CONDITIONAL USE AND VARIANCE BOARD NASSAU COUNTY, FLORIDA

Sandy Ridge Development, Inc., Owner	Application V2022-001
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FINDINGS OF FACT, CONCLUSIONS OF REVIEW AND ORDER ESTABLISHING VARIANCE DENIAL

THIS REQUEST came before the Conditional Use and Variance Board for a public hearing on **February 24, 2022,** at which time the Board heard testimony given under oath, received evidence, and rendered a decision based upon the review criteria as established in the Land Development Code, and Order as follows:

WHEREAS, Randy Martinuzzi as representative for owners, Sandy Ridge Development Inc., of the real property described in this Order have applied to the Conditional Use and Variance Board of Nassau County for a variance request seeking relief from Section 9.05(B)(2) of the Nassau County Land Development Code to reduce the side setback for each lot located within the Sandy Ridge Subdivision from 10' to 5' and 9.06(B)(2) of the Nassau County Land Development Code to increase maximum lot coverage for each lot located within the Sandy Ridge Subdivision from 35% to 45%. This request is being made pursuant to section 5.05 of the LDC which regulates the application, hearing, and public notice requirements for variance requests.

Property Location: Unaddressed Miner Rd., Yulee, FL 32097

[PIN: 42-2N-27-0000-0001-0320].

WHEREAS, the technical staff of the Planning Department has reviewed the application and has issued a report; and

WHEREAS, Based upon competent and substantial evidence in the record and testimony received at the Public Hearing conducted February 24, 2022 the Conditional Use and Variance Board finds the variance requested is inconsistent with the review criteria of Section 5.05 of the Land Development Code.

Now, therefore,

BE IT ORDERED BY THE CONDITIONAL USE AND VARIANCE BOARD THAT

SECTION 1. <u>Variance Denied:</u> The Applicant of the real property described in Section 2 of this Order is denied pursuant to Section 3.05(B)(2) of the Nassau County Land Development Code.

SECTION 2. Owner and Description. The land to which the variance is denied by this Order is owned by Sandy Ridge Development Inc. The subject property is legally described as follows:

A PORTION OF PARCEL #2, OFFICIAL RECORDS BOOK 2107, PAGE 758 AND A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 44, PAGE 571, OF THE PUBLIC RECORDS NASSAU COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF TRACT "H" (ADDITION COUNTY RIGHT-OF-WAY MINER ROAD), "HICKORY VILLAGE PHASE ONE" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 369, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 22°52'44" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE of SAID MINER ROAD (A 70 FOOT RIGHT-OF-WAY) A DISTANCE OF 300.32 FEET TO THE NORTHEAST CORNER, OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1314, PAGE 1075, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA AND THE POINT OF BEGINNING:

THENCE NORTH 22°52'44" WEST, ALONG SAID WESTERLY-RIGHT-OF-WAY LINE OF MINER ROAD, A DISTANCE OF 1543.26 FEET; THENCE SOUTH 66°54'35" WEST, ALONG THE NORTHERLY LINE OF SAID PARCEL #2, OFFICIAL RECORDS BOOK 2107, PAGE 758, A DISTANCE OF 147.46 FEET; THENCE SOUTH 01°41'57" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL #2, OFFICIAL RECORDS BOOK 2107, PAGE 758, A DISTANCE OF 503.52 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2029, PAGE 571, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE SOUTH 01°40'41" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL #2, OFFICIAL RECORDS BOOK 2107, PAGE 758, A DISTANCE OF 467.50 FEET; THENCE NORTH 88°10'18" WEST A DISTANCE OF 995.80 FEET TO INTERSECT THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 44, PAGE 571; THENCE ALONG THE PERIMETER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 44, PAGE 571, THE FOLLOWING FOUR COURSES (1) THENCE SOUTH 02°01'01" WEST A DISTANCE OF 46.00 FEET; (2) THENCE SOUTH 47°55'58" EAST A DISTANCE OF 899.53 FEET; (3) THENCE SOUTH 15°55'22" WEST A DISTANCE OF 204.81 FEET; (4) THENCE SOUTH 01°23'49" WEST A DISTANCE OF 299.52 FEET; THENCE ALONG THE PERIMETER OF "HICKORY VILLAGE PHASE ONE", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 369, OF THE PUBLIC RECORDS, OF NASSAU COUNTY, FLORIDA, THE FOLLOWING TWO COURSES: (1) NORTH 85°46'13" EAST A DISTANCE OF 361.97 FEET; (2) THENCE NORTH 65°27'19" EAST A DISTANCE OF 564.96 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1314, PAGE 1075, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE ALONG THE PERIMETER OF LAST SAID LANDS THE FOLLOWING TWO COURSES: (1) THENCE NORTH 22°33'10" WEST A DISTANCE OF 300.08 FEET; (2) THENCE NORTH 65°27'19" EAST A DISTANCE OF 436,53 FEET TO THE POINT OF BEGINNING.

This Application was duly advertised via:

Legal Ad Running (Newsleader) 02/09/2022 and 02/16/2022

Posting of the Property on 02/04/2022

Posted in Public Notice Boxes on 02/18/2022

Posted on the Nassau County Official Website 02/18/2022

SECTION 3. Effective Date. This Order shall become effective on the 15th day of March 2022. Done

on this 15th day of March 2022.

Barb Kent, CHAIR

Nassau County, FL Conditional Use & Variance Board

ATTEST:

Andrew Prokopiak, Planner I, Planning Department Nassau County, FL Board of County Commissioners

RIGHT TO APPEAL

PLEASE BE ADVISED THAT AN AGGRIEVED PARTY HAS THE RIGHT TO APPEAL THIS ORDER TO THE NASSAU COUNTY BOARD OF COUNTY COMMISIONERS, SAID NOTICE OF APPEAL SHALL BE FILED WITHIN (30) DAYS OF THE DATE THE ACTION BEING APPEALED WAS RENDERED.