

ORDINANCE 2014 - 17

**AN ORDINANCE OF NASSAU COUNTY, FLORIDA
REZONING APPROXIMATELY 24.28 ACRES OF REAL
PROPERTY LOCATED AT THE SOUTH END OF
CHRISTIAN WAY SOUTH OF STATE ROAD 200/A1A
FROM RESIDENTIAL, GENERAL-1 (RG-1) TO
RESIDENTIAL, GENERAL-2 (RG-2); PROVIDING FOR
FINDINGS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, LFW Reserve, LLC are the owners of two parcels totaling 24.72 acres identified as Tax Parcel #s 38-2N-27-0000-0001-0140 and 37-2N-27-0000-0001-0110 and by virtue of Deed recorded at O.R. 963, pages 1080-1084 of the Public Records of Nassau County, Florida; and

WHEREAS, LFW Reserve, LLC have authorized Gillette & Associates, Inc. to file Application R14-005 to change the zoning classification of the land described herein; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on July 15, 2014 and voted to recommend approval of R14-005 to the Commission; and

WHEREAS, the proposed Residential, General -2 (RG-2) zoning complies with the underlying Future Land Use Map (FLUM) designation of High Density Residential; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County; and

WHEREAS, the Board of County Commissioners held a public hearing on, August 25, 2014; and

WHEREAS, public notice of all hearings has been provided in accordance with Chapters 125 Florida Statutes and the Nassau County Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS.

The proposed rezoning to Residential, General -2 (RG-2); is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan,, in particular Policies FL.01.02(B),FL.01.03, FL.08.04, FL.08.05, H.08.02 and ED.05.02.

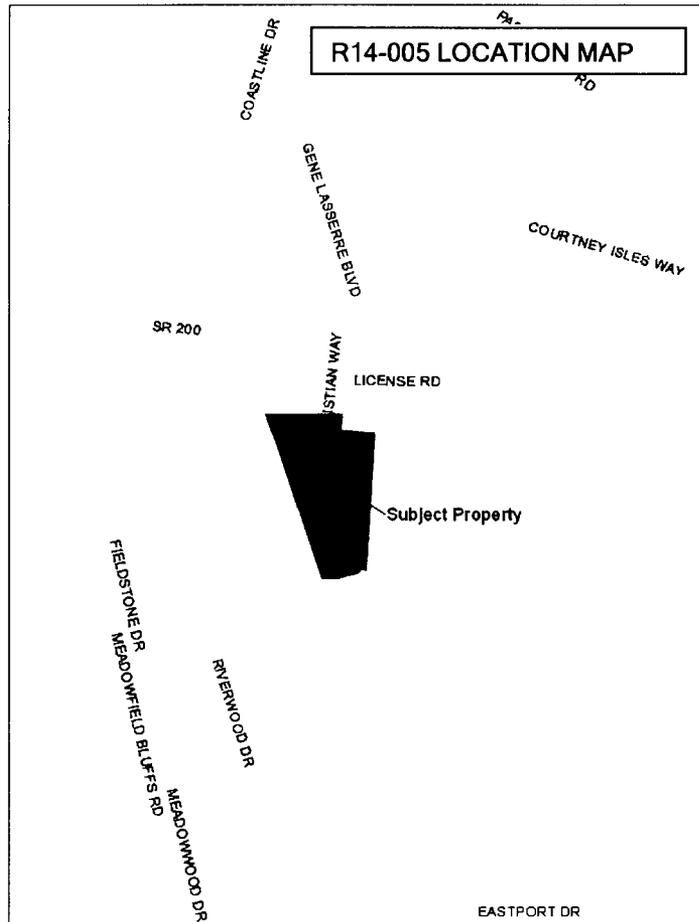
SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is rezoned and reclassified to Residential, General -2 (RG-2) upon the effective date of the ordinance; the Growth Management Department is authorized to amend the Official Zoning Map to reflect this change.

SECTION 3. OWNER AND DESCRIPTION.

The land reclassified by this Ordinance is owned by LFW Reserve, LLC, and is identified by the following tax identification numbers, graphic illustration, and legal descriptions:

