

425

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING RESOLUTION 88-30, AS AMENDED BY RESOLUTION 88-50, WHICH APPROVED THE APPLICATION FOR DEVELOPMENT APPROVAL FOR THE YULEE WOODS/LOFTON BLUFF/WILSON NECK DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, the Board of County Commissioners on the 19th day of January, 1988, approved Resolution 88-30, as later amended by said Resolution 88-50; and

WHEREAS, the developer seeks to amend Resolution 88-30; and

WHEREAS, the amendment constitutes a substantial deviation, pursuant to Section 380.06(17), Florida Statutes; and

WHEREAS, the Regional Planning Council has approved the amendment to Resolution 88-30, subject to conditions; and

WHEREAS, the Nassau County Planning and Zoning Board has conducted a public hearing and recommended approval of the amendment.

NOW, THEREFORE, BE IT RESOLVED this 14th day of November, 1989, by the Board of County Commissioners of Nassau County, Florida, as follows:

FINDINGS OF FACT

1. The proposed amendment is not in an area designated as an area of critical State concern pursuant to the provisions of Section 380.05, Florida Statutes.

2. The development is consistent with the Comprehensive Land Use Plan.

CONCLUSIONS OF LAW

1. Resolution 88-30 is hereby amended, subject to the conditions set forth herein.

AMENDMENTS

1. Paragraph 11 of Resolution 88-50 shall be amended as follows:

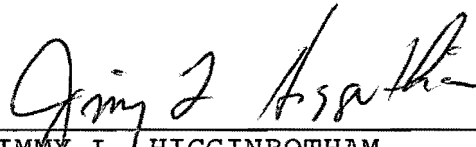
11. A conservation easement shall be incorporated into the drainage easement in Parcel A to guarantee the preservation of the wetland system within this easement. ~~A portion of Tract B shall be preserved in perpetuity to provide a habitat for the gopher tortoise, gopher frog, Florida Pine Snake, and other wildlife species which utilize this habitat. The exact boundary is identified in the exhibit attached to the letter of April 18, 1988, from William F. Sheffield to Colonel Brantly. Said letter and attached drawing shall be attached as Exhibit "C".~~ The applicant shall provide funds for the purchase of equivalent viable gopher tortoise habitat as was previously reserved in Tract B. The developer shall contribute \$92,022.00 and said amount shall be submitted to the Trust for Public Lands to be deposited in the Northeast Wildlife Mitigation Trust Fund within sixty (60) days of the date of this Resolution. Failure to comply with this provision shall constitute a substantial deviation as set forth in Chapter 380.06(19), Florida Statutes. No permits shall be issued in the portion of Tract B until the conditions set forth in this paragraph have been met. The developer shall be allowed to construct no more than thirty-one (31) residential units on that portion of Tract B. The developer shall be responsible for any and all mitigations which the St. John River Water Management District deems necessary as to the wetland areas in Tract B.

2. The areas designated for use for a County park shall be increased from two hundred fifty-three (253) feet to three hundred (300) feet in width.

3. The County shall have the right of first refusal to purchase all or any portion of the land adjacent to the designated park area for future recreational use.


4. All other provisions of Resolutions 88-30 and 88-50 not amended herein shall remain in full force and effect.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JIMMY L. HIGGINBOTHAM
Its: Chairman

ATTEST:



T. J. GREASON
Its: Ex-Officio Clerk