

ORDINANCE 2022 - 027

**AN ORDINANCE OF NASSAU COUNTY, FLORIDA
REZONING APPROXIMATELY 16.84 ACRES OF REAL
PROPERTY LOCATED ON THE NORTH AND SOUTH
SIDES OF SR 200, BETWEEN WESTBERRY LANE AND
GUSSIE LANE, FROM COMMERCIAL GENERAL (CG) TO
OPEN RURAL (OR); PROVIDING FOR FINDINGS; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Betty Nessler, John A. and Julie N. Waldron, Johnny R. Nessler, Ronald F. and Elizabeth A. Nessler, Yvonne Edwards Trustee of Yvonne Edwards Living Trust, Christopher W. and Phyllis R. Lathrop and Roy Harris are the owners of seven parcels comprising 16.84 acres identified as Tax Parcel Nos. 05-2N-26-0000-0004-0000, 05-2N-26-0000-0004-0200, 05-2N-26-0000-0004-0190, 05-2N-26-0000-0004-0180, 05-2N-26-0000-0004-0010, 05-2N-26-0000-0004-0110 and 05-2N-26-0000-0004-0170 by virtue of Deed recorded at O.R. 565 , page 920; O.R. 1378 , page 133; O.R. 1277, page 1466; O.R. 1217, page 1235; O.R. 741, page 1997; O.R. 2010, page 940; and O.R. 2551, page 1122 of the Public Records of Nassau County, Florida; and

WHEREAS, Betty Nessler, John A. and Julie N. Waldron, Johnny R. Nessler, Ronald F. and Elizabeth A. Nessler, Yvonne Edwards Trustee of Yvonne Edwards Living Trust, Christopher W. and Phyllis R. Lathrop and Roy Harris have filed Application R22-008 to rezone the land described herein; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing August 30, 2022 and voted to recommend approval of R22-008 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 Open Rural (OR) zoning complies with the underlying Future Land Use Map (FLUM) designation of Agriculture (AGR); and

WHEREAS, the Board of County Commissioners held a public hearing on September 26, 2022; 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 Open Rural (OR) is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan.

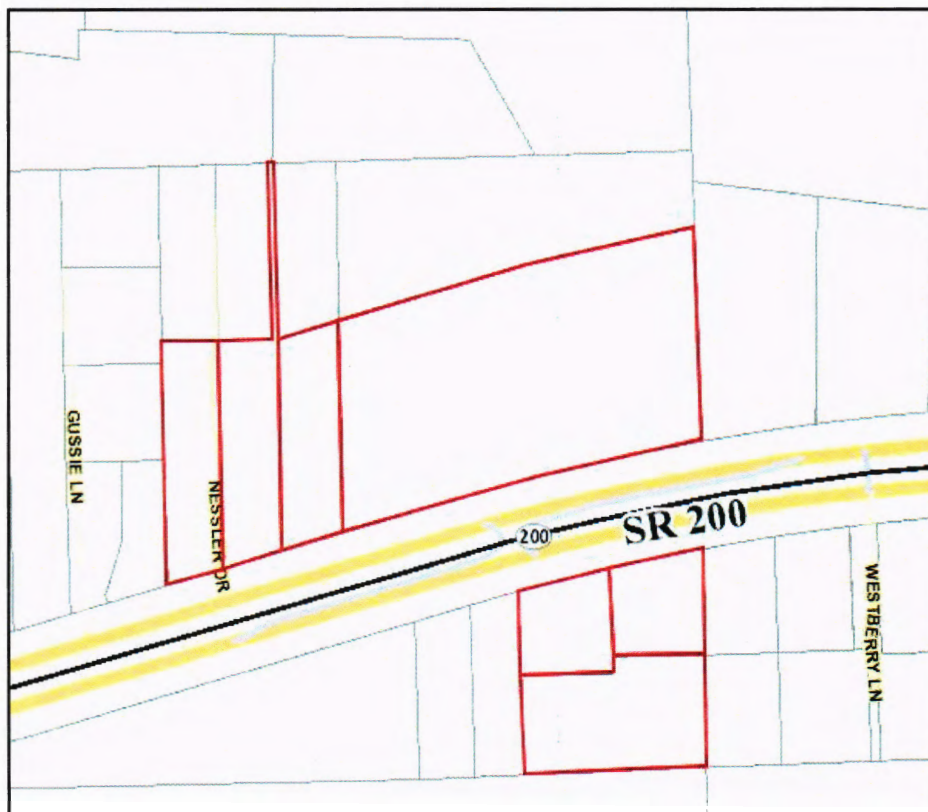
SECTION 2. PROPERTY REZONED.

