

ORDINANCE 2012 - 34

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 9.9 ACRES OF REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF GENE LASSERRE AND SR200 FROM INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Commercial Range at Amelia LLC is the owner of the 9.9 acre portion of parcels identified as Tax Parcel #'s 37-2N-27-0000-0001-0140 and 37-2N-27-0000-0001-0160 by virtue of Deed recorded at O.R. 1769, pages 562 and 564, of the Public Records of Nassau County, Florida; and

WHEREAS, The Commercial Range at Amelia LLC has authorized Gillette and Associates, Inc to file Application R12-009 to change the zoning classification of the land described herein; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on October 16, 2012 and voted to recommend approval of R12-009 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 (COM), as amended by CPA12-008; and

WHEREAS, the Board of County Commissioners held a public hearing on November 26, 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

The proposed rezoning to Commercial Intensive (CI) is consistent with the Goals, Objectives and Policies of the Nassau County 2030 Comprehensive Plan, in particular Policies FL.01.02(C-D), FL.08.04, FL.08.05, ED.05.01, and ED.05.02

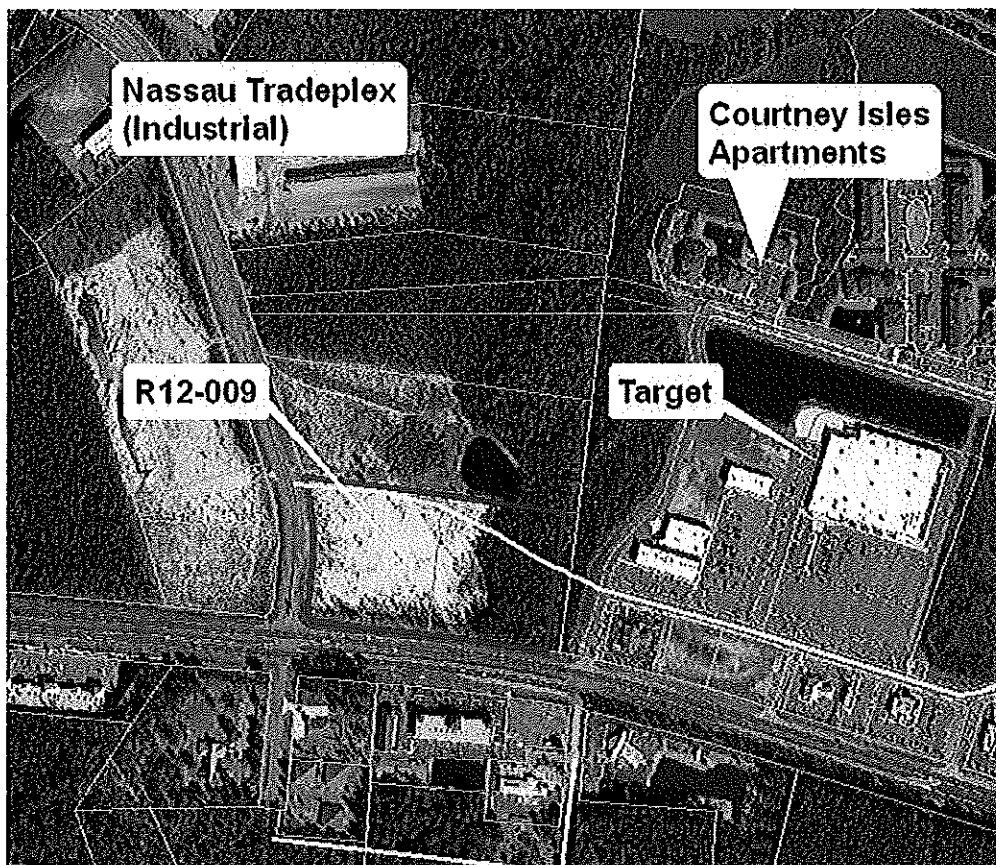
SECTION 2. PROPERTY REZONED

The real property described in Section 3 is rezoned and reclassified to Commercial Intensive (CI) upon the effective date of CPA12-008, the Future Land Use Map (FLUM) change accompanying this rezoning, and the Growth Management Department is authorized to amend the Official Zoning Map to reflect this change.

SECTION 3. OWNER AND DESCRIPTION

The land reclassified by this Ordinance is owned by The Commercial Range at Amelia LLC., and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

