

ORDINANCE 2012 -38 _____

AN ORDINANCE AMENDING ORDINANCE NO. 2006-64 WHICH AMENDED ORDINANCE 2005-46, WHICH AMENDED ORDINANCE NO. 97-30, WHICH AMENDED ORDINANCE NO. 84-14 AS AMENDED, WHICH REZONED AND RECLASSIFIED PROPERTY TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS "NASSAU LAKES"; SPECIFICALLY MODIFYING EXHIBIT "B", PUD CONDITIONS, AND EXHIBIT "C", PRELIMINARY DEVELOPMENT PLAN, PERTAINING TO DEVELOPMENT PERMITTED ON THE 6 ACRE SITE AS DESCRIBED IN EXHIBIT "A"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted ordinance 1984-14 on September 24, 1984, creating the Nassau Lakes PUD; and

WHEREAS, the Board of County Commissioners adopted ordinance 2006-64 on July 24, 2006, representing the most recent amendment to the Nassau Lakes PUD; and

WHEREAS, Bryan County Holdings has authorized Dan McCranie Engineers Inc. to file Application R12-012 to amend the Nassau Lakes PUD Preliminary Development Plan to amend the PUD conditions to add duplex and landscape contractor uses; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on November 20, 2012 and voted to recommend approval of R12-012 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 PUD amendment complies with the underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR) and

WHEREAS, the Board of County Commissioners held a public hearing on December 10, 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 amendment to the Nassau Lakes PUD Preliminary Development Plan is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan, in particular Policies FL.01.02(B) and FL.08.06.

SECTION 2. PUD AMENDED: The real property described in Section 3, the Nassau Lakes PUD, is amended add duplex and landscape contractor uses, as detailed in Exhibit "B", the Growth Management Department is authorized to amend the Official Zoning Map to reflect this change.

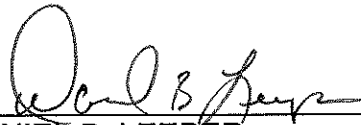
SECTION 3. OWNER AND DESCRIPTION: The legal description for the Nassau Lakes PUD is attached as Exhibit "A." The amended Preliminary Development Plan (PDP) for the Nassau Lakes PUD is attached as Exhibit "C." The portion of the PUD specifically affected by this Ordinance is owned by Bryan Holdings LLC, and is identified by the attached legal description and PDP.

SECTION 4. EFFECTIVE DATE.

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


PASSED AND ADOPTED THIS 17th DAY OF December, 2012.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER,
Its: Chairman

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


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
12.20.12

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



DAVID A. HALLMAN,
County Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF LOT 2, SECTION 27 AND A PORTION OF SECTION 40, TOWNSHIP 2 NORTH RANGE 28 EAST, NASSAU COUNTY FLORIDA:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF LOT 2, SECTION 27 AND A PORTION OF SECTION 40, TOWNSHIP 2 NORTH RANGE 28 EAST, NASSAU COUNTY FLORIDA (SAID TRACT BEING A PORTION OF LANDS OF RAYLAND COMPANY, INC. DESCRIBED IN DEED RECORDED IN BOOK 555 PAGE 869 (EX), OF THE OFFICIAL RECORDS OF SAID COUNTY) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT A POINT WHERE THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 107 (A 66 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) INTERSECTS THE NORTHERLY RIGHT-OF-WAY OF PARLIAMENT DRIVE (A VARIED RIGHT-OF-WAY) AND RUN SOUTH 74'50'00" WEST, ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 193.37 FEET TO AN ANGLE POINT; RUN THENCE SOUTH 68'02'40" WEST, CONTINUING ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 84.59 FEET TO AN ANGLE POINT; RUN THENCE SOUTH 74'50'00" WEST, CONTINUING ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 59.11 FEET TO THE SOUTHEAST CORNER OF TRACT "A" OF NASSAU LAKES SUBDIVISION PHASE I-A (ACCORDING TO PLAT RECORDED IN PLAT BOOK 5, PAGE 70-71 OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 00'40'39" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 426.89 FEET TO AN ANGLE POINT: RUN THENCE NORTH 14'38'58" EAST, ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 526.20 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF CALVIN NEWTON & DOROTHY JEAN NEWTON (ACCORDING TO DEED RECORDED IN BOOK 520, PAGE 767, OF THE OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE NORTH 89'12'41" EAST, ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 350.00 TO A POINT LYING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFOREMENTIONED COUNTY ROAD NO. 107; RUN THENCE SOUTH 40'16'30" WEST, ALONG LAST MENTIONED NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 65.10 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 107, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 606.69 FEET, A CHORD DISTANCE OF 462.71 FEET TO THE POINT OF TANGENCY, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 17'51'30" WEST; RUN THENCE SOUTH 04'33'30" EAST, ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 354.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.00 ACRES, MORE OR LESS.

EXHIBIT "B"

PUD Conditions

The following conditions shall limit development of the portion of the Nassau Lakes Planned Unit Development (PUD) as identified in Exhibit "A". This property contains approximately 5.91 acres and is located at the northwest corner of CRI07 and Parliament Drive.

Uses

This property is converted from one (1) Single-Family Residential home site to one (1) Neighborhood Commercial site and four (4) Single-Family and/or Duplex Residential home sites. The Commercial site shall be limited to uses permitted by the Commercial, Neighborhood (CN) Zoning District as described in Article 15 of the Nassau County Zoning Code as well as the following permitted uses:

(A) Outdoor storage yards and lots (not including automobile wrecking or storage yards and junk yards). Storage yards shall be completely screened by an opaque fence at least six (6) feet in height.

(B) Service establishment catering to lawn service and landscaping services or landscape contractor.

(C) Retail outlets for the sale of general merchandise including fertilizer. Plant nursery (including outside display).

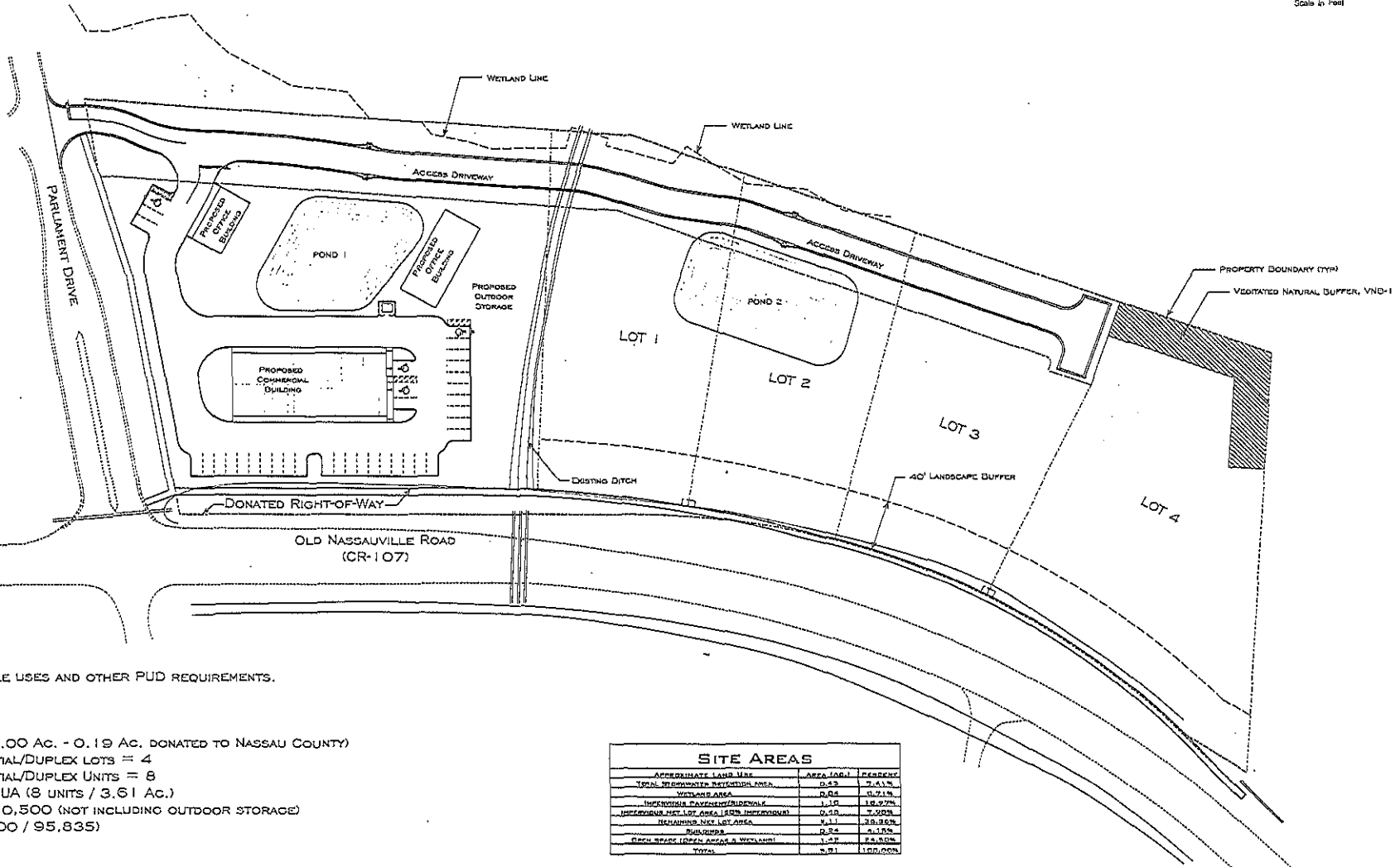
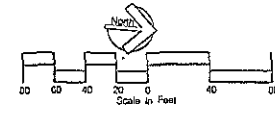
Buffering, open space and access shall be provided as indicated on the Preliminary Development Plan (Exhibit "C").