The real property described in Section 3 is rezoned and reclassified as Open Rural (OR) 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 Betty Nessler, John A. and Julie N. Waldron, Johnny R. Nessler, Ronald F. and Elizabeth A. Nessler, Yvonne Edwards Trustee of Yvonne Edwards Living Trust, Christopher W. and Phyllis R. Lathrop and Roy Harris, and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

Parcel # 05-2N-26-0000-0004-0000, 05-2N-26-0000-0004-0200, 05-2N-26-0000-0004-0190, 05-2N-26-0000-0004-0180, 05-2N-26-0000-0004-0010, 05-2N-26-0000-0004-0110 and 05-2N-26-0000-0004-0170



LEGAL DESCRIPTION

SOUTHERLY PARCEL:

BEGIN AT THE NW CORNER OF SEC 09-2N-26E, THENCE RUN WESTERLY ALONG THE N LINE OF SEC 08-2N-26E A DISTANCE OF 405 FT MORE OR LESS TO THE SW CORNER OF OR 434-152, THENCE RUN NORTHERLY ALONG SAID LINE A DISTANCE OF 418 FT MORE OR LESS TO THE SOUTHERLY LINE OF STATE RD 200, THENCE RUN NORTHEASTERLY ALONG SAID STATE RD 200 A DISTANCE OF 416 FT MORE OR LESS TO THE EAST LINE OF SEC 05-2N-26E, THENCE RUN SOUTHERLY ALONG SAID SECTION LINE A DISTANCE OF 448 MORE OR LESS TO THE POINT OF BEGINNING.

NORTHERLY PARCEL:

COMMENCE AT THE NW CORNER OF SEC 09-2N-26E AND RUN NORTHERLY ALONG SAID LINE A DISTANCE OF 711 FT MORE OR LESS TO THE ESTABLISHED SW CORNER OF PROPERTY DESCRIBED IN OR 461-667 PARAGRAPH 1 AND THE NORTHERLY LINE OF STATE RD 200 BEING SAID POINT OF BEGINNING, THENCE CONTINUE RUNNING NORTHERLY ALONG SAID SECTION LINE A DISTANCE OF 462 FT MORE OR LESS TO THE ESTABLISHED ZONING LINE RECORDED IN ORDINANCE 1987-7, THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE ESTABLISHED ZONING LINE A DISTANCE OF 945FT MORE OR LESS TO THE SW CORNER OF LANDS DESCRIBED IN OR 1378-133, THENCE RUN WESTERLY A DISTANCE OF 254 FT MORE OR LESS TO THE WESTERLY LINE OF LANDS DESCRIBED IN OR 1217-1235, THENCE RUN SOUTHERLY 527 FT MORE OR LESS ALONG THE SAID PROPERTY LINE TO THE NORTHERLY LINE OF SR 200, THENCE RUN NORTHEASTERLY ALONG THE NORTHERLY LINE OF SR 200 A DISTANCE OF 1212 FT MORE OR LESS TO THE POINT OF BEGINNING.

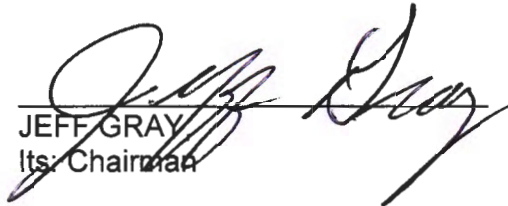
SECTION 4. EFFECTIVE DATE.

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

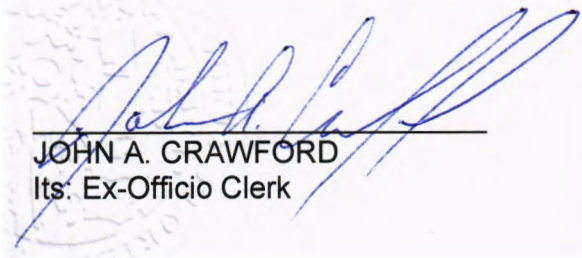
PASSED AND ADOPTED THIS 26th DAY OF September, 2022.

BOARD OF COUNTY COMMISSIONERS

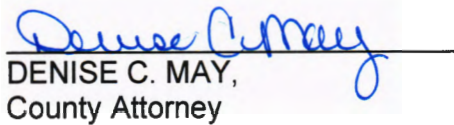
NASSAU COUNTY, FLORIDA


JEFF GRAY
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:


DENISE C. MAY,
County Attorney



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 28, 2022

Honorable John A. Crawford
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Attention: Heather Nazworth

Dear Honorable John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2022-027, which was filed in this office on September 28, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh