

ORDINANCE NO. 2008- 11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 8.79 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 17 BETWEEN HARTS RD. AND ASTOR LANE FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG); PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, William and Betty Teal, owners of the real property described in this Ordinance, filed Application R08-004 for a rezoning and reclassification of the property from Open Rural (OR) to Commercial General (CG); and

WHEREAS, the property is designated as Commercial by the Future Land Use Map series of the Nassau County Comprehensive Plan; and

WHEREAS, the historic and existing use of the property was rendered non conforming by the initial zoning classification of Open Rural (OR) by the Official Zoning Map; and

WHEREAS, the Planning and Zoning Board, after due notice conducted a public hearing on July 1, 2008 and voted to recommend approval of the rezoning request to the Commercial General (CG) district to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the overall Comprehensive Land Use Plan and orderly development of the County of Nassau, Florida, and the specific area; and

WHEREAS, public notice of this rezoning has been provided in accordance with Chapter 125, Florida Statutes and the Nassau County Land Development Code.

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

SECTION 1. FINDINGS: That the proposed rezoning to Commercial General (CG) is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan in particular Policy 1.02.03 of the Future Land Use Element.

SECTION 2. PROPERTY REZONED: The real property described in Section 3 is rezoned and reclassified from Open Rural (OR) to Commercial General (CG) as defined and classified under the Zoning Ordinance, Nassau County, Florida. The Official Zoning Map shall be amended to reflect this change.

SECTION 3. OWNER AND DESCRIPTION: The land rezoned by this Ordinance is owned by William and Betty Teal of Fernandina Beach, Florida and is legally described as follows:

Tax Parcel Identification Numbers: 42-2N-27-0000-0098-0010, 42-2N-27-0000-0098-0000 (portion), and 42-2N-27-0000-0098-0060 more accurately described as:

*PARCEL 1 OF 3
42-2N-27-0000098-0010*

A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, HASSAU COUNTY, FLORIDA.

Said portion being more particularly described as follows: For a point of reference commence at the Southwest corner of Lot 5, Yulee Farms, Unit One, according to Plat recorded in the Public Records of said County, in Plat Book 2, Page 37; and run North 83°-49' West, a distance of 75.0' feet to the Westerly right-of-way line of U.S. Highway No. 17 (a 75.0' foot R/W); run thence South 6°-11' West along said right-of-way, a distance of 247.50' feet; run thence North 83°-49' West, a distance of 12.5' feet to a point where said right-of-way widens to 100.0' feet; run thence South 6°-11' West along said right-of-way, a distance of 541.16' feet to the POINT OF BEGINNING.

From the Point of Beginning thus described continue South 6°-11' West along said Westerly right-of-way, a distance of 200.0' feet; run thence North 83°-49' West, a distance of 389.67' feet; run thence North 6°-04' East, a distance of 274.39' feet; run thence South 83°-49' East, a distance of 190.17' feet; run thence South 6°-11' West, a distance of 74.39' feet; run thence South 83°-49' East, a distance of 200.0' feet to the POINT OF BEGINNING.

The Southerly 30.0' feet of foregoing described lands is subject to an easement for ingress and egress purposes.

2.12 ACRES MBL

PARCEL 2 OF 3

42-2N-27-0000009E-0060

A portion of Section Forty-two (42), Township Two (2) North, Range Twenty-seven (27) East, Nassau County, Florida. Said portion being more particularly described as follows:

For a POINT OF REFERENCE commence at the Southwest corner of Lot Five (5), Yulee Farms, Unit One, according to plat recorded in the public records of said County in Plat Book 2, page 37; and run North Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of Seventy-five (75.0) feet to the Westerly right of way line of U.S. Highway No. 17, (a Seventy-five (75.0) foot right of way); run thence South Six (06) degrees, Eleven (11) minutes West along said right of way a distance of Two Hundred Forty-seven and Fifty Hundredths (247.50) feet; run thence North Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of Twelve and Fifty Hundredths (12.50) feet to a point where said right of way widens to One Hundred (100.0) feet; run thence South Six (06) degrees, Eleven (11) minutes West continuing along said right of way a distance of Two Hundred Fifty-seven and Ninety Hundredths (257.90) feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING thus described continue South Six (06) degrees, Fourteen (14) minutes West along said right of way a distance of Two Hundred Eighty-three and Twenty-six Hundredths (283.26) feet; run thence North Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of Two Hundred (200.0) feet; run thence North Six (06) degrees, Eleven (11) minutes East a distance of Seventy-four and Thirty-nine Hundredths (74.39) feet; run thence North Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of Eight Hundred Seven and Sixty-seven Hundredths (807.67) feet to the Easterly right of way line of the Seaboard System Railroad, (a Two Hundred (200.0) foot right of way); run thence North Six (06) degrees, Four (04) minutes East along said right of way a distance of Two Hundred Eight and Eighty-seven Hundredths (208.87) feet; run thence South Eighty-three (83) degrees, Forty-nine (49) minutes East a distance of One Thousand Eight and Eighteen Hundredths (1008.18) feet to the POINT OF BEGINNING.

