

INSTR # 200510653
OR BK 01304 PGS 0488-0501
RECORDED 03/24/2005 09:43:07 AM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
RECORDING FEES 120.50

ORDINANCE NO. 2002-02

AN ORDINANCE AMENDING ORDINANCE NO. 83-19, AS AMENDED. THIS ORDINANCE REZONES AND RECLASSIFIES THE PROPERTY HEREIN AFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, FROM A PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-1) TO THAT OF A PLANNED UNIT DEVELOPMENT (PUD); THE NAME OF THE PUD IS "SEAWALK SUBDIVISION"; 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 "owner" of that certain property in the attached Exhibit "A" intend to develop the described property in accordance with a master plan; and

WHEREAS, the "owner" 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 (RS-1) 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

Return to:
Joyce Bradley

14

REC 120.50

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 25th day of February, 2002, 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:

SECTION 1. 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.

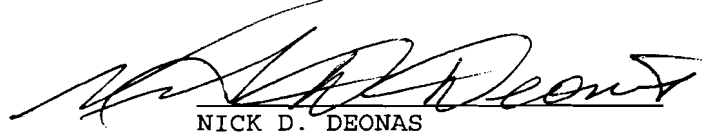
SECTION 2. Owner and Description. The land re-zoned by this Ordinance is owned by Southern Plantation of Florida, Inc., owner.

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 in existence at the date of the ordinance or as amended pursuant to the E.A.R. based amendments as approved by the Florida Department of Community Affairs.

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 25th day of February, 2002.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



NICK D. DEONAS
Its: Chairman

ATTEST:


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

Approved as to form by the
Nassau County Attorney:

