

ORDINANCE 2023-032

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 8.0 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF US-1, BETWEEN SWEARINGEN ROAD AND KARA DRIVE, FROM OPEN RURAL (OR) TO RECREATION AND OPEN SPACE (ROS); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated February 28, 2023, in addition to supporting documents and statements of the applicant(s), which are part of application R23-003, as approved by the Board of County Commissioner, and incorporated by reference into and made part hereof; and

WHEREAS, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163 Florida Statutes and the Nassau County Land Development Code.

WHEREAS, after public hearing and upon consideration of the application, supporting documents, statements of the applicant, correspondence and evidence received, analysis of staff, and recommendation of the Planning and Zoning Board, the Board of County Commissioners finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

SECTION 1. FINDINGS

The rezoning is based on the following Findings of Fact:

- a) Samuel Angus Hoover is the owner of one parcel comprising 8.0 acres identified as Tax Parcel No. 05-3N-24-0000-0010-0020 by virtue of Deed recorded in O.R. book 2539, page 22 of the Public Records of Nassau County, Florida.
- b) Samuel Angus Hoover is authorized to file Application R23-003 to rezone the land described herein.
- c) The rezoning to Recreation and Open Space (ROS) is consistent with the goals, objectives, and policies of the 2030 Comprehensive Plan.
- d) The Recreation and Open Space (ROS) zoning complies with the proposed underlying Comprehensive Plan Future Land Use Map (FLUM) designation of Recreation (REC).

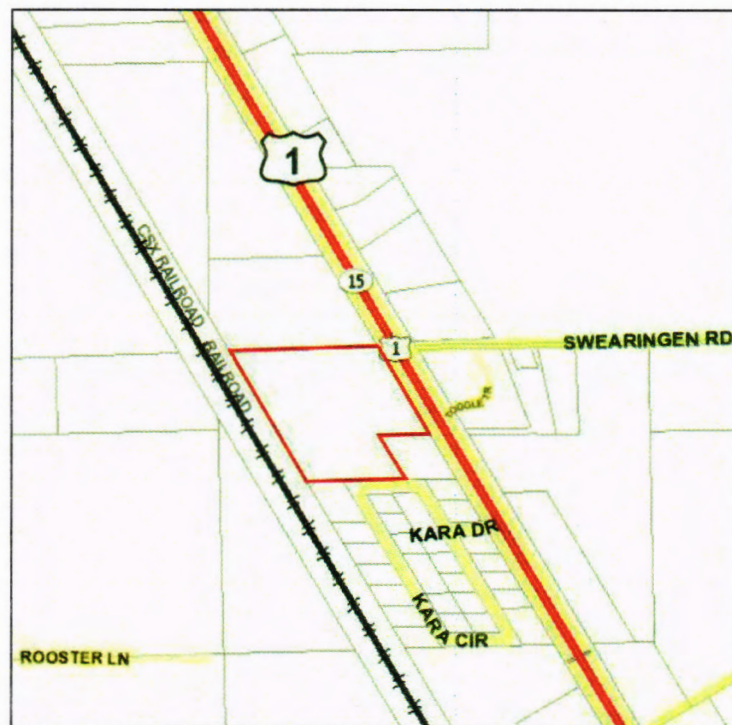
SECTION 2. PROPERTY REZONED

The real property described in Section 3 is rezoned and reclassified as Recreation and Open Space (ROS) 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 reclassified by this Ordinance is owned by Samuel Angus Hoover and is identified by the following tax identification numbers, graphic illustration, and legal description:

Parcel # 05-3N-24-0000-0010-0020



LEGAL DESCRIPTION

All that portion of the northeast one-quarter of the Northwest one-quarter of section 5, township 3 north, range 24 east, Nassau County, Florida, that lies easterly of and adjacent to the easterly right of way line of seaboard coastline railroad and westerly and adjacent to the westerly right of way line to U.S. highway No. Excepting therefrom the southerly 757.41 feet of the above-described lands sold to W.S. Forbis. Being described in official record book 105, pages 582-583 both exception deeds being recorded in the public records of said county and state; being described as follows:

Begin at a point where the north line of said section 5 intersects with the southwesterly right of way line of U.S. Highway No. 1 (A 150 foot right of way) being found $\frac{1}{2}$ inch rebar, no cap encased in 1 inch metal pipe.

