

Nassau County Planning and Zoning Board  
November 2, 2021 at 6:00 p.m.  
Commission Chambers, 96135 Nassau Place, Yulee, Florida.

Call to Order, Invocation, and Pledge of Allegiance to the American Flag.

**Board Members:**

**Present:** Chair Linda Morris; Todd Erickson, Betsie Huben, Dan Morris, Jimmy L. Higginbotham, Barry Holloway, Wayne Arnold, Tyrone Blue, and Joseph Zimmerman.

Board Member Cameron Moss appeared viz "Zoom".

**Other Officials Present:** Michael S. Mullin, County Attorney.

**Staff Present:** Thad Crowe, Planning Director; Holly Coyle, Assistant Planning Director; Heather Nazworth and Melissa Lucey, Deputy Clerks.

**Official Agenda Summary:**

**AUDIENCE INPUT - AGENDA ITEMS**

**211102PZ - 6:02:07 (Tab A)** Mr. Mullin reviewed the procedures for attending the meeting in-person and remotely.

**BOARD BUSINESS:**

**211102PZ - 6:03:35 (Tab B)** Approval of minutes for the October 19, 2021 Planning & Zoning Board meeting.

**Motion:** Approve Tab B as stated above.

**Maker:** Board Member Huben

**Second:** Board Member Higginbotham

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**QUASI-JUDICIAL PUBLIC HEARING(S)**

**211102PZ - 6:04:01 (Tab C)** Consider R21-002, the rezoning of approximately 1.67 acres located on the east side of First Coast Highway between Tradewinds Way and Plantation Oaks Lane, from Residential Single Family-1 (RS-1) to Residential General-1 (RG-1). Application filed by James E. Aberson and Amy A. Beverly, owners; and Oglethorne Development, LLC., agent.

Ex-parte Communications for Tab C:  
None.

**211102PZ - 6:08:47** Documents submitted into the record: Staff Report - 6 pages; Draft Ordinance - 4 pages; 21 Emails in Opposition - 28 pages, and Application - 4 pages.

**Motion:** Accept documents into the record as identified above.

**Maker:** Board Member Higginbotham

**Second:** Board Member Arnold

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Motion:** Open the floor to public discussion.

**Maker:** Board Member Arnold

**Second:** Board Member Huben

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

Deputy Clerk swore in staff to provide testimony.

**Discussion:** Ms. Coyle came forward and stated that staff requests a continuance due to mistakes made on the staff level and not by any of the applicant's actions. Further discussion ensued regarding the date of continuance.

**Public input:** Nikki Seamans came forward and requested the Board to consider a continuance to December 7, 2021.

James Aberson, the applicant, appeared via Zoom and requested that the Board continue his application to November 16, 2021.

**Motion:** Continue to November 16, 2021 at 6:00 p.m. or soon thereafter as the matter may be heard, consideration of Tab C as stated above.

**Maker:** Board Member Higginbotham  
**Second:** Board Member Morris  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

Mr. Mullin read the Quasi-Judicial procedures for Tabs D and E.

**211102PZ - 6:22:46 (Tab D)** Consider R21-003, a rezoning of approximately 226 acres located on the north and south side of Pages Dairy Road, between Tiry Lane and Yulee Hills Road, from Open Rural (OR) to Residential Single Family-2 (RS-2). Application filed by David Peyton Page Revocable Trust, David Petyon Page, the Betty Page Family Trust, David Page, Jr. and Kimberly P. Page, and John and Angelia McClellan, owners; and Matovina & Company, agent.

**Waive presentation (s):**

**211102PZ - 6:18:13** Greg Matovina, agent, waived his presentation for Tabs D and E.

**Ex-parte Communications for Tabs D and E:**  
None.

**211102PZ - 6:23:32** Documents submitted into the record: Staff Report - 8 pages; Draft Ordinance - 4 pages; Application - 14 pages; Traffic Study - 165 pages; and Environmental Assessment - 9 pages.

**Motion:** Accept documents into the record as identified above.

**Maker:** Board Member Zimmerman  
**Second:** Board Member Arnold  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Motion:** Open the floor to public discussion.

**Maker:** Board Member Blue  
**Second:** Board Member Arnold  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

Deputy Clerk swore in staff to provide testimony.

**Discussion:** Ms. Coyle came forward to provide a PowerPoint presentation. The applicant is requesting to rezone 226 acres from Open Rural(OR) to Residential Single-Family 2(RS-2). The subject property is located on the north and south sides of Pages Dairy Road, approximately one mile east of US17. She advised that there is a companion application (R21-003) to be heard later. She referenced the property location with the current zoning as Open Rural (OR) and Future Land Use (FLUM) as Low Density Residential (LDR). She briefly reviewed the adjacent property's zoning districts and FLUM. Ms. Coyle reviewed the need, justification, relationship to the Planning Program, the application's consistency with the Land Development Code (LDC) and Comprehensive Plan, and Phase 1 Buildout Roadway Segment Analysis. She advised that the application is consistent with the intent of the Residential Single-Family 2 (RS-2) zoning district, and staff recommends approval.

The Board discussed the Traffic Study Level of Service, canoe launch liability, and traffic at Chester/Pages Dairy Road.

Public input: Debbie Wilson and DJ Williams came forward to express their concerns with the wetlands, flooding, and traffic on Pages Dairy Road.

Greg Matovina, agent for the applicant, came forward and addressed the traffic concerns and flooding.

