

**RESOLUTION NO. 2013 - 91**

**A RESOLUTION CONSTITUTING THE EIGHTEENTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE SUMMER BEACH DEVELOPMENT OF REGIONAL IMPACT (DRI); SPECIFICALLY AMENDING THE DEVELOPMENT ORDER TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO THE NOTIFICATION OF A PROPOSED CHANGE (NOPC) FILED BY CONCERT GOLF PARTNERS, LLC., AND DATED MARCH 29, 2013; PROVIDING FOR ELIMINATION OF THE BEACH CLUB EXPANSION AND ABILITY OF GOLFSIDE RESIDENTS TO JOIN CLUB AT REDUCED RATE; FINDING THAT THIS CHANGE DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION FROM THE ORIGINALLY APPROVED DRI DEVELOPMENT ORDER, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Nassau County Florida had previously approved Resolution numbers: 85-11 85-60 86-8 86-29 86-62 87-11 89-30 90-41 2000-31 2001-25 2001-96 2001-183 2003-76A 2004-32 2005-75 and 2007-105; and

**WHEREAS**, on March 29, 2013 Concert Golf Partners filed a request with Nassau County and the North East Florida Regional Council (NEFRC) to amend the Summer Beach DRI; and

**WHEREAS**, in accordance with Sec. 380.06(19)(e), F.S. the NEFRC indicated that the proposed changes were not a substantial deviation and furthermore did not require NOPC review; and

**WHEREAS**, at a public hearing on July 2, 2013 the Nassau County Planning and Zoning Board reviewed said amendment and determined that the proposed changes do not constitute a substantial deviation, nor do they conflict with the PUD or the County's Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners has reviewed the said amendment, conducted a public hearing on July 24, 2013 at which all parties were afforded the opportunity to present evidence and testimony on this matter, and any member of the public requesting to do so was given an opportunity to present written or oral communication consistent with the adopted rules of procedure; and

**WHEREAS**, public notice of said hearing was provided in accordance with Chap. 380.06, F.S. and Chap. 125, F.S.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:**

## **SECTION 1. FINDINGS**

The Board of County Commissioners finds that the changes set forth in the NOPC dated March 29, 2013 do not constitute a substantial deviation; as such term is defined in Section 380.06(19), Florida Statutes and are generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

## **SECTION 2. DRI AMENDED**

Condition 11.3a was modified by Resolution No. 2001-183. Condition 11.3a will be replaced in its entirety with language from the Development Order adopted prior to Resolution No 2001-183, with the exception that the Beach Club will contain two tennis courts rather than four. To wit:

~~*Parcel A: Expansion of the Existing Beach Club: The existing swimming pool and beach club will be removed and replaced with a new pool approximately 50% larger in size, a children's pool and a multipurpose building between 5000 and 7000 square feet in size. The building will be two stories containing a snack bar, multipurpose room for parties and other activities, dressing rooms and restrooms. The two existing tennis courts will remain. The beach walkover will be replaced and upgraded. A two story parking deck with an elevator will be built containing 100 spaces +, an increase of 60 spaces +. Any owner of property in Golfside who owns property as of the effective date of this Development Order shall have the right to join the Beach Club by payment of an initiation fee in the amount in effect at the time the property was purchased by that owner. The right to join the Beach Club based on this amount of dues shall expire sixty (6) days after completion of the Beach Club expansion. Monthly dues shall be the same for all members in the same category.*~~

*Parcel A: Beach Club, swimming pool, two tennis courts, pavilion, beach pedestrian walkway and parking.*

Graphic depiction of affected area within subject Development Order:



**SECTION 3. EXISTING DEVELOPMENT ORDER**

All terms and conditions of the existing Summer Beach DRI Development Order as amended remain in full force and effect except as specifically amended by Section 2 of this Resolution.

**SECTION 4. RECORDATION AND RENDITION**

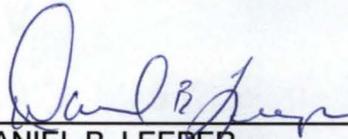
A copy of this Resolution shall be recorded in the Public Records of Nassau County. Nassau County will render a recorded copy of this Eighteenth Amendment of the Development Order to the Florida Department of Economic Opportunity, the Northeast Florida Regional Council, and the Developer.

**SECTION 5. EFFECTIVE DATE:**

This Resolution shall become effective upon adoption.

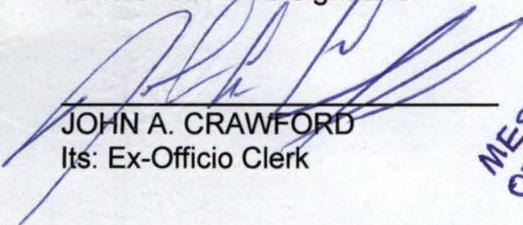
**PASSED AND ADOPTED THIS** 24th **DAY OF** July, **2013.**

**BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA**



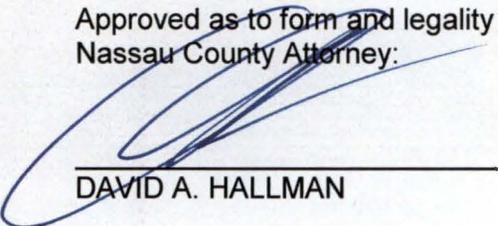
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**DANIEL B. LEEPER**  
Its: Chairman

**ATTESTATION: Only to Authenticity  
as to Chairman's Signature:**

  
\_\_\_\_\_  
**JOHN A. CRAWFORD**  
Its: Ex-Officio Clerk

MES  
07-26-13

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

  
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**DAVID A. HALLMAN**