Thence S 31° 03' 15" E (Bearing basis for this deed) along the southwesterly right of way line aforesaid, a distance of 425.85 feet (deed) 438.65 feet (measured) to a found $\frac{1}{4}$ inch iron pipe, no cap at the northeast corner of the exception parcel per deed, official record book 744, pages 561-562 aforementioned.

Thence S 88° 51' 45" W (deed) S 88° 40' 21" W (measured) along the northerly line of aforesaid property, a distance of 235.00 feet (deed) 234.73 feet (measured) to a found $\frac{1}{4}$ inch iron pipe, no cap at the southwest corner of the aforesaid property and being a point on the northerly right of way line of the kara circle (a 60 foot right of way per deed).

Thence S 88° 51' 45" W (deed) S 88° 57' 22" W (measured) along the northerly right of way line aforesaid, a distance of 449.4 feet (deed) 450.74 feet (measured) to a found $\frac{1}{4}$ inch iron pipe, no cap at a point on the easterly right of way line seaboard coastline railroad (a 200 foot right of way per deed).

Thence N 31° 03' 15" W (deed) and measured) along the easterly right of way line aforesaid a distance of 673.55 feet (measured) to a point in the north line of section 5 aforementioned, being a $\frac{5}{8}$ inch rebar and cap, pls 5712.

Thence N 88° 57' 23" E (measured) along the north line aforesaid, a distance of 685.71 feet (measured) to the point of beginning, containing 8.09 acres more or less.

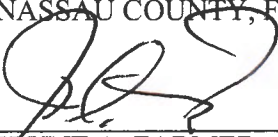
SECTION 4. EFFECTIVE DATE

(A) This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2023-029. If Ordinance No. 2023-029 is challenged within thirty (30) days after adoption, this ordinance shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining Ordinance No. 2023-029 to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

(B) A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

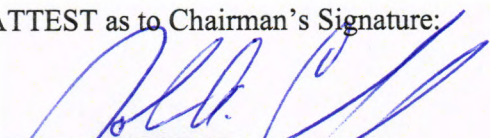
ADOPTED THIS 14th DAY OF August, 2023 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



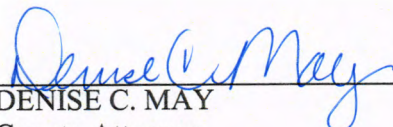
KLYNT A. FARMER
Its: Chairman

ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form:



DENISE C. MAY
County Attorney



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

August 18, 2023

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. 2023-032, which was filed in this office on August 18, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

Heather Nazworth

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Monday, August 21, 2023 9:03 AM
To: Heather Nazworth
Subject: *EXTERNAL*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

SVj (she/her/hers)

Production Support Specialist Supplement Department • **CivicPlus**
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Powering and Empowering Local Governments

From: Heather Nazworth <hnazworth@nassauclerk.com>
Sent: Friday, August 18, 2023 12:18 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Nassau County Ordinances

Gentlemen:

Enclosed please find a certified copy of Ordinance No. 2023-023,28,29,30,31, and 32 adopted by the Nassau County Board of County Commissioners in Regular Session on August 14, 2023. **Also, please provide a confirmation email.**

Please include these ordinances in the supplement. Thank you for your assistance in this matter.

On behalf of John A. Crawford, Ex-Officio Clerk

Heather Nazworth
Chief Deputy Clerk Services/BOCC/VAB
Nassau County Clerk of the Circuit Court/Comptroller
76347 Veterans Way, Ste. 456
Yulee, FL 32097

Direct (904)548-4666
Toll Free (800) 958-3496
Fax (904) 548-4508
Email: hnazworth@nassauclerk.com
Website: www.nassauclerk.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, please do not send electronic mail to this entity. Instead, please contact this office by phone or in writing.