

ORDINANCE 2007 - 23

AN ORDINANCE OF NASSAU COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE RECLASSIFICATION OF APPROXIMATELY 2.6 ACRES LOCATED ON THE EAST SIDE OF U.S. HIGHWAY 1 FROM AGRICULTURE (A) TO COMMERCIAL (C); FINDING THIS ACTION TO MEET THE STANDARDS OF A SMALL-SCALE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, David and Siglinda Davis, as the property owner in fee simple, filed application #CPA06-008 to change the Future land Use Map classification of that 2.60 acre parcel of land described herein; and

WHEREAS, David and Siglinda Davis has not been granted a change of Future Land Use Map designation within the previous 12 months; and

WHEREAS, the Nassau County Planning And Zoning Board, also acting as the Local Planning Agency for Nassau County, held a duly noticed public hearing on July 3, 2007 to address the requested Amendment to the Future Land Use Map and provided a recommendation of approval to the Nassau County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners held a public hearing on July 23, 2007; and

WHEREAS, public notice of all hearings has been provided in accordance with Chapters 125 and 163 of the Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS.

1. This Amendment qualifies as a small-scale amendment pursuant to Section 163.3187 (1)(c), Florida Statutes.
2. This Amendment is consistent with the Goals, Objectives and Policies of the Nassau County Comprehensive Plan.
3. This Amendment meets standards contained in Chapter 163, Part II, Florida Statutes and Rule 9J-5, Florida Administrative Code.

SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is reclassified from Agriculture (A) to Commercial (C) on the Future Land Use Map of Nassau County. The Growth Management Department is hereby authorized to amend the Future Land Use Map to reflect this reclassification upon the effective date of this Ordinance.

SECTION 3. OWNER AND DESCRIPTION.

The land reclassified by this Ordinance is owned by David and Siglinda Davis and is described as follows:

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF NASSAU AND STATE OF FLORIDA, IN SECTION FIVE (5), TOWNSHIP THREE (3) NORTH, RANGE TWENTY-FOUR (24) EAST AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION FIVE (5) AND THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (150' R/W); THENCE GO SOUTH 310 03' EAST ALONG THE EASTERLY RIGHT-OF-WAY OF SAID HIGHWAY FOR SIX (6) FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF A FORTY (40) FOOT COUNTY ROAD LEADING TO THE EAST; THENCE CONTINUE SOUTH 310 03' EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1 FOR A DISTANCE OF FOUR HUNDRED TWENTY (420) FEET TO AN IRON; THENCE NORTH 880 52' EAST TO AN IRON; THENCE NORTH 200 53' WEST, ALONG THE DIVIDING LINE BETWEEN THE LANDS HEREIN DESCRIBED AND THE LANDS CONVEYED BY C. C. KNIGHT AND MARY E. KNIGHT, HIS WIFE, TO GUY C. THOMPSON AND LILLIE M. THOMPSON, HIS WIFE, BY DEED DATED MAY 25, 1959, RECORDED IN DEED BOOK 272, PAGE 157, PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, FOR A DISTANCE OF THREE HUNDRED SIXTY-EIGHT AND FOUR-TENTHS (368.4) FEET TO AN IRON ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID FORTY (40) FOOT COUNTY ROAD; THENCE SOUTH 880 52' WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD FOR A DISTANCE OF THREE HUNDRED SEVENTY-FIVE (375) FEET TO AN IRON SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 1, AT THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. THIS PARCEL OF LAND SAID TO CONTAIN 2.6 ACRES, MORE OR LESS, ACCORDING TO PLAT OF SURVEY MADE BY GEORGE W. LOVESEE, REGISTERED LAND SURVEYOR NO. 627, DATED SEPTEMBER 15, 1959.

SECTION 4. EFFECTIVE DATE.

