

RESOLUTION 85-39

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY FLORIDA, AMENDING RESOLUTION 85-30 WHICH SET FORTH THE APPROVAL FOR DEVELOPMENT OF PLM EAST, AMELIA ISLAND SOUTH, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, on the 11th day of June, 1985, the Board of County Commissioners of Nassau County Florida, passed and adopted Resolution 85-30 wherein they granted the application for development approval of PLM East, Amelia Island South subject to certain conditions, and

WHEREAS, Board of County Commissioners, in approving Resolution 85-30, stated that any errors of omission discovered, after review of said resolution, would be immediately corrected and forwarded to the State, and

WHEREAS, PLM East as proposed in the ADA is a planned community located on approximately 50 acres in the unincorporated area of Nassau County consisting of 325 residential units and related commercial/recreational and other uses; and

WHEREAS, the Board of County Commissioners, after consulting with the Florida Department of Community Affairs, has agreed to amend Resolution 85-30 to provide for clarifications, and

WHEREAS, the Board of County Commissioners, at a duly held meeting in its' chambers, has considered the clarifications.

NOW THEREFORE BE IT RESOLVED THAT:

The Board of County Commissioners of Nassau County Florida, hereby amends Resolution 85-30 as follows:

1. Paragraph 10.0 TRANSPORTATION is hereby amended to add
10.7 It is the County's intent and condition of the Development Order approval that the Level of Service "D" during peak season be maintained on three (3) segments of AIA as attached, including intersections therein, impacted by the

development. The County Engineer shall report to the County Commission each year as to the traffic status of the above segments including a projection of when level "D" is expected to be exceeded on each of these segments. If the County Engineer, after consultation with NEFRPC and FDOT, determines that:

1. The annual traffic reports required pursuant to this Development Order indicate that this standard will be exceeded during the next reporting period;
2. The Amelia Island South Developments combined will utilize 10% or more of the peak season Level of Service "D" service volume;
3. The construction of AIA or intersection improvements needed to preserve the above Level of Service will not be begun during that reporting period, then the County shall schedule, with due notice to the developer, NEFRPC and DCA, a substantial deviation determination hearing to determine whether and the extent to which further development permits shall be issued.

2. Paragraph 10.6 "The applicants proportionate share of road improvement costs shall be based on the percentage of applicant generated traffic using such improvements" is hereby amended to read as follows:

10.6 The applicant's proportionate share of road improvement costs shall be based on the percentage of the total applicant generated traffic calculated based upon planned build-out using such improvements. The applicant's proportionate share contribution shall be

used for the purpose of constructing the road
improvement in the area of and necessitated by Amelia
Island South Developments.

3. Paragraph 6.2 providing for septic tanks is hereby
deleted.

PASSED and adopted this 31st day of July, 1985.

THE BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

BY: John F. Claxton
JOHN F. CLAXTON, CHAIRMAN

ATTEST:

BY: [Signature]
F.J. GREESON, CLERK