

ORDINANCE NO. 2009-07

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 2.15 ACRES OF REAL PROPERTY LOCATED ON THE EAST SIDE OF BLACKROCK ROAD IN SECTION 43, TOWNSHIP 3 NORTH, RANGE 28 EAST FROM RESIDENTIAL SINGLE FAMILY 1 (RS-1) TO OPEN RURAL (OR); PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Gary L and Jackie L Emerson, owner of the real property described in this Ordinance, filed Application R08-009 for a rezoning and reclassification of the property from Residential Single Family 1 (RS-1) to Open Rural (OR); and

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

WHEREAS, the Planning and Zoning Board, after due notice conducted a public hearing on November 4, 2008 and voted to recommend denial of the rezoning request to the Open Rural (OR) district to the Commission; and

WHEREAS, matter was continued to a date uncertain by the Board of County Commissioners on December 8, 2008; and

WHEREAS, in an attempt to respond to community and planning and Zoning Board concerns the Applicants reduced the acreage involved in R08-009 from 14.8 to 2.15 in successive actions; and

WHEREAS, the planning and Zoning Board conducted a public hearing on the amended application on March 3, 2009 and voted to recommend approval; 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 Open Rural (OR) is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan policies 1.01.04, 1.10.03(C), and 1.06.06

SECTION 2. PROPERTY REZONED: The real property described in Section 3 is rezoned and reclassified from Residential Single Family 1 (RS-1) to Open Rural (OR) 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 Gary L and Jackie L Emerson, of Yulee, Florida and is described as follows:

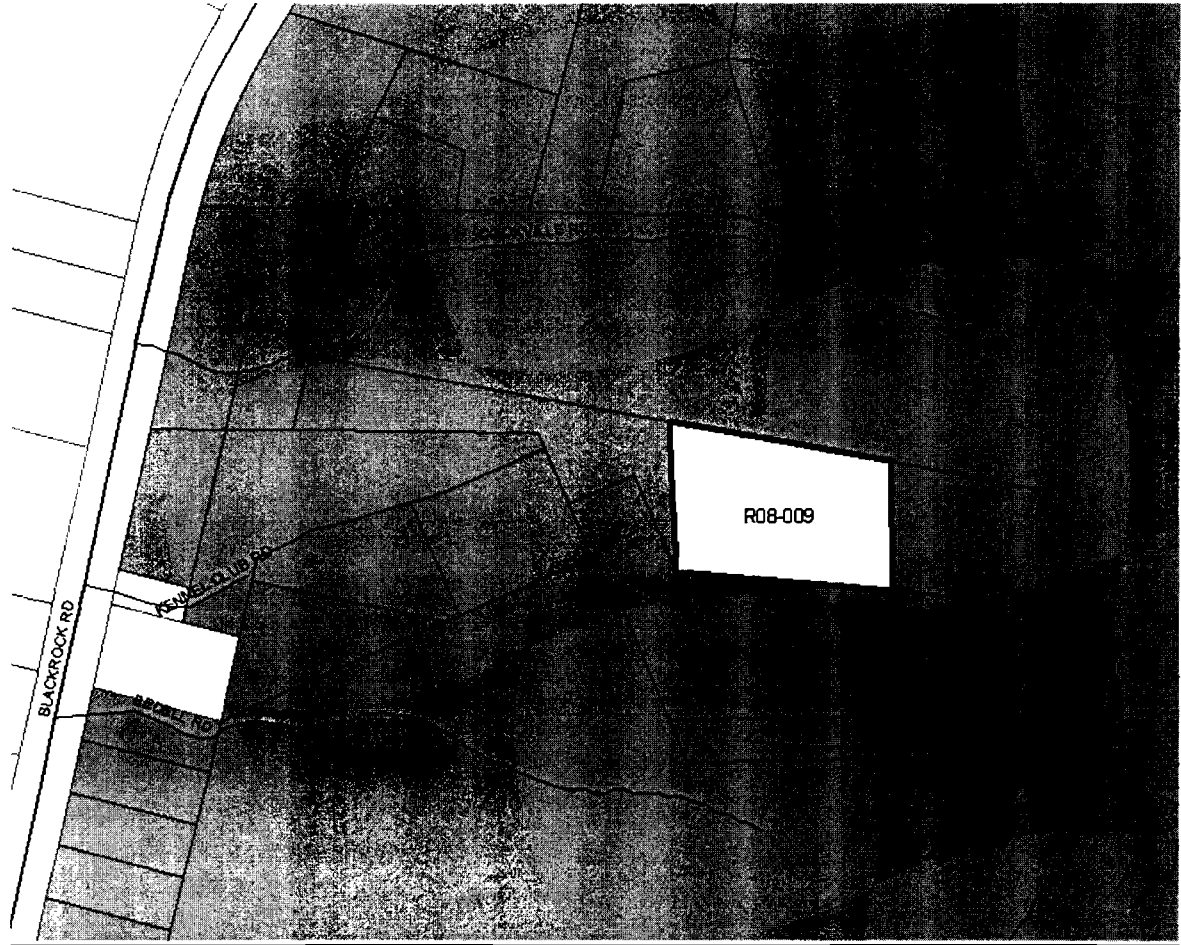
A PORTION OF SECTION 43, TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY FLORIDA

SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SECTION 44, TOWNSHIP 3 NORTH, RANGE 28 EAST NASSAU COUNTY FLORIDA AND RUN NORTH 12 05'42" EAST, A DISTANCE OF 150.32 FEET; THENCE NORTH 75 39'33" WEST, A DISTANCE OF 104.2 FEET; THEN NORTH 11 57'50" EAST A DISTANCE OF 344.47 FEET; THENCE SOUTH 89 29'34" EAST, A DISTANCE OF 119.06 FEET TO A 5/8 IRON ROD AND CAP "MANZIE LB 7039" SET; THENCE SOUTH 89 29'34" EAST, A DISTANCE OF 435.05 FEET TO A FOUND ?" IRON ROD AND CAP "LB 7039"; THENCE SOUTH 23 45'10" EAST, A DISTANCE OF 124.00 FEET TO A FOUND 5/8" IRON ROD AND CAP "PLS 1558"; THENCE SOUTH 23 45'10" EAST A DISTANCE OF 183.72 FEET TO A FOUND 5/8" IRON ROD AND CAP "PLS 1558" FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING JUST DESCRIBED CONTINUE SOUTH 85 11'47" EAST, A DISTANCE OF 385.00 FEET; THENCE SOUTH 01 27'51" EAST, A DISTANCE OF 226.00 FEET; THENCE SOUTH 79 45'53" EAST, A DISTANCE OF 395.50 FEET; THENCE SOUTH 01 27'51" EAST TO THE POINT OF BEGINNING.

CONTAINING 2.15 ACRES MORE OR LESS

ORDINANCE NO. 2009-___
Boundary of Subject Property



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

PASSED AND ADOPTED THIS 23rd DAY OF March, 2009.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



BARRY V. HOLLOWAY
Its: Chairman

ATTESTATION: ONLY TO AUTHENTICITY
AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

EBK
3/23/09

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



DAVID A. HALLMAN,
County Attorney