



APPLICATION FOR REZONING

Official Use Only

Zoning District: _____
FLUM Designation: IVED
Commission District: _____
Application #: 9/24/17
Date Filed: 10/5/18 4:48

NASSAU COUNTY
PLANNING DEPARTMENT

37 2N 28 20 9T 0143 0000

Parcel Identification Number (18 digit number)

See attached parcel numbers

Driving Instructions: Take left onto SR 200/A1A just past
Marsh Lake subdivision - turn right onto
TUSCANY WAY.

1. Legal Description: Lot _____ Block _____ Subdivision TUSCANY AT
Plat Book 1398 Page 1500 MARSH LAKES CONDO
(Please attach a legal description if not located in a subdivision)

2. Location: On the East side of SR 200
(north, south, east, west) (street)
between Marsh Lakes Drive and TUSCANY WAY
(street) (street)
Nearest identifiable landmark (for example: Walmart or I-95) Marsh Lakes

3. Name and Address of the Owner as shown in the public records of Nassau County:

TUSCANY PRESERVE, LLC
665 SIMMONDS RD
WILIAMSTOWN, MA 01267

Name and Address of the Applicant / Authorized Agent:

Gillette iAssociates, Inc.
20 South 4th Street
Fernandina Beach, FL 32034

(PLEASE NOTE: If applicant is not the owner, this application must be accompanied by completed Owner's Authorization for Agent form.)

4. Current Zoning District:

PUD

5. Proposed Zoning District:

PUD

6. Future Land Use Map Designation:

Med Density

7. Acreage:

17.0

8. Property Use (list any improvements on the site or uses):

undeveloped lots and abandoned clubhouse

9. Rezoning Review Criteria:

(Please attach a response to the following as Exhibit "A" [using 8½" x 11" size paper] with the answers typed or printed legibly and identifying the question on the application.)

- a. Explain how the proposed change relates to the established land use pattern.
- b. Identify isolated district(s) that would be created by the proposed change.
- c. Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.
- d. Describe the existing and proposed conditions for the subject property and surrounding properties.
- e. Identify Comprehensive Plan policies that support the proposed change, especially long range land use plans.
- f. Explain how changed or changing conditions make the approval of this proposed rezoning desirable.
- g. Explain how the proposed change will not adversely affect living conditions in the adjacent neighborhoods.
- h. State that the proposed change will comply with all Federal, State and local drainage requirements.
- i. Explain how the proposed change will encourage the improvement or development of adjacent property in accordance with existing regulations.
- j. Explain why the property cannot be used with existing zoning.
- k. Describe the scale of the proposed project according to the needs of the neighborhood and the needs of Nassau County.
- l. Are there other sites in this general location with similar zoning?

10. Supporting data to be considered by the Planning and Zoning Board:

- N/A Environmental Assessment including wetlands, threatened or endangered species, tree canopy and other significant environmental features. ~~(Exhibit "B")~~
____ Any additional data Exhibit "B"

For Planned Unit Developments Only:

- ✓ Preliminary Development Plan (Exhibit "C")
✓ Project Description (Exhibit "D")

11. Has an application for Rezoning for any portion of the subject property been submitted to Nassau County within the last twelve months? NO

12. Is the subject property subject to a recorded Declaration of Covenants and Restrictions? If yes, please provide the association name and O.R. book and page number. BK 4398 PG 1500

In filing this application for a Rezoning, the undersigned understands it becomes a part of the official records of the Planning and Zoning Board and does hereby certify that all information contained herein is true to the best of his/her knowledge.

Signature of Owner: see attached
Signature of Applicant: _____
(if different than Owner)
Signature of Agent: [Signature]
(if different than Owner)
Owner's mailing address: 665 Simmonds Rd
Williamstown, MA 01267
Telephone: 904-261-5819 - Agent
Email: asa@gilletteassociates.com

NOTE: If prepared or signed by an agent, a notarized Owner's Authorization for Agent form must be provided.

Newspaper for legal advertisement (OFFICIAL USE ONLY):

Fernandina Beach News Leader: ✓

Nassau County Record _____

CONSENT FOR INSPECTION

I, ASA R. Gillette, the owner or authorized agent for the owner of the premises located at _____ do hereby consent to the inspection of said premises and the posting of public notice by an employee of the Department of Planning & Economic Opportunity, Nassau County, Florida, in conjunction with application _____, without further notice.


Dated this 21 day of September, 2017.


Signature of Owner or Authorized Agent

904-261-8819
Telephone Number

STATE OF FLORIDA:
COUNTY OF NASSAU:

The foregoing instrument was acknowledged before me the 21 day of September, 2017, by ASA R Gillette who is personally known to me or who has produced _____ as identification.


Notary Public Signature
Tricia D Bowen
Name (typed or printed)

(Seal)



OWNER'S AUTHORIZATION FOR AGENT

GILLETTE AND ASSOC. is hereby authorized TO ACT ON BEHALF OF
EMMON'S DEVELOPMENT, the owner(s) of those lands described within the attached
application, and as described in the attached deed or other such proof of ownership as may be required, in applying
to Nassau County, Florida, for an application pursuant to a:

☒ Rezoning/Modification
☐ Variance
☐ Plat

☐ Conditional Use
☐ Preliminary Binding Site Plan

BY:

Michael T. Emmons
Signature of Owner

EMMON'S DEVELOPMENT
Print Name

Signature of Owner

Michael T. Emmons

Print Name

941-545-0719

Telephone Number

State of Florida
County of Sarasota

Signed and sworn before me on this 20 day of Sept, 2017.
By Malissa LB Bevan

Identification verified: ✓
Oath sworn: Yes No

Malissa LB Stafford
Notary Signature

My Commission expires: 3-29-19

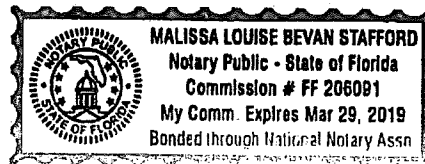




EXHIBIT A

A. Explain how the proposed