

ORDINANCE 2012 -03

**AN ORDINANCE OF NASSAU COUNTY, FLORIDA
REZONING APPROXIMATELY 4.04 ACRES OF
REAL PROPERTY LOCATED IMMEDIATELY WEST
OF 850774 US HWY 17 FROM INDUSTRIAL
WAREHOUSE (IW) TO COMMERCIAL INTENSIVE
(CI); PROVIDING FOR FINDINGS; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Holland-Zell Partnership LLC is the owner a parcel comprising approximately 4.04 acres identified as Tax Parcel # 42-2N-27-0000-0002-0430 by virtue of Deed recorded at O.R. 1711, page 1535 of the Public Records of Nassau County, Florida; and

WHEREAS, Holland-Zell Partnership LLC has authorized Gillette and Associates to file Application R11-007 to rezone the land described herein; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on December 6, 2011 and voted to recommend approval of R11-007 to the Commission; 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 CI zoning complies with the underlying Future Land Use Map (FLUM) designation of Commercial; and

WHEREAS, the Board of County Commissioners held a public hearing on January 9th, 2012; and

WHEREAS, public notice of all hearings has been provided in accordance with Chapters 125 Florida Statutes and the Nassau County Land Development Code.

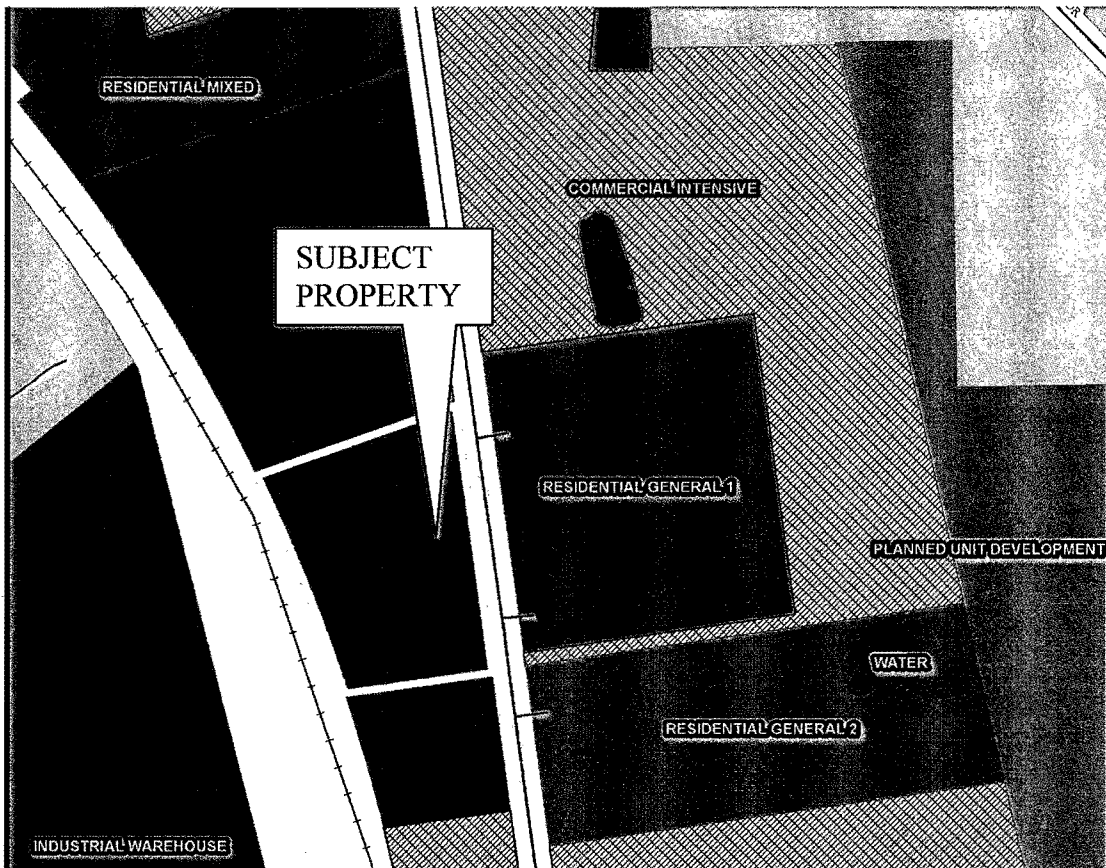
**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:**

SECTION 1. FINDINGS: That the proposed rezoning to Commercial Intensive (CI); is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan, in particular Policy FL.01.02(C).