5.17 ACRES MBL

PARCEL 3 of 3
422N27 - 000000 98 - 0000

SR 0524 PG 0409
OFFICIAL RECORDS

EXHIBIT "A"

A portion of Section Forty-two (42), Township Two (2) North, Range Twenty-seven (27) East, Nassau County, Florida. Said portion being more particularly described as follows:

For a POINT OF REFERENCE commence at the Southwest corner of Lot Five (5), Yulee Farms, Unit One (1), according to plat recorded in the public records of said County, in Plat Book 2, page 37; and run North Eighty-three (83) degrees, Thirty-nine (39) minutes West a distance of Seventy-five (75.0) feet to the Westerly right of way line of U.S. Highway No. 17, (a Seventy-five (75.0) foot right of way); run thence South Six (06) degrees, Eleven (11) minutes West along said right of way a distance of Two Hundred Forty-seven and Fifty Hundredths (247.50) feet; run thence South Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of Twelve and Fifty Hundredths (12.50) feet to a point where said right of way widens to a One Hundred (100.0) foot right of way; run thence South Six (06) degrees, Eleven (11) minutes West continuing along said right of way a distance of Seven Hundred Forty-one and Sixteen Hundredths (741.16) feet to the POINT OF BEGINNING.

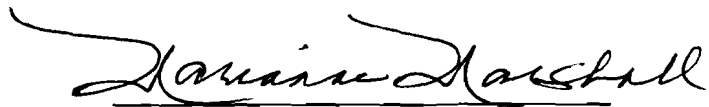
From the POINT OF BEGINNING run thence North Eighty-three (83) degrees, Forty-nine (49) minutes West a distance of One Thousand Seven and Twenty-three Hundredths (1007.23) feet to the Easterly right of way line of Seaboard Coastline Railroad, (a Two Hundred (200.0) foot right of way); run thence along said right of way South Six (06) degrees, Nineteen (19) minutes, Forty-one (41) seconds West a distance of One Hundred Seventy and Sixty-six Hundredths (170.66) feet; run thence South Eighty-three (83) degrees, Forty-nine (49) minutes East a distance of One Thousand Seven and Sixty-six Hundredths (1007.66) feet to the Westerly right of way of U.S. Highway No. 17; run thence North Six (06) degrees, Eleven (11) minutes East a distance of One Hundred Seventy and Two Hundredths (170.02) feet to the POINT OF BEGINNING.

LESS & EXCEPT REAR 615 FEET
1.5 ACRES MOL

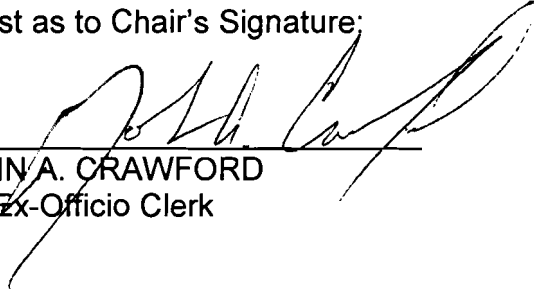
SECTION 3. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed with the Secretary of State.

PASSED AND ADOPTED THIS 28th DAY OF July, 2008.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

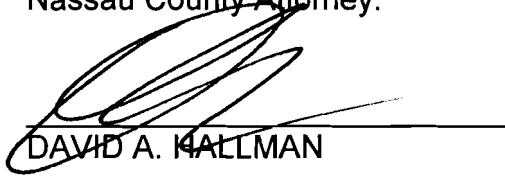

MARIANNE MARSHALL
Its: Chairman

Attest as to Chair's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form and legality by the
Nassau County Attorney:



DAVID A. HALLMAN