

RESOLUTION NO. 2004-~~182~~

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING RESOLUTION NO. 85-31, AS AMENDED, KNOWN AS THE PLM WEST DEVELOPMENT ORDER

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, had previously approved Resolution 85-31 – June 11, 1985: Original Development Order; Resolution 85-36 – June 25, 1985: Corrected date in first “WHEREAS” clause; Resolution 85-43 – July 31, 1985: Added Paragraph 9.8 establishing LOS “D” for traffic monitoring; Amended Paragraph 9.7 related to roadway proportionate shares; and Amended Paragraph 5.2 specifying the number of residential units that can use septic tanks; an AGREEMENT, dated January 20, 2000, between the Nassau County Board of County Commissioners and the Amelia Island Company, related to beach access; and Resolution 2000-136 – August 28, 2000, amending the County’s budget by receiving funds from the Amelia Island Company related to beach access; and

**WHEREAS**, the Developer of PLM West filed on July 16, 2004, a Notification of Proposed Change to the Development Order as amended; and

**WHEREAS**, pursuant to Florida Statutes Section 380.06(11), the Northeast Florida Regional Council (hereinafter “NEFRC”), the appropriate regional planning agency, has prepared and submitted to Nassau County its report and recommendation on the amendment; and

**WHEREAS**, the Florida Department of Community Affairs finds that the proposed change to the Development Order does not constitute a substantial deviation; and

**WHEREAS**, the Planning and Zoning Board of Nassau County has reviewed said Notification of Proposed Change, conducted a public hearing on the same after due notice, and has made a finding that the amendments do not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board of Nassau County has recommended approval of the requested Notification of Proposed Change; and

**WHEREAS**, the Board of County Commissioners of Nassau County has considered the findings and recommendations of the Planning Board and held its own public hearing on the application after due notice, and finds that the proposed changes do not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes; and

**WHEREAS**, the Board of County Commissioners and the Planning and Zoning Board considered the competent and substantial testimony, reports, and other evidence submitted at the public hearings by the Amelia Island Company, NEFRC, as well as County staff and the public in attendance at said public hearings.

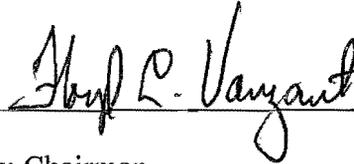
**NOW, THEREFORE, BE IT RESOLVED** this 13<sup>th</sup> day of December 2004, by the Board of County Commissioners of Nassau County that:

1. The PLM West Development Order shall be amended to include the following:
  - a. Change the name of the Developer of PLM West from PLM Associates to Amelia Island Company.
  - b. Amend Development Order Condition 11 to change the requirement to file an Annual Report to require the filing of a Biennial Report as authorized by Florida Statutes Section 380.06(15). The first such Biennial Report shall be due January 15, 2006.
  - c. Establish the build-out date of the Development Order as December 31, 2012.
  - d. Revise Table 12-1, dated July 15, 2004, to make it applicable only to the PLM West development, to eliminate phasing, and to provide for the conversion of land uses.
  - e. Clarify the intent of the allocation of residential units to specific Parcels in Map H: Master Development Plan, Amelia Island South, as follows: The reference to certain numbers of units on certain parcels is conceptual. The number of units within each parcel may change so

long as the total number of units approved in the Development Order does not change.

2. The above changes to the Development Order do not constitute a substantial deviation and full review has been provided in accordance with Florida Statutes Section 380.06(19).
3. The Legal Description of the PLM West properties covered by this Resolution is attached as Exhibit A and made a part hereof.
4. Table 12-1, revised July 15, 2004, is attached hereto as Exhibit B and made a part hereof.
5. Notice of the adoption of this Resolution and a certified copy of this Resolution shall be recorded by the Applicant in accordance with Florida Statutes Section 380.06(15)(f).
6. The Nassau County Clerk of Court shall transmit a certified copy of the approved Development Order amendment by certified mail to the Department of Community Affairs, NEFRC, and the Applicant.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



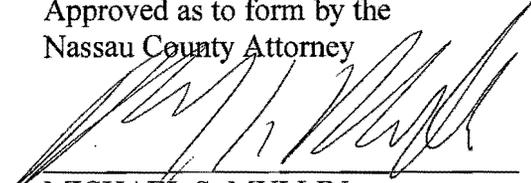
Its: Chairman

ATTEST:



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

Approved as to form by the  
Nassau County Attorney

  
MICHAEL S. MULLIN

**bassett**

December 19, 1983

Work Order Number 12-83-53

File S-1837-T

Description for A. J. Land, Inc.

