

Dear Board of County Commissioners

Our father, Frank Nessler, purchased land in the Italia area in the 1950's, and since then our family has lived on this property continuously. In 1986, another property owner in our area requested a commercial zoning for his property. Although his request was denied, the request caused the Board of County Commissioners to consider rezoning the entire area. When the Zoning Board heard the opposition of our family and other property owners, they recommended amending the proposal to only rezoning 3 property owners in the area. It was the understanding of our parents and other property owners that their properties remained zoned Open Rural. All of these proceedings are clearly defined in the minutes and notes of the County Commissioners and Building and Zoning Board meetings from 1986. The Nassau County Zoning department granted permits to build houses, variances to use property, etc. clearly stating that the properties in question were zoned Open Rural for the next 20 years or more. One such evidence is the building permits that were granted to John and Julie Waldron in 2007 to build a home. Another evidence is the variance granted to Willard F. and Betty Nessler to use a small portion of their land commercially. This document also clearly states that the existing property is Open Rural. In addition the FLUM designation for the properties was Agricultural for all of these years, which clearly matches the Open Rural designation. Recently, the county stated these properties were actually designated as Commercial in 1986. As property owners, we were instructed that in order to correct this issue, we would need to apply for rezoning and incur the costs associated with the rezoning which we have done. Our mother, Betty Nessler, was also required to pay an additional fee to change the FLUM designation of the parcel that had been granted a variance in 2007 back to agricultural.

We request that you vote to restore our zoning to Open Rural. We also respectfully request that the Board of County Commissioners please consider reimbursing the property owners for the costs associated with this rezoning.

Thank you for your consideration.

John and Julie Waldron

Ronnie and Elizabeth Nessler

Johnny Nessler

# Nassau Co Board of Co Commissioners

**Thank you for your payment!**

Confirmation Number 0054075912

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Description	R22-008
Payment Date	May 20, 2022 12:22 PM EST
Payment Method	Visa **1317
Confirmation Email	jjamkw@gmail.com
Payment Amount	\$1,443.52
Convenience Fee	\$37.50

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Total	\$1,481.02
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[Close](#)

**NASSAU COUNTY RECORD**  
P.O. Box 609  
Callahan FL 32011  
(904) 879-2727  
Fax(904) 879-5155

1 Memo Bill Period 07/2022		2 Advertiser/Client Name INDIVIDUAL/ LEGALS	
23 Total Amount Due 393.88		*Unapplied Amount	3 Terms of Payment
21 Current Net Amount Due .00	22 30 Days .00	60 Days .00	Over 90 Days .00
4 Page Number 1	5 Memo Bill Date 07/28/22	6 Billed Account Number 29308 LEGAL.	7 Advertiser/Client Number 29308

Advertising Memo Bill

B Billed Account Name and Address INDIVIDUAL/ LEGALS NASSAU COUNTY FL		Amount Paid:
		Comments:
		Ad #: 714188

Please Return Upper Portion With Payment

10 Date	11 Newspaper Reference	12 13 14 Description-Other Comments/Charges	15 SAU Size 16 Billed Units	17 Times Run 18 Rate	19 Gross Amount	20 Net Amount
08/10/22	714188 LGFLA LGAFF	REZONING NOTICE NOTICE 08/10, 17 NCR LEGAL AFFIDAVIT	1.0X10.24 10.24	2 18.50 15.00	393.88	393.88

Paid  
Thank You!

**Statement of Account - Aging of Past Due Amounts**

21 Current Net Amount Due 0.00	22 30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23 Total Amount Due 393.88
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**NASSAU COUNTY RECORD**  
(904) 879-2727

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24 Invoice 714188		25 Billing Period 07/2022		Advertiser Information	
		6 Billed Account Number 29308	7 Advertiser/Client Number 29308	2 Advertiser/Client Name INDIVIDUAL/ LEGALS	

**NASSAU COUNTY RECORD**  
P.O. Box 609  
Callahan FL 32011

(904) 879-2727

Fax(904) 879-5155

Advertising Memo Bill

1  Memo Bill Period 09/2022		2  Advertiser/Client Name NC / P&Z / INDIVIDUAL/LGL	
23  Total Amount Due 393.88		*Unapplied Amount	3  Terms of Payment
21  Current Net Amount Due .00	22  30 Days .00	60 Days .00	Over 90 Days .00
4  Page Number 1	5  Memo Bill Date 09/01/22	6  Billed Account Number 29040 LEGAL.	7  Advertiser/Client Number 29040

8  Billed Account Name and Address NC / P&Z / INDIVIDUAL/LGL INDIVIDUAL PAY YULEE FL 32097		Amount Paid:  Comments:  Ad #: 723133
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Please Return Upper Portion With Payment

10  Date	11  Newspaper Reference	12 13 14  Description-Other Comments/Charges	15  SAU Size 16  Billed Units	17  Times Run 18  Rate	19  Gross Amount	20  Net Amount
09/07/22	723133 LGFLA	REZONING NOTICE R22-008 09/07,14 NCR PO#CHRISTINA EVANS LEGAL AFFIDAVIT	1.0X10.24 10.24	2 18.50	393.88	393.88
	LGAFF			15.00		

Paid  
Thank You!

