



APPLICATION FOR CONDITIONAL USE

APPLICATION

OWNER/APPLICANT:	Michele Rundlett			
AGENT:	N/A			
REQUESTED ACTION:	Conditional Use Permit for duplex dwelling in Open Rural (OR)			
LOCATION:	Unaddressed Bismark Rd			
LAND USE:	Agricultural (AGR)			
ZONING:	Open Rural (OR)			
EXISTING USES ON SITE:	Undeveloped			
PROPERTY SIZE + PARCEL ID:	7ac Parcel ID # 26-2N-25-0000-0001-0260			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Undeveloped	OR	AGR
	South	Single-Family Dwelling	OR	AGR
	East	Single-Family Dwelling	OR	AGR
	West	Manufactured Home	OR	AGR
COMMISSION DISTRICT:	5			

*** All required application materials have been received. All fees have been paid. All required notices have been made. 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 Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The subject property is located on the north side of Bismark Rd., approximately 2.5 miles west of the intersection of Lem Turner Rd. and Hodges Rd. Uses in the vicinity include single-family residences and timbering.

The Applicant seeks a conditional use permit pursuant to Section 28.14(L), of the Nassau County Land Development Code:

- (L) *Two-family dwelling (duplex): A duplex, being a single structure designed for or occupied exclusively by two (2) families living independently of each other, as defined herein, is a permissible use by exception in any residential district where not otherwise permitted, and in the Open Rural District; provided the structure shall conform to all supplementary regulations listed under the district classification as though it were a single-family dwelling (i.e., minimum lot requirement, maximum coverage by all buildings, minimum setbacks, maximum height of structure, etc.).*



SUMMARY OF REQUEST AND BACKGROUND INFORMATION (CONT.)



Figure 1: Location Map

The Comprehensive Plan Future Land Use Map (FLUM) designation of the parcel is Agricultural (AGR). AGR-designated land allows for the development of residential uses as a rate of one dwelling unit per acre

A duplex complies with the Future Land Use Map designation for the 2030 Comprehensive Plan.



Figure 2: Future Land Use Map



Figure 3: Zoning map

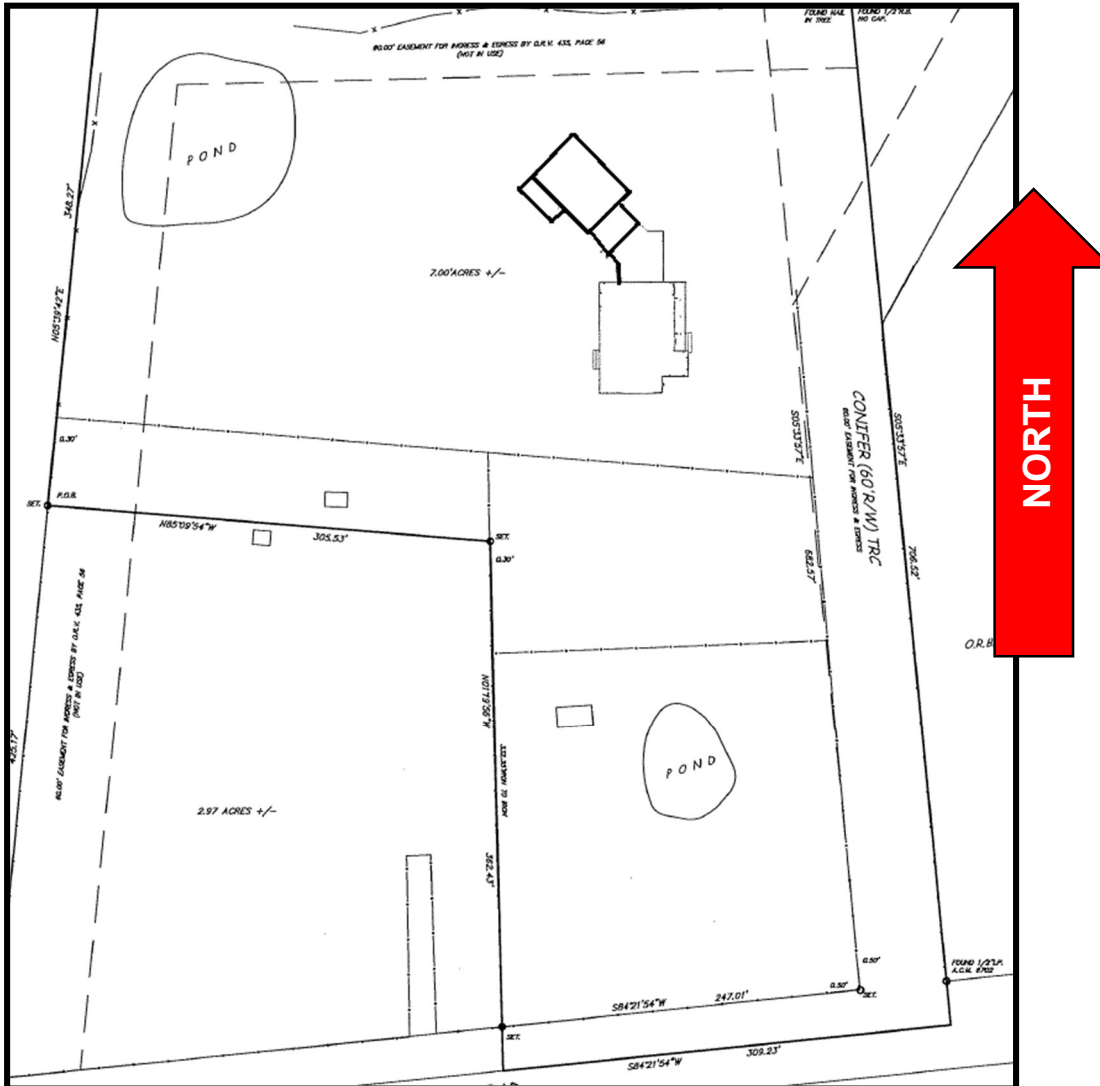


Figure 4: Site plan for the duplex

CONSISTENCY WITH LDC SECTION 5.04: CONDITIONAL USE REVIEW CRITERIA

When considering conditional use requests, the conditional use and variance board shall make a written finding that the proposed conditional use conforms to the following criteria:

- (A) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations, or ordinances of other governmental agencies.**



The duplex does not exceed maximum density limitations of the Comprehensive Plan Land Use Element.

- (B) **Each structure or improvement will be in accordance with Ordinance 2000-26 and will be so designed and constructed that it is not unsightly, undesirable, or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of Nassau County and the zoning district in which it is proposed.**
The duplex will be new construction meeting the requirements of the Land Development Code and Florida Building Code.
- (C) **The conditional use will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair the values within the area.**
Staff believes that allowing an additional unit will not negatively affect properties in the vicinity.
- (D) **The establishment of the conditional use will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.**
The area to the north and west is owned by the St. Johns River Water Management District. The adjacent properties to the south and east consist of single-family and mobile homes on one to three acre lots. Larger agricultural type uses surround the residential lots.. Staff believes that the addition of a duplex will not alter or hinder further development of the area.
- (E) **Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health requirements.**
A new well and septic system will be utilized for the duplex. All requirements from the Florida Department of Health will be met.
- (F) **Adequate access roads, on-site parking, on-site loading and unloading berths, and drainage have been or will be provided where required.**
The duplex will be accessed by Conifer Tract, a 60-foot-wide private easement. Adequate on-site parking will be provided.
- (G) **Adequate measures have been taken to provide ingress and egress to the property which is designed in a manner to minimize traffic congestion on local streets.**
The property has frontage on a private easement (Conifer Trace) and the County-maintained Bismark Road. No significant increase in traffic will result from the addition of the duplex.
- (H) **Adequate screening and buffering of the conditional use will be provided, if needed.**
The use does not require additional screening or buffering.
- (I) **The conditional use will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by conditional use shall be compatible with development in the zoning district.**
The applicant has not indicated the utilization of any signage or lighting.
- (J) **The conditional use will conform to all applicable regulations of the zoning district in which it is proposed.**



PLANNING DEPARTMENT

NASSAU COUNTY, FLORIDA

STAFF REPORT
Conditional Use + Variance Board
CU2022-001
01/27/22

The proposed use of a duplex is only allowed as a conditional use in the OR zoning district pursuant to LDC Section 28.14(L) subject to issuance of a conditional use permit. The duplex dwelling meets the OR zoning district lot coverage and setback requirements (35' from the front, 15' from the side, and 25' from the rear property lines). Lot coverage shall not exceed 20%.

(K) The conditional use will conform to all applicable regulations listed in the adopted comprehensive plan.

The proposed use complies with the 2030 Comprehensive Plan. The AGR FLUM designation allows for a maximum of one dwelling unit per acre. This parcel is seven acres in size.

CONCLUSION

Staff finds the requested action to be consistent with Section 5.04 of the Land Development Code as follows:

Conditional Use Criteria	Determination of Consistency
LDC 5.04 (A)	✓
LDC 5.04 (B)	✓
LDC 5.04 (C)	✓
LDC 5.04 (D)	✓
LDC 5.04 (E)	✓
LDC 5.04 (F)	✓
LDC 5.04 (G)	✓
LDC 5.04 (H)	✓
LDC 5.04 (I)	✓
LDC 5.04 (J)	✓
LDC 5.04 (K)	✓

This application is also consistent with the requirements of Article 28, Section 28.14(L) of the Nassau County Land Development Code.

Staff recommends approval subject to the following conditions.

1. The rights assigned by this order are specific to the applicant. However, once the duplex dwelling has been established on the subject property in accordance with the applicable local, state and federal regulations, nothing herein shall prevent the property and dwelling from being conveyed to another party.
2. If the duplex is removed, the owner/applicant must apply for a new conditional use for a duplex in the Open Rural zoning district.
3. The order shall be rendered void if the applicant fails to obtain a building permit for the proposed new dwelling unit within 24 months of the execution of this order.