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Return to: Joyce Bradley*

ORDINANCE NO. 92 - 7

AN ORDINANCE AMENDING ORDINANCE NO. 83-19. THIS ORDINANCE RE-ZONES AND RE-CLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA FROM A PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY - 1 (RS-1) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "OYSTER BAY"; PROVIDING AN EFFECTIVE DATE

05.69
Rec

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, Single Family-1 (RS-1) to that of a PLANNED UNIT DEVELOPMENT (PUD); and

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 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 a land use plan to be provided to the County and subject to the review process set forth in Ordinance 83-19.

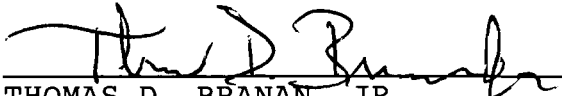
Section II Owner and Description The land re-zoned by this Ordinance is owned by NATIVE WOODLAND PROPERTIES, INC.

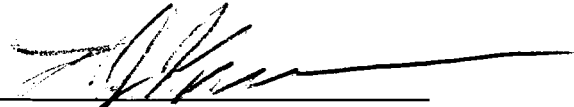
Section III Conditions The conditions set forth as Exhibit "B" shall be made a part of this PUD, and the property shall be subject to said conditions, and additional conditions may be imposed during the time that the final development plan is approved by the respective Boards.

Section IV 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 January, 1992, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA


THOMAS D. BRANAN, JR.
Its: Chairman

Attest: 
T.J. GLEESON
Its: Ex-Officio Clerk

10(2)/a:native.pud

420

EXHIBIT "A"

All of that certain piece or parcel of land, situate, lying and being in the County of Nassau and State of Florida, more particularly described as follows, to-wit:

So much of the Margaret O'Neil Grant, or Section Forty-six (46), in Township Three (3) North, Range Twenty-eight (28) East, as lies North of the North boundary line of the lands of the Estate of James T. O'Neil, which said North boundary line is described as follows:

Commencing at a stake on Lancesford Creek, from which a Cedar Tree bears South Sixty-two (62) degrees East, Forty-eight (48) feet and a Hickory Tree bears South Seventy-six (76) degrees East, Thirteen (13) feet; thence along said North boundary line of the lands of Estate of James T. O'Neil, running North Eighty-five (85) degrees East, to the marshes of Douglas Creek; said line so located being about Two (2) feet North of an old fence (except One-quarter (1/4) of an acre, which embraces the old grave yard).

All those certain parcels or tracts of land, situated, lying and being in the County of Nassau, State of Florida and more particularly known and described on the public records and maps of said State, as the whole of Lots One (1) and Three (3) (or Fractional West One-half (W 1/2) of the East One-half (E 1/2)) of Section Sixty-one (61). AND Lot One (1) and so much of the Northeast One-quarter (NE 1/4), as lies West of the Main Creek, Section Sixty-three (63). The same being in Township Three (3) North, Range Twenty-eight (28) East.

All that certain parcel or tract of land, situate, lying and being in the County of Nassau, State of Florida and more particularly known and described on the public records and maps of said State, as the whole of Lot Two (2), of Section Sixty-one (61), in Township Three (3) North, Range Twenty-eight (28) East; and

All those certain lots or parcels of land, situate, lying and being in the County of Nassau and State of Florida and known and described on the public survey of said County, as all the unsurveyed salt marsh land, in the South One-half (S 1/2) of Section Fifty-seven (57), in Township Three (3) North, Range Twenty-eight (28) East.

Lot Two (2), North and West of creek marsh lands, Section Sixty-three (63), Township Three (3) North, Range Twenty-eight (28) East and Lot Three (3), Marshland, Section Sixty-two (62), Township Three (3) North, Range Twenty-eight (28) East.

EXHIBIT "B"

OYSTER BAY

CONDITIONS TO BE INCLUDED

IN FINAL DEVELOPMENT ORDER

CONDITIONS TO BE INCLUDED IN
OYSTER BAY PUD FINAL DEVELOPMENT ORDER

1. (a) A potable water system will be constructed to serve all of Oyster Bay as shown on Map PUD-1 and PUD-2.

(b) Use of Sewer Package plants required, which includes individual aerobic units on each lot.

2. The potable water system will provide adequate flow to meet Nassau County Department of Emergency Service fire flow requirements, prior to construction of any additional phase.

3. Additional fire hydrant(s) will be located outside of the entrance gate and at the entrance of Lanceford Creek Plantation and at the end of Lanceford Lane.

4. The developer will work with the County Engineer in order to schedule the use of Impact Fees to improve the railroad crossing and the acceleration/deceleration lanes at the intersection of Barnwell Road and A1A (S.R. 200).

