

**ORDINANCE NO. 2009-33**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 25 ACRES FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI); APPROVING APPLICATION R09-008 FOR REAL PROPERTY LOCATED IN THE NORTHEAST QUADRANT OF I-95 AND SR200; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Nassau Properties, LLC, owner of the real property described in this Ordinance authorized filing of Application R09-008 for a rezoning and reclassification of the property from Open Rural (OR) to Commercial Intensive (CI); and

**WHEREAS**, the property is the subject of CPA06-007, a Future Land Use Map amendment to Commercial adopted by the Board of County Commissioners on July 28, 2008; and

**WHEREAS**, the applicant has demonstrated a plan to provide safe and adequate internal access to the property connecting to AIA/SR200 at Mentoria Road and Harper Chapel Road; and

**WHEREAS**, the Planning and Zoning Board, after due notice conducted a public hearing on November 3, 2009 and voted to unanimously to recommend approval of rezoning request R09-008; 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 Intensive (CI) is generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan

and, in particular, Policies 1.02.05(C), 1.02.05(H), 1.09.02, 1.09.08(a) and 1.10.03(C)

## **SECTION 2. PROPERTY REZONED.**

The real property described in Section 3 is rezoned and reclassified from Open Rural (OR) to Commercial Intensive (CI). The Official Zoning Map shall be amended to reflect these changes.

## **SECTION 3. OWNER AND DESCRIPTION**

The land rezoned by this Ordinance is owned by Nassau Properties, LLC of Jacksonville, Florida. It is identified by Tax Parcel Numbers 39-2N-26-0000-0001-0040 and 44-2N-27-0000-0001-0060 and is legally described as follows:

### **Legal Description:**

A PART OF THE E. WATERMAN GRANT, SECTION 39 TOWNSHIP 2 NORTH RANGE 26 EAST AND SECTION 44, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF INTERSTATE 95 AND STATE ROAD NO. 200; THENCE NORTH 72°19'01" EAST ALONG THE CENTERLINE OF SAID STATE ROAD NO. 200, A DISTANCE OF 674.64 FEET; THENCE NORTH 17°40'59" WEST AT RIGHT ANGLES TO SAID STATE ROAD NO. 200, A DISTANCE OF 100 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 200; THENCE SOUTH 72°19'01" WEST ALONG SAID RIGHT OF WAY, A DISTANCE OF 100.00 FEET TO THE END OF LIMITED ACCESS OF INTERSTATE 95; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINES OF SAID INTERSTATE 95 THE FOLLOWING TWO COURSES: NORTH 61°00'37" WEST, A DISTANCE OF 186.26 FEET; THENCE NORTH 37°48'45" WEST, A DISTANCE OF 68.54 FEET FOR A POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY LINES OF INTERSTATE 95 THE FOLLOWING 5 COURSES: NORTH 37°44'00" WEST, A DISTANCE OF 425.08 FEET; THENCE NORTH 27°08'57" WEST, A DISTANCE OF 564.05 FEET; THENCE NORTH 16°40'23" WEST, A DISTANCE OF 250.03 FEET; THENCE NORTH 19°18'30" WEST, A DISTANCE OF 250.48 FEET; THENCE NORTH 16°35'35" WEST, A DISTANCE OF 470.31 FEET; THENCE NORTH 73°23'30" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 1172.74 FEET; THENCE SOUTH 16°36'59" EAST, A DISTANCE OF 2098.02 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD NO. 200, SAID LINE ALSO BEING A CURVE NORTHWESTERLY AND HAVING A RADIUS OF 22,857.31 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 60.04 FEET AND BEING SUBTENDED BY A CHORD BEARING OF SOUTH 71°16'52" EAST AND A CHORD DISTANCE OF 60.04 FEET TO A POINT ON SAID CURVE; THENCE NORTH 16°34'40" WEST, DEPARTING FROM SAID RIGHT OF WAY, A DISTANCE OF 229.55 FEET; THENCE SOUTH 72°19'41" WEST, A DISTANCE OF 194.30 FEET; THENCE SOUTH 17°53'52" EAST, A DISTANCE OF 35.23 FEET; THENCE SOUTH 72°19'41" WEST, A DISTANCE OF 651.47 FEET TO THE POINT OF BEGINNING CONTAINING 49.02 ACRES, MORE OR LESS. (continued following page)