**Statement of Account - Aging of Past Due Amounts**

21  Current Net Amount Due 0.00	22  30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23  Total Amount Due 393.88
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**NASSAU COUNTY RECORD**

(904) 879-2727

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice 723133	25  Billing Period 09/2022	Advertiser Information		
1  Billed Account Number 29040	6  Billed Account Number 29040	7  Advertiser/Client Number 29040	2  Advertiser/Client Name NC / P&Z / INDIVIDUAL/L	

MISCELLANEOUS PAYMENT RECPT#: 1952217  
BOARD OF COUNTY COMMISSIONERS  
76347 VETERANS WAY  
SUITE 1010  
YULEE, FL 32097

DATE: 06/28/22                    TIME: 15:38:07  
CLERK: 6235tbos                  DEPT: PLAN&ECONO  
CUSTOMER#: 0

COMMENT:

CHG: FEEZN    ZONING FEES (ZO            1248.00

AMOUNT PAID:            1248.00

PAID BY:  
PAYMENT METH: CHECK  
                  7443

REFERENCE:

AMT TENDERED:            1248.00  
AMT APPLIED:             1248.00  
CHANGE:                    .00

**NASSAU COUNTY RECORD**

P.O. Box 609  
Callahan FL 32011

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Fax(904) 879-5155

Advertising Memo Bill

1  Memo Bill Period 07/2022		2  Advertiser/Client Name INDIVIDUAL/ LEGALS	
23  Total Amount Due 389.82		*Unapplied Amount	3  Terms of Payment
21  Current Net Amount Due .00	22  30 Days .00	60 Days .00	Over 90 Days .00
4  Page Number 1	5  Memo Bill Date 07/28/22	6  Billed Account Number 29308 LEGAL.	7  Advertiser/Client Number 29308

8  Billed Account Name and Address INDIVIDUAL/ LEGALS NASSAU COUNTY FL	Amount Paid:  Comments:  Ad #: 714184
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Please Return Upper Portion With Payment

10  Date	11  Newspaper Reference	12 13 14  Description-Other Comments/Charges	15  SAU Size 16  Billed Units	17  Times Run 18  Rate	19  Gross Amount	20  Net Amount
08/10/22	714184 LGFLA	COMPREHENSIVE PLAN AMM CPA22-003 08/10, 17 NCR	1.0X10.13 10.13	2 18.50	389.82	389.82
	LGAFF	LEGAL AFFIDAVIT		15.00		

Paid  
Thank You!

**Statement of Account - Aging of Past Due Amounts**

21  Current Net Amount Due 0.00	22  30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23  Total Amount Due 389.82
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**NASSAU COUNTY RECORD**

(904) 879-2727

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice 714184		25  Billing Period 07/2022		Advertiser Information	
1	6  Billed Account Number 29308	7  Advertiser/Client Number 29308	2  Advertiser/Client Name INDIVIDUAL/ LEGALS		

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Callahan FL 32011  
(904) 879-2727  
Fax(904) 879-5155

**Advertising Memo Bill**

1  Memo Bill Period 09/2022		2  Advertiser/Client Name NC / P&Z / INDIVIDUAL/LGL	
23  Total Amount Due 407.20		*Unapplied Amount	3  Terms of Payment
21  Current Net Amount Due .00	22  30 Days .00	60 Days .00	Over 90 Days .00
4  Page Number 1	5  Memo Bill Date 09/01/22	6  Billed Account Number 29040	7  Advertiser/Client Number LEGAL. 29040

8  Billed Account Name and Address NC / P&Z / INDIVIDUAL/LGL INDIVIDUAL PAY YULEE FL 32097		Amount Paid:  Comments:  Ad #: 723143
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Please Return Upper Portion With Payment

10  Date	11  Newspaper Reference	12 13 14  Description-Other Comments/Charges	15  SAU Size 16  Billed Units	17  Times Run 18  Rate	19  Gross Amount	20  Net Amount
09/07/22	723143 LGFLA	NOTICE OF SMALL SCALE COMPREHENSIVE PLAN AME 09/07,14 NCR PO#CHRISTINA EVANS LEGAL AFFIDAVIT	1.0X10.60 10.60	2 18.50	407.20	407.20
	LGAFF			15.00		

Paid  
Thank you!

