

RESOLUTION NO. 2020 - _____

A RESOLUTION CONSTITUTING THE TWENTY-SECOND 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 ARTISAN HOMES,LLC, AND DATED DECEMBER 19, 2019; TRANSFERRING TWELVE RESIDENTIAL UNITS FROM PARCEL N-1 TO PARCEL D-1; PROVIDING FOR DEVELOPMENT OF TWENTY-EIGHT MULTI-FAMILY RESIDENTIAL UNITS ON PARCEL D-1; 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 the Development Order for the Summer Beach Development of Regional Impact (DRI) in Resolution 85-11, and amended in Resolutions 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; 2013-91, 2017-94, 2018-112, and 2019-32; and

WHEREAS, on December 19, 2019 Artisan Homes, LLC filed a request with Nassau County to amend the Summer Beach DRI; and

WHEREAS, at a public hearing on _____, 2020 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 remaining terms and conditions of the DRI/PUD or the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has reviewed the said amendment, conducted a public hearing on _____, 2020 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 December 19, 2019 do not constitute a substantial deviation; as such term is defined in

Section 380.06, Florida Statutes and are generally consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

SECTION 2. AMENDMENT

The Summer Beach DRI Development Order is hereby amended as follows:

Paragraph 1. of Resolution 2007-105 (17th amendment to this DRI), is amended as follows:

- a. *Convert the permitted use on Parcel D-1 from Commercial to "Mixed Use (Commercial/Office/Residential)" Parcel D-1 ~~shall be developed with no more than 25,000 square feet of commercial office, and with no more than 28 multi-family residential units comprised of 16 residential units which are reallocated from Parcel A-6 plus 12 units reallocated from parcel N-1 and 0 square feet of commercial/office space.~~*

- d. *The following Site Development Standards shall apply to Parcel D-1:*
 - 1) *Minimum setback of buildings ~~from all property lines: Twenty (20) feet except 25 feet from A1A from the west property line; ten (10) feet from the north, east and the south property lines.~~*
 - 2) *Minimum separation of buildings: Ten (10) feet*
 - 3) *Maximum building height: The lesser of three stories of forty-five (45) feet. All buildings are as measured from the existing grade to the mid-point between the eave and peak of roof.*
 - 4) *Maximum building lot coverage shall not exceed forty percent (40%)*
 - 5) *~~Two stories of residential use may be developed over one story of commercial and/or office uses, or The parcel will be developed with one hundred percent (100%) multi-family residential use~~*
 - 6) *~~Commercial and Office uses permitted in Parcel D-1 shall be as defines in the Nassau County Zoning Code, Section 15.01 Commercial Neighborhood: CN: Permitted Uses And Structures(attached as exhibit C of the Nassau County Zoning Code except that the uses in subsections (D) Churches and (F) Nursing homes, etc. shall not be permitted, and restaurants that have full service kitchens shall not be permitted (i.e. limited food service establishments such as coffee shops shall be permitted).~~*
 - 6) *The buffer along the south property line will meet County standards as shown on an approved Final Development Plan.*

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 Nineteenth 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 _____ DAY OF _____, 2020.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

DANIEL B. LEEPER,
Its: Chair

ATTEST as to Chairman's Signature:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

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

MICHAEL S. MULLIN,
County Attorney