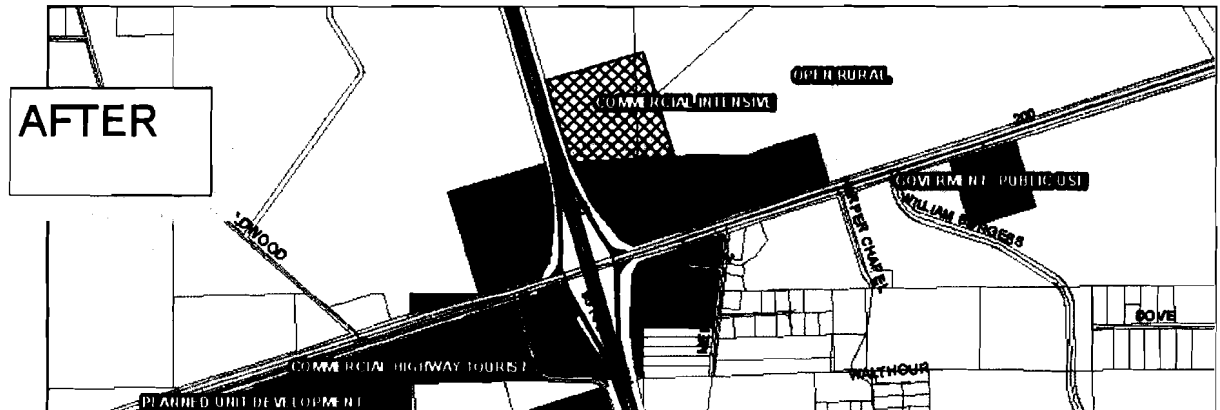
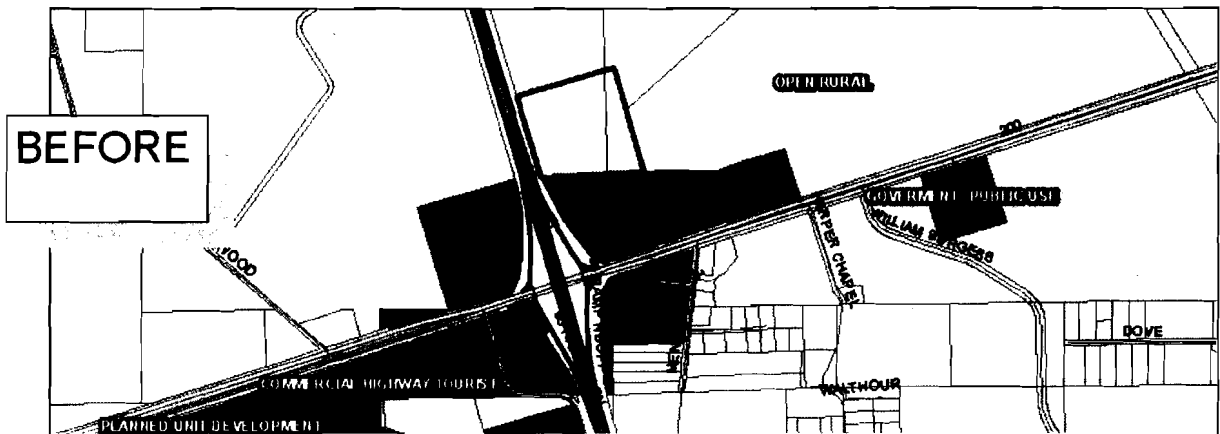
LESS AND EXCEPT:

ALL THAT PORTION OF THE ABOVE-DESCRIBED PROPERTY LYING SOUTH OF THE SOUTH LINE OF A 100-FOOT EASEMENT FOR TRANSMISSION LINES RECORDED IN O. R. 123, PAGE 284 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND CONTAINING APPROXIMATELY 25 ACRES.

### Location Map

R09-008  
Rezoning

Open Rural to Commercial Intensive

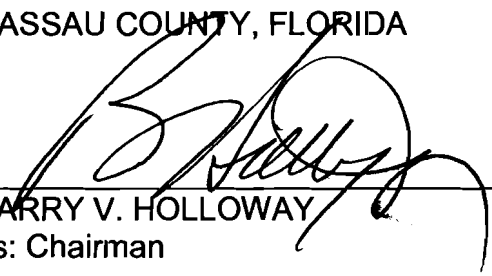


**SECTION 5. EFFECTIVE DATE.**

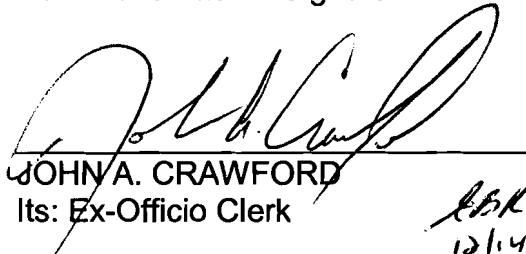
This Ordinance shall be filed with the Secretary of State.

**PASSED AND ADOPTED THIS** 14th **DAY OF** December,  
2009.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

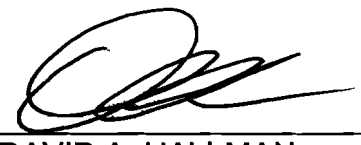
  
\_\_\_\_\_  
BARRY V. HOLLOWAY  
Its: Chairman

Attestation: Only To Authenticity  
As To Chairman's Signature:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

*BBK*  
*12/14/09*

Approved as to form by the  
Nassau County Attorney:

  
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DAVID A. HALLMAN,  
County Attorney