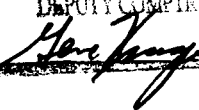
The Board of County Commissioners shall cause this Ordinance to be filed with the Department of Community Affairs and the Secretary of State. This Ordinance shall become effective on the thirty-first (31st) day after adoption by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


JIM B. HIGGINBOTHAM
Its: Chairman

ATTEST:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

REVIEWED BY GENE KNAGA
DEPUTY COMPTROLLER
 DATE 8/13/07



Approved as to form:


DAVID A. HALLMAN,
County Attorney

**SMALL SCALE DEVELOPMENT AMENDMENT
SUBMITTAL FORM**

1. Name of Local Government Nassau County
 Person completing this form Ann Gregory Phone Number (904) 491-3613
 Name of Newspaper that notice of small scale development amendment was published
Nassau County Record
 Date Publication Noticed 6/14/07

(Please attach copy of notice)

2. Number of acres of small scale development amendments contained in package:
- a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, FS 0
 - b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180(5), FS 0
 - c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), FS 0
 - d. Outside categories a, b, and c. 2.5
3. Cumulative total number of acres of small scale development amendments for the calendar year:
- a. Categories listed in Item 2 a, b, and c, above 0
 - b. Categories listed in Item 2 d above 11.45
4. Total number of acres of small scale development amendments in this package that are located within a coastal high hazard area as identified in the comprehensive plan 0

Pursuant to Rule 9J-11.015(2), Florida Administrative code, this form must be mailed with all small scale development amendments as defined by Section 163.3187(1)©, Florida Statutes to:

DEPARTMENT OF COMMUNITY AFFAIRS
 BUREAU OF STATE PLANNING
 PLAN PRICISSING SECTION
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100
 (904) 488-4925

ZONING NOTICE

NOTICE IS HEREBY GIVEN that on Tuesday, the 3rd day of July 2007, at 7:00 p.m., the Planning and Zoning Board of Nassau County will hold a public hearing at the Commission Chambers, Nassau County Governmental Complex, 96135 Nassau Place, Yulee, Florida 32097; to consider an amendment to the Nassau County Comprehensive Plan - Future Land Use Map (FLUM); No. CPA06-008. Also be it known that on Monday, the 23rd day of July 2007, at 7:00 p.m., the Board of County Commissioners of Nassau County will hold a public hearing on the said petition for an amendment

to the Nassau County Comprehensive Plan - Future Land Use Map (FLUM), application No. CPA06-008 at the above location concerning the following described property in Nassau County.

DESCRIPTION OF PROPERTY:

SCHEDULE A:

All of that certain tract or parcel of land situate, lying and being in the County of Nassau and State of Florida, in Section Five (5), Township Three (3) North, Range Twenty-four (24) East and being further described by metes and bounds as follows: BEGINNING at the intersection of the North line of said Section Five (5) and the Easterly right-of-way line of U.S. Highway No. 1 (150' R/W); thence go South 31° 03' East along the Easterly right-of-way of said highway for Six (6) feet, more or less, to the Southerly right-of-way line of a Forty (40) foot County Road leading to the East; thence continue South 31° 03' East along the Easterly right-of-way line of said U.S. Highway No. 1 for a distance of Four Hundred Twenty (420) feet to an iron; thence North 88° 52' East to an iron; thence North 20° 53' West, along the dividing line between the lands herein described and the lands conveyed by C. C. Knight and Mary E. Knight, his wife, to Guy C. Thompson and Lillie M. Thompson, his wife, by deed dated May 25, 1959, recorded in Deed Book 272, page 157, public records of Nassau County, Florida, for a distance of Three Hundred Sixty-eight and Four-tenths (368.4) feet to an iron on the Southerly right-of-way line of the aforesaid Forty (40) foot County Road; thence South 88° 52' West along the Southerly right-of-way line of said County Road for a distance of Three Hundred Seventy-five (375) feet to an iron set in the Easterly right-of-way line of said U.S. Highway No. 1, at the point of beginning of the lands herein described. This parcel of land said to contain 2.6 acres, more or less, according to plat of survey made by George W. Lovesee, Registered Land Surveyor No. 627, dated September 15, 1959.

