

ORDINANCE 2020 -32

AN ORDINANCE AMENDING ORDINANCE NO. 98-33, WHICH REZONED AND RECLASSIFIED PROPERTY TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS "LIGHTHOUSE POINTE"; AMENDED IN ORDINANCE NO. 2001-23; MODIFYING THE PUD CONDITIONS; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 98-33 on October 12, 1998 creating the "Lighthouse Pointe PUD"; and

WHEREAS, the Board of County Commissioners adopted Ordinance 2001-23 on July 16, 2001 amending the "Lighthouse Pointe PUD"; and

WHEREAS, Lighthouse Pointe Development LLC. is the owner of Lots 52, 56, 57, and 73 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel #s 41-3N-28-1250-0052-0000, 41-3N-28-1250-0056-0000, 41-3N-28-1250-0057-0000, and 41-3N-28-1250-0073-0000, by virtue of Deed recorded at O.R. 1938, page 1054 of the Public Records of Nassau County, Florida; and

WHEREAS, Lighthouse Pointe Development LLC and Fitch Inc. are the owners of Lots 72, 74, and 76 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel #s 41-3N-28-1250-0072-0000, 41-3N-28-1250-0074-0000, and 41-3N-28-1250-0076-0000, by virtue of Deed recorded at O.R. 2154, page 609; of the Public Records of Nassau County, Florida; and

WHEREAS, Trevett Building Systems of Florida, LLC. is the owner of Lot 53 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0053-0000 by virtue of Deed recorded at O.R. 1950, page 1356 of the Public Records of Nassau County, Florida; and

WHEREAS, Phillip R. Weaver and Darlene Carlson-Weaver and Brooke R. Weaver are the owners of Lot 54 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0054-0000 by virtue of Deed recorded at O.R. 2351, page 637 of the Public Records of Nassau County, Florida; and

WHEREAS, Russell G. and Margot Lowry are the owners of Lot 55 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0055-0000 by virtue of Deed recorded at O.R. 2118, page 594 of the Public Records of Nassau County, Florida; and

WHEREAS, Charles and Susan Bothwell are the owners of Lot 60 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0060-0000 by virtue of Deed recorded at O.R. 2149, page 580 of the Public Records of Nassau County, Florida; and

WHEREAS, David Da Rin, Trustee of David Da Rin Revocable Trust is the owner of Lots 61 and 62 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel #41-3N-28-1250-0061-0000 and 41-3N-28-1250-0062-0000 by virtue of Deed recorded at O.R. 2278 , pages 1520-1523 of the Public Records of Nassau County, Florida; and

WHEREAS, Mark Snyder and Dorothy Fortwengler are the owners of Lot 63 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0063-0000 by virtue of Deed recorded at O.R. 2018, page 900 of the Public Records of Nassau County, Florida; and

WHEREAS, John and Lisa Gargaro are the owners of Lot 64 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0064-0000 by virtue of Deed recorded at O.R. 2189, page 1863 of the Public Records of Nassau County, Florida; and

WHEREAS, Thomas and Jane Crockett are the owners of Lot 65 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0065-0000 by virtue of Deed recorded at O.R. 2229, page 122 of the Public Records of Nassau County, Florida; and

WHEREAS, James and Susan Hutchman are the owners of Lot 66 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0066-0000 by virtue of Deed recorded at O.R. 2089, page 920 of the Public Records of Nassau County, Florida; and

WHEREAS, Edward and Ann Lewis are the owners of Lot 67 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0067-0000 by virtue of Deed recorded at O.R. 2125, page 1246 of the Public Records of Nassau County, Florida; and

WHEREAS, Dennis and Margaret Surber are the owners of Lot 68 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0068-0000 by virtue of Deed recorded at O.R. 2018, page 957 of the Public Records of Nassau County, Florida; and

WHEREAS, Garry and Sandra Minarcine are the owners of Lot 70 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0070-0000 by virtue of Deed recorded at O.R. 2326, page 767 of the Public Records of Nassau County, Florida; and

WHEREAS, Norman and Regina Echols are the owners of Lot 71 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0071-0000 by virtue of Deed recorded at O.R. 2185, page 1275 of the Public Records of Nassau County, Florida; and

