

ORDINANCE 87 - 41

AN ORDINANCE REZONING LANDS AS DESCRIBED BELOW FROM PRESENT ZONING CLASSIFICATION OF RG-2 AND RS-1 TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); PROVIDING CONDITIONS; APPROVING A PRELIMINARY DEVELOPMENT PLAN; PROVIDING AN EFFECTIVE DATE;

WHEREAS, on the 28th day of September, 1983, the Board of County Commissioners did adopt Ordinance 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 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 Residential General (2) (RG-2) and Residential Single Family (RS-1) to a Planned Unit Development (PUD).

WHEREAS, the Planning 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 24 of Ordinance 83-19 of the County of Nassau;

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 "THE RESIDENCE" 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 24 of Ordinance 83-19 of the County of Nassau and further subject to the Additional conditions and requirements:

Section I The Planned Unit Development concept shall be as indicated on the land use plan prepared by Hill, Boring, Valbuena & Associates, Inc., which is attached hereto as Exhibit "C" and made a part hereof.

Section II The preliminary development plan is approved as indicated on the land use plan is approved subject to the stipulations contained in Exhibit "B" attached hereto and made a part hereof.

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

ADOPTED this 16th day of June, 1987, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

By: Charles A. Pickett
Charles A. Pickett

Its: Vice Chairman

Attest: T.J. Greeson
T.J. GREESON

Its: Ex-Officio Clerk

EXHIBIT "A"

PARCEL "A"

A portion of Section 8 and 39, Township 1 North, Range 29 East, Nassau County, Florida, together with Lots 13, 14 and 15, as shown on the plat of the Sanctuary At Amelia Island, as recorded in Plat Book 4, Page 96, of the Current Public Records of said Nassau County, Florida, all being more particularly described as follows: COMMENCE at the intersection of the Westerly right of way line of State Road NO. 105A1A (a 200.00 foot right of way as now established), with North line of Section 1, Township 1 North, Range 29 East; thence South $19^{\circ}33'10''$ East, along said Westerly right of way line 323.71 feet; thence North $89^{\circ}59'50''$ East, 212.24 feet to the Easterly right of way line of said State Road No. 105; thence South $19^{\circ}33'10''$ East, along said Easterly right of way line 4394.11 feet to the POINT OF BEGINNING; thence continue South $19^{\circ}36'20''$ East, along said Easterly right of way line 338.19 feet to the point of curvature of a curve to the right; thence Southeasterly along and around the arc of a curve concave Southwesterly, having a radius of 3537.75 feet, an arc distance of 197.89 feet, said arc being subtended by a chord bearing and distance of South $18^{\circ}00'11''$ East, 197.87 feet to the hereinafter referred to reference point A; thence return to the POINT OF BEGINNING; thence South $89^{\circ}58'47''$ East, 36.86 feet; thence North $69^{\circ}21'01''$ East, 40.40 feet to the arc of a curve to the Southeast; thence Southeasterly, Northerly, Northwesterly and Westerly along and around the arc of a curve concave Westerly, having a radius of 48.00 feet, an arc distance of 194.97 feet, said arc being subtended by a chord bearing and distance of North $10^{\circ}11'12''$ East, 86.01 feet; thence North $28^{\circ}12'18''$ West, 18.76 feet, to the point of curvature of a curve to the left; thence Northwesterly along and around the arc of a curve concave Southwesterly, having a radius of 310.00 feet, an arc distance of 59.71 feet, said arc being subtended by a chord bearing and distance of North $33^{\circ}43'21''$ West, 59.62 feet; thence North $50^{\circ}45'34''$ East, 18.00 feet; thence North $39^{\circ}14'26''$ West, 30.00 feet; thence South $50^{\circ}46'58''$ West, 118.18 feet to the arc of a curve to the Northwest; thence Northwesterly along and around the arc of a curve concave Northeasterly, having a radius of 185.00 feet, an arc distance of 176.74 feet, said arc being subtended by a chord bearing and distance of North $06^{\circ}56'02''$ West, 167.32 feet to the point of tangency of said curve; thence North $25^{\circ}43'55''$ East, 9.90 feet; thence South $54^{\circ}16'05''$ East, 18.00 feet; thence North $25^{\circ}43'55''$ East, 20.00 feet; thence North $54^{\circ}16'05''$ West, 18.00 feet; thence North $25^{\circ}43'55''$ East, 1.07 feet; thence South $54^{\circ}16'05''$ East, 135.93 feet; thence South $25^{\circ}15'17''$ East, 103.43 feet; thence South $58^{\circ}05'22''$ East, 55.00 feet; thence North $76^{\circ}54'38''$ East, 357 feet more or less to the Mean High Water Line of the Atlantic Ocean; thence Southerly along Mean High Water Line of the Atlantic Ocean 730 feet more or less, to an intersection with the line which bears North $82^{\circ}37'44''$ East, 635 feet more or less from the aforementioned reference point A; thence South $82^{\circ}37'44''$ West, 635 feet more or less to the aforementioned reference point A and to close.

Containing 11.2 acres, more or less.

EXHIBIT "B"

STIPULATION

I. PERMITTED USES

1. Townhouse type structures and single family detached units.
2. Commercial/Retail. There shall be no commercial/retail uses within the P.U.D.

II. PRESERVATION, EXCAVATION, AND GRADING

1. The canopy and understory vegetation shall be retained, to the greatest extent possible, as natural landscape.
2. The applicant shall, to the maximum extent possible, preserve trees for the migratory bird population.
3. All the areas to be preserved shall be roped off prior to the commencement of development in each phase.
4. The development shall be subject to the following:
 - (a) Excavation shall be confined to development zones, containing building pads, drainage, parking and access driveways, and recreational facilities, with maximum efforts made to minimize damage in all areas of the dune system and with no net removal of material.
 - (b) Construction seaward of the Coastal Construction Control Line shall be prohibited, with the exception of dune walkover structures and dune stabilization measures, as approved by DNR. The applicant has agreed to waive his right to seek a permit to build seaward to the coastal setback control line.
 - (c) Any excavation in the secondary dune system shall not reduce existing crest elevations below twenty-six (26) feet above mean sea level.
 - (d) Each final development plan shall include a map indicating any breach in the primary dune. All breaches shall be filled and re-vegetated at the commencement of each phase.
 - (e) Construction seaward of the secondary dune system and landward of the coastal construction control line shall occur only at a habitable floor excavation of at least twenty (20) feet above mean sea level.
5. Final site plans for each unit in the PUD shall show:
 - (a) Measures to be taken to enhance and preserve the integrity of the dune system, such as re-vegetation and filling of breaches;
 - (b) Building footprints and designs, lot grading and layout, and heights of buildings above MSL;

- (c) Location of dune walkovers;
- (d) Location of "V" zone flood plain or other flood hazard areas;
- (e) Location of parking;
- (f) Erosion control plans for the construction period;
- (g) Location of retention and detention basins.

6. Canopy and understory species native to the site shall be utilized in the landscaping of the site to the greatest extent possible.

7. Each final development plan is to show the existing and proposed grading of the parcel as well as a construction pad (area) requirements for the development of the structures, roadways and parking on each parcel. This is to insure that there shall be a maximum amount of preservation of natural vegetation.

III. WATER RESOURCES

Plans for all storm water containment areas shall be approved by the Board of the Amelia Island Mosquito Control District before construction permits shall be issued. The applicant shall submit to the Mosquito Control Board, the County and SJRWMD, for review and approval, an on-going management plan to maintain these retention/drainage systems in working condition.

IV. HISTORICAL AND ARCHEOLOGICAL SITES

If, in the process of development, any archeological sites are discovered, the applicant shall immediately notify the State Division of Archives, History and Records Management. No disruption of the findings shall be permitted for thirty (30) days after notification of DAHRM or until the DAHRM officials can make an investigation, whichever occurs sooner. The applicant shall abide by the recommendations of DAHRM as to the treatment of any site discovered.

V. WATER SUPPLY

1. The use of septic tanks in any phase shall not be permitted for any permanent structure.

2. In the event potable water and/or sewage treatment facilities are not available from the Amelia Island Waterworks to meet the proposed phases, then the applicant shall present a revised plan to the County

VI. RECREATION

The applicant has agreed that the dune walkovers shall be shared by adjoining owners.

VII. DENSITY, BUILDING SPACING, AND LAND USE CLASSIFICATION

1. The project is a Planned Unit Development, pursuant to Article 24 of Nassau County Zoning Ordinance 83-19. The preliminary development plan is hereby approved subject to the

conditions as set forth in this attachment. The provisions of Article 24 shall be applicable and binding on this applicant and shall be binding on any successor in interest or subsequent owner. Final development plans shall be submitted to the County. The County shall review the plans, pursuant to this Resolution and Article 24 of Nassau County Ordinance 83-19.

2. The applicant shall obtain other requisite development or environmental permits from other agencies as required by law. Any other agency which has permitting jurisdiction and authority over the development shall review all permit applications submitted by the applicant in terms of the commitments and conditions contained in this Development Order and shall apply those commitments and conditions as well as the agency's own specific permitting requirements.

3. To the extent possible, parking within the building envelope shall be considered as the first alternative as a means of further reducing impact on the vegetative area.

4. The number and design of vehicular parking spaces and loading areas shall be two (2) spaces per dwelling unit as based on the requirement as set forth in Article 28 of Nassau County Zoning Code, unless altered in the final development planned review process.

5. Due to the proposed size of the proposed structures on the townhouse lots, the Board waives the required fifteen (15) foot side yard requirement to ten (10) feet.

