

ORDINANCE 2023-042

AN ORDINANCE OF NASSAU COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) OF THE 2030 COMPREHENSIVE PLAN; PROVIDING FOR THE RECLASSIFICATION OF APPROXIMATELY 15.55 ACRES OF REAL PROPERTY LOCATED ON STATE ROAD 200, APPROXIMATELY 500 FEET NORTH OF STRATTON ROAD AND THE TOWN OF CALLAHAN MUNICIPAL BOUNDARY, FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (COM); PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Nassau County Board of County Commissioners is empowered to adopt Ordinances pursuant to Chapter 125.66, Florida Statutes; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act (the "Act"), empowers and requires the Nassau County Board of County Commissioners to: (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, the Nassau County Planning and Zoning Board has been established and designated as the Local Planning Agency ("LPA") for unincorporated Nassau County, Florida, pursuant to section 163.3174, Florida Statutes; and

WHEREAS, the LPA and the Board have in the preparation of the amendments to the Nassau County Comprehensive Plan 2010-2030 performed or caused to be performed the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, workshops and meetings as necessary, and have effectively provided for public participation, notice, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services, considerations of, and response to, public and official comments; and

WHEREAS, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163 Florida Statutes and the Nassau County Land Development Code.

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



A CERTIFIED TRUE COPY

John A. Crawford
EX-OFFICIO, Clerk of the Board of County Comm.
Nassau County, Florida

By: Heather DA
alc

SECTION 1. FINDINGS.

The FLUM amendment is based upon the following Findings of Fact:

- a) The FLUM amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- b) Michael L. and Jean N. Hinton are the owners of one parcel comprising 15.55 acres identified as Tax Parcel No. 51-2N-25-0000-0067-0000 by virtue of Deed recorded at O.R. 1512, page 1447 of the Public Records of Nassau County, Florida.
- c) Michael L. and Jean N. Hinton are authorized to file Application CPA23-008 to change the Future Land Use Map classification of the land described herein.
- d) Michael L. and Jean N. Hinton have not been granted a change of Future Land Use Map designation on the subject property within the previous 12 months.
- e) The FLUM amendment is consistent with the applicable sections of the Nassau County Land Development Code and Comprehensive Plan.
- f) The FLUM complies with the Goals, Objectives and Policies of the 2030 Comprehensive Plan, in particular Policy FL.01.04.

Upon consideration of the application, supporting documents, staff analysis, the recommendation of the Planning and Zoning Board, and public comments received at the public hearing for application CPA23-008, the Commission finds that the reclassification is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County.

SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is reclassified from Medium Density Residential (MDR) to Commercial (COM) on the Future Land Use Map of Nassau County. The Planning Department is hereby authorized to amend the Future Land Use Map to reflect this reclassification upon the effective date of this Ordinance.

SECTION 3. OWNER AND DESCRIPTION.

The land reclassified by this Ordinance is owned by Michael L. and Jean N. Hinton and is identified by the following tax identification number(s), graphic illustration, and legal description:

Parcel #s 51-2N-25-0000-0067-0000



LEGAL DESCRIPTION:

That certain piece, parcel or tract of land situate, lying and being in the County of Nassau and State of Florida, known and described as:

A portion of the F.P. Sanchez Grant, Section 51, Township 2 North, Range 25 East, Nassau County, Florida.

Being all the lands described in Deed Book 132, Page 249, lying Southeasterly of State Road No. 200 (A-1-A) and being more particularly described by metes and bounds and as follows:

For a point of beginning commence at an iron pipe set at the Southeast corner of said Section 51, from said point of beginning run thence North 16 degrees, 43 minutes West along the Easterly line of said Section 51, a distance of 915.07 feet to a stainless steel pipe; run thence South 73 degrees 30 minutes West, a distance of 239.90 feet to an iron pipe set on the Easterly right of way line of State Road No. 200 (having a right of way of 100 feet); thence run South 35 degrees, 38 minutes West along said right of way line, a distance of 1490.53 feet to an iron pipe set on the Southerly line of said Section 51; run then North 73 degrees, 30 minutes East along the Southerly line of said Section, a distance of 1420.10 feet to the point of beginning.

LESS that real property described in the Warranty Deed dated April 6, 2001 and recorded in the Official Record Book 979, pages 1654 and 1655 in Nassau County, Florida

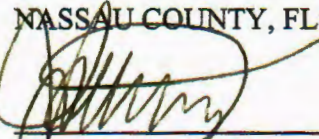
SECTION 4. EFFECTIVE DATE.

(A) The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies Nassau County that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

(B) A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

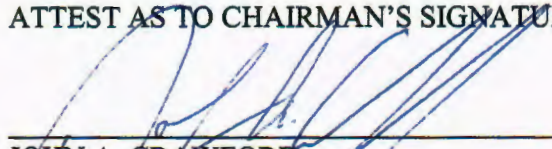
ADOPTED THIS 13th DAY OF November, 2023 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



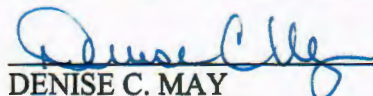
JOHN F. MARTIN
Vice- Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY