

ORDINANCE 2017 - _____

AN ORDINANCE AMENDING ORDINANCE NO. 2005-04, WHICH AMENDED ORDINANCES 92-10, 87-46, AND 87-15 WHICH REZONED AND RECLASSIFIED PROPERTY TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS “MARSH LAKES”; MODIFYING THE PRELIMINARY DEVELOPMENT PLAN; MODIFYING THE PUD CONDITIONS; PROVIDING FOR FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 87-15 on January 13, 1987 creating the “Marsh Lakes PUD”; and

WHEREAS, Ordinance 87-15 was subsequently amended in Ordinances 87-46, 92-10, 2005-04; and

WHEREAS, Tuscany Preserve, LLC is the owner of one parcel comprising +/-17.0 acres identified as Tax Parcel # 37-2N-28-209T-0143-0000 by virtue of Deed recorded at O.R. 1881, page 181 of the Public Records of Nassau County, Florida; and

WHEREAS, Tuscany Preserve, LLC has authorized Gillette & Associates, Inc. to file Application R17-009; and

WHEREAS, the Nassau County Planning and Zoning Board, after due notice conducted a public hearing on November 7, 2017 and voted to recommend approval of R17-009 to the Commission; and

WHEREAS, taking into consideration the above recommendations, the Commission finds that such rezoning is consistent with the 2030 Comprehensive Plan and the orderly development of Nassau County; and

WHEREAS, the proposed PUD amendment complies with the underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR) and Conservation (CSV I); and

WHEREAS, the Board of County Commissioners held a public hearing on November 27, 2017; and

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

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

SECTION 1. FINDINGS

That the proposed amendment to the Marsh Lakes PUD is generally consistent with the goals, objectives and policies of the 2030 Comprehensive Plan in particular Policies FL.01.02(B&G), FL.02.01, FL.04.01, FL.06.01 and FL.06.02.

SECTION 2. PUD AMENDED

The real property described in Section 3, a part of the Marsh Lakes PUD, is amended as follows:

- A) The Preliminary Development Plan for the PUD, adopted in Ordinance 2005-04 is amended as shown in Exhibit "B ";
- B) The conditions of the PUD adopted in Ordinance 2005-04, are modified and adopted as shown in Exhibit "C" attached herein;
- C) All other conditions adopted for this PUD shall remain in force.

SECTION 3. OWNER AND DESCRIPTION

The land reclassified by this Ordinance is owned by Tuscan Preserve, LLC, and is identified by the following map, the legal description attached as Exhibit "A", and the Preliminary Development Plan (PDP) attached as Exhibit "B".

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective after filing with the Secretary of State.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2017.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA

DANIEL B. LEEPER,
Its: Chairman

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