6. The natural vegetation shall be preserved by following the existing contours closely.

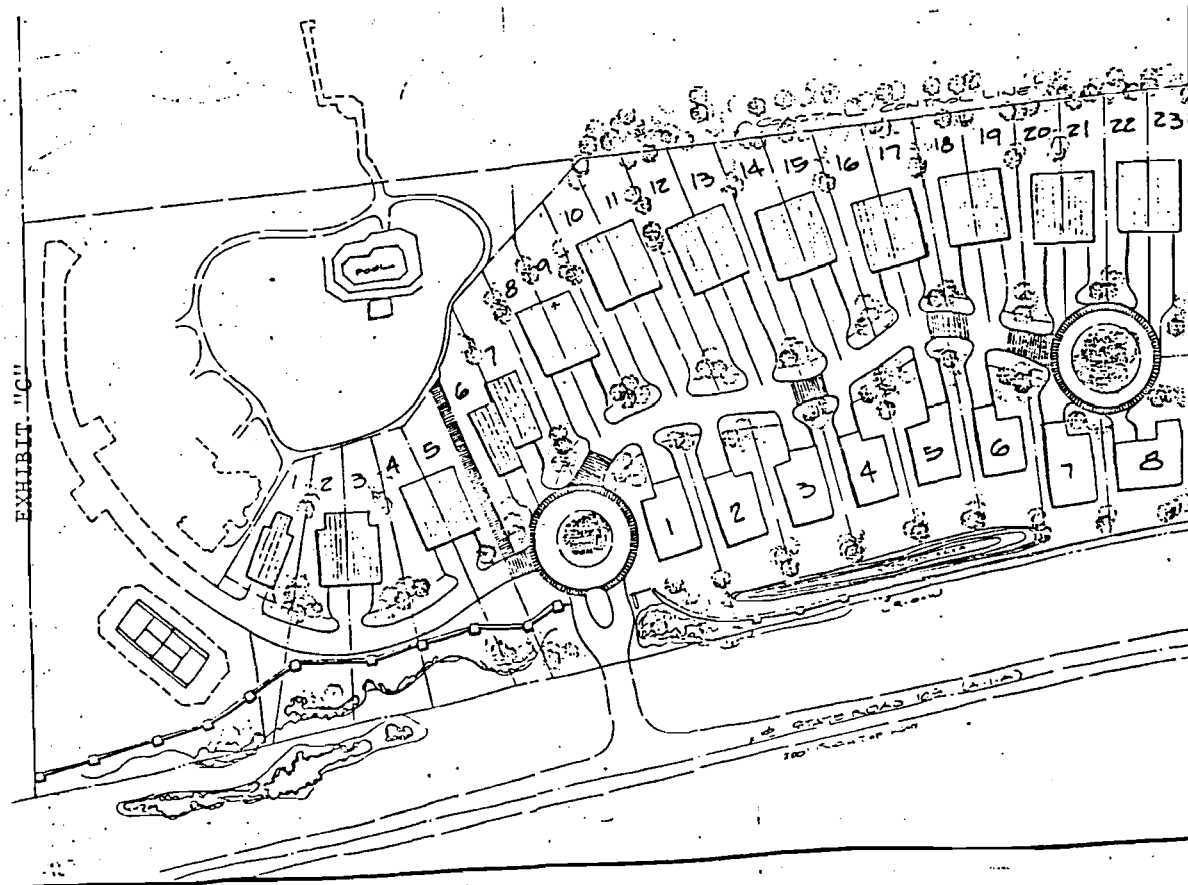
VIII. ADDITIONAL REQUIREMENTS

1. All conveyances of any properties within the PUD shall contain a reference to the PUD.

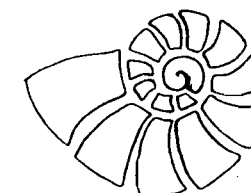
2. The Developer shall regularly and routinely consult with the Public Safety Director, Sheriff, County Engineer and Planning and Zoning Director regarding the final development plans and wherever practical and consistent with the development principals of this PUD ordinance and Ordinance 83-19, Section 24.05, include the suggestions of the aforementioned officials in the final development plans. The aforementioned officials shall regularly make written reports to the Board of County Commissioners and Planning Board as to the said recommendations and consultations.

3. The covenants and restrictions shall be presented to the Board of County commissioners for approval prior to the approval of the final development plans. Said covenants and restrictions shall be recorded.

4. The PUD shall be subject to permitting requirements of the various state agencies.



THE RESIDENCE



A PLANNED PATIO HOME &
SINGLE FAMILY SUBDIVISION
AT THE RESIDENCE
AMELIA ISLAND FLORIDA
CONCEPTUAL DESIGN
FOR CITADEL LIFE INSURANCE

SITE STATISTICS

PATIO HOME TOTAL 23 LOTS
REQUIRED MIN. SIZE LOT: 38' x 136' = 5168 S.F.
COVER AREA 35% = 1809 S.F.
FRONT SETBACK MIN. 20'
SIDE SETBACK MIN. 10'

SINGLE FAMILY TOTAL 8 LOTS
SIZE LOT 60' x 120' AVER.
FRONT SETBACK MIN. 20'
SIDE SETBACK MIN. 10'

ROADWAY RIGHT OF WAY 50' = 0.73 AC.
DETENTION AREA APPROX. 0.12 AC.

N SCALE 1" = 50'