The street address and/or location for the above described property is: On the north side of U.S. 1 between Karla Drive and Sweenigan Road, Hilliard area.

This application is filed by: David & Siglinda Davis, 2717 Toggle Trace, Hilliard, Florida 32046.

This property is classified on the FLUM as Agricultural and a change is requested to Commercial on approximately 2.5 acres.

A copy of the application may be examined at the Growth Management Office, located in the Public Services Building; 96161 Nassau Place, Yulee, FL 32097; Telephone 491-3613 or 1-800-264-2065.

Individuals presenting evidence for or against the applications should pick up copies of the application and copies of the criteria that are applicable to the application at the Growth Management Office located at 96161 Nassau Place, Yulee, FL 32097.

THIS MATTER IS SUBJECT TO COURT IMPOSED QUASI-JUDICIAL RULES OF PROCEDURES. INTERESTED PARTIES SHOULD LIMIT CONTACT WITH PLANNING BOARD MEMBERS AND COUNTY COMMISSIONERS IN THIS TOPIC TO PROPERLY NOTICED PUBLIC HEARINGS OR TO WRITTEN COMMUNICATION CARE OF NASSAU COUNTY GROWTH MANAGEMENT DEPARTMENT, 96161 NASSAU PLACE, YULEE, FL 32097.

The Planning and Zoning Board will receive public comment starting at 7:00 p.m.

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact 491-3606 at least twenty-four (24) hours in advance to request such accommodation.

THE PUBLIC IS INVITED TO BE PRESENT AND BE HEARD. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE WILL NEED A RECORD TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The Board of County Commissioners may continue hearings on this matter.

Chairman King
Nassau County Planning & Zoning Board.
Nassau County, Florida

All persons interested are notified to be present and they will be heard at the public hearing before the Board of County Commissioners as herein above stated.

John A. Crawford
Clerk of the Circuit Court
Nassau County, Florida
11 06-14-2007
2378

Nassau County Record

617317 Brandies Avenue, PO Box 609
Callahan, Florida 32011
(904) 879-2727 - Fax (904) 879-5155

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Michael B. Hankins
who on oath says that he is the Advertising Director of the Nassau County Record, a weekly newspaper published at Callahan in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

ZONING NOTICE CPA06-008

was published in said newspaper in the issues of

06/14/07
REF# 2378

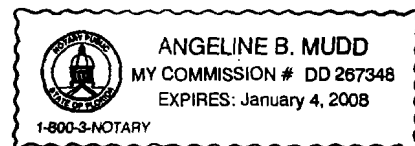
Affiant further says that the said Nassau County Record is a newspaper published at Callahan, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Callahan in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Michael B. Hankins




Sworn to and subscribed before me this 5th day of July A.D. 2007.

Angelina B. Mudd
Angelina B. Mudd, Notary Public


AM Personally Known









**COMPREHENSIVE PLAN 2010
NASSAU COUNTY FLORIDA**




-  FREEWAY
-  ROADS
-  MAJOR COUNTY COLLECTOR

-  INDUSTRIAL
-  INCORPORATED AREAS
-  WETLANDS

-  MULTI - USE
 1. Three Rivers DRI
(See Policy I.02.05 (K) (1))
 2. PLM WEST

-  AGRICULTURE
-  RECREATIONAL
-  COMMERCIAL

-  LOW DENSITY
 - Greater than 1 dwelling unit per acre
up to 2 dwelling units per acre
-  MEDIUM DENSITY
 - Greater than 2 dwelling unit per acre
up to 3 dwelling units per acre
-  HIGH DENSITY
 - Greater than 5 dwelling unit per acre
up to 10 dwelling units per acre

-  OTHER PUBLIC BUILDINGS
-  PUBLIC BUILDING GROUNDS
-  STATE PRESERVED LAND / PARKS