5. The detailed site plan showing the recreational amenities in the Woodland Amenity Area shall be provided for review prior to approval of any additional phases. The recreational amenities in the Woodland Amenity Area will be completed in conjunction with the development of Phase 5. During the next phase, (Phase 2), a multipurpose play field (i.e.: football, soccer field) will be constructed, along with an area cleared for a park-type area.

6. A multi-purpose trail, a minimum of six feet (6') in width shall be constructed to connect the Woodland Amenity Area and the Marina Amenity Area. The multi-purpose trail may be constructed in phases coincident with the Phase of Development in which it is located, but must be completed at the time the marina is constructed.

7. All common areas and conservation areas will be dedicated to a homeowners association, or to the State of Florida, or to a non-profit organization.

8. The property will be developed as single family detached and single family attached units as shown on Map PUD-1, revised August 28, 1991. Additionally, a marina, docking facility and other recreation and open space areas are approved as shown on Map PUD-1.

- The single family area will adhere to the requirements listed in the RS-1 district of the Nassau County Zoning Code.
- The attached/detached single family

will adhere to the requirement in the RS-1 district and the Residential Townhouse (RT) district.

- The Marina Amenity Area will allow a marina and boat docking facilities; a small retail establishment selling merchandise customarily required by boaters (i.e.: convenience store items and boating specialty items, but no repair services or fuel dispensing).
- The marina area will adhere to area, height, and yard requirements listed in the Commercial General (CG) district.

9. The entrance wall will be stuccoed by December 31, 1991, and landscaping will be provided at the entrance by June 30, 1992.

10. The parcel of land adjacent to Lanceford Creek Plantation, previously conveyed to William and Rita McLeish shall be excluded from the Oyster Bay PUD plan and development order and any conditions thereto.

11. The amenities provided by Oyster Bay (i.e.: recreation, marina, docking facility, etc.) shall be limited to members of Oyster Bay and their invited guests.

12. The existing cemetery shall be left undisturbed and shall be preserved as a park area. Descendants of the deceased buried in the cemetery shall have perpetual access to the cemetery.

13. The development is subject to any County impact fees.

14. The Oyster Bay development is limited to three hundred ninety-nine (399) dwelling units as listed on the Exhibit 1 Site Data - Tabulation of Acreage in the PUD application.

15. All other conditions and commitments listed in the Oyster Bay Application are hereby incorporated in their entirety, except those that conflict with the conditions listed above.

16. No development shall occur on the westerly islands (three (3) of these).

17. No restaurant facility shall be constructed or permitted without approval by the Nassau County Planning Commission and the Nassau County Board of County Commissioners.

wp/8/b:oyster

MAP SHOWING SURVEY OF

All of that certain place or parcel of land, situate, lying and being in the County of Nassau and State of Florida, more particularly described as follows, to-wit:

So much of the Margaret O'Neil Grant or Section 14, in Township 3 North of Range 28 East, as lies North of the North boundary line of the lands of the Estate of James T. O'Neil, which said North boundary line is described as follows: Commencing on a stake on Lanceford Creek, from which a cedar tree bears South 62° East, 45 feet, and a hickory tree bears South 20° West, 15 feet; thence along said North boundary line of the lands of Estate of James T. O'Neil, running North 85° East to the measure of Douglas Cobb, said line as located being about 2 feet North of an old fence (about 1/2 of an acre, which embraces the old grave yard).

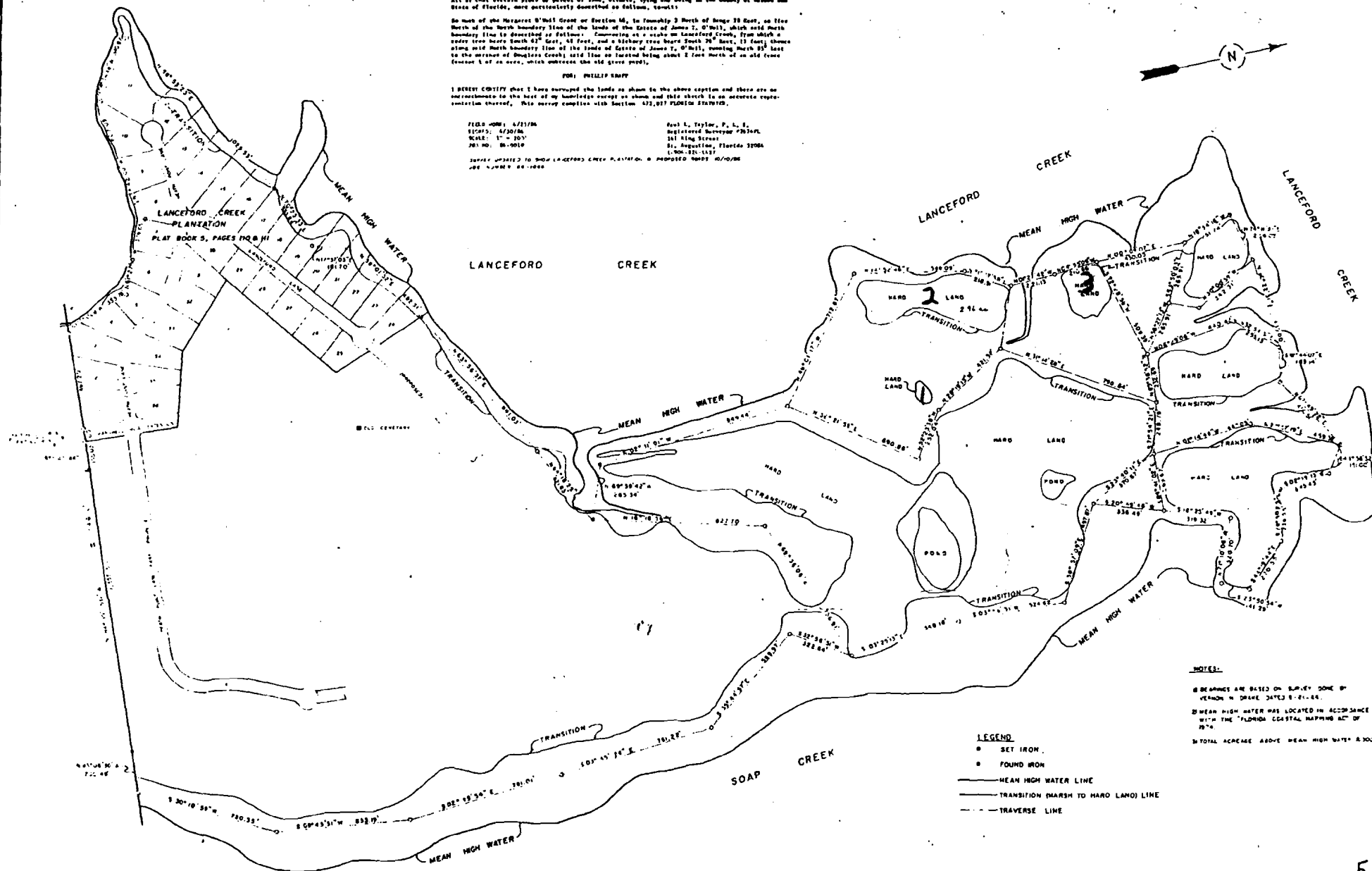
FOR: PHILIP SHAPP

I HEREBY CERTIFY that I have surveyed the lands as shown in the above caption and there are no encroachments to the best of my knowledge except as shown and this check is an accurate representation thereof. This survey complies with Section 472, 017 F.L.A.C. 1907/1908.

FIELD WORK: 4/21/06
SCHEM: 4/30/06
SCALE: 1" = 200'
JOB NO. 10-1010

Paul S. Taylor, P. E., L.
Registered Surveyor #21047
161 King Street
St. Augustine, Florida 32084
(904) 821-1157

