



APPLICATION FOR FAMILY HARDSHIP DEVELOPMENT

APPLICATION

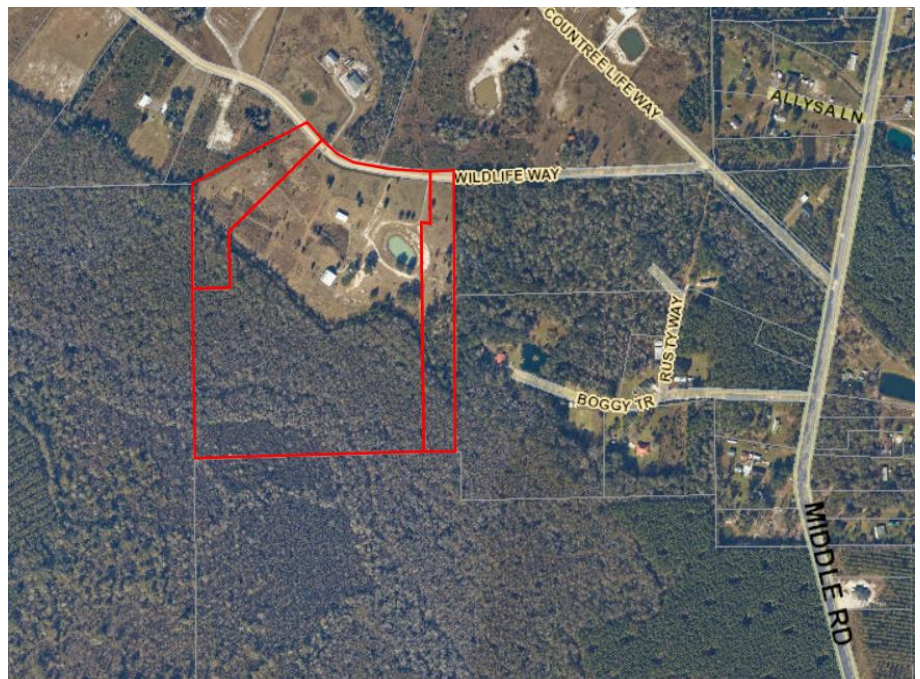
OWNER/APPLICANT:	Gerald Mcfall				
AGENT:	N/A				
REQUESTED ACTION:	Family Hardship Development				
LOCATION:	Approximately one and a half mile northwest of the intersection of Countree Life Way and Middle Rd				
LAND USE:	Agriculture (AGR)				
ZONING:	Open Rural (OR)				
EXISTING USES ON SITE:	One Single-Family Dwellings				
PROPERTY SIZE + PARCEL ID:	43 ac 34-3N-25-0000-0004-0000				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
	North	SFR	2018	OR	AGR
	South	Timberland	N/A	OR	AGR
	East	SFR	1987	OR	AGR
	East	Undeveloped	N/A	OR	AGR
	West	Timberland	2019	OR	AGR
COMMISSION DISTRICT:	4				

*** All required application materials have been received. All fees have been paid. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The Applicant is petitioning the Planning and Zoning Board (PZB) for relief from the platting requirements and to allow for a family hardship development.

The applicants wish to have their children live close to assist with managing the farm on the parent parcel.





According to Nassau County Land Development Code Article 32:

A parent tract may be divided once, without complying with subdivision regulations provided the tract meets the minimum lot and yard requirements of the respective zoning district, does not exceed residential density limitations as defined in the comprehensive plan and meets the minimum lot frontage requirements as defined in section 28.03 of the Land Development Code. Any further division of a parent tract shall be deemed to be a subdivision and must comply with these subdivision regulations.

This parcel cannot be subdivided in the manner proposed because this property is part of the Wildlife Way Mediated Settlement Agreement (MSA), which stipulates that the property can only be subdivided through a family hardship subdivision.

The property is zoned Open Rural (OR), which requires a minimum lot size of one acre, and is designated Agricultural (AGR) on Future Land Use Map, which allows one dwelling unit per gross acre. There is currently one single-family dwelling on the 43-acre parcel. The applicant is proposing to subdivide the property to create two 5-acre parcels, each to be deeded to a family member to be used as a primary residence. All underlying zoning and Comprehensive Plan requirements are met with this proposed division of land.

A 60'-wide private easement, Wildlife Way, will provide access to the parcels. The parent parcel is identified as Lot 15 and 16 according to the Countree Life Land Records Mediated Settlement Agreement Contract Number CM 2341 executed July 11, 2016. The agreement states that "Petitioners within the Countree Life Property shall be subject to then-existing Nassau County Code of Ordinances irrespective of the provisions of this agreement". The agreement states that the maintenance of the private roads is the responsibility of the owners along Countree Life Way and Wildlife Way.

The applicant has submitted the required paperwork for the board to consider this application, including a site plan, covenants, hold harmless agreement with Nassau County, proposed deed with required language, and a family member affidavit. The applicant acknowledges that the property is to remain in the ownership of only someone defined by the county as a family member and has or will record all documentation proving family relations.

CONSISTENCY WITH EXISTING LAND DEVELOPMENT CODE OR EXISTING COUNTY CODE

- ✓ Section 29-3 of the Nassau County Code of Laws and Ordinances
- ✓ LDC Article 22 – Open Rural zoning
- ✓ Policy FL.01.02

CONCLUSION

Staff finds the requested action to be consistent with Code Section 29-3(2), the Comprehensive Plan and the existing Land Development Code. Based on the provided documentation from the applicant, staff recommends the McFall Family Hardship Development be approved.