Access

This property shall be accessed solely from Parliament Drive.

Minimum Yard Requirements

Development on this property shall be subject to the yard requirements as stipulated in Article 9, Residential, Single Family 1 (RS-1), and Article 15, Commercial, Neighborhood (CN) of the Nassau County Zoning Code.



PUD SPECIFICATIONS

SEE EXHIBIT "B" FOR ALLOWABLE USES AND OTHER PUD REQUIREMENTS.

DENSITY CALCULATIONS

TOTAL SITE AREA 5.81 AC. (6.00 AC. - 0.19 AC. DONATED TO NASSAU COUNTY)
 MAXIMUM NUMBER OF RESIDENTIAL/DUPLEX LOTS = 4
 MAXIMUM NUMBER OF RESIDENTIAL/DUPLEX UNITS = 8
 RESIDENTIAL DENSITY = 2.2 DUA (8 UNITS / 3.61 AC.)
 MAXIMUM COMMERCIAL SF = 10,500 (NOT INCLUDING OUTDOOR STORAGE)
 MAXIMUM FAR = 11% (10,500 / 95,835)

SITE AREAS		
APPROXIMATE LAND USE	AREA (AC.)	PCT. AREA
TOTAL DEVELOPABLE RESIDENTIAL PUD	0.52	7.43%
WETLANDS AREA	0.04	0.71%
UNDEVELOPED PAVED/ASPH/GRVLS	1.10	18.97%
UNDEVELOPED NAT LOT AREA (RWD IMPROVEMENT)	0.50	7.20%
UNDEVELOPED NAT LOT AREA	0.11	1.90%
ROADWAYS	0.24	4.15%
ROAD RIGHTS (OPEN AREAS & WETLANDS)	1.52	26.20%
TOTAL	3.03	100.00%

Project Mgr:	D. McCranie
Designed by:	D. McCranie
Drawn by:	H. Ojeda
QA/QC:	D. McCranie



McCranie & Associates, Inc.
 20 S. 8th Street - Fernandina Beach, FL 32034
 Land Development - Roadway Design - Permitting
 CA # 00008289
 DIMENSIONS AND NOTES TAKE PRECEDENCE.

Bryan County Holdings, LLC

Parliament Estates
 in
 Nassau Lakes

EXHIBIT C
 Preliminary Development Plan
 (Registered Professional)

Sheet No.
PDP
 1 of 1
 Issue Date
 October 6, 2012
 Project No.
 00012