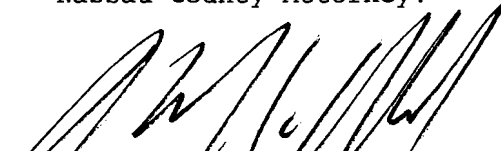

MICHAEL B. MULVIN

EXHIBIT "A"
LEGAL DESCRIPTION

MAP OF BOUNDARY SURVEY

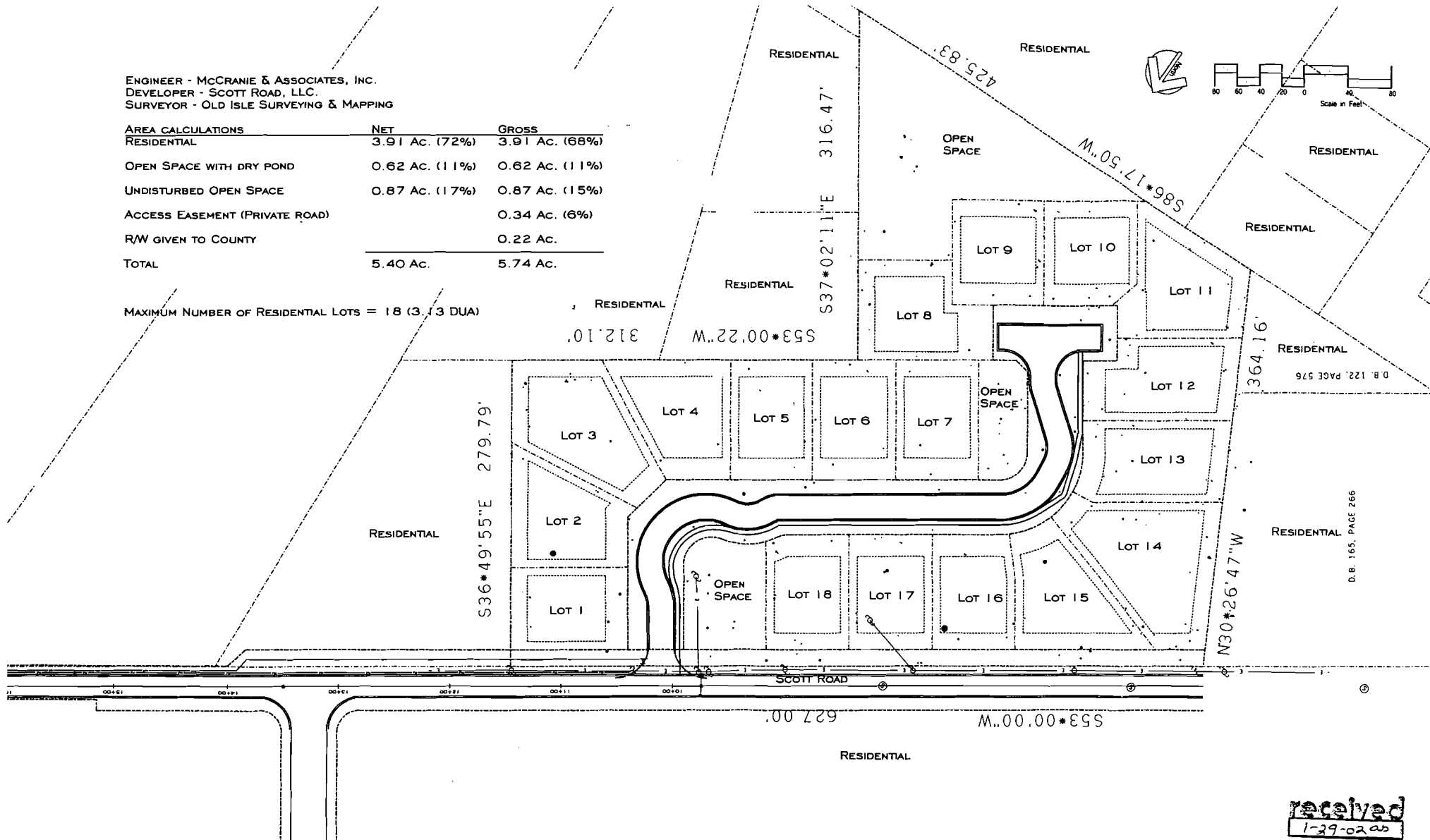
ALL THOSE CERTAIN PIECES OR PARCELS OF LAND SITUATE, LYING AND BEING IN SECTION 15, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA AND BEING PART OF LOT 14 ACCORDING TO A SUBDIVISION OF SECTION 15 AS RECORDED IN DEED BOOK "Y", PAGE 128, BEING LAND DESCRIBED IN DEED BOOK 122, PAGE 576 (LESS LAND DESCRIBED IN DEED BOOK 165, PAGE 266), DEED BOOK 122, PAGE 230, DEED BOOK 124, PAGE 598, AND BEING FURTHER DESCRIBED BY MEJES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE SOUTH $86^{\circ}17'50''$ WEST ALONG THE SOUTH LINE OF LOT 14 AS ESTABLISHED BY FOUND MONUMENTATION, BEARINGS BEING BASED ON THE SOUTH RIGHT OF WAY LINE OF SCOTT ROAD, BEARING OF NORTH $53^{\circ}00'00''$ EAST), A DISTANCE OF 357.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH $86^{\circ}17'50''$ WEST ALONG SAID SOUTH LINE OF LOT 14, A DISTANCE OF 425.83 FEET; THENCE NORTH $30^{\circ}26'47''$ WEST, A DISTANCE OF 364.16 FEET TO THE SOUTH RIGHT OF WAY LINE OF SCOTT ROAD (HAVING A 29.70' FOOT RIGHT OF WAY) FORMERLY AMELIA AVENUE; THENCE NORTH $53^{\circ}00'00''$ EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 627.00 FEET TO THE WEST BOUNDARY LINE OF VICTORIA LANDING SUBDIVISION AS RECORDED IN PLAT BOOK 6, PAGE 86 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH $36^{\circ}49'55''$ EAST ALONG THE AFOREMENTIONED WEST LINE, A DISTANCE OF 279.79 FEET; THENCE SOUTH $53^{\circ}00'22''$ WEST ALONG THE AFOREMENTIONED WESTERLY LINE A DISTANCE OF 312.10 FEET; THENCE SOUTH $37^{\circ}02'11''$ EAST ALONG THE AFOREMENTIONED WESTERLY LINE, A DISTANCE OF 316.47 FEET TO THE POINT OF BEGINNING.