**EXHIBIT A  
Legal Description**

A part of Sections 38 and 39. Township 1 North, Range 29 East and part of Sections 1 and 42 and all of Sections 43 and 44, Township 1 North, Range 28 East all in Nassau County, Florida, being more particularly described as follows:

For a point of reference, commence at the intersection of the Westerly Right of Way line of Florida State Road No. 105 (S.R. AIA) as now established as a 200 foot right of way with the Northerly line of Unsurveyed Section 1, Township 1 North, Range 28 East of said county; thence South  $19^{\circ} 33' 10''$  East, along said Westerly Right of Way line, a distance of 323.72 feet to the point of beginning.

From the point of beginning thus described, continue South  $19^{\circ} 33' 10''$  East, along said Westerly Right of Way line, a distance of 4799.97 feet to a point of curve of a curve concave Northwesterly having a radius of 3337.75 feet; thence Southwesterly, along the arc of said curve an arc distance of 2400 feet, more or less, to its intersection with the division line of the Uplands and Marshlands, said division line also being the same as the Mean High Water line of Nassau Sound and South Amelia River; thence Northerly, Northeasterly, Easterly Southeasterly, Southerly, Southwesterly, Westerly and Northwesterly, along said Mean High Water line, a distance of 31,200 feet, more or less, to its intersection with a line bearing South  $89^{\circ} 59' 50''$  West from the point of beginning; thence North  $89^{\circ} 59' 50''$  East, a distance of 124 feet, more or less, to the point of beginning.

Lands thus described contain 311 acres, more or less.

