

**ORDINANCE NO. 2011- 01**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 1.02 ACRES OF REAL PROPERTY LOCATED ON THE SOUTH SIDE OF S.R. 200/A1A IMMEDIATELY ADJACENT TO, AND EAST OF, LOFTON CREEK CAMPGROUND FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG); PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Gillette & Assocs. of Fernandina Beach as authorized agent for JMA Properties, LLC, owner of the real property described in this Ordinance, filed Application R11-001 for a rezoning and reclassification of the property from Open Rural (OR) to Commercial General (CG); and

**WHEREAS**, the Planning and Zoning Board, after due public notice conducted a public hearing on February 1, 2011 and voted to recommend approval of this rezoning request; and

**WHEREAS**, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County; and

**WHEREAS**, the proposed CG zoning complies with the underlying Future Land Use Map (FLUM) designation of Commercial; 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 2030 Comprehensive Plan, in particular Polices FL.01.02(C), FL.07.02, FL.08.06, CS.06.04.

**SECTION 2. PROPERTY REZONED:** The real property described in Section 3 is rezoned and reclassified to Commercial General (CG); Upon the effective date of the ordinance, the Growth Management Department is authorized to amend the Official Zoning Map to reflect this change.

**SECTION 3. OWNER AND DESCRIPTION:** The land rezoned by this Ordinance is owned by the JMA Properties, LLC of Georgia and is identified by the following tax identification number, graphic illustration and legal description:

38-2N-27-0000-0014-0110



## LEGAL DESCRIPTION

That certain property described in the Official Records Book 1706, Page 502 of the Public Records of Nassau County, Florida, less and except a planned conservation easement described by the following legal description:

A PORTION OF SECTION 38, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, ALSO KNOWN AS BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 822, PAGE 15, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 822, PAGE 15, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 79°01'04" EAST ALONG THE NORTHERLY PROPERTY LINE OF LAST SAID LANDS AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 200 (A-1-A) (A VARIABLE WIDTH RIGHT-OF-WAY) AS SHOWN ON DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 74060-2503, A DISTANCE OF 30.62 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID NORTHERLY PROPERTY LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: (1) SOUTH 79°01'04" EAST A DISTANCE OF 49.88 FEET; (2) SOUTH 84°43'42" EAST A DISTANCE OF 283 FEET MORE OR LESS TO THE WATERS OF LOFTON CREEK AND A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE RETURN TO SAID POINT OF BEGINNING AND RUN SOUTH 00°18'58" EAST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND EGRESS EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1516, PAGE 651, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, A DISTANCE OF 15.30 FEET; THENCE SOUTH 79°01'04" EAST A DISTANCE OF 44.62 FEET; THENCE SOUTH 84°43'42" EAST A DISTANCE OF 210.78 FEET; THENCE SOUTH 00°00'00" EAST A DISTANCE OF 27.04 FEET; THENCE SOUTH 85°23'20" EAST A DISTANCE OF 17.67 FEET; THENCE SOUTH 17°17'59" WEST A DISTANCE OF 26.88 FEET; THENCE SOUTH 66°03'43" WEST A DISTANCE OF 2.94 FEET; THENCE SOUTH 04°36'40" WEST A DISTANCE OF 56.37 FEET; THENCE NORTH 85°23'20" WEST A DISTANCE OF 16.33 FEET; THENCE SOUTH 10°23'20" EAST A DISTANCE OF 41.41 FEET TO INTERSECT THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 822, PAGE 15, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 85°23'20" EAST, ALONG SAID SOUTH PROPERTY LINE, A DISTANCE OF 65 FEET MORE OR LESS TO THE WATERS OF LOFTON CREEK; THENCE NORTHERLY, ALONG THE WATERS OF LOFTON CREEK, A DISTANCE OF 165 FEET MORE OR LESS TO THE ABOVE REFERENCED POINT "A" AND THE CLOSE OF THIS DESCRIPTION.

**SECTION 3. EFFECTIVE DATE:** This Ordinance shall become effective after filing with the Secretary of State.


**PASSED AND ADOPTED THIS** 28th **DAY OF** February, 2011.

BOARD OF COUNTY COMMISSIONERS


NASSAU COUNTY, FLORIDA

  
WALTER J. BOATRIGHT,  
Its: Chairman

ATTESTATION: Only to Authenticity as to  
Chairman's Signature:

  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk *EGC 2/28/11*

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

  
DAVID A. HALLMAN,  
County Attorney