

# CONDITIONAL USE AND VARIANCE BOARD NASSAU COUNTY, FLORIDA

**Matthew & Melissa Ricks, Agents**  
**Kevin & Brianna Law, Owners**

Application CU2022-011

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## **FINDINGS OF FACT, CONCLUSIONS OF REVIEW AND ORDER ESTABLISHING CONDITIONAL USE APPROVAL**

**THIS REQUEST** came before the Conditional Use and Variance Board for a public hearing on **May 23, 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, Matthew & Melissa Ricks, agents for Kevin & Brianna Law, owners of the real property described in this Order has applied to the Conditional Use and Variance Board of Nassau County for a conditional use permit pursuant to 22.03(G) of the Nassau County Land Development Code to allow for a private recreational facility in the Open Rural (OR) zoning district This request is being made pursuant to Sec. 5.04 of the Nassau County Land Development Code.

Property Location: 86581 Goodbread Rd, Yulee, FL

[PIN: 50-3N-27-0000-0001-0060 / 50-3N-27-4781-0018-0000].

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 May 23, 2022 Conditional Use and Variance Board finds the conditional use permit requested is consistent with the review criteria of Section 5.04 of the Land Development Code.

Now, therefore,

**BE IT ORDERED BY THE CONDITIONAL USE AND VARIANCE BOARD THAT**

**SECTION 1. Conditional Use Granted:** The Applicant of the real property described in Section 2 of this Order is granted approval pursuant to Section 22.03(G) of the Nassau County Land Development Code. This approval includes the following:

1. The project is subject to review and approval recommendation of the Development Review Committee.
2. The order is transferable and shall run with the land.
3. Signage is subject to the requirements of article 35 of the LDC, also known as the State Road 200 Access Management Overlay District. Signage shall be illuminated externally only.
4. All lighting shall be shielded and downcast to minimize light trespass to adjacent residential properties.
5. A high- density buffer, at least 25 feet wide and consisting of existing dense vegetation or a minimum of five canopy trees and 90 shrubs per 100 linear feet as described in LDC 37.05 will be required along the south, east, and west property lines.
6. A perimeter landscape buffer having an average width of 15 feet and a minimum width of 7-1/2 feet is required parallel and adjacent to US 17. This buffer shall contain a minimum of three canopy trees and three understory trees per 100 linear feet. If approved for access, Goodbread Road must meet the same perimeter buffer requirements.

**SECTION 2. Owner and Description.** The land to which the Conditional Use is granted by this Order is owned by Kevin & Brianna Law. The subject property is legally described as follows:

PARCEL ONE: A PORTION OF SECTION 50, TOWNSHIP 3 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT A POINT WHERE THE NORTHWESTERLY RIGHT OF WAY LINE OF HAMILTON STREET (A 75.0 FOOT RIGHT OF WAY UNIMPROVED, AS SHOWN ON PLAT OF NORTH YULEE, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, IN PLAT BOOK 2, PAGE 26) INTERSECTS WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 (SAID NORTHEASTERLY LINE LIES 100.0 FEET NORTHEASTERLY OF THE SURVEY LINE, FOR SAID HIGHWAY, WHEN MEASURED AT A RIGHT ANGLE TO SAID SURVEY LINE); AND RUN NORTH 46 DEGREES, 37 MINUTES, 41 SECONDS WEST, ALONG SAID NORTHEASTERLY RIGHT OF WAY, A DISTANCE OF 661.16 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH 46 DEGREES, 37 MINUTES, 41 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 822.52 FEET; RUN THENCE NORTH 35 DEGREES, 00 MINUTES, 45 SECONDS EAST, A DISTANCE OF 801.94 FEET; RUN THENCE SOUTH 46 DEGREES, 52 MINUTES, 50 SECONDS EAST, A DISTANCE OF 742.80 FEET, TO THE WEST RIGHT OF WAY LINE OF GOODBREAD CIRCLE (A 35.0 FOOT RIGHT OF WAY BY USAGE); RUN THENCE SOUTH 34 DEGREES, 53 MINUTES, 42 SECONDS EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 83.49 FEET; RUN THENCE SOUTH 35 DEGREES, 00 MINUTES, 45 SECONDS WEST, A DISTANCE OF 788.07 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM YULEE PARK, UNIT TWO, ACCORDING TO PLAT BOOK 5, PAGE 60 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

PARCEL TWO: LOT 18, YULEE PARK, UNIT TWO, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 60 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

This Application was duly advertised via:

Legal Ad Running (Newsleader) 06/08/2022 and 06/15/2022

Posting of the Property on 06/08/2022

Posted in Public Notice Boxes on 06/17/2022

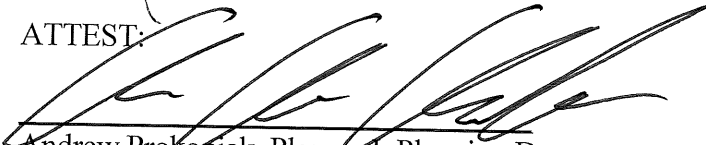
Posted on the Nassau County Official Website 06/17/2022

**SECTION 3. Effective Date.** This Order shall become effective on the 27<sup>th</sup> day of June 2022. Done on this 27<sup>th</sup> day of June 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 COMMISSIONERS, SAID NOTICE OF APPEAL SHALL BE FILED WITHIN (30) DAYS OF THE DATE THE ACTION BEING APPEALED WAS RENDERED.**