

ORDINANCE NO. 83-20

AN ORDINANCE AMENDING ORDINANCE NO. 83-19. THIS ORDINANCE RE-ZONES AND RE-CLASSIFIES THE PROPERTY DESCRIBED AS LOTS 5, 6, 7, 8, 9 and 10; Riverview Subdivision (Unrec.); SECTION 14, TOWNSHIP 2 NORTH RANGE 28 EAST, IN NASSAU COUNTY, FLORIDA FROM RS-1 TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD).

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners, Nassau County, Florida, did adopt ORDINANCE NO. 83-19, an Ordinance enacting and establishing a comprehensive zoning code for the unincorporated portion of Nassau County, Florida; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibit "A" intend to sell the described property in accordance with a master plan; and

WHEREAS, the "Owners" of that certain property described in the attached Exhibit "A" have applied for a re-zoning and re-classification of that property from a RS-1 to a Planned Unit Development (PUD).

WHEREAS, the Planning and Zoning Board of Nassau County has considered said application and held public hearings on the same after due notice, and made its findings and recommendations thereon; and

WHEREAS, the County Commission of Nassau County has considered the findings and recommendations of the Planning and Zoning Board and held its own public hearings on the application after due notice and also considered the Comprehensive Land Use Plan, and finds that the property described in the attached Exhibit "A" is suitable in location and character for the uses proposed in said application according to the criterion as set forth in Article 24, of Ordinance No. 83-19, of the County of Nassau; and

WHEREAS, the County Commissioners recognize that the site for the Planned Unit Development (PUD) is under the ten (10) acre requirement as set forth in Section 24.03 of Ordinance No. 83-19; and

WHEREAS, the Board of County Commissioners recognize that

the "Owners" applied prior to the adoption of Ordinance No. 83-19 and therefore are subject to the provisions of Ordinance 74-33; and

WHEREAS, the Board of County Commissioners recognize that a Planned Unit Development (PUD) will insure the orderly development of this particular area as described in Exhibit "A";

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Nassau County that the application for the Planned Unit Development to be known as "Intra-Coastal" Planned Unit Development (PUD) is hereby approved and the Planned Unit Development (PUD) is subject to the provisions of Article 24, of Ordinance No. 83-19, of the County of Nassau and further subject to the following conditions and requirements:

1. Definitions:

(a) "Owners" shall be the Chell Development Company, Inc., it successors or assigns.

2. The "Owners" shall continually comply with all Federal, State and Local regulations and requirements and all Federal, State and Local environmental regulations and requirements.

3. "Owners" shall provide the County Attorney with the covenants and restrictions and said covenants and restrictions shall be attached hereto as Exhibit "B" and be simultaneously recorded with the adoption of this Ordinance. The County shall not be responsible for the enforcement of said covenants and restrictions.

4. The "Owners" or their successors or assigns prior to entering into any contract for sale of individual units in any phase in the PUD shall record a plat of the lands encompassed by that phase in accordance with the code of the Ordinances of the County of Nassau.

5. "Owners" shall include in each deed conveying property a disclosure to each buyer that the property is subject to a Planned Unit Development (PUD) and the regulations and requirements set forth by the County.

6. The Planned Unit Development concept shall be as

indicated on the map attached as Exhibit "C" and made a part hereof. The "Owners" and any successors or assigns shall be governed by the designations indicated on said map.

7. "Owners" shall, prior to the sale of any of the property, provide the Planning Board with a plan upon a finding of the Planning Board that the plan conforms to the overall development plan, this Ordinance and the criterion set forth in Subsection 15.5 of Article IV, Section 15, Ordinance No. 83-19, laws of Nassau County, Florida, then approval shall be granted.

8. The "Owners" shall subject material to the County Engineer for his review and approval and a written report to the Planning Commission prior to any development. Such material shall include a topographic map, approval from the Department of Environmental Regulation on Water Run-Off, design drawings on roadway and parking areas and any other materials required by Section 24 of Ordinance No. 83-19 and additional materials as required by the County Engineer.