38-2N-27-0000-0001-0140; 37-2N-27-0000-0001-0110



LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, AND THE JOHN D. VAUGHN GRANT, SECTION 38, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND WHERE THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200-A (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74600-2150 (7460-175) INTERSECTS THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200/A-1-A (A VARYING RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74060-2503) AND RUN SOUTH $00^{\circ}-23'-55''$ EAST, A DISTANCE OF 96.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE THE FOLLOWING FIVE (5) COURSES ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, (1) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 371.73 FEET TO A POINT; (2) NORTH $75^{\circ}-38'-44''$ WEST, A DISTANCE OF 200.27 FEET TO A POINT; (3) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 400.11 FEET TO A POINT; (4) NORTH $69^{\circ}-55'-14''$ WEST, A DISTANCE OF 200.30 FEET TO A POINT; (5) NORTH $72^{\circ}-46'-59''$ WEST, A DISTANCE OF 1344.89 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 5606.17 FEET, A CHORD DISTANCE OF 1168.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH $78^{\circ}-45'-59''$ WEST; RUN THENCE NORTH $84^{\circ}-44'-59''$ WEST CONTINUING ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 449.61 FEET TO A POINT ON THE EASTERLY LINE OF LANDS OF THE YULEE UNITED METHODIST CHURCH (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 587, PAGE 330); RUN THENCE SOUTH $05^{\circ}-15'-01''$ WEST ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 473.00 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH $85^{\circ}-21'-12''$ EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE EASTERLY LINE OF A 60-FOOT WIDE EASEMENT (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 655, PAGE 1298); RUN THENCE SOUTH $05^{\circ}-15'-01''$ WEST ALONG LAST MENTIONED EASTERLY LINE, A DISTANCE OF 88.47 FEET TO A POINT; RUN THENCE SOUTH $84^{\circ}-44'-59''$ EAST, A DISTANCE OF 317.53 FEET TO A POINT ON THE WESTERLY LINE OF THE OLD NASSAU COUNTY LANDFILL (NOW CLOSED); RUN THENCE SOUTH $03^{\circ}-28'-57''$ WEST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 1359.46 FEET TO A POINT; RUN THENCE THE NEXT FOUR COURSES ALONG THE APPROXIMATE CENTERLINE OF A ± 20 FOOT WIDE DITCH, (1) NORTH $80^{\circ}-00'-00''$ WEST, A DISTANCE OF 50.00 FEET TO A POINT; (2) SOUTH $47^{\circ}-00'-00''$ WEST, A DISTANCE OF 46.59 FEET TO A POINT; (3) SOUTH $74^{\circ}-00'-00''$ WEST, A DISTANCE OF 209.18 FEET TO A POINT; (4) NORTH $87^{\circ}-00'-00''$ WEST, A DISTANCE OF 128.24 FEET TO A POINT; RUN THENCE NORTH $19^{\circ}-00'-00''$ WEST, A DISTANCE OF 1636.54 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED YULEE UNITED METHODIST CHURCH; RUN THENCE NORTH $89^{\circ}-21'-00''$ EAST, ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 640.04 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 24.72 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A 100-FOOT WIDE BASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 37, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT A RAILROAD SPIKE FOUND WHERE THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200-A (A 100-FOOT RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74600-2150 (7460-175) INTERSECTS THE RIGHT-OF-WAY CENTERLINE OF STATE ROAD NO. 200/A-1-A (A VARYING RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION NO. 74060-2503) AND RUN SOUTH $00^{\circ}23'55''$ EAST, A DISTANCE OF 96.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE THE FOLLOWING FIVE (5) COURSES ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, (1) NORTH $72^{\circ}46'59''$ WEST, A DISTANCE OF 371.73 FEET TO A POINT; (2) NORTH $75^{\circ}38'44''$ WEST, A DISTANCE OF 200.27 FEET TO A POINT; (3) NORTH $72^{\circ}46'59''$ WEST, A DISTANCE OF 400.11 FEET TO A POINT; (4) NORTH $69^{\circ}55'14''$ WEST, A DISTANCE OF 200.30 FEET TO A POINT; (5) NORTH $72^{\circ}46'59''$ WEST, A DISTANCE OF 1344.89 FEET TO A POINT OF CURVATURE; RUN THENCE IN A WESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 5606.17 FEET, A CHORD DISTANCE OF 1168.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH $78^{\circ}45'59''$ WEST; RUN THENCE NORTH $84^{\circ}44'59''$ WEST CONTINUING ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 449.61 FEET TO A POINT ON THE EASTERLY LINE OF LANDS OF THE YULEE UNITED METHODIST CHURCH (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 587, PAGE 330), SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF CHRISTIANS WAY (A 100-FOOT RIGHT-OF-WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF NASSAU COUNTY IN BOOK 655, PAGE 1308); RUN THENCE SOUTH $05^{\circ}15'01''$ WEST ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 255.09 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST END OF SAID CHRISTIANS WAY.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH $05^{\circ}15'01''$ WEST ALONG THE AFOREMENTIONED EASTERLY LINE OF YULEE UNITED METHODIST CHURCH, A DISTANCE OF 217.91 FEET TO THE SOUTHEAST CORNER OF LAST MENTIONED LANDS; RUN THENCE SOUTH $85^{\circ}21'12''$ EAST, A DISTANCE OF 100.00 FEET TO A POINT; RUN THENCE NORTH $05^{\circ}15'01''$ EAST, A DISTANCE OF 217.92 FEET TO THE SOUTHEAST END OF THE AFOREMENTIONED CHRISTIANS WAY; RUN THENCE NORTH $85^{\circ}21'12''$ WEST ALONG THE SOUTHERLY END OF SAID CHRISTIANS WAY, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 0.50 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective after filing with the Secretary of State.

PASSED AND ADOPTED THIS 25th DAY OF August, 2014.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



BARRY V. HOLLOWAY,
Its: Chairman

ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
08-28-14

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



DAVID A. HALLMAN,
County Attorney