**Motion:** Close the floor to public discussion.

**Maker:** Board Member Higginbotham

**Second:** Board Member Huben

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Motion:** Approve, based upon competent, substantial evidence in the record and testimony, recommend to the Board of County Commissioners Tab D as stated above.

**Maker:** Board Member Higginbotham

**Second:** Board Member Holloway

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**211102PZ - 6:55:49 (Tab E)** Consider R21-004, a rezoning of approximately 67.32 acres located on the north side of Pages Dairy Road, between Ellis Estates Landing Road and Felmor Road, from Open Rural (OR) to Residential Single Family-2 (RS-2). Application filed by Norraine A. Edwards Revocable Trust; Norraine A. Edwards, Trustee; Michael D. Edwards and Wendy D. Edwards; Donald P. Edwards and Oscar V. Edwards Marital Trust; Donald P. Edwards, Trustee, owners; and Matovina & Company, agent.

Ex-parte Communications for Tab E:  
None.

**211102PZ - 6:59:54** Documents submitted into the record: Staff Report - 8 pages; Draft Ordinance - 6 pages; Application - 32 pages; Traffic Study - 165 pages; and Environmental Assessment - 8 pages.

**Motion:** Accept documents into the record as identified above.

**Maker:** Board Member Holloway

**Second:** Board Member Huben

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Motion:** Open the floor to public discussion.

**Maker:** Board Member Holloway

**Second:** Board Member Huben

**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Discussion:** Ms. Coyle came forward to provide a PowerPoint presentation. The applicant is requesting to rezone 67.32 acres from Open Rural (OR) to Residential Single Family-2 (RS-2). The subject property is located on the north side of Pages Dairy Road, approximately one mile east of US Highway 17. She referenced a location map, with the current zoning as Open Rural and FLUM as Low Density Residential (LDR). She stated that the property is located within the State Road 200 Quarter Master Plan as Transect 3. Ms. Coyle reviewed the need, justification, relationship to the Planning Program, consistency with the Land Development Code (LDC) and Comprehensive Plan, and Phase 2 Buildout Roadway Segment Analysis. She advised the application is consistent with the intent of the

Residential Single Family-2 (RS-2) zoning district, and staff recommends approval.

Public input: Ms. Williams came forward to inquire regarding water and sewer. Ms. Coyle responded that utility lines would only be to the development.

**Motion: Close the floor to public discussion.**

**Maker: Board Member Morris**

**Second: Board Member Huben**

**Action: Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.**

**Motion: Approve, based upon competent, substantial evidence in the record and testimony, recommend to the Board of County Commissioners Tab E as stated above.**

**Maker: Board Member Holloway**

**Second: Board Member Zimmerman**

**Action: Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.**

**211102PZ - 7:09:48 (Tab F)** Consider R21-009, a rezoning of approximately 3.44 acres located on the east side of U.S. Highway 17, between Jake Carlon Road and D. Mobley Drive, from Commercial Intensive (CI) to Residential Single Family-2 (RS-2). Application filed by Set Free Nassau, Inc., owners; and Gillette & Associates, Inc., agent.

**Ex-parte Communications for Tab F:**  
None.

**211102PZ - 7:10:20** Documents submitted into the record: Staff Report - 5 pages; Draft Ordinance - 4 pages; and Application - 20 pages.

**Motion: Accept documents into the record as identified above.**

**Maker: Board Member Holloway**

**Second: Board Member Blue**

**Action: Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.**

**Motion: Open the floor to public discussion.**

**Maker:** Board Member Zimmerman  
**Second:** Board Member Huben  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Discussion:** Ms. Coyle came forward to provide a PowerPoint presentation. The applicant is requesting to rezone 3.44 acres from Residential Single Family-2 (RS-2) Commercial Intensive (CI) to Commercial General (CG). The property location is East of US17, between D Mobley Drive and Jake Carlton Road. She referenced a location map of the subject property with the existing uses as a church, fellowship hall, and offices. She reviewed the current zoning uses and the proposed zoning uses. The current FLUM is Commercial (COM) with the Residential Single-Family 2 (RS-2) on the southern portion of the property, which is inconsistent with the Commercial (COM) FLUM. She reviewed the consistency with the LDC and the supporting Comprehensive Plan Policies. She advised that the requested rezoning is compatible with surrounding uses and consistent with the Commercial FLUM designation. She stated that the staff recommends approval of the application.

**Motion:** Close the floor to public discussion.  
**Maker:** Board Member Morris  
**Second:** Board Member Zimmerman  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**Motion:** Approve, based upon competent, substantial evidence in the record and testimony, recommend to the Board of County Commissioners Tab F as stated above.  
**Maker:** Board Member Morris  
**Second:** Board Member Zimmerman  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss, Higginbotham, Ericksen, Arnold, Blue, Zimmerman, and School Board Member Morris.

**DISCUSSION ITEM(S):**

**211102PZ - 7:19:33 (Tab G)** Consider canceling the November 16, 2021 and December 21, 2021 meetings of the Planning and Zoning Board.

**Motion:** Cancel the December 21, 2021 meeting.  
**Maker:** Board Member Higginbotham  
**Second:** Board Member Holloway  
**Action:** Aye: Board Members Holloway, Huben, Morris, Moss,  
Higginbotham, Ericksen, Arnold, Blue,  
Zimmerman, and School Board Member Morris.

There being no further business, the regular session of the  
Planning and Zoning Board adjourned at 7:21 p.m.

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Linda Morris, Chair

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Attest