CONTAINING 5.74 ACRES, MORE OR LESS.

AREA CALCULATIONS	NET	GROSS
RESIDENTIAL	3.91 Ac. (72%)	3.91 Ac. (68%)
OPEN SPACE WITH DRY POND	0.62 Ac. (11%)	0.62 Ac. (11%)
UNDISTURBED OPEN SPACE	0.87 Ac. (17%)	0.87 Ac. (15%)
ACCESS EASEMENT (PRIVATE ROAD)		0.34 Ac. (6%)
R/W GIVEN TO COUNTY		0.22 Ac.
TOTAL	5.40 Ac.	5.74 Ac.

MAXIMUM NUMBER OF RESIDENTIAL LOTS = 18 (3.13 DUA)



received
1-29-02 as

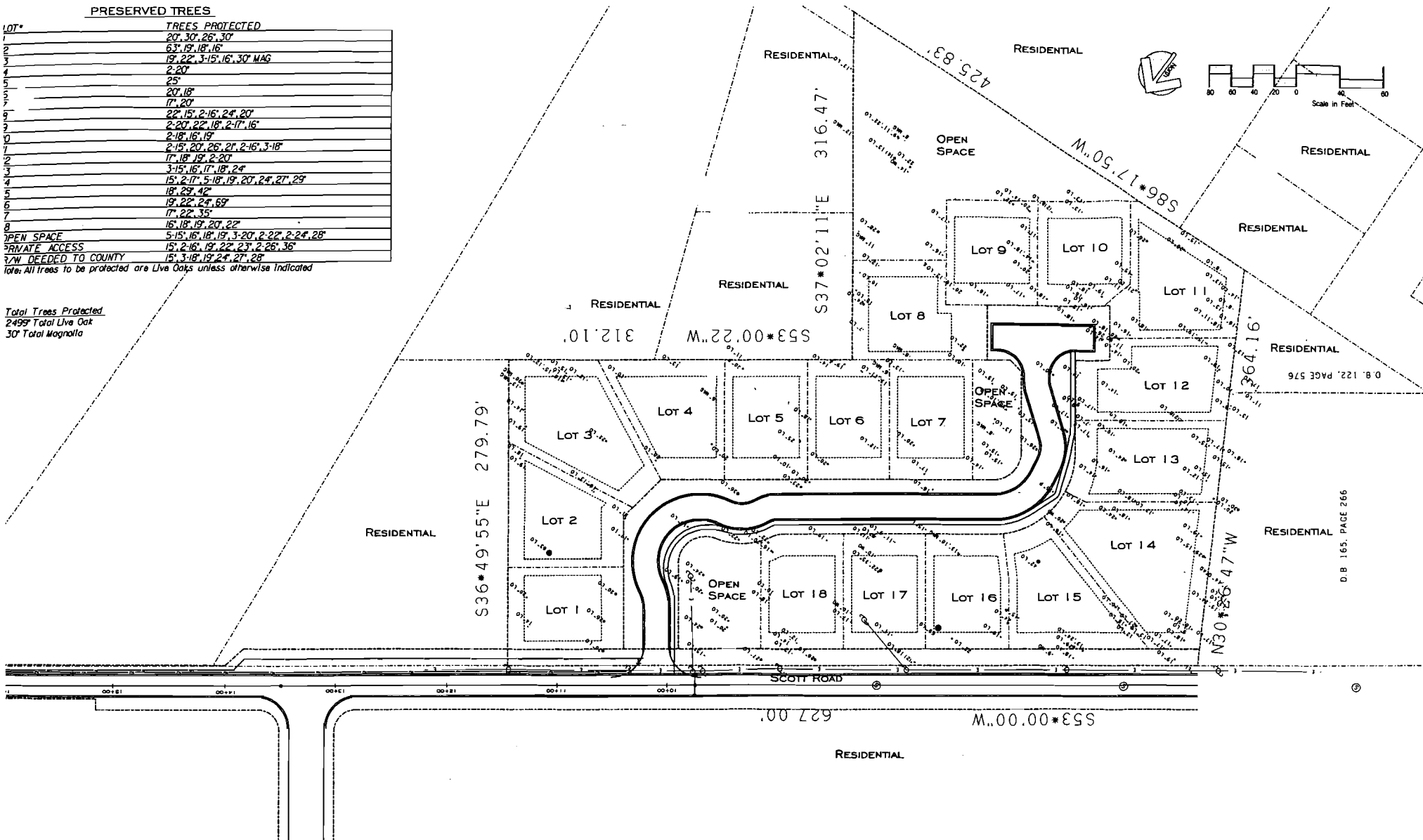
PROJECT FROM: D. McCORMIE DESIGNED BY: D. McCORMIE DRAWN BY: A. DEALEY CHECKED: H. GILLETTE		 <p>McCormie & Associates, Inc. 23 SOUTH 3RD STREET - AMELIA ISLAND, FLORIDA 32034 LAND DEVELOPMENT - ROADWAY DESIGN - PERMITTING</p>	SCOTT ROAD, LLC	SEAWALK	PRELIMINARY DEVELOPMENT PLAN	SHEET NO. PDP-1 1 OF 4 MAKE DATE JANUARY 24, 2002 PROJECT NO. 04088
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PRESERVED TREES

