

ORDINANCE 2021 - 026

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 226 ACRES OF REAL PROPERTY LOCATED OF PAGES DAIRY ROAD, BETWEEN ELLIS ESTATES LANDING ROAD AND FELMOR ROAD, FROM OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY 2 (RS-2); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, David Peyton Page Revocable Trust, David Peyton Page, the Betty Page Family Trust, David Page Jr. and Kimberly P. Page, and John and Angelia McClellan are the owners of six parcels comprising 226 acres identified as Tax Parcel Nos. 51-3N-27-0000-0009-0000, 51-3N-27-0000-0011-0000, 51-3N-27-0000-0041-0000, 51-3N-27-0000-0040-0000, 51-3N-27-0000-0010-0000, 51-3N-27-0000-0010-0010 by virtue of Deed recorded at O.R. 2031 , page 837; O.R.1456 , page 181; O.R.1792, page 1427; O.R. 2185, page 458 and O.R.761, page 126 of the Public Records of Nassau County, Florida; and

WHEREAS, David Peyton Page Revocable Trust, David Peyton Page, the Betty Page Family Trust, David Page Jr. and Kimberly P. Page, and John and Angelia McClellan have authorized Matovina and Company to file Application R21-004 to rezone the land described herein; and

WHEREAS, the Nassau County Planning and Zoning Board, after due public notice conducted a public hearing on November 2, 2021 and voted to recommend approval of R21-003 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 Residential Single Family 2 (RS-2) zoning complies with the underlying Future Land Use Map (FLUM) designation Low Density Residential (LDR); and

WHEREAS, the Board of County Commissioners held a public hearing on November 8, 2021; 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 Residential Single Family 2 (RS-2) is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan.

SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is rezoned and reclassified from Open Rural (OR) to Residential Single Family 2 (RS-2). Upon the effective date of the ordinance, the Planning 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 David Peyton Page Revocable Trust, David Peyton Page, the Betty Page Family Trust, David Page Jr. and Kimberly P. Page, and John and Angelia McClellan, and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

Parcel #s.

51-3N-27-0000-0009-0000, 51-3N-27-0000-0011-0000, 51-3N-27-0000-0041-0000,
51-3N-27-0000-0040-0000, 51-3N-27-0000-0010-0000, 51-3N-27-0000-0010-0010



NORTH PARCEL

A PARCEL OF LAND SITUATE IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A 6"x 6" CONCRETE MONUMENT LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PAGES DAIRY ROAD (A 100 FOOT RIGHT-OF-WAY (STATE ROAD NO. 200-A) AT STATION 102+04.40 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP (SECTION 74600-2150); THENCE NORTH 74°00'08" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 295.63 FEET TO THE POINT OF BEGINNING; THENCE NORTH 17°40'25" WEST, ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2031, PAGE 837, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, A DISTANCE OF 3,122.42 FEET TO INTERSECT THE NORTHERLY LINE OF SAID SECTION 51; THENCE NORTH 43°55'17" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 51, A DISTANCE OF 830.00 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP (MANZIE -LB7039); THENCE CONTINUE NORTH 43°55'17" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 51, A DISTANCE OF 50 FEET MORE OR LESS TO THE CENTERLINE OF LOFTON CREEK AND A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND RUN THENCE NORTH 74°00'08" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A), A DISTANCE OF 2,406.07 FEET; THENCE NORTH 75°28'08" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A), A DISTANCE OF 24.22 FEET; THENCE ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 290, PAGE 633, OFFICIAL RECORDS BOOK 2337, PAGE 1073 AND OFFICIAL RECORDS BOOK 1570, PAGE 558 (AS CURRENTLY MONUMENTED) THE FOLLOWING THREE COURSES: (1) THENCE NORTH 26°50'31" WEST A DISTANCE OF 345.97 FEET; (2) THENCE NORTH 73°39'35" EAST A DISTANCE OF 234.94 FEET; (3) THENCE SOUTH 26°50'31" EAST A DISTANCE OF 353.56 FEET TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A); THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A) THE FOLLOWING FIVE COURSES: (1) THENCE NORTH 75°28'08" EAST A DISTANCE OF 317.20 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 666.20 FEET; (2) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°32'51"; AN ARC DISTANCE OF 343.56 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 60°41'49" EAST A DISTANCE OF 339.77 FEET; (3) THENCE NORTH 45°55'23" EAST A DISTANCE OF 703.52 FEET; (4) THENCE NORTH 44°04'37" WEST A DISTANCE OF 10.00 FEET; (5) THENCE NORTH 45°55'23" EAST A DISTANCE OF 38.31 FEET TO THE MEAN HIGH WATER LINE OF LOFTON CREEK AS DESCRIBED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION IN OFFICIAL RECORDS BOOK 2297, PAGE 753, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING THREE COURSES: (1) NORTH 74°35'29" EAST A DISTANCE OF 4.40 FEET; (2) THENCE SOUTH 41°13'54" EAST A DISTANCE OF 4.65 FEET; (3) THENCE SOUTH 38°47'22" EAST A DISTANCE OF 3.26 FEET TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A); THENCE NORTH 45°55'23" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60 FEET MORE OR LESS TO THE CENTERLINE OF LOFTON CREEK; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF LOFTON CREEK A DISTANCE OF 8,000 FEET MORE OR LESS TO ABOVE REFERENCED POINT "A" AND THE CLOSE OF THIS DESCRIPTION.

