

ORDINANCE NO. 2009 - 27

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP SERIES OF THE 2010 COMPREHENSIVE PLAN; PROVIDING FOR A CHANGE OF APPROXIMATELY 9.9 ACRES FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO HIGH DENSITY RESIDENTIAL (HDR); PROVIDING FOR FINDINGS; PROVIDING FOR TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Amelia Development, LLC, owner of the real property described in this Ordinance, filed Application CPA09-006 for a Future Land Use amendment of the Nassau County Comprehensive Plan of approximately 9.9 acres from Medium Density Residential (MDR) to High Density Residential (HDR) and;

WHEREAS, the property is located immediately adjacent to existing public facilities at an urban scale including water/sewer service and roads.

WHEREAS, Sec. 163.3194, F.S. requires that all local government development orders be consistent with the adopted comprehensive plan; and

WHEREAS, the Planning and Zoning Board, also acting in their capacity as the Local Planning Agency (LPA) for Nassau County, conducted a public hearing on August 4, 2009 and voted to recommend approval of CPA09-006 to the Board of County Commissioners; and

WHEREAS, on September 14, 2009 the Board of County Commissioners conducted a public hearing on this matter and authorized transmittal of CPA09-006 as a small-scale amendment; and

WHEREAS, public notice of all public hearings have been provided in accordance with Chapter 163, F.S.

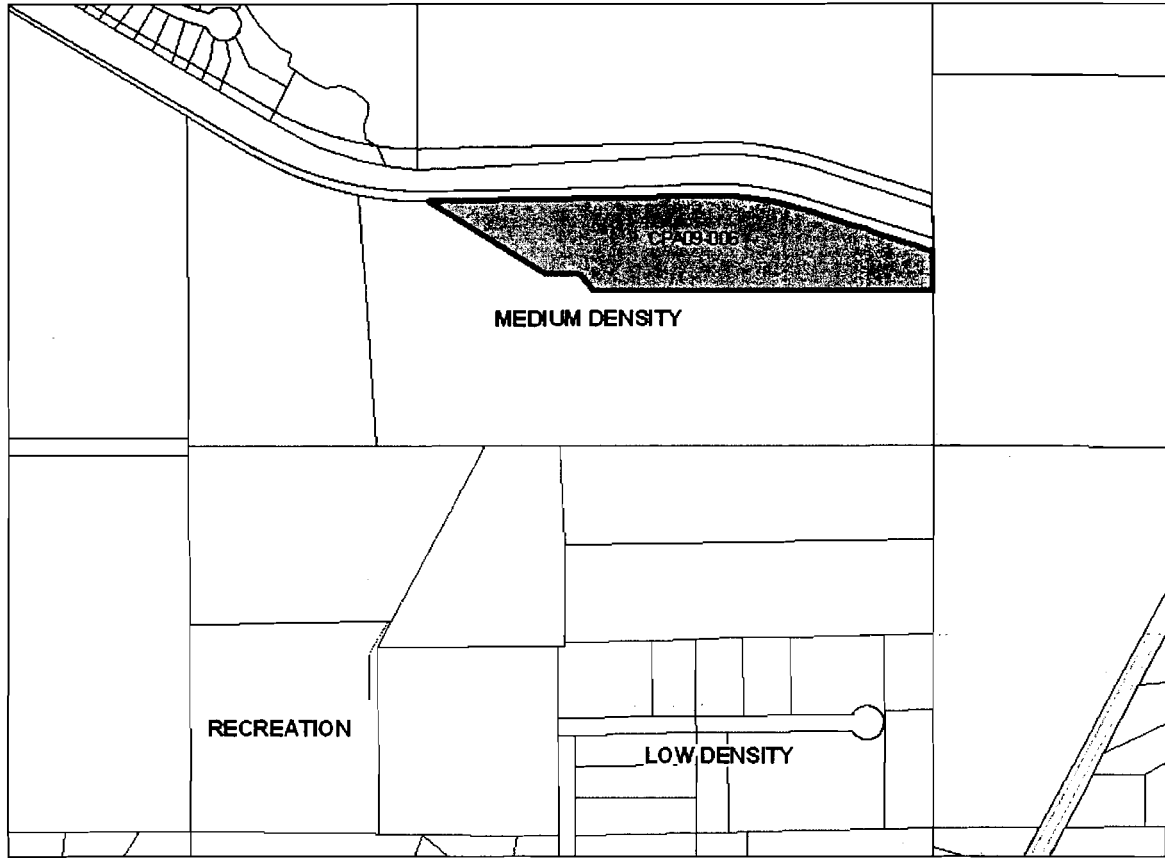
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

SECTION 1. FINDINGS

- A. This action complies with Chapter 163, Part II, Florida Statutes and Rule 9J-5, F.A.C. This amendment qualifies as a small-scale amendment per §163.3187(1)(c), F.S.
- B. This action is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan, in particular Polices 1.06.06 and 1.02.05(b).

SECTION 2. AMENDMENT

The property identified graphically below, a portion of Tax Parcel ID No. 29-2N-28-0000-0002-0000, is hereby reclassified on the Future land Use Map series of the Nassau County Comprehensive Plan from Medium Density Residential (MDR) to High Density Residential (HDR). Upon the effective date of this Ordinance, the Growth Management Department is hereby authorized to amend the Future Land Use Map (FLUM) to reflect this change.



LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN AND BEING A PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA.

SAID PARCEL BEING ALSO A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1224, PAGE 999 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF SECTION 29 AFORESAID; THENCE NORTH 00°25'24" WEST ALONG THE EASTERLY LINE OF SAID SOUTHWEST ONE-

QUARTER OF SECTION 29, A DISTANCE OF 567.47 FEET TO THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH 00°25'24" WEST, ALONG THE EASTERLY LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 29, A DISTANCE OF 142.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF AMELIA CONCOURSE (A 150-FOOT RIGHT-OF-WAY); THENCE NORTH 72°36'56" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 415.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1050.00 FEET; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°00'26", AN ARC DISTANCE OF 348.33 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 82°07'09" WEST, A DISTANCE OF 346.73 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88°22'38" WEST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1015.37 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 1200.00 FEET; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°28'31", AN ARC DISTANCE OF 51.84 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 89°36'54" WEST, A DISTANCE OF 51.84 FEET; THENCE SOUTH 61°36'24" EAST A DISTANCE OF 493.35 FEET; THENCE NORTH 89°44'49" EAST A DISTANCE OF 121.12 FEET; THENCE SOUTH 32°09'48" EAST A DISTANCE OF 75.27 FEET; THENCE NORTH 89°23'55" EAST, ALONG A LINE PARALLEL WITH THE SOUTHERLY LINE OF SAID SECTION 29, A DISTANCE OF 1212.38 FEET TO THE POINT OF BEGINNING.

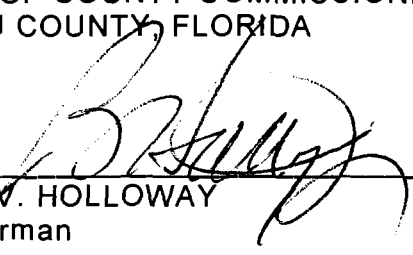
CONTAINING 431,244.00 SQUARE FEET OR 9.90 ACRES, MORE OR LESS.

SECTION 3. 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.

ENACTED AND ADOPTED BY THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, this 28th day of September, 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

Approved as to form by the
Nassau County Attorney:



DAVID A. HALLMAN,
County Attorney