LOT#	TREES PROTECTED
1	20', 30', 26', 30'
2	63', 19', 18', 16'
3	19', 22', 3-15', 16', 30" MAG
4	2-20'
5	25'
6	20', 18'
7	17', 20'
8	22', 15', 2-16', 24', 20'
9	2-20', 22', 18', 2-17', 16'
10	2-18', 16', 19'
11	2-15', 20', 26', 21', 2-16', 3-18'
12	17', 18', 19', 2-20'
13	3-15', 16', 17', 18', 24'
14	15', 2-17', 5-18', 19', 20', 24', 27', 29'
15	18', 29', 42'
16	19', 22', 24', 69'
17	17', 22', 35'
18	16', 18', 19', 20', 22'
OPEN SPACE	5-15', 16', 18', 19', 3-20', 2-22', 2-24', 28'
PRIVATE ACCESS	15', 2-16', 19', 22', 23', 2-26', 36'
1/2" W. DEEDED TO COUNTY	15', 3-18', 19', 24', 27', 28'

Total Trees Protected
2499' Total Live Oak
30' Total Magnolia

Note: All trees to be protected are Live Oaks unless otherwise indicated



<p>PROJECT NO: D. McCORMIE</p> <p>DESIGNED BY: D. McCORMIE</p> <p>DRAWN BY: A. DEBLET</p> <p>CHECKED BY: H. OLLETTE</p>	<p>McCormie & Associates, Inc.</p> <p>23 SOUTH 3RD STREET - ANHELA ISLAND, FLORIDA 32034</p> <p>LAND DEVELOPMENT - ROADWAY DESIGN - PERMITTING</p> <p>ENGINEERS</p>	<p>SCOTT ROAD, LLC</p>	<p>SEAWALK</p>	<p>PROTECTED TREE PLAN</p>	<p>Sheet No. T-1</p> <p>DATE: JANUARY 24, 2003</p> <p>PROJECT NO. 01028</p> <p>REGISTERED PROFESSIONAL</p>
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MAP OF BOUNDARY SURVEY