9. This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

ADOPTED this 8<sup>th</sup> day of November, 1983, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

By: 

GENE BLACKWELDER

Its: Chairman

ATTEST:

  
T. J. GREESON

Its: Ex-Officio Clerk

**DESCRIPTION:**

All that certain piece or parcel of land, lying and being LOTS 5, 6, 7, 8, 9 and 10, RIVERVIEW (UNRECORDED), Section 14, Township 2 North, Range 28 East, Nassau County, Florida, lying westerly of the right-of-way of State Road 105 (A-1-A) and being more particularly described as follows: For a Point of Reference, commence at the northeast corner of LOT 1, FLORENCE POINT, as shown on plat recorded in Plat Book 4, Pages 109 and 110, Public Records of Nassau County, Florida; thence S 57°14'17" E, a distance of 95.12 feet to a point that lies 50 feet westerly of the centerline of the pavement of State Road 105 (A-1-A); thence N 2°18'50" E, a distance of 180.00 feet to a concrete monument and the Point of Beginning; thence continue N 2°18'50" E, along the westerly right-of-way of State Road 105 (A-1-A), a distance of 175.00 feet to a concrete monument; thence N 71°41'08" W, a distance of 52.02 feet to an iron; thence N 2°18'50" E, along said westerly right-of-way, a distance of 135.12 feet to an iron; thence S 76°58'10" E, a distance of 50.89 feet to a concrete monument; thence N 2°18'50" E, along said westerly right-of-way, a distance of 189.22 feet to a concrete monument; thence northeasterly along said right-of-way and the arc of a curve concave to the West, having a radius of 2814.79 feet and a total central angle of 6°42'36", a distance of 329.65 feet to a concrete monument; thence S 87°52'17" W, along the northerly line of said LOT 5, a distance of 285.97 feet to the marsh line of South Amelia River; thence southwesterly along said marsh line, a distance of 601 feet to a point that lies N 63°02'36" W, a distance of 568.50 feet from a concrete monument that lies 50 feet westerly of the centerline of the pavement of State Road 105 (A-1-A); thence S 63°02'36" E, along the southerly line of LOT 10, a distance of 568.50 feet to the Point of Beginning, containing 6.24 acres, more or less.

Said parcel being subject to a 2 foot Easement along the westerly right-of-way of State Road 105 (A-1-A), granted under Section 9, Chapter 18296, Laws of Florida, Acts of 1937.

Prepared By:

  
 Carl B. Mitchell, PLS  
 Florida Registered Land Surveyor No. 2445  
 P. O. Box 1202  
 Fernandina Beach, Florida 32034

DECLARATION OF COVENANTS AND  
RESTRICTIONS FOR  
ISLAND MARSH CONDOMINIUM

THIS DECLARATION, made this \_\_\_\_\_ day of \_\_\_\_\_, 1983, by CHELL DEVELOPMENT, INC., a Florida corporation, hereinafter referred to as "CHELL";

WITNESSETH:

WHEREAS, CHELL is the owner of certain real property located on Amelia Island, in Nassau County, Florida, on which it desires to create a planned unit development community known as ISLAND MARSH CONDOMINIUM; and

WHEREAS, CHELL desires to establish certain covenants and restrictions which will be imposed upon all units of real property in ISLAND MARSH CONDOMINIUM by incorporating these restrictions by reference in conveyances or other instruments affecting title of such property from CHELL to third parties.

NOW THEREFORE, CHELL hereby declares that all of the provisions herein are restrictions, conditions and covenants running with those lands owned by it and conveyed by instruments hereafter made which make specific reference to this Declaration and citing its place of recording in the public records of Nassau County, Florida.

1. All owners and occupants of dwelling units shall comply with all applicable laws, ordinances and regulations of all governmental bodies having jurisdiction over the condominium property.