**Statement of Account - Aging of Past Due Amounts**

21  Current Net Amount Due	22  30 Days	60 Days	Over 90 Days	*Unapplied Amount	23  Total Amount Due
0.00	0.00	0.00	0.00		407.20

**NASSAU COUNTY RECORD**  
(904) 879-2727

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice	25  Billing Period	6  Billed Account Number	7  Advertiser/Client Number	2  Advertiser/Client Name
723143	09/2022	29040	29040	NC / P&Z / INDIVIDUAL/L

**From:** [Phyllis Lathrop](#)  
**To:** [Christina Evans](#)  
**Subject:** Letter  
**Date:** Thursday, September 08, 2022 3:59:40 PM

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September 8th, 2022

Re: STAFF REPORT  
Planning & Zoning Board  
R22-008  
August 30th, 2022

To: Christina Evans  
Board of County Commissioners  
County Manager  
County Attorney  
Thad Crowe

We built our new home in 1984 and at that time our property was zoned open rural. We received a permit in 1997 or 1998 to build an addition on our home and our property was zoned open rural. The Planning and Zoning Board issued a Final Order (see below) permitting a "mother in law dwelling" in which it references to our property being "open rural" on 8/3/1999.

Earlier this year, to our surprise, we were made aware that our property is zoned Commercial General. We met with Holly Coyle in April and shared our concern regarding the mistake of our property being zoned Commercial General. She spoke with the County Attorney and in an email on April 29th, 2022 stated:  
"I met with the County Attorney yesterday. Regardless of the additional information presented, the fact remains that the rezoning from Open Rural (OR) to Commercial General (CG) was adopted by ordinance to include a legal description that includes your property. The mechanism to change the zoning back to OR is a rezoning. All property owners can be included in one rezoning application."

We were also told that we would be required to pay the application fees and/or publication/advertising fees.

We appreciate the fact that the Planning and Zoning Board references to the Commercial General zoning being a mistake in their Staff Report, pages 1 & 2, R22-008, on 8/30/2022. We would ask that our property be rezoned to Open Rural AND all fees be refunded. We appreciate your review of this matter.

Thank you,  
Chris and Phyllis Lathrop  
451646 State Road 200  
Callahan, FL 32011

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>

BEFORE THE PLANNING & ZONING BOARD OF NASSAU COUNTY, FLORIDA

No. E-99-020

**FINAL ORDER**

WHEREAS, Christopher and Phyllis Lathrop, 1980 West State Road 200, Callahan, FL 32011, Owners of the real property described in this Order have applied to the Planning & Zoning Board for a Zoning Exception applicable to that property permitting a "mother-in-law dwelling" on property described in Section 2 of this Order in an Open Rural (OR) district, property location on the South side of S.R. 200 (A1A) between Police Lodge Road and White Oak subdivision, and;

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

WHEREAS, the Exception requested is consistent with the review criteria of Section 5.04(A-J) and the conditions of Section 28.14 of the Zoning Code; now, therefore

**BE IT ORDERED BY THE ZONING BOARD THAT**

**SECTION 1. Exception Granted Subject to Conditions.** The Owners of the real property described in Section 2 of this Order are permitted to establish a "mother-in-law dwelling" on property described in Section 2 of this Order and Zoning Exception for that purpose is hereby granted to the Open Rural (OR) district as defined and classified under the Nassau County Zoning Ordinance, with respect to such property; **subject, however, to the condition that the Exception shall terminate one (1) year from the effective date of this Order unless the exception is commenced within this one (1) year period and subject to additional Staff comments: that the Exception be granted to the applicant only and non-transferable.**

**SECTION 2. Owner and Description.** The land to which the Zoning Exception is granted by this Order is owned by Christopher & Phyllis Lathrop, 1980 West S.R. 200, Callahan FL 32011, and described as follows:

**"Section 05; Township 2N; Range 26; IN OR 434 PG 152, as recorded in the public records of Nassau County, Florida."**

**SECTION 3. Effective Date.** This Order shall become effective on the 3rd day of August 1999.  
Done this 3rd day of August 1999.

\_\_\_\_\_  
THOMAS FORD, CHAIRMAN  
Nassau County Planning & Zoning Board

ATTEST:

\_\_\_\_\_  
Connie Arthur, Secretary  
Nassau County Planning & Zoning Board

**From:** [Phyllis Lathrop](#)  
**To:** [Christina Evans](#)  
**Subject:** Letter/Yvonne Edwards  
**Date:** Thursday, September 08, 2022 3:59:52 PM

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September 8th, 2022

Re: STAFF REPORT  
Planning & Zoning Board  
R22-008  
August 30th, 2022

To: Christina Evans  
Board of County Commissioners  
County Manager  
County Attorney  
Thad Crowe

This year I learned that my property had been rezoned in 1986 to Commercial General without my knowledge. I had never been contacted in any way regarding this change.

I appreciate the fact that the Planning and Zoning Board references to the Commercial General zoning being a mistake in their Staff Report, pages 1 & 2, R22-008, on 8/30/2022. I am requesting that my property be rezoned from Commercial General to Open Rural. I would also request that the application fees and all publication/advertising fees be refunded.

Thank you,  
Yvonne Edwards  
451648 State Road 200  
Callahan, FL 32011