

RESOLUTION NO. 2018 - 112

A RESOLUTION CONSTITUTING THE TWENTIETH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE SUMMER BEACH DEVELOPMENT OF REGIONAL IMPACT (DRI); SPECIFICALLY AMENDING THE DEVELOPMENT ORDER TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO THE NOTIFICATION OF A PROPOSED CHANGE (NOPC) FILED BY ARTISAN HOMES,LLC, AND DATED JULY 25, 2018; PROVIDING FOR DEVELOPMENT OF SINGLE-FAMILY DETACHED RESIDENTIAL UNITS ON PARCEL N-2; FINDING THAT THIS CHANGE DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION FROM THE ORIGINALLY APPROVED DRI DEVELOPMENT ORDER, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida had previously approved the Development Order for the Summer Beach Development of Regional Impact (DRI) in Resolution 85-11, and amended in Resolutions 85-60, 86-8, 86-29, 86-62, 87-11, 89-30, 90-41, 2000-31, 2001-25, 2001-96, 2001-183, 2003-76A, 2004-32, 2005-75, and 2007-105; 2013-91 and 2017-94; and

WHEREAS, on July 25, 2018 Artisan Homes, LLC filed a request with Nassau County to amend the Summer Beach DRI; and

WHEREAS, The County indicated that the proposed changes were not a substantial deviation and furthermore did not require NOPC review; and

WHEREAS, at a public hearing on September 4, 2018 the Nassau County Planning and Zoning Board reviewed said amendment and determined that the proposed changes do not constitute a substantial deviation, nor do they conflict with the remaining terms and conditions of the DRI/PUD or the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has reviewed the said amendment, conducted a public hearing on September 24, 2018 at which all parties were afforded the opportunity to present evidence and testimony on this matter, and any member of the public requesting to do so was given an opportunity to present written or oral communication consistent with the adopted rules of procedure; and

WHEREAS, public notice of said hearing was provided in accordance with Chap. 380.06, F.S. and Chap. 125, F.S.

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

SECTION 1. FINDINGS

The Board of County Commissioners finds that the changes set forth in the NOPC dated July 25, 2018 do not constitute a substantial deviation; as such term is defined in Section 380.06, Florida Statutes and are generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

SECTION 2. AMENDMENT

The Summer Beach DRI Development Order is hereby amended as follows:

- A. Paragraph 1.a. of Resolution 2005-75 (16th amendment to this DRI), is amended as follows:

a. Add Parcel N-2: Parcel N-2 contains 10 acres and will be developed in up to 100 multi-family (including townhomes) and single family detached residential units.

- B. Paragraph 1.f. of Resolution 2005-75 (16th amendment to this DRI), is amended as follows:

f. The owner of Parcel N-2 and the developer agree to assist the County in completing the segment of the Scott Road Drainage Improvement Plan through the following steps: 1) provide to the County at no cost a drainage and maintenance easement minimum of forty [40] feet, not to exceed sixty [60] feet wide along the existing route of the ditch that traverses the property and that is included in the County's Plan; 2) when the developer develops Parcel N-2, he shall have the option installing a piped system at his const to replace the ditch and to be designed to accommodate the design flow of the plan along a route that, if different from the alignment of the ditch, is mutually agreeable to the Developer and the County. The routing and design of the piped system or ditch or combination of both shall be included in the Final Development Plan for Parcel N-2. Upon completion of the piped system or ditch or combination of both and acceptance by the County, the easement along the ditch as described in 1) above, shall be vacated and a new easement that will provide the county with access to adequately maintain the piped system or ditch or combination of both shall be provided by the Developer at no cost to the County. ~~3) In the event that the developer undertakes development of Parcel N-1 prior to the County completing the Pan, the Developer shall have the right to install a piped system and provide a maintenance easement as provided in clause 2) above.~~ Throughout the development process, the Owner and Developer shall not disrupt the flow provided by the ditch in it current condition or after the improvements made under the Plan.

SECTION 3. EXISTING DEVELOPMENT ORDER

All terms and conditions of the existing Summer Beach DRI Development Order as amended remain in full force and effect except as specifically amended by Section 2 of this Resolution.

SECTION 4. RECORDATION AND RENDITION

A copy of this Resolution shall be recorded in the Public Records of Nassau County. Nassau County will render a recorded copy of this Nineteenth Amendment of the Development Order to the Florida Department of Economic Opportunity, the Northeast Florida Regional Council, and the Developer.

SECTION 5. EFFECTIVE DATE:

This Resolution shall become effective upon adoption.

PASSED AND ADOPTED THIS 24TH DAY OF SEPTEMBER, 2018.

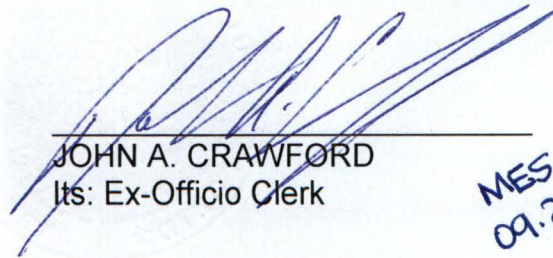
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



PAT EDWARDS,
Its: Chair

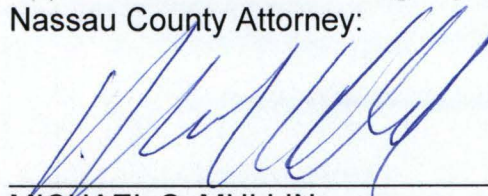
ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
09.25.18

Approved as to form and legality by the
Nassau County Attorney:



MICHAEL S. MULLIN,
County Attorney