37-2N-27-0000-0001-0140; 37-2N-27-0000-0001-0160



LEGAL DESCRIPTION

PARCEL A:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE A RAILROAD SPIKE FOUND AT THE CENTERLINE OF INTERSECTION OF STATE ROAD 200/A-1-A (A 184-FOOT RIGHT-OF-WAY BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS OF SECTION NO. 74060-2503) AND THE STATE ROAD 200-A (100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS OF SECTION NO. 74600-2150 AND 7460-175, NOW KNOWN AS CHESTER ROAD); THENCE NORTH $07^{\circ}51'58''$ EAST ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 93.25 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 200/A-1-A; THENCE NORTH $72^{\circ}46'59''$ WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2471.71 FEET TO BEGINNING OF A CURVE CONCAVE TO THE SOUTH WEST HAVING A RADIUS OF 5790.17 FEET; RUN THENCE A WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, PASSING THROUGH A CENTRAL ANGLE OF $06^{\circ}34'34''$, AN ARC DISTANCE OF 664.57 FEET IN BEING SUBTENDED BY A CHORD BEARING IN DISTANCE OF NORTH $78^{\circ}04'54''$ WEST, 664.21 FEET; THENCE CONTINUE ALONG SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF $02^{\circ}23'23''$, AN ARC DISTANCE OF 241.51 FEET, AND BEING SUBTENDED BY A CHORD BEARING IN DISTANCE OF NORTH $80^{\circ}33'53''$ WEST, 241.49 FEET TO THE POINT OF TAGENCY; THENCE NORTH $81^{\circ}21'45''$ WEST, A DISTANCE OF 227.47 FEET TO THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE NORTH $81^{\circ}21'45''$ WEST, A DISTANCE OF 76.09 FEET; THENCE NORTH $84^{\circ}42'54''$ WEST, A DISTANCE OF 300.00 FEET TO THE BEGINNING OF CURVE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 50.00 FEET AND BEING ALONG THE EASTERLY RIGHT-OF-WAY OF GENE LASSERRE BOULEVARD (A 125-FOOT AS NOW ESTABLISHED); RUN THENCE IN A NORTH WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE PASSING THROUGH A CENTRAL ANGLE OF $89^{\circ}59'56''$ AN ARC DISTANCE OF 76.54 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $39^{\circ}42'59''$ WEST, 70.71 FEET TO THE POINT OF TAGENCY; THENCE NORTH $05^{\circ}17'01''$ EAST, A DISTANCE OF 152.24 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WESTERLY HAVING A RADIUS OF 773.55 FEET; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF $23^{\circ}25'27''$, AN ARC DISTANCE OF 316.25 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $025'43''$ WEST, 314.05 TO THE POINT OF TAGENCY; RUN THENCE SOUTH $82^{\circ}08'36''$ EAST DEPARTING SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 490.57 FEET; THENCE SOUTH $05^{\circ}19'39''$ WEST, A DISTANCE OF 492.19 FEET TO RETURN TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 200/A-1-A AND THE POINT OF BEGINNING. DESCRIBED PARCEL "A" CONTAINS 5.00 ACRES, MORE OR LESS.

PARCEL B

WHICH IS DESCRIBED AS ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND AT THE CENTERLINE OF INTERSECTION OF STATE ROAD 200/A1A (A 184-FOOT RIGHT-OF-WAY BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS OF SECTION NO. 74063-2503) AND STATE ROAD 200-1 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS SECTION NO. 74600-2150 AND 74060-175, NOW KNOWN AS CHESTER ROAD); THENCE NORTH 07°51'28" EAST ALONG THE CENTERLINE OF SAID STATE ROAD 200-A, A DISTANCE OF 93.25 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 200/A1A; THENCE NORTH 72°46'59" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2471.71 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5790.17 FEET; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, PASSING THROUGH A CENTRAL ANGLE OF 06°34'34", AN ARC DISTANCE OF 664.57 FEET AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76°04'54" WEST, 664.21 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE ALONG SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°23'23", AN ARC DISTANCE OF 241.51 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80°33'53" WEST, 241.49 TO THE POINT OF TANGENCY; THENCE NORTH 81°21'45" WEST, A DISTANCE OF 227.47 FEET, THENCE NORTH 05°19'39" EAST DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 429.19 FEET; THENCE SOUTH 82°08'36" EAST, A DISTANCE OF 490.57 FEET; THENCE SOUTHER 07°51'24" WEST, A DISTANCE OF 501.46 FEET TO RETURN TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 200/A1A AND THE POINT OF BEGINNING. CONTAINING 5.45 ACRES, MORE OR LESS.

LESS AND EXCEPT THE EASTERN 48 FEET OF PARCEL "B", AS DESCRIBED BY THE FOLLOWING:

COMMENCE AT THE POINT OF BEGINNING A DISTANCE OF 48.17 FEET ALONG THE BEARING DESCRIBED IN C2 OF THE BOUNDARY SURVEY, THEN COMMENCE NORTH A DISTANCE OF 499.33 FEET ALONG BEARING S 07 51 24 W, THEN COMMENCE EAST A DISTANCE OF 48.00 FEET ALONG BEARING S82 08 36 E, THEN COMMENCE A DISTANCE OF 501.46 FEET ALONG BEARING S 07 51 24 W TO THE POINT OF BEGINNING TOTALING 0.55 ACRES.

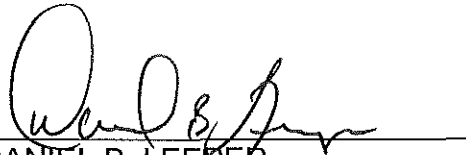
SECTION 4. EFFECTIVE DATE.

This Ordinance shall be filed with the Secretary of State and will become effective upon the effective date of CPA12-008, the Future Land Use Map change accompanying this rezoning.

PASSED AND ADOPTED THIS 26th DAY OF November, 2012.

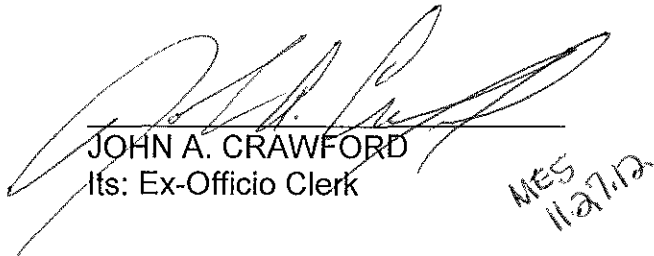
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER,
Its: Chairman

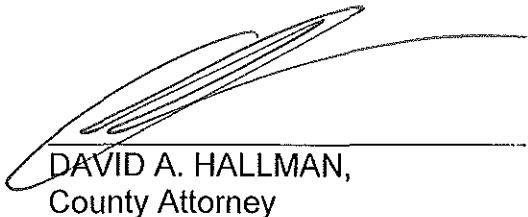
ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
11/27/12

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



DAVID A. HALLMAN,
County Attorney