SECTION 2. PROPERTY REZONED: The real property described in Section 3 is rezoned and reclassified to Commercial Intensive (CI); 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 Holland-Zell Partnership LLC, a Florida Corporation, and is identified by the following tax identification number, graphic illustration and legal descriptions:

42-2N-27-0000-0002-0430



LEGAL DESCRIPTION

TRACT "A"

A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA. SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF YULEE FARMS, UNIT THREE, ACCORDING TO PLAT RECORDED IN PUBLIC RECORDS OF SAID COUNTY IN PLAT BOOK 3, PAGE 24; THENCE RUN NORTH 06E 11" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (A 200.0 FOOT RIGHT-OF-WAY) AND THE PROLONGATION OF SAID RIGHT-OF-WAY A DISTANCE OF 4427.45 FEET TO THE SAID EASTERLY RIGHT-OF-WAY LINE INTERSECTED BY THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17 (A 75.0 FOOT RIGHT-OF-WAY); RUN THENCE NORTH 07E 56' WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 318.33 FEET TO THE SOUTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1223, PAGES 1505 AND 1506 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE CONTINUE NORTH 07E 56' 00" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 251.66 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH 07E 56' 00" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 251.66' FEET TO THE NORTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1223 PAGES 1505 AND 1506 AFORESAID; THENCE SOUTH 71E 00' 40" WEST ALONG THE NORTHERLY LINE OF SAID LANDS A DISTANCE OF 439.34 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS, SAID CORNER LINES 60.0 FOOT EASTERLY AND PARALLEL FROM THE CENTERLINE OF THE C.S.X. RAILROAD (FORMERLY SEABOARD COASTLINE RAILROAD); THENCE IN A SOUTHERLY DIRECTION ALONG A LINE THAT LIES 60.0' EASTERLY AND PARALLEL WITH SAID CENTERLINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE WESTERLY HAVING A RADIUS OF 3900.34 FEET. PASSING THROUGH A CENTRAL ANGLE OF 02E 40' 29" AN ARC DISTANCE 182.08 FEET (THE AFORESAID ARC HAS A CHORD DISTANCE OF 182.06 FEET THAT BEARS SOUTH 23E 30' 07" EAST); THENCE NORTH 80E 52' 14" EAST, A DISTANCE OF 382.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.016 ACRES MORE OR LESS.

TOGETHER WITH TRACT "B": (FOLLOWING PAGE)

TRACT "B"

A PORTION OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA. SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF YULEE FARMS, UNIT THREE, ACCORDING TO PLAT RECORDED IN PUBLIC RECORDS OF SAID COUNTY IN PLAT BOOK 3, PAGE 24; THENCE RUN NORTH 06E 11" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (A 200.0 FOOT RIGHT-OF-WAY) AND THE PROLONGATION OF SAID RIGHT-OF-WAY A DISTANCE OF 4427.45 FEET TO THE SAID EASTERLY RIGHT-OF-WAY LINE INTERSECTED BY THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 (A 75.0 FOOT RIGHT-OF-WAY); RUN THENCE NORTH 07E 56' WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 318.33 FEET TO THE SOUTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1223, PAGE 1505 AND 1506 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH 07E 56' 00" WEST ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 251.66 FEET; THENCE SOUTH 80E 52' 14" WEST A DISTANCE OF 382.40 FEET TO A LINE THAT LIES 60.0 FEET EASTERLY FROM AND PARALLEL TO THE CENTER OF MAIN LINE TRACT OF THE C.S.X. RAILROAD (FORMERLY SEABOARD COASTLINE RAILROAD); THENCE IN A SOUTHERLY DIRECTION ALONG SAID LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE WESTERLY HAVING A RADIUS OF 3900.34 FEET PASSING THROUGH A CENTRAL ANGLE OF 03E 39' 57" AN ARC DISTANCE OF 249.55 FEET TO THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1223 PAGES 1505 AND 1506 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA. (THE AFORESAID ARC HAS A CHORD DISTANCE OF 249.51 FEET THAT BEARS SOUTH 20E 19' 54" EAST); THENCE NORTH 82E 04' 00" EAST ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 328.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.016 ACRES MORE OR LESS.


SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective after filing with the Secretary of State.

PASSED AND ADOPTED THIS 9th DAY OF January, 2012.

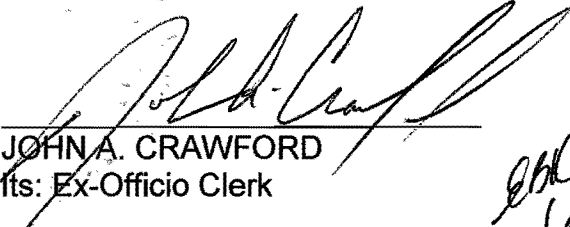
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



STACY T. JOHNSON,
Its: Chairman


ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

*EBH
11/9/12*

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



DAVID A. HALLMAN,
County Attorney