

ORDINANCE 2021 - 027

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 67.32 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, Norraine A. Edwards Revocable Trust, Norraine A. Edwards, Trustee, Michael D. Edwards and Wendy D. Edwards, and Donald P. Edwards and Oscar V. Edwards Marital Trust, Donald P. Edwards, Trustee are the owners of five parcels comprising 67.32 acres identified as Tax Parcel Nos. 51-3N-27-0000-0039-0040, 51-3N-51-3N-27-0000-0039-0050, 27-0000-0039-0090, 51-3N-27-0000-0039-0080, 51-3N-27-0497-0004-0000. by virtue of Deed recorded at O.R.1299, page 1529; O.R.911, page 230; O.R.1861, page 879; O.R.198, page 38 and O.R.2030, page 114 of the Public Records of Nassau County, Florida; and

WHEREAS, Norraine A. Edwards Revocable Trust, Norraine A. Edwards, Trustee, Michael D. Edwards and Wendy D. Edwards, and Donald P. Edwards and Oscar V. Edwards Marital Trust, Donald P. Edwards, Trustee 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 R21-004 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.

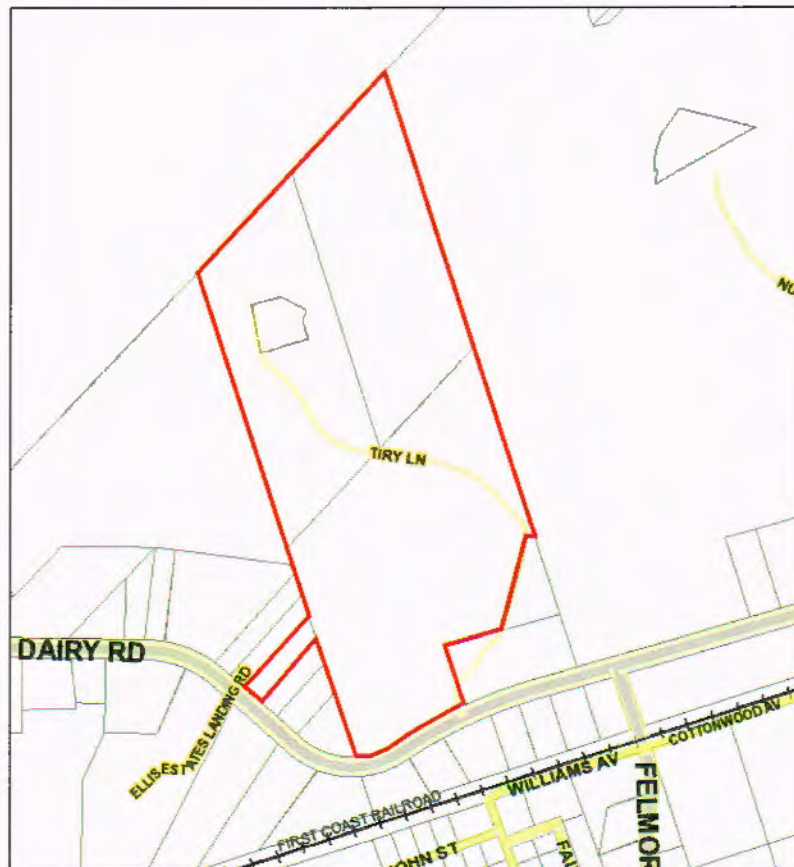
SECTION 2. PROPERTY RECLASSIFIED.

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 Norraine A. Edwards Revocable Trust, Norraine A. Edwards, Trustee, Michael D. Edwards and Wendy D. Edwards, and Donald P. Edwards and Oscar V. Edwards Marital Trust, Donald P. Edwards, Trustee, and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

Parcel #s 51-3N-27-0000-0039-0040, 51-3N-27-0000-0039-0090, 51-3N-27-0000-0039-0050, 51-3N-27-0000-0039-0080, 51-3N-27-0497-0004-0000.