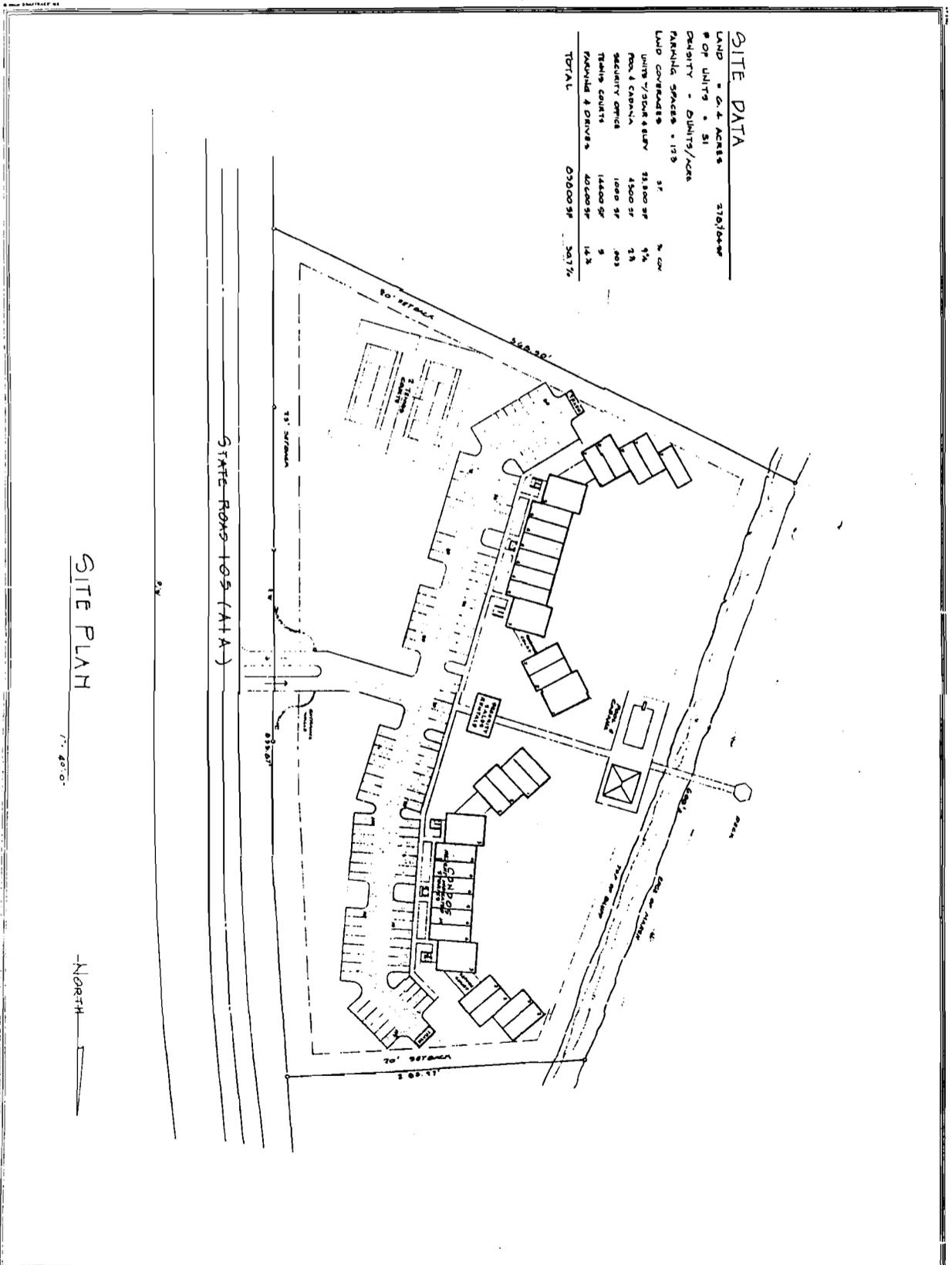
2. No nuisances shall be allowed on the condominium property, nor any use or practice which annoys or interferes with residents.

3. No loud or objectionable noises or odors which may disturb adjacent units shall be permitted.

4. All parts of the condominium property shall be kept in a clean and sanitary condition, and no rubbish, refuse or



EXHIBIT "C"



**SITE DATA**

LAND - 6.4 ACRES	270,144 sq ft	
# OF UNITS - 51		
DENSITY - Dwellings/Acre	7.96	
PARKING SPACES - 173		
LAND COVERAGES		
UNITS / SQUARE FOOT	51,000 SF	0.14
POOL & CASINO	4,500 SF	0.01
SECURITY OFFICE	1,000 SF	0.00
TRAINING COURTS	14,000 SF	0.04
PARKING & DRIVERS	40,000 SF	0.15
<b>TOTAL</b>	<b>63,000 SF</b>	<b>0.23%</b>

SITE PLAN

1" = 40' 0"



<p>DATE 8-5-83</p> <p>REVISIONS</p> <p>Δ -</p> <p>Δ -</p> <p>Δ -</p> <p>Δ -</p>	<p><b>DENNIS M. WILLIAMS</b> <b>ARCHITECT,</b> <b>P.C.</b></p> <p>2336 OCEAN RD., E. BEACH ST. AUGUSTINE, FL. 32080 31222 (904) 628-9283</p> <p>300 CENTRE ST. SEASIDE BEACH, FL. 32034 (904) 838-1000</p>	<p>PRELIMINARY PLAN FOR CHELL DEVELOPMENT, INC.</p>		