EXHIBIT B

TABLE 12-1  
PLM WEST DEVELOPMENT  
Revised July 15, 2004

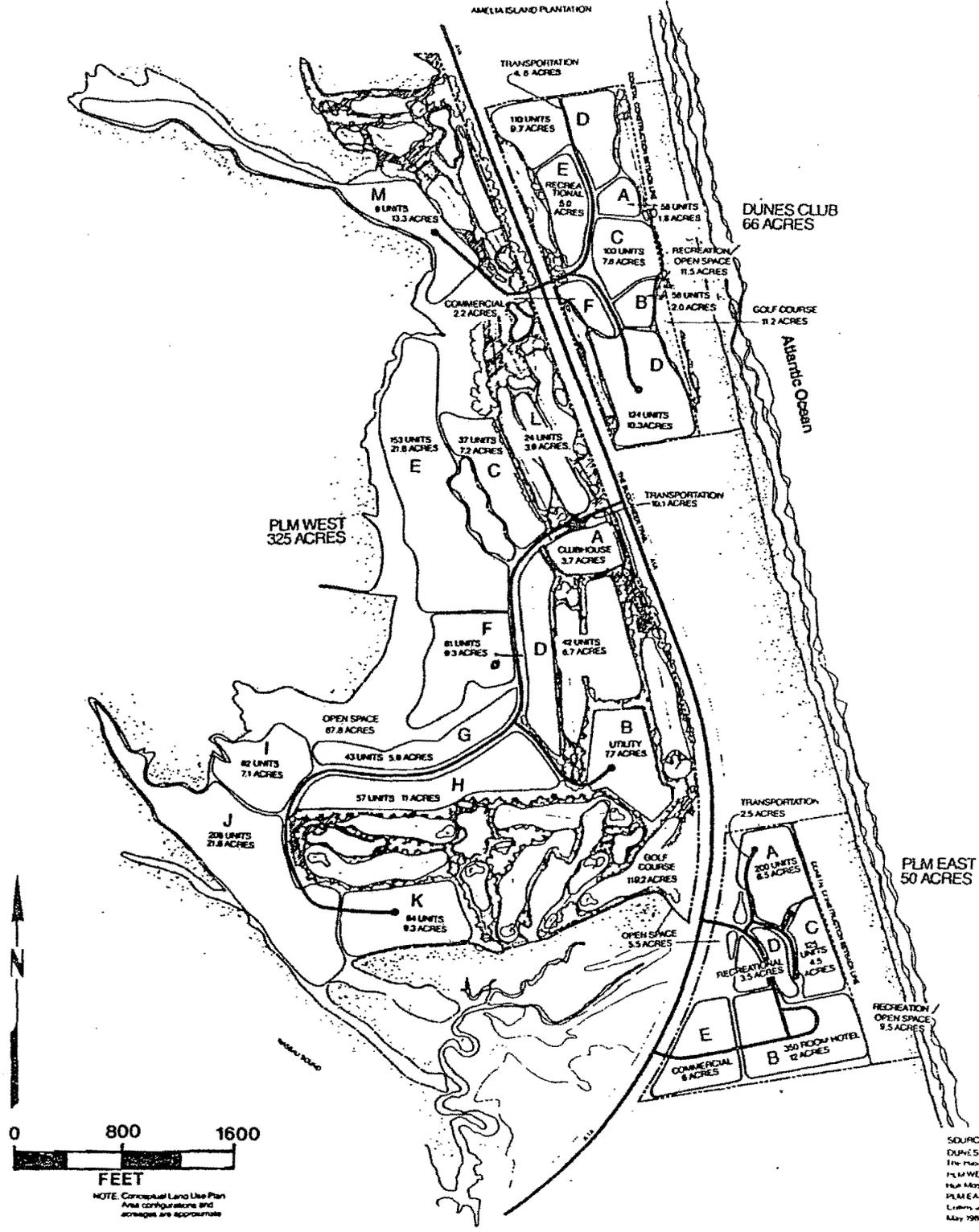
Use	Totals
Residential	800 units
Recreation	14 golf fairways and clubhouse
Open Space / Preservation	67.8 acres
Infrastructure	7.3 acre utility site

Sources: Amelia Island Company, Howard M. Landers, AICP, Urban Planning Consultant.

LAND USE CONVERSION

Residential units may be converted to hotel units at the rate of 100 residential units to 250 hotel units.

**EXHIBIT F**  
**Map H: Master Development Plan, Amelia Island South**



**MAP H**  
**MASTER DEVELOPMENT PLAN**  
**COMPOSITE**

**AMELIA ISLAND**  
**SOUTH**



**NASSAU COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
P.O. Box 1010  
Fernandina Beach, Florida 32035-1010

Jim B. Higginbotham  
Ansley Acree  
Tom Branan  
Floyd L. Vanzant  
Marianne Marshall

Dist. No. 1 Fernandina Beach  
Dist. No. 2 Fernandina Beach  
Dist. No. 3 Yulee  
Dist. No. 4 Hilliard  
Dist. No. 5 Callahan

J. M. "Chip" OXLEY, JR.  
Ex-Officio Clerk

MICHAEL S. MULLIN  
County Attorney

MIKE MAHANEY  
County Administrator

December 30, 2004

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Charlie Gauthier  
Bureau Chief  
Bureau of Local Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

RE: Amendment to PLM West Development Order

Dear Charlie:

Enclosed please find a certified copy of Resolution No. 2004-182 adopted by the Board of County Commissioners of Nassau County on December 13, 2004.

This resolution is being provided to you pursuant to the requirements of Paragraph 6.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely yours,

J. M. "Chip" Oxley, Jr.  
Ex-Officio Clerk

JMO:Jb

Enclosure

CC: Bill Moore, Amelia Island Plantation

(904) 548- 4660, 879-1029, (800) 958- 3496

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