

ORDINANCE 2024- 004

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REZONING APPROXIMATELY 2.67 ACRES OF REAL PROPERTY LOCATED ON THE EAST SIDE OF RUSSELL ROAD BETWEEN LAWRENCE LANE AND WEST CARTER LANE FROM RESIDENTIAL SINGLE FAMILY 2 (RS-2) TO INDUSTRIAL, WAREHOUSE (IW); 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 October 25, 2023, and deemed complete on November 23, 2023, in addition to supporting documents and statements of the applicant(s), which are part of application R23-010, as approved by the Board of County Commissioners, 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; and

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) Deborah Watson is the Personal Representative of the Estate of John C. O’Neal, Jr. (deceased) who is the listed owner of two parcels comprising approximately 2.67 acres identified as Tax Parcel No. 00-00-30-034A-0030-0030, 00-00-30-034A-0030-0040, by virtue of the Deed recorded in O.R. Book 360, Page 51 of the Public Records of Nassau County, Florida.
- b) Deborah Watson has authorized Janet Ruis to file Application R23-010 to rezone the land described herein.
- c) The rezoning to Industrial, Warehouse (IW) is consistent with the goals, objectives, and policies of the 2030 Comprehensive Plan.
- d) The Industrial, Warehouse (IW) zoning complies with the underlying Comprehensive Plan Future Land Use Map (FLUM) designation of Industrial (IND).

SECTION 2. PROPERTY REZONED

The real property described in Section 3 is rezoned and reclassified as Industrial, Warehouse (IW) 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 John C. O’Neal, Jr. and is identified by the following tax identification numbers, graphic illustration, and legal description:

Parcel #s 00-00-30-034A-0030-0030, 00-00-30-034A-0030-0040



QUASI-JUDICIAL MOTION

TAB AH – R23-010

**Rezoning from Residential Single Family 2 (RS-2) to Industrial, Warehouse
(IW)**

1. *Based upon the record, evidence, and testimony received, I find that there **IS** competent and substantial evidence pursuant to Future Land Use Element Policy FL.01.02(D), and Land Development Code Section 5.02(C) and (D), and Rezoning application criteria 12(A) through (N), and therefore my motion is to approve R23-010.*
2. *Based upon the record, evidence, and testimony received, I find that there **IS** competent and substantial evidence pursuant to Future Land Use Element Policy FL.01.02(D), and Land Development Code Section 5.02(C) and (D), and Rezoning application criteria 12(A) through (N), and therefore my motion is to deny R23-010.*

LEGAL DESCRIPTION:

The North One-half (N 1/2) of the following described property:

Part of Lot Thirty (30) in Section Five (5), Township Two (2) North, Range Twenty-eight (28) East, according to plat showing the lands of Emil O. Friend in Section Thirty-one (31), Township Three (3) North, Range Twenty-eight (28) East, and also in Section Five (5), Township Two (2) North, Range Twenty-eight (28) East, recorded in Deed Book "Z", page 165, in the Office of the Clerk of the Circuit Court for Nassau County, Florida, more particularly described as follows:

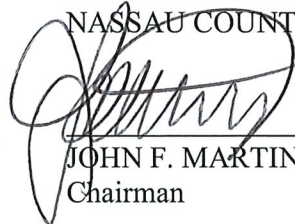
Commencing in the Eastern boundary line of said Lot Thirty (30), One Hundred Thirty (130) feet Northerly from the Southeast corner of said Lot Thirty (30); running thence Westerly, in a line parallel with the Southern line of said Lot Thirty (30), a distance of Two Hundred Sixty-seven (267) feet, more or less, to the Eastern line of a Street, which line runs Northerly, at right angles to a line parallel with the Southern line of said Lot Thirty (30), and at a point therein, One Hundred Thirty (130) feet Northerly of the Southern line of said Lot Thirty (30), which is Two Hundred Sixty-seven (267) feet, in a straight line from the Eastern boundary line of said Lot; running thence Northerly, along said Street line, a distance of Two Hundred Fifty (250) feet, to a point running thence Easterly, in a line parallel with the Southern line of said Lot Thirty (30), to a point in the Eastern line of said Lot Thirty (30); running thence Southerly, in the Eastern line of said Lot Thirty (30), to the POINT OF BEGINNING.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

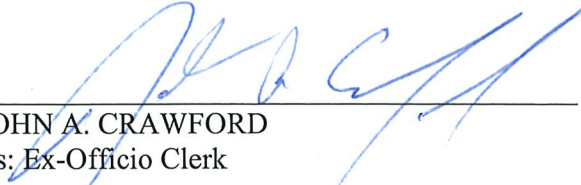
ADOPTED THIS 12th DAY OF February, 2024 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JOHN F. MARTIN
Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 21, 2024

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. 2024-004, which was filed in this office on February 20, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Heather Nazworth

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Wednesday, February 21, 2024 8:09 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: Tuesday, February 20, 2024 3:07 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Nassau County Ordinances

Gentlemen:

Enclosed please find a certified copy of Ordinance Nos. 2024-003 and 2024-004 was adopted by the Nassau County Board of County Commissioners in a regular session on February 12, 2024. **The attached Ordinance should replace the previously provided one. 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

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