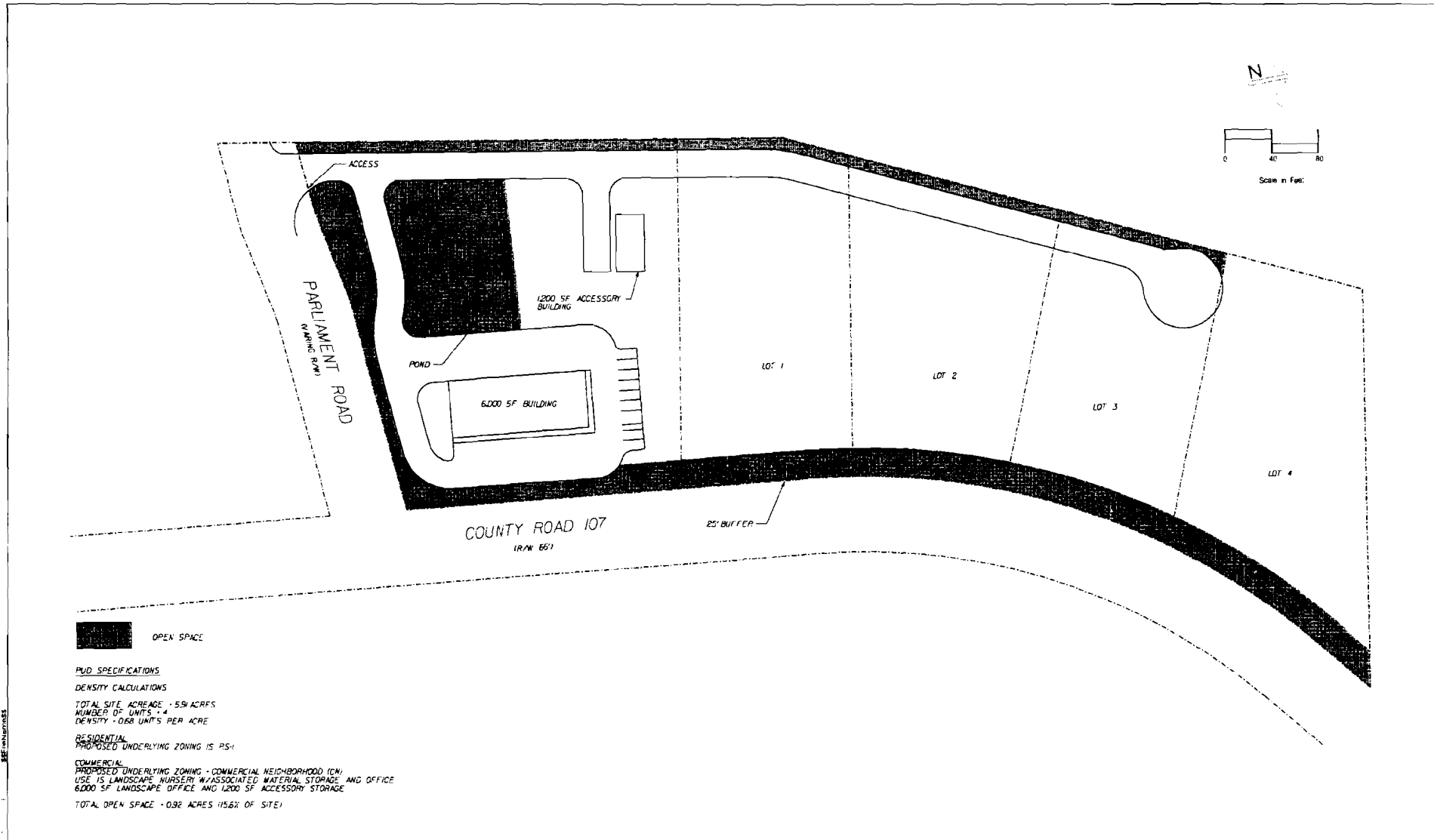
Minimum Yard Requirements

Development on this property shall be subject to the yard requirements as stipulated in Article 9, Residential, Single-Family 1 (RS-1), and Article 15, Commercial, Neighborhood (CN) of the Nassau County Zoning Code.

EXHIBIT "C"



Scale in Feet:



OPEN SPACE

PUD SPECIFICATIONS

DENSITY CALCULATIONS

TOTAL SITE ACREAGE - .591 ACRES
 NUMBER OF UNITS - 4
 DENSITY - 0.68 UNITS PER ACRE

RESIDENTIAL

PROPOSED UNDERLYING ZONING IS RS-

COMMERCIAL

PROPOSED UNDERLYING ZONING - COMMERCIAL NEIGHBORHOOD (CM)
 USE IS LANDSCAPE NURSERY W/ ASSOCIATED MATERIAL STORAGE AND OFFICE
 6,000 SF LANDSCAPE OFFICE AND 1,200 SF ACCESSORY STORAGE

TOTAL OPEN SPACE - 0.32 ACRES (56% OF SITE)

SEE ANNEXURES

NO.	DATE	REVISIONS	Scale	+	Chism Development Company	Villas at Nassau Lakes	Preliminary Development Plan	1 OF 1	SHEET NO.
1		Project No.	PDP-1						
2		Designed by							
3		Drawn by							
4		CADD		ISSUE DATE	JANUARY 28, 2008				
5				PROJECT NO.	06-18-05				