SOUTH PARCEL

A PARCEL OF LAND SITUATE IN SECTION 51, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT A 6"x 6" CONCRETE MONUMENT LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PAGES DAIRY ROAD (A 100 FOOT RIGHT-OF-WAY (STATE ROAD NO. 200-A) AT STATION 102+04.40 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP (SECTION 74600-2150); THENCE NORTH 74°00'08" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 295.63 FEET; THENCE SOUTH 17°40'25" EAST A DISTANCE OF 100.04 FEET TO INTERSECT THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A) AND THE POINT OF BEGINNING; THENCE SOUTH 17°40'25" EAST, ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2031, PAGE 837, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, A DISTANCE OF 284.42 FEET TO INTERSECT THE NORTHERLY LINE OF THE C.S.X. RAILROAD (A 120 FOOT RIGHT-OF-WAY); THENCE NORTH 72°19'28" EAST, ALONG THE NORTHERLY LINE OF SAID C.S.X. RAILROAD, A DISTANCE OF 3,470 FEET MORE OR LESS TO THE CENTERLINE OF LOFTON CREEK AND A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE RETURN TO THE POINT OF BEGINNING AND RUN THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A) THE FOLLOWING SIX COURSES: (1) THENCE NORTH 74°00'08" EAST A DISTANCE OF 2,401.86 FEET; (2) THENCE NORTH 75°28'08" EAST A DISTANCE OF 576.60 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 766.20 FEET; (3) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°32'44"; AN ARC DISTANCE OF 395.10 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 60°41'45" EAST A DISTANCE OF 390.74 FEET; (4) THENCE NORTH 45°55'23" EAST A DISTANCE OF 703.52 FEET; (5) THENCE SOUTH 44°04'37" EAST A DISTANCE OF 10.00 FEET; (6) THENCE NORTH 45°55'23" EAST A DISTANCE OF 62.77 FEET TO THE MEAN HIGH WATER LINE OF LOFTON CREEK AS DESCRIBED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION IN OFFICIAL RECORDS BOOK 2297, PAGE 764, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING TWO COURSES: (1) NORTH 75°22'42" WEST A DISTANCE OF 2.78 FEET; (2) THENCE NORTH 79°50'47" WEST A DISTANCE OF 9.39 FEET NORTHERLY RIGHT-OF-WAY LINE OF SAID PAGES DAIRY ROAD (STATE ROAD NO. 200-A); THENCE NORTH 45°55'23" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60 FEET MORE OR LESS TO THE CENTERLINE OF LOFTON CREEK; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG THE CENTERLINE OF LOFTON CREEK A DISTANCE OF 1,050 FEET MORE OR LESS TO ABOVE REFERENCED POINT "B" AND THE CLOSE OF THIS DESCRIPTION.

LESS AND EXCEPT FELMORE ROAD (A 66 FOOT RIGHT-OF-WAY) AS NOW LAID OUT AND IN USE.

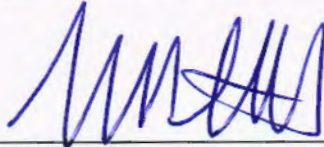
SECTION 4. EFFECTIVE DATE.

This Ordinance shall be effective upon filing with the Secretary of State.

PASSED AND ADOPTED THIS 8TH DAY OF NOVEMBER, 2021.

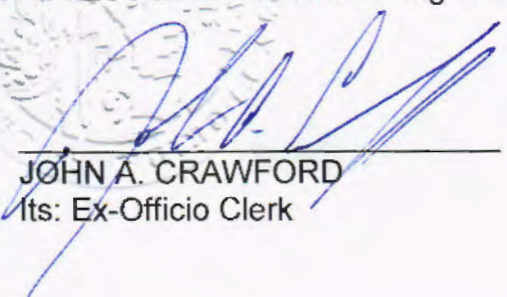
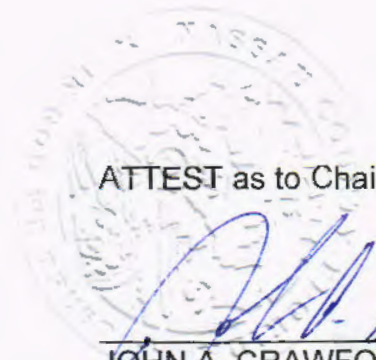
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



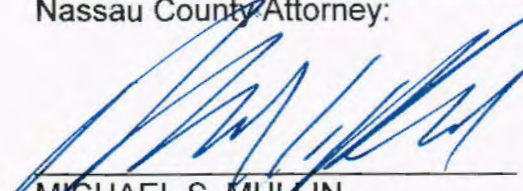
THOMAS FORD,
Its: Chairman

ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

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



MICHAEL S. MULLIN,
County Attorney