



February 20, 2024

NASSAU COUNTY PLANNING AND ZONING BOARD

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TAB C
FH23-007

Pickett
Family
Hardship

Request:
Consider a Family Hardship Development to
create one new 3.2-acre parcel for a family
member

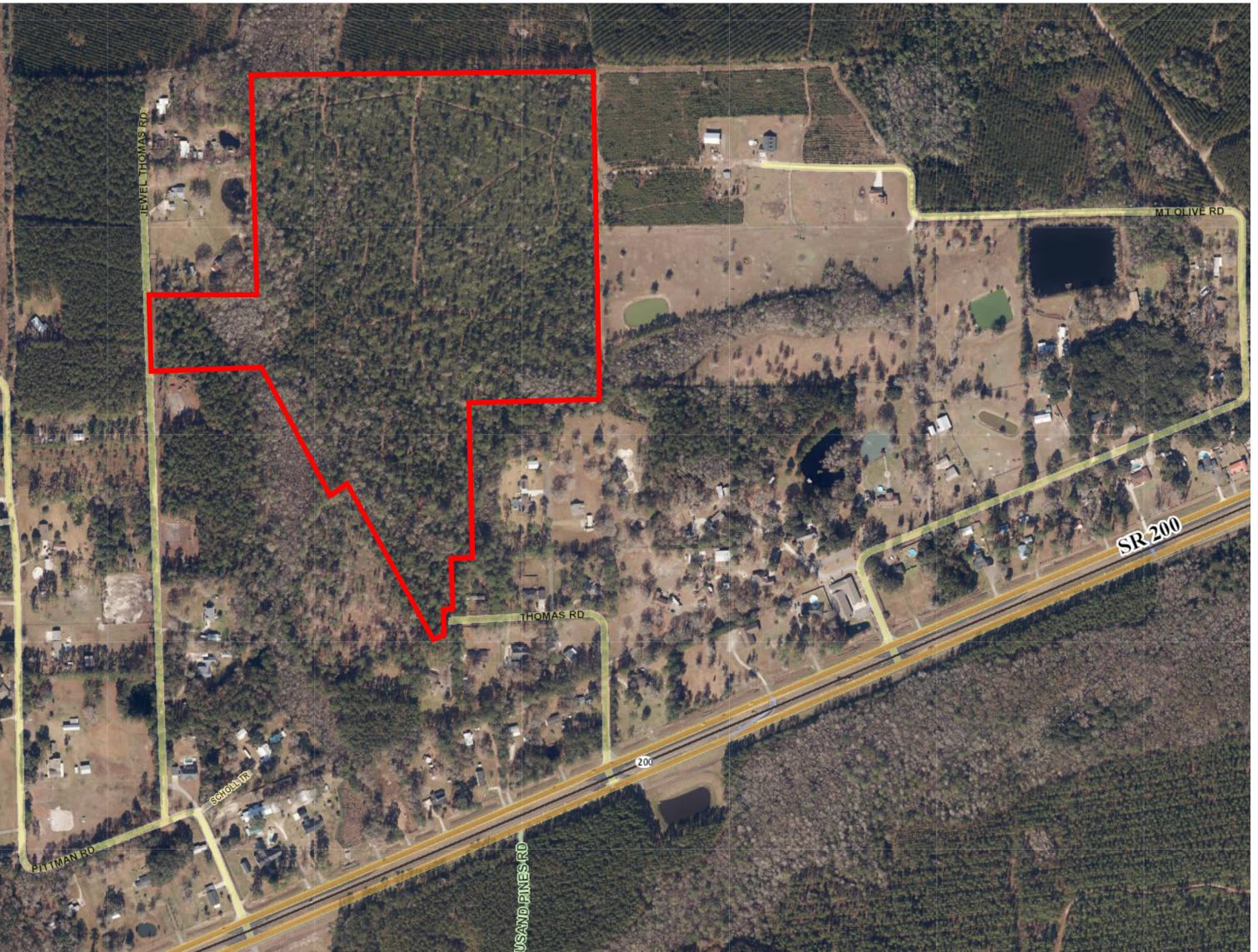
Applicant:
Sylvester Pickett Jr.

Location:
55224 Thomas Road, Callahan, FL 32011

Commission District 5

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Parent Parcel
57-acre Property on Thomas Road off State Road 200

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Zoning
Open Rural (OR)



Land Use
Medium Density
Residential (MDR)