ALL THOSE CERTAIN PIECES OR PARCELS OF LAND SITUATE, LYING AND BEING IN SECTION 15, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA AND BEING PART OF LOT 14 ACCORDING TO A SUBDIVISION OF SECTION 15 AS RECORDED IN DEED BOOK "Y", PAGE 128, BEING LAND DESCRIBED IN DEED BOOK 122, PAGE 576 (LESS LAND DESCRIBED IN DEED BOOK 165, PAGE 266), DEED BOOK 122, PAGE 230, DEED BOOK 124, PAGE 598, AND BEING FURTHER DESCRIBED BY MEJES AND BOUNDS AS FOLLOWS:

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CONTAINING 5.74 ACRES, MORE OR LESS.

EXHIBIT "B"
PRELIMINARY DEVELOPMENT PLAN

EXHIBIT "C"
Conditions for R-02-002

SEAWALK SUBDIVISION PUD CONDITIONS

The applicant's parcel is a 6 acre tract located on the south side of Scott Road between Karen Street and Spanish Oaks Circle, Fernandina Beach area.

1. There will be eighteen (18) residential lots which will meet the following requirements:

Permitted Uses & Structures: Single Family Dwellings. There shall be no mobile homes.

Permitted Accessory Uses and Structures: Those listed in Article 28, Section 28.15 of the Nassau County Zoning Code.

Conditional Uses: Those listed in Article 28, Section 28.14A of the Nassau County Zoning Code.

2. Minimum Lot Requirements:

Minimum Lot Width: 70 feet. This is measured as an average on irregular shaped lots.

Minimum Lot Area: 7800 square feet.

3. Minimum Yard Requirements:

Front Yard:	20	feet
Side Yard:	7.5	feet
Rear Yard:	15	feet

4. Building Restrictions:

Maximum Building Height:	35 feet
Maximum Lot Coverage:	50 percent

5. Additional Conditions to the Planned Unit Development:

- a. The applicant will provide dedication of a fifteen (15) foot right of way to Nassau County on Scott Road.
- b. The applicant will provide staff a complete, dated tree survey of the property, indicating by type and caliper, which trees are to remain on each lot, and which trees are to be removed. The survey will indicate the trees which will be preserved due to the allowance of the smaller lots. Justification of this PUD is predicated on the fact that the smaller lots will allow for better tree protection. The tree protection plan agreed to by Scott Road, LLC is attached hereto as Exhibit "D".

- c. All land classified as Open Space is to be fully treed retaining a natural vegetative buffer.
 - d. All interior roadways will be dedicated to the Homeowner's Association in perpetuity and will be maintained by said Homeowner's Association.
 - e. Resolution (clarity) of ownership issue between Southern Plantation of Florida, LLC and Scott Road, LLC.
6. Consistency with the Nassau County Comprehensive Plan:
- a. 1.02.02 The LDR's will include criteria to reduce the intrusion of incompatible commercial, industrial, and other land uses into residential areas. *The area in which the PUD is proposed is a residential area.*
 - b. 1.02.03 Permit future development to proceed only in accordance with land uses designated on the FLUM. *The FLUM has this areas designated as Medium Density Residential.*
 - c. 1.02.05I1 PUD may be applied as an optional overlay district over any underlying land use when application is made by the developer under the Nassau County Zoning Code and when the County Planning and Zoning Board approves such application as being an improvement in land use utilization over that permitted by zoning code categories..

The PUD land use overlay will not require a FLUM amendment so long as the proposed use does not increase the intensity or density of use on the FLUM map for the underlying land use.

The PUD is primarily residential in nature with the following acceptable mix of uses:

Residential	- no less than 65 percent
Commercial	- no greater than 15 percent
Recreational	- no less than 20 percent

The PUD would be built as less intense than the underlying land use designation would allow. Under the present land use designation, 29 lots could be developed, thus the PUD initiates a reduction in density.