SURVEY UPDATES TO SHOW (A) DEPENDS CREEK PLANTATION, A PROPOSED TRAIL 10/10/06
JOB NUMBER 10-1010

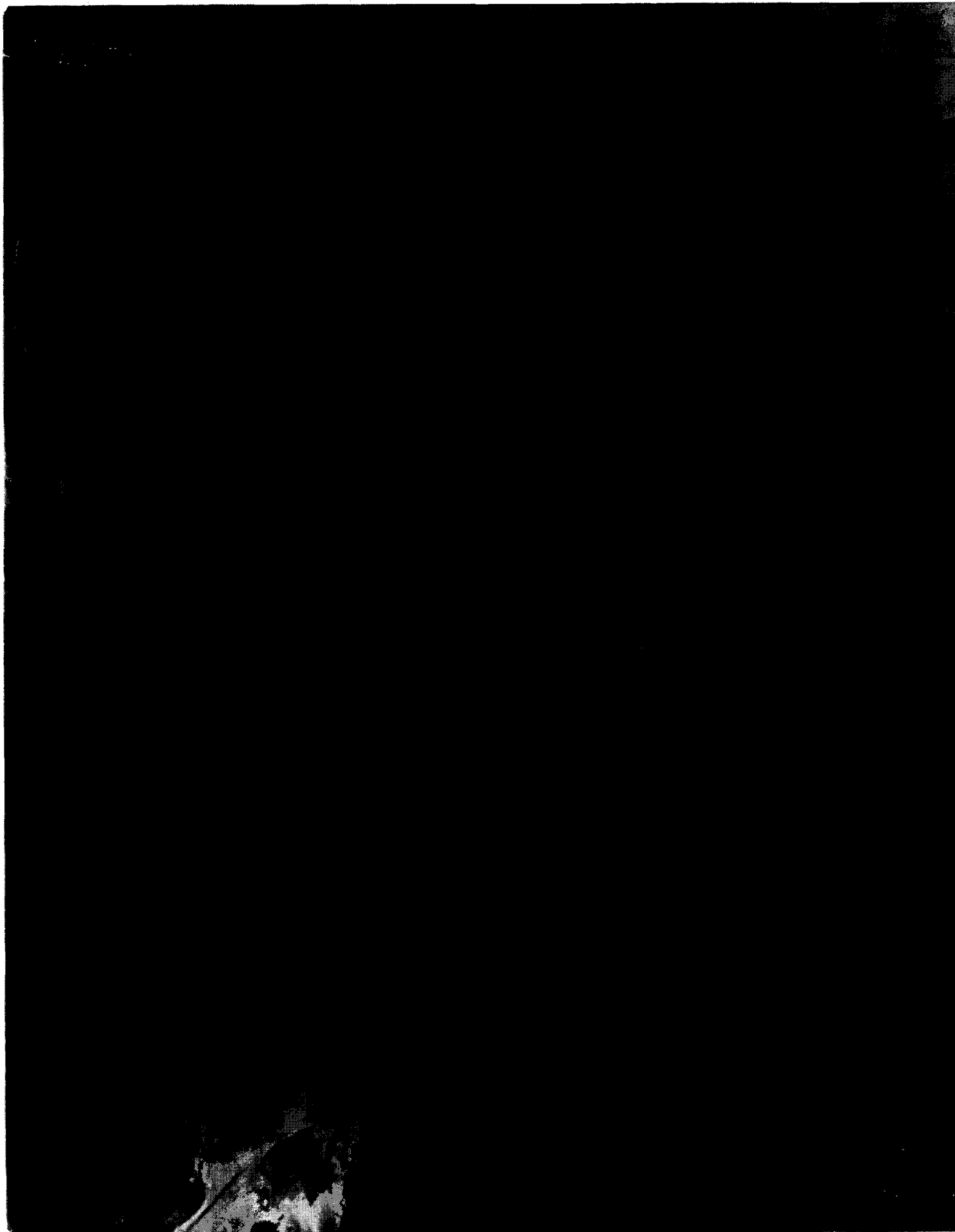


NOTES:

- 1. BEARINGS ARE BASED ON SURVEY DONE BY VERNON W. DRAKE DATED 8-21-85.
- 2. MEAN HIGH WATER WAS LOCATED IN ACCORDANCE WITH THE "FLORIDA COASTAL MAPPING ACT" OF 1974.
- 3. TOTAL ACRES ABOVE MEAN HIGH WATER 8.300.

LEGEND

- SET IRON
- FOUND IRON
- MEAN HIGH WATER LINE
- TRANSITION (MARSH TO HARD LAND) LINE
- - - TRAVERSE LINE



The Zoning Director appeared before the Board and presented a clarification as requested by the Department of Community Affairs of two issues relating to density that were part of the Oyster Bay PUD application. The Zoning Director stated that the Department of Community Affairs has advised the applicant that if Oyster Bay PUD developed the 399 residential units and a marina for 102 slips that was previously approved by the county, that the aggregate of those two totals would put this project in a range of DRI and the applicant has requested that the DCA come up with a formula on the balance of those two numbers so they will not exceed the threshold for a DRI. The Nassau County Planning Commission has considered the need and justification for the clarification and has recommended approval of said amendment or clarification of the PUD as it was reviewed and accepted by the Department of Community Affairs and it shall be made a part of the development Order. The Zoning Director stated that this does not constitute an increase. Commissioner Branan made motion to open the public hearing. Motion seconded by Commissioner Higginbotham, District 5, and voted unanimously. The applicant was present in the audience in favor of said clarification. No one was present in opposition. Commissioner Crawford made motion to close the public hearing. Motion seconded by Commissioner Higginbotham, District 1, and voted unanimously. Commissioner Branan made motion to approve the recommendation of the Planning and Zoning Board regarding the clarification or Amendment to the Final Development Order for the Oyster Bay PUD, as was presented. Motion seconded by Commissioner Crawford and voted unanimously.