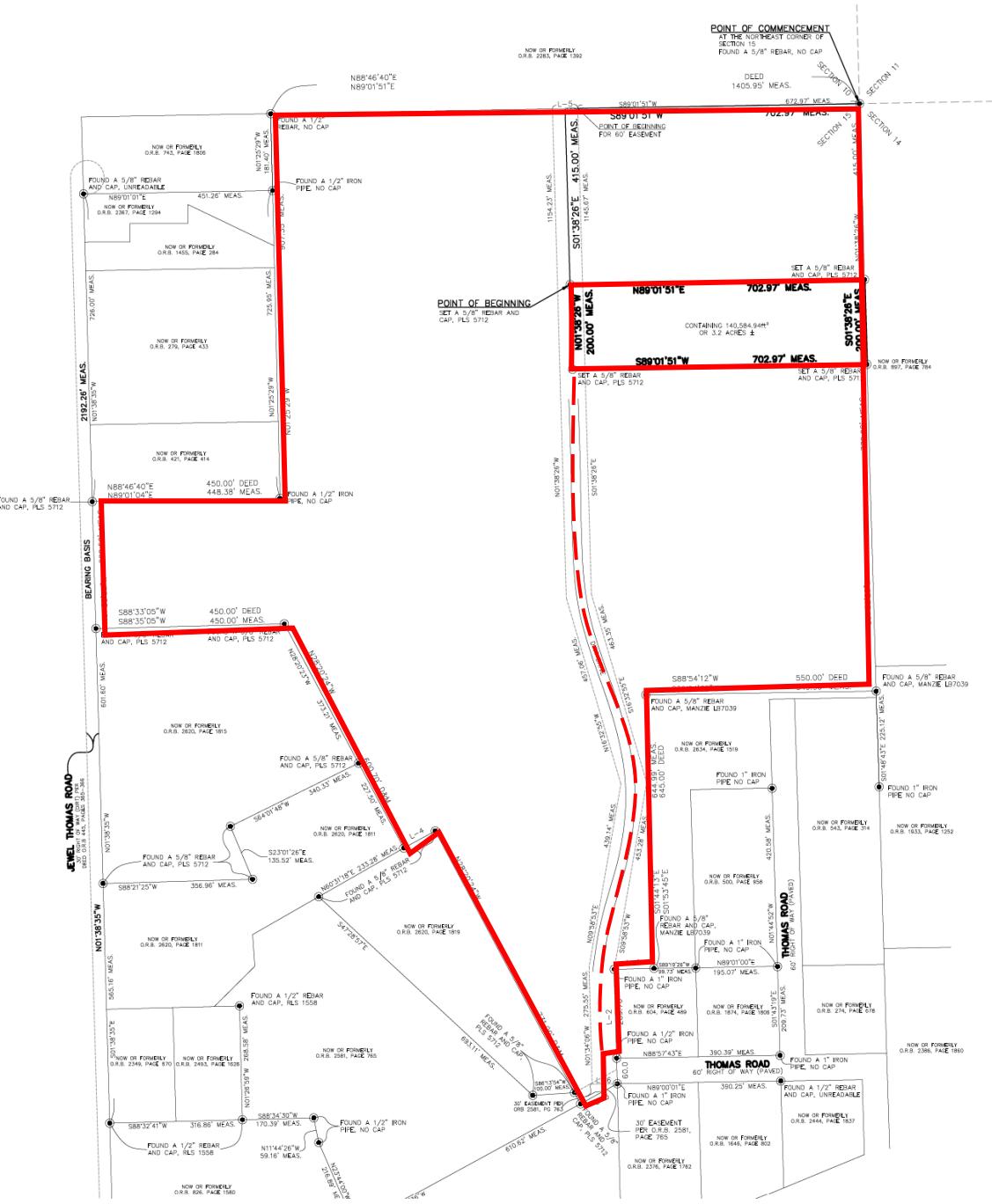
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Applicant is proposing to split one 3.2-acre parcel from their 57-acre parcel to transfer to a family member.

Access is provided by a 60-foot easement from Thomas Road

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Pursuant to LDC Article 32, a parent tract may be divided once without complying with subdivision regulations (paving, drainage, etc.). Any further division of a parent tract shall be deemed to be a subdivision and must comply with subdivision regulations.

However, pursuant to Code of Ord. Section 29-3(2), a petition for relief from family hardship - **a family hardship development** - may be filed by any person who feels the subdivision regulations, if complied with, would place upon them an undue burden on their ability to transfer land to family members.

Chapter 29, Section 29-3(2), Family Hardship Development Criteria for Consideration

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- 1) Lots meet regulations of Zoning District and Comprehensive Plan. *Property is zoned Open Rural (OR) requiring a minimum lot area of one (1) acre. Land use designation is MDR which allows for a density of up to three (3) dwelling units per acre. Both new parcels will meet the minimum area requirements of the zoning district and the density requirements of the Comprehensive Plan.*
- 2) Lots must have a minimum 60' access easement. *The parent parcel has access via Thomas Road. The proposed parcel will have access via a 60' easement for ingress, egress, and utilities.*
- 3) Deed of conveyance including required language must be executed and presented at building permit. *The deed for the proposed parcel meets requirements and will be submitted upon application for a building permit.*

Chapter 29, Section 29-3(2), Exemptions, Family Hardship Criteria for Consideration

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- 4) Person applying for hardship and each new property owner must sign hold harmless indemnification agreements with Nassau County.
Hold harmless agreements have been submitted for both parcels.
- 5) All lots must be transferred to an immediate family member pursuant to Comprehensive Plan Policy FL.01.02(A)(2).
The applicant is proposing to transfer the parcel to an immediate family member – his child.
- 6) Covenants must be prepared and recorded to include provisions that property is a family hardship development for conveyance to family members only and lots cannot be further subdivided.
Proposed covenants were included on the deed and meet code requirements. Covenants shall be recorded with the deed.

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Conclusion and Recommendation

The request is consistent with Nassau County
Codes of Ordinances:

- Chapter 29, Section 29-3(2), Family Hardship
- LDC Article 22, Open Rural Zoning District
- Comprehensive Plan Policy FL.01.02(B) MDR
Land Use

Based on these findings, staff recommends
APPROVAL application FH23-007.