

ORDINANCE 2016 - 14

**AN ORDINANCE AMENDING ORDINANCE NO. 2015-09,
WHICH REZONED AND RECLASSIFIED PROPERTY TO A
ZONING CLASSIFICATION OF PLANNED UNIT
DEVELOPMENT (PUD) KNOWN AS "OCEAN BREEZE";
SPECIFICALLY MODIFYING THE PRELIMINARY
DEVELOPMENT PLAN; PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the Board of County Commissioners adopted Ordinance 2015-09 on April 28, 2014 creating the Ocean Breeze PUD; and

WHEREAS Ocean Breeze of Amelia, LLC and DS Ware Homes, LLC has authorized Rogers Towers, P.A. to file Application R16-006 to amend the Ocean Breeze PUD; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on November 15, 2016 and voted to recommend approval of R16-006 to the Commission; 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 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 December 12, 2016; 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 Ocean Breeze PUD conditions is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan in particular Policies FL.01.02(B), FL.08.04 and FL.10.06.

SECTION 2. PUD AMENDED: The real property described in Section 3, known as the Ocean Breeze PUD, is amended as follows:

A) The Preliminary Development Plan for the PUD, adopted in Ordinance 2015-09 is amended as shown in Exhibit "B ".

B) All other conditions adopted for this PUD in Ordinance 2015-09 shall remain in force.

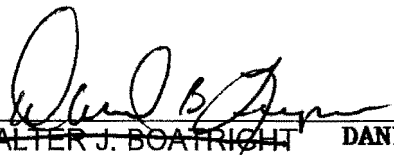
SECTION 3. OWNER AND DESCRIPTION: The land reclassified by this Ordinance is owned by Ocean Breeze of Amelia, LLC and DS Ware Homes, LLC and is identified by the following legal description (attached as Exhibit "A"): and Preliminary Development Plan (attached as Exhibit "B").

SECTION 4. EFFECTIVE DATE: This Ordinance shall become effective after filing with the Secretary of State.



PASSED AND ADOPTED THIS 12th DAY OF December, 2016.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA


~~WALTER J. BOATRIGHT~~ DANIEL B. LEEPER
Its: Chairman

ATTEST as to Chairman's Signature:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
12.13.16

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

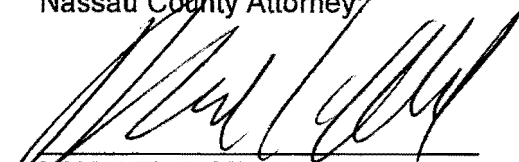

MICHAEL S. MULLIN
County Attorney

EXHIBIT A

A PORTION OF LOTS 70, 71, 84, 85, 86 AND ALL OF 87, "CASHEN GRANT, SECTION 4, TOWNSHIP 2 NORTH, RANGE 28 EAST", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 0, PAGE 59 AND PLAT BOOK 1, PAGE 5, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; AND A PORTION OF LOTS 12, 13 AND 25, "OCEAN BREEZE", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGES 10-11, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF "FOREST OAKS" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 84, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 86°43'48" EAST, ALONG THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID "FOREST OAKS" AND ALONG THE SOUTHERLY LINE OF "FOREST PINES SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 8, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, A DISTANCE OF 438.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 86°43'48" EAST, ALONG THE SOUTHERLY LINE OF SAID "FOREST PINES SUBDIVISION", A DISTANCE OF 512.67 FEET TO THE SOUTHEAST CORNER OF SAID "FOREST PINES SUBDIVISION" AND A POINT ON THE EAST LINE OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 04°32'38" WEST, ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 283.73 FEET TO A FOUND 4"x4" CONCRETE MONUMENT (LB 3129) MARKING THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 130, PAGE 816, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 85°27'06" EAST, ALONG THE NORTH LINE OF LAST SAID LANDS, A DISTANCE OF 870.60 FEET TO INTERSECT THE EAST LINE OF LOT 25, "OCEAN BREEZE", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGES 10-11, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 04°44'48" EAST, ALONG THE EAST LINE OF SAID LOT 25, A DISTANCE OF 1107.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 25; THENCE SOUTH 85°27'21" WEST, ALONG THE SOUTH LINE OF SAID LOT 25, A DISTANCE OF 874.41 FEET TO A FOUND 4"x4" CONCRETE MONUMENT (LB 3129) MARKING THE SOUTHWEST CORNER OF SAID LOT 25 AND THE EAST LINE OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE SOUTH 04°32'58" EAST, ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 58.88 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE SOUTH 86°23'20" WEST, ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 390.00 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1735, PAGE 1341, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 00°04'24" WEST, ALONG THE EAST LINE OF LAST SAID LANDS AND ALONG THE WESTERLY LINE OF FERNANDINA ROAD, A 30 FOOT RIGHT-OF-WAY ACCORDING TO SAID PLAT OF "OCEAN BREEZE", A DISTANCE OF 682.43 FEET; THENCE NORTH 89°55'38" WEST, ALONG THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1735, PAGE 1341, A DISTANCE OF 840.83 FEET TO INTERSECT THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH FOURTEENTH STREET EXTENSION (AN 80 FOOT RIGHT-OF-WAY AS NOW LAID OUT AND IN USE); THENCE NORTH 00°00'51" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 85.11 FEET; THENCE ALONG THE PERIMETER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1735, PAGE 1341 THE FOLLOWING FIVE COURSES: (1) SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°01'02", AND ARC DISTANCE OF 39.28 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 44°42'18" EAST A DISTANCE OF 35.37 FEET; (2) SOUTH 89°55'38" EAST A DISTANCE OF 274.77 FEET; (3) NORTH 05°50'58" EAST A DISTANCE OF 271.38 FEET; (4) NORTH 21°32'08" EAST A DISTANCE OF 128.54 FEET; (5) NORTH 21°20'58" EAST A DISTANCE OF 248.35 FEET TO INTERSECT THE SOUTH LINE OF SAID SECTION 4; THENCE SOUTH 86°23'20" WEST, ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 485.14 FEET TO INTERSECT THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH FOURTEENTH STREET EXTENSION AND A POINT ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 4,683.82 FEET; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°16'30", AN ARC DISTANCE OF 348.48 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 02°14'36" EAST A DISTANCE OF 349.40 FEET; THENCE ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 734, PAGE 147, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA THE FOLLOWING TWO COURSES: (1) NORTH 86°38'34" EAST A DISTANCE OF 415.08 FEET; (2) NORTH 04°38'09" WEST A DISTANCE OF 219.87 FEET; THENCE ALONG THE PERIMETER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 483, PAGE 882, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA THE FOLLOWING TWO COURSES: (1) NORTH 86°38'42" EAST A DISTANCE OF 35.88 FEET; (2) NORTH 03°20'11" WEST A DISTANCE OF 348.69 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

