ORDINANCE NO. 2000-09

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AN ORDINANCE AMENDING ORDINANCE NO. 83-19, AS AMENDED. THIS ORDINANCE REZONES AND RECLASSIFIES PROPERTY HEREIN AFTER DESCRIBED THE IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "CYPRESS PALM GARDENS"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance No. 83-19, an Ordinance Enacting and Establishing a Comprehensive Zoning Code for the unincorporated portion of Nassau County, Florida, and which Ordinance has been subsequently amended including Ordinance No. 97-19, adopted on the 28th day of July, 1997; and

WHEREAS, the "owners" of that certain property in the attached Exhibit "A" intend to develop 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 OPEN RURAL (OR) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

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 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 25 of Ordinance No. 97-19 of the County of Nassau.

NOW, THEREFORE BE IT ORDAINED this 27th day of March, 2000, by the Board of County Commissioners of Nassau County that the application for the Planned Unit Development is hereby approved and the land shall be re-zoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions of Article 25 of Ordinance No. 97-19, of the County of Nassau and further subject to the additional conditions, requirements, and findings described below:

<u>SECTION 1</u>. The Planned Unit Development concept shall be as indicated on the Preliminary Development Plan attached hereto as Exhibit "B". The Planned Unit Development is further subject to the requirements of Ordinance No. 97-19.

SECTION 2. Owner and Description. The land re-zoned by this Ordinance is owned by Pearl Blue Albert, owner.

SECTION 3. Conditions. The conditions set forth as Exhibit "C" shall be made a part of this PUD, as recommended by staff, and the property shall be subject to said conditions. Further the conditions set forth for site plan review are applicable as are Goals and Objectives of the Comprehensive Plan.

SECTION 4. This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

ADOPTED this 27th day of March, 2000.

BOARD OF COUNTY COMMISSIONERS NASSAU COUNTY, FLORIDA

NICK D. DEONAS Its: Chairman

ATTEST:

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J. M. "CHIP" OXLEY JR. Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

MICHAEL S. MULLIN

EXHIBIT "A" DESCRIPTION OF PROPERTY R-00-003

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Section 32; Township 2N; Range 28; PT of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ PT OR 557 Pg 653 ESMT OR 481/707 as recorded in public records of Nassau County, Florida.

EXHIBIT "C" Conditions for R-00-003

- 1. All development within this PUD shall consist of single-family site-built homes. Mobile or manufactured homes shall not be permitted.
- 2. Minimum lot size shall be .5 acres. Maximum lot coverage shall be 30%. Setbacks and height restrictions for all residential lots shall conform to those for the RS-1 zoning district: 30' front yard, 10' side yard, 15' rear yard, 35' maximum height.
- 3. Streets shall be paved in accordance with County standards specified in Ordinance 99-17. Sidewalks and curb and gutter construction are required.
- 4. The developer and the County must have a signed agreement providing for the necessary off-site improvements to Hendricks and Hatton Roads prior to the release of any construction permits for this development.
- 5. The developer shall be given the option of replacing on-site recreational requirements with equitable off-site improvements in the form of land, funds, or facilities dedicated to public recreation.



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