

ORDINANCE 2007 - 28

AN ORDINANCE OF NASSAU COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE RECLASSIFICATION OF APPROXIMATELY 5.00 ACRES LOCATED ON THE EAST SIDE OF U.S. HIGHWAY 1 FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (C); FINDING THIS ACTION TO MEET THE STANDARDS OF A SMALL-SCALE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Henry M. and Viola Kelly, as the property owner in fee simple, filed application #CPA07-007 to change the Future land Use Map classification of that 5.00 acre parcel of land described herein; and

WHEREAS, Henry M. and Viola Kelly 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 August 7, 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 August 27, 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 Low Density Residential (LDR) 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 Henry M. and Viola Kelly and is described as follows:

A portion of the William Sparkman Grant, Section 37, Township 3 North, Range 24 East, Nassau County, Florida. Said Portion also being the same as those lands as described in official records book 454, page 584, of the public records of Nassau County, Florida.

"All that certain lot, piece, or parcel of land situate, lying and being in Section Thirty-seven (37), Township Three (3) North, Range Twenty-four (24) East, Nassau County, Florida, and being part of the land described in Official Records Book 325, Page 681 of the public records of said Nassau County, and being more particularly described by metes and bounds as follows:

From the point of Reference at the Northeast corner of said Section, run South zero (00) degrees, Twenty-four (24) minutes, Forty (40) seconds West along the East line of said Section One Thousand One Hundred Seventy-Nine and Sixty-five Hundredths (1179.65) feet to an iron on the southerly right of way line of a graded road; thence South Zero (00) degrees, Nine (09) minutes, Ten (10) seconds East continuing along the East line of said Section, Two Hundred Seventy-four (274.00) feet to the Point of beginning, thence continue the same Seven Hundred Forty-one and Ten Hundredths (741.10) feet; thence North Thirty-two (32) degrees, Fifty-two (52) MINUTES, FORTY-FIVE (45) SECONDS west Nine Hundred Thirty-two and Ninety-five Hundredths (932.95) feet; thence North Fifty-seven (57) degrees, Seven (07) minutes, Fifteen (15) SECONDS east Two Hundred (200.00) feet; thence South Sixty-five (65) degrees, Fifty (50) minutes, nine (90) seconds East Three Hundred Sixty-eight and eight-five Hundredths (368.85) feet to the Point of Beginning.

Along with that certain Easement described as follows:

All those certain lots, pieces, or parcels of land situate, lying, and being in Section 37, Township 3 North, Range 24 East, Nassau County, Florida.

From the point of Reference at the northeast corner of said Section; run South 0 degrees 24 minutes 40 seconds West along the east line of said Section, 1179.65 feet to the point of Beginning and to an iron on the southerly right of way line of a graded road; thence South 0 degrees 09 minutes 10 seconds East continuing along the East line of said Section, 274.00 feet; thence North 65 degrees 50 minutes 09 seconds West 32.92 feet; thence North 0 degrees 09 minutes 10 seconds West 262.79 feet to a point on said southerly right of way line; thence South 85 degrees 40 minutes 50 seconds East 30.09 feet along said southerly right of way line to the Point of Beginning. "

SECTION 4. EFFECTIVE DATE.

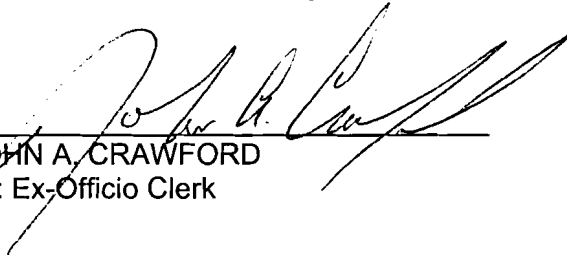
The Board of County Commissioners shall cause this Ordinance to be filed with the Department of Community Affairs and the Secretary of State. This Ordinance shall become effective on the thirty-first (31st) day after adoption by the Board of County Commissioners. If an appeal is filed, this Ordinance shall become effective pursuant to Section 163.3187 (3)(a), F.S.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

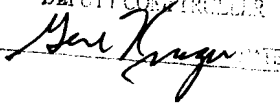


JIM B. HIGGINBOTHAM
Its: Chairman


Attest as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

REVIEWED BY GENE KNAGA
DEPUTY COMPTROLLER
 8/29/07

Approved as to form by the
Nassau County Attorney:



DAVID A. HALLMAN

**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 7/19/07

(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. 5.0
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 14.86
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 PRICESSING SECTION
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100
 (904) 488-4925

Nassau County Record

Published Weekly
617317 Brandies Avenue, PO BOX
Callahan, Nassau County, FL 32011
904-879-2727

STATE OF FLORIDA
COUNTY OF NASSAU:


Before the undersigned authority 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 the advertisement, being a
LEGAL ADVERTISEMENT in the matter of

**ZONING NOTICE
NOTICE OF SMALL-SCALE AMENDMENT
FLUM NO. CPA07-007**

was published in said newspaper in the issue(s) of

**07/19/07
REF NO: 2397**

Affiant further says that the said Nassau County
Nassau County, Florida, and that the said newspaper
has heretofore been continuously published in
Callahan in said Nassau County, Florida, each week
and has been entered as second class matter at the
post office in Callahan, Nassau County, Florida for a
period of one year 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 said newspaper.



Sworn to and subscribed before me this 19th
day of **JULY A.D. 2007**



Angelina B. Mudd, Notary Public

 Personally Known

NOTICE OF SMALL-SCALE AMENDMENT

NOTICE IS HEREBY GIVEN that on Tuesday,
the 7th day of August 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 (FLUM), No. CPA07-007.
Also be it known that on Monday, the 27th day of
August 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 (FLUM), application No. CPA07-007 at
the above location concerning the following
described property in Nassau County:

The Street Address and/or Location for the
above described property is: On the east side of US
Hwy 1, 800 feet south of Sikes Road Drive, Callahan
area.

This application filed by: Henry Pat Kelley and
Viola F. Kelley, 545689 US Highway 1, Callahan,
Florida 32011, owners.

This property is classified on the FLUM as Low
Density Residential (LDR) and a change is request-
ed to Commercial (C) on approximately 5.00 acres.

All interested parties are invited to attend the
public hearing and to be heard. Copies of the
Application and supporting information are available
for inspection in the office of the Nassau County
Growth Management Department, 96161 Nassau
Place, Yulee, FL 32097. Comments may also be
directed in writing to the Growth Management
Department, emailed to agregory@nassaucoun-tyfl.com
or received by telephone at (904) 491-
3613. All comments will become a part of the record
in this matter.

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

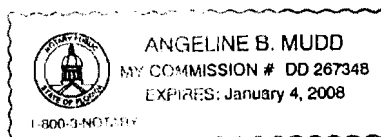
THE PUBLIC IS INVITED TO BE PRESENT
AND BE HEARD. IF A PERSON DECIDES TO
APPEAL ANY DECISION MADE BY THE BOARD,
AGENCY OR COMMISSION WITH RESPECT TO
ANY MATTER CONSIDERED AT SUCH MEETING
OR HEARING, HE WILL NEED A RECORD TO
ENSURE THAT A VERBATIM RECORD OF THE
PROCEEDINGS IS MADE, WHICH RECORD
INCLUDES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

The Board of County Commissioners may con-
tinue hearings on this matter.

Chairman Stack
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
21 07-19-28-2007
2397



Adjusted FLUM
GIS Department

