

**ORDINANCE NO. 2009 - 30**

**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 1.11 ACRES FROM COMMERCIAL (C) TO LOW DENSITY RESIDENTIAL (LDR); PROVIDING FOR FINDINGS; PROVIDING FOR TRANSMITTAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Henry & Viola Kelly, owners of the real property described in this Ordinance, filed Application CPA09-007 for a Future Land Use amendment of the Nassau County Comprehensive Plan of approximately 1.11 acres from Commercial (C) to Low Density Residential (LDR) 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 October 6, 2009 and voted to recommend approval of CPA09-007 to the Board of County Commissioners; and

**WHEREAS**, on October 26, 2009 the Board of County Commissioners conducted a public hearing on this matter and authorized transmittal of CPA09-007 as a small-scale amendment; and

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

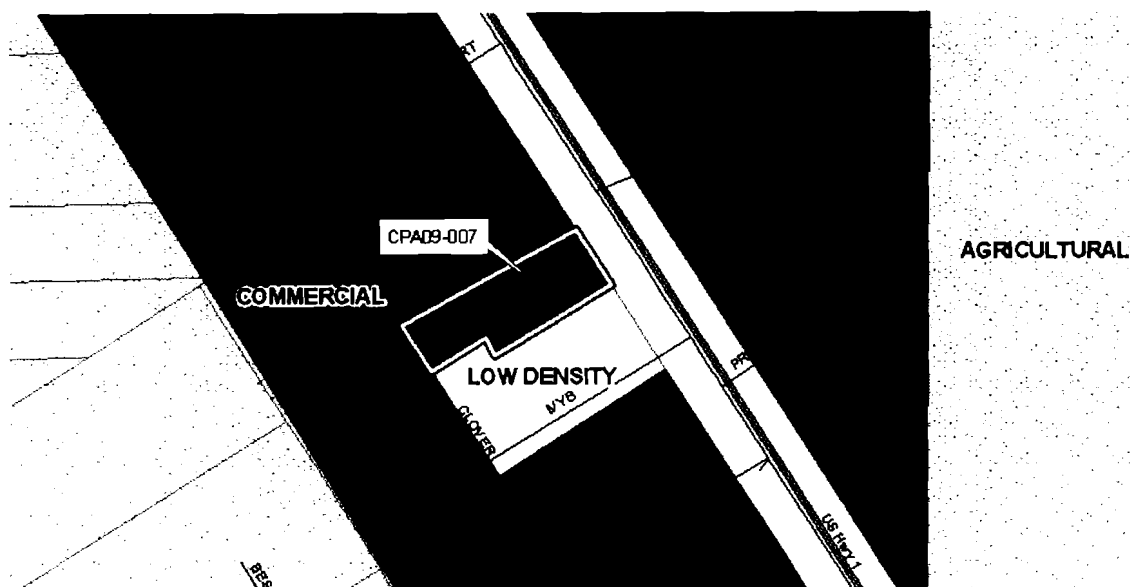
**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:**

**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 1.02.05(b), 1.01.06, and 1.01.04.

**SECTION 2. AMENDMENT**

The property legally described and shown graphically below, being a portion of Tax Parcel ID No. 37-3N-24-0000-0012-0000, is hereby reclassified on the Future land Use Map series of the Nassau County Comprehensive Plan from Commercial (C) to Low Density Residential (LDR). 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 PORTION OF SECTION 37, TOWNSHIP 3 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A POINT WHERE THE NORTHERLY LINE OF SAID SECTION 37 IS INTERSECTED BY THE WESTERLY RIGHT-OF-WAY LINE OF U. S. HIGHWAY NO. 1 ( A 150 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED ); THENCE SOUTH 32 DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2234.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 32 DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 127.74 FEET TO A POINT; THENCE SOUTH 58 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 263.72 FEET TO A POINT; THENCE NORTH 30 DEGREES 11 MINUTES 51 SECONDS WEST DISTANCE OF 40.00 FEET TO A POINT; THENCE SOUTH 57 DEGREES 00 MINUTES 29 SECONDS WEST, A DISTANCE OF 123.45 FEET TO A POINT; THENCE NORTH 33 DEGREES 01 MINUTES 35 SECONDS WEST ( NORTH 33 DEGREES 00 MINUTES 00 SECONDS WEST PER DEED ), A DISTANCE OF 109.10 FEET TO A POINT; THENCE NORTH 60 DEGREES 51 MINUTES 35 SECONDS EAST, A DISTANCE OF 386.47 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, AFOREMENTIONED, AND THE POINT OF BEGINNING.

THE WESTERLY 30.00 FEET OF SAID PROPERTY BEING SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS.

CONTAINING 1.11 ACRES, MORE OR LESS, IN AREA.

**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 (31<sup>st</sup>) day after adoption by the Board of County Commissioners.

**ENACTED AND ADOPTED BY THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, THIS 26th DAY OF OCTOBER, 2009**


BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



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BARRY V. HOLLOWAY  
Its: Chairman

Attestation: Only to Authenticity  
a to Chairman's Signature:




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JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

ABK  
10/26/09

Approved as to form by the  
Nassau County Attorney:



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DAVID A. HALLMAN,  
County Attorney