The PUD meets the requirements having 68 percent residential and 26 percent as recreational.

EXHIBIT "D"



McCranie & Associates, Inc.

Land Development • Roadway Design • Permitting

EXHIBIT D

TRANSMITTAL

DATE: January 29, 2002

TO: Jason Cleghorn-Nassau County Public Works

FROM: Daniel I. McCranie, P.E.

SUBJECT: SeaWalk

M&A Project 01029

Scott Road, LLC agrees to the following tree protection plan in order for approval of the SeaWalk PUD subdivision. These trees shall be protected during construction and are listed by lot numbers as follows:

Lot 1	2-30" Live Oak, 20" Live Oak, 26" Live Oak
Lot 2	63" Live Oak, 19" Live Oak, 18" Live Oak, 16" Live Oak
Lot 3	19" Live Oak, 22" Live Oak, 3-15" Live Oak, 16" Live Oak, 30" magnolia
Lot 4	2-20" Live Oak
Lot 5	25" Live Oak
Lot 6	20" Live Oak, 18" Live Oak
Lot 7	17" Live Oak, 20" Live Oak
Lot 8	22" Live Oak, 15" Live Oak, 2-16" Live Oak, 24" Live Oak, 20" Live Oak
Lot 9	2-20" Live Oak, 22" Live Oak, 18" Live Oak, 2-17" Live Oak, 16" Live Oak
Lot 10	2-18" Live Oak, 16" Live Oak, 19" Live Oak
Lot 11	2-15" Live Oak, 20" Live Oak, 26" Live Oak, 21" Live Oak, 2-16" Live Oak, 3-18" Live Oak
Lot 12	17" Live Oak, 18" Live Oak, 19" Live Oak, 2-20" Live Oak
Lot 13	3-15" Live Oak, 16" Live Oak, 17" Live Oak, 18" Live Oak, 24" Live Oak
Lot 14	15" Live Oak, 2-17" Live Oak, 5-18" Live Oak, 19" Live Oak, 20" Live Oak, 24" Live Oak, 27" Live Oak, 29" Live Oak
Lot 15	18" Live Oak, 29" Live Oak, 42" Live Oak
Lot 16	19" Live Oak, 22" Live Oak, 24" Live Oak, 69" Live Oak
Lot 17	17" Live Oak, 22" Live Oak, 35" Live Oak
Lot 18	16" Live Oak, 18" Live Oak, 19" Live Oak, 20" Live Oak, 22" Live Oak
Open Space	5-15" Live Oak, 16" Live Oak, 18" Live Oak, 19" Live Oak, 3-20" Live Oak, 2-22" Live Oak, 2-24" Live Oak, 28" Live Oak
Private Access	15" Live Oak, 2-16" Live Oak, 19" Live Oak, 22" Live Oak, 23" Live Oak, 2-26" Live Oak, 36" Live Oak
R/W Deeded to County	15" Live Oak, 3-18" Live Oak, 19" Live Oak, 24" Live Oak, 27" Live Oak, 28" Live Oak


Dennis Jasinsky

AGENT

Scott Road, LLC

February 05, 2002

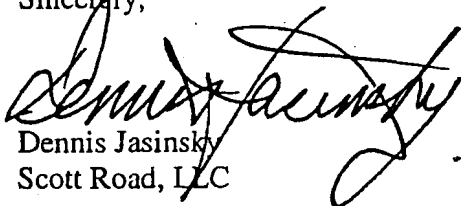
Jason Cleghorn
Nassau County Public Works Department
213 Nassau County
Yulee, FL 32097

Re: SeaWalk

Dear Mr. Cleghorn:

The preservation of tress on individual lots as agreed in the preliminary development plan for the PUD will be included in the Covenants and Restrictions for the development. A copy of these Covenants and Restrictions will be forwarded to Nassau County upon completion. If there are any questions, please do not hesitate to call.

Sincerely,



Dennis Jasinsky
Scott Road, LLC