LEGAL DESCRIPTION

51-3N-27-0000-0039-0040:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE JOHN LOWE GRANT OR SECTION FIFTY-ONE (51), TOWNSHIP THREE (3) NORTH OF RANGE TWENTY-SEVEN (27) EAST, AND MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A STAKE ON THE NORTH BOUNDARY OF THE RIGHT-OF-WAY OF THE SEABOARD AIR LINE RAILWAY RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DEEDED BY TIRY C. EDWARDS AND MINNIE LEE EDWARDS, HIS WIFE, TO OSCAR V. EDWARDS AND MARGARET D. EDWARDS, HIS WIFE, ON JANUARY 15TH, 1971 AND WHICH DEED IS RECORDED IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA IN BOOK 198 AT PAGE 38, AND RUN NORTH 16 DEGREES WEST FOR A DISTANCE OF 3640 FEET TO THE NORTHWEST BOUNDARY OF SAID SECTION 51, THENCE SOUTH 45 DEGREES WEST ALONG THE NORTHWEST BOUNDARY OF SAID SECTION 51 FOR A DISTANCE OF 686 FEET TO THE POINT OF BEGINNING. THEN CONTINUE SOUTH 45 DEGREES WEST A DISTANCE 686 FEET, THENCE SOUTH 16 DEGREES EAST FOR A DISTANCE OF 1450 FEET, THENCE NORTH 45 DEGREES EAST 686 FEET, THENCE NORTH 16 DEGREES WEST 1450 FEET TO THE POINT OF BEGINNING.

Subject to a non-exclusive easement of thirty feet (30.0') in width for purposes in access, egress, ingress and utilities, as depicted on the attached Exhibit "B."

51-3N-27-0000-0039-0050:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE JOHN LOWE GRANT OR SECTION 51, TOWNSHIP 3 NORTH OF RANGE 27 EAST, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1299, PAGE 1529 OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHERLY LINE OF SAID LANDS, SAID LINE ALSO BEING THE NORTHWEST BOUNDARY OF SECTION 51 AFOREMENTIONED, SOUTH 45°00'00" WEST, A DISTANCE OF 686.00 FEET TO A POINT, THENCE SOUTH 16°00'00" EAST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 476.52 FEET TO A POINT; THENCE NORTH 74°00'00" EAST, DEPARTING FROM LAST SAID LINE, A DISTANCE OF 176.17 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11°00'00" WEST, A DISTANCE OF 245.00 FEET; THENCE NORTH 74°00'00" EAST, A DISTANCE OF 143 FEET MORE OR LESS TO THE EDGE OF WATER OF A POND; THENCE IN A PRIMARILY SOUTHEASTERLY DIRECTION, ALONG THE EDGE OF WATER OF SAID POND A DISTANCE OF 305 FEET MORE OR LESS TO A POINT IN A LINE WHICH BEARS NORTH 74°00'00" EAST, 250 FEET MORE OR LESS FROM THE POINT OF BEGINNING; THENCE SOUTH 74°00'00" WEST, DEPARTING FROM SAID EDGE OF WATER, A DISTANCE OF 250 FEET MORE OR LESS TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED LANDS CONTAIN 1.28 ACRES, MORE OR LESS.

SUBJECT TO A NON-EXCLUSIVE EASEMENT OF THIRTY FEET (30.0') IN WIDTH FOR PURPOSES IN ACCESS, EGRESS, INGRESS AND UTILITIES AS DEPICTED ON THE ATTACHED EXHIBIT "B" OF OFFICIAL RECORDS BOOK 911, PAGE 230 OF SAID PUBLIC RECORDS.

TOGETHER WITH AND SUBJECT TO A FLORIDA POWER AND LIGHTS EASEMENT FOR UTILITIES, 7.5 FEET EITHER SIDE OF UTILITY LINES

51-3N-27-0000-0039-0090:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE JOHN LOWE GRANT OR SECTIION FIFTY-ONE (51), TOWNSHIP THREE (3) NORTH OF RANGE TWENTY-SEVEN (27) EAST, AND MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A STAKE ON THE NORTH BOUNDARY OF THE RIGHT-OF-WAY OF THE SEABOARD AIR LINE RAILWAY RIGHT-OF-WAY AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DEEDED BY TIRY C. EDWARDS AND MINNIE LEE EDWARDS, HIS WIFE, TO OSCAR V. EDWARDS AND MARGARET D. EDWARDS, HIS WIFE, ON JANUARY 15TH, 1971, AND WHICH DEED IS RECORDED IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, IN BOOK 198 AT PAGE 38, AND RUN NORTH 16 DEGREES WEST FOR A DISTANCE OF 2190 FEET TO THE POINT OF BEGINNING. THEN CONTINUE NORTH 16 DEGREES WEST 1450 FEET TO THE NORTHWEST BOUNDARY OF SAID SECTION 51, THENCE SOUTH 45 DEGREES WEST ALONG THE NORTHWEST BOUNDARY OF SAID SECTION 51 FOR A DISTANCE OF 686 FEET, THENCE SOUTH 16 DEGREES EAST FOR A DISTANCE OF 1450 FEET, THENCE NORTH 45 DEGREES EAST 686 FEET AND THE POINT OF BEGINNING.

51-3N-27-0497-0004-0000:

LOT 4 OR 1253/1800 EZELL ACRES PB 5/326

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