

RESOLUTION NO. 89 - 30

A RESOLUTION AMENDING RESOLUTION NO. 85-11, AS FURTHER AMENDED BY RESOLUTION 86-62 AND RESOLUTION 87-11, WHICH APPROVED THE APPLICATION FOR DEVELOPMENT APPROVAL OF SUMMER BEACH. THE PROPOSED RESOLUTION WOULD FURTHER AMEND THE DEVELOPMENT ORDER AND MASTER PLAN AS TO TRACT "B", AND FURTHER PROVIDING THAT THE AMENDMENT IS NOT A SUBSTANTIAL DEVIATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Nassau County Board of County Commissioners on the 19th day of December, 1984, approved Resolution 85-11; and

WHEREAS, the Nassau County Board of County Commissioners has amended said Resolution through the adoption of Resolution 86-62, August 26, 1986, which consolidated the Resolution 85-11 and all subsequent Resolutions, and Resolution 87-11; and

WHEREAS, on April 4, 1984, Summer Beach, Ltd., hereinafter referred to as "Applicant", submitted to Nassau County an Application for Development Approval (ADA) for Development of Regional Impact (DRI), known as "SUMMER BEACH", in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the Developer of Summer Beach has filed an amendment to Resolution 85-11 as amended by the aforementioned Resolutions; and

WHEREAS, the Planning and Zoning Commission has reviewed said amendment and conducted public hearings and made a finding that the amendments do not constitute a substantial deviation, pursuant to Section 380.06, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission has recommended approval of the amendment; and

WHEREAS, the Northeast Florida Regional Planning Council (NEFRPC), was notified of the proposed amendment and submitted, to Nassau County, its report and recommendation; and

WHEREAS, the Board of County Commission and the Planning Board have considered the testimony, reports, and other

documentary evidence submitted at public hearings.

NOW, THEREFORE, BE IT RESOLVED this 21st day of FEBRUARY 1989, by the Nassau County Board of County Commissioners as follows:

1. Pursuant to Florida Statutes, Chapter 380.06, the Board of County Commissioners concurs with the Northeast Florida Regional Planning Council (NEFRPC), that the amendment does not constitute a substantial deviation.

2. The PUD and Development Order shall be amended as follows:

(a) The Land Use Plan as submitted by the Applicant on August 27, 1986, which was prepared by Landers-Atkins Planners, and approved, is hereby amended to reflect that the designation within Tract "B", which is indicated as "B-8 Hotel Rooms", is hereby amended to reflect that said designated Tract "B-8" shall now authorize four hundred fifty (450) hotel rooms. In addition, there will be a corresponding reduction of thirty-two (32) residential units within Tract "B" as set forth on the approved Land Use Plan.

(b) The Preliminary Site Plan, as submitted to the Planning Commission for the Ritz-Carlton Hotel, within Tract "B", is hereby approved with elevator and staircase shafts that exceed the eighty-five (85) foot maximum limitation. The Mezzanine Floor in the South Wing may be eight (8) stories tall, not seven (7) stories, and the three (3) story parking structure meets the intent of the building envelope parking.

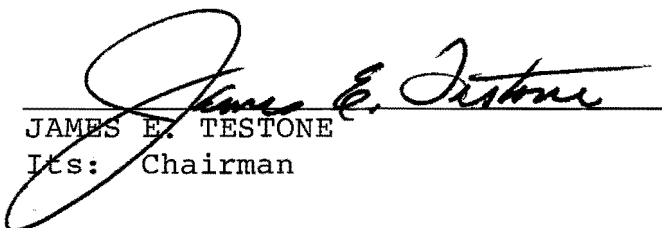
3. The Planning Commission, prior to the issuance of any building permits for the hotel within Tract "B", shall review and make a recommendation as to the paving of Scott Road. Said Review shall occur at the time of the Final Site Plan Review. Said recommendation will be made to the Board of County Commissioners Recommendation.

4. The provisions of Subsection 380.06(17), Florida Statutes, shall continue to be adhered to. In addition, all other provisions of the previous Development Orders, not specifically amended, remain in full force and effect.

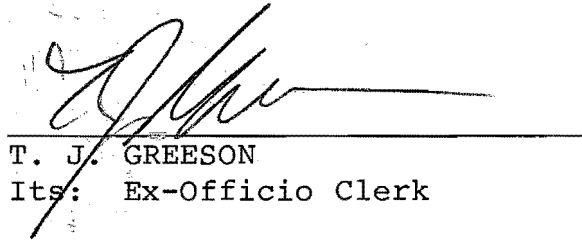
5. The Developer shall construct two (2) dune walkovers at the Peter's Point Park location, pursuant to the direction of the County Engineer.

6. The Resolution becomes effective pursuant to law.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


JAMES E. TESTONE
Its: Chairman

ATTEST:


T. J. GREESON
Its: Ex-Officio Clerk