WHEREAS, Alan and Heather Rowan are the owners of Lot 75 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0075-0000 by virtue of Deed recorded at O.R. 2377, page 1171 of the Public Records of Nassau County, Florida; and

WHEREAS, Robert Rossborough and Kelly Devlin are the owners of Lot 77 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0077-0000 by virtue of Deed recorded at O.R. 2220, page 1652 of the Public Records of Nassau County, Florida; and

WHEREAS, Anjelica Morrigan Larochelle is the owner of Lot 78 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0078-0000 by virtue of Deed recorded at O.R. 2319, page 1803 of the Public Records of Nassau County, Florida; and

WHEREAS, Dostie Homes, LLC is the owner of Lot 79 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0079-0000 by virtue of Deed recorded at O.R. 1974, page 393 of the Public Records of Nassau County, Florida; and

WHEREAS, RC Sterling Group, LLC is the owner of Lot 80 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0080-0000 by virtue of Deed recorded at O.R. 2116, page 6 of the Public Records of Nassau County, Florida; and

WHEREAS, Fitch, Inc. is the owner of Lot 81 of Lighthouse Pointe Phase 2 as recorded in Plat Book 7, pages 145-151 of the Public Records of Nassau County, Florida identified as Tax Parcel # 41-3N-28-1250-0081-0000 by virtue of Deed recorded at O.R. 2077, page 92 of the Public Records of Nassau County, Florida; and

WHEREAS, the owners described above have authorized Teresa L. Prince to file Application PUD20-004; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on October 6, 2020 and voted to recommend approval of PUD20-004 to the Commission; and

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

WHEREAS, the proposed PUD amendment complies with the underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR); and

WHEREAS, the Board of County Commissioners held a public hearing on October 12, 2020; 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

That the proposed amendment to the Lighthouse Pointe PUD is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan in particular Policies FL.01.02 (B) and FL.04.01.

SECTION 2. PUD AMENDED

The Lighthouse Pointe PUD, as described above, is amended as follows:

- A) The conditions of the PUD are amended as shown in Exhibit "A" attached here.
- B) All other conditions adopted for this PUD shall remain in force.

SECTION 3. EFFECTIVE DATE

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

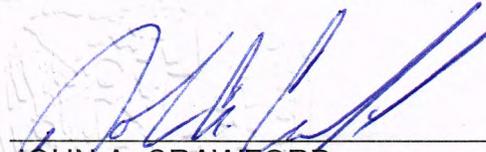
PASSED AND ADOPTED THIS 12TH DAY OF OCTOBER, 2020.

**BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA**



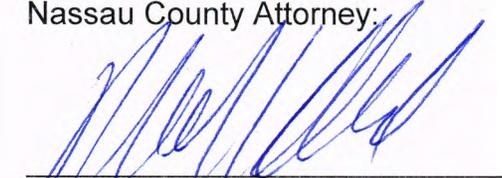
DANIEL B. LEEPER,
Its: Chairman

ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

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



MICHAEL S. MULLIN,
County Attorney

EXHIBIT A

Ordinance No. 98-33, Exhibit C, paragraph 6, is amended as follows:

6. Marsh and river-front lots excluding lot numbers 52 through and including lot 57, lot numbers 60 through and including lot 68, and lot numbers 70 through and including lot 81 as reflected in the Lighthouse Pointe – Phase Two Plat recorded at Plat Book 7, Page 145, et. seq., of the public records of Nassau County, Florida, in the development shall contain a fifty (50) foot undisturbed buffer from the jurisdictional wetland line ~~as per Comprehensive Plan Policy~~. All development within this buffered area shall average 50 feet with a minimum of 25 feet. All development therein to be prohibited. Lots 52 through and including lot 57, lots 60 through and including lot 68, and lots 70 through and including lot 81 reflected on the Lighthouse Pointe- Phase Two Plat recorded at Plat Book 7, Page 145, et. seq., of the public records of Nassau County, Florida, shall contain a twenty-five (25) foot undisturbed buffer from the jurisdictional wetland line pursuant to the Comprehensive Plan Policy FL. 04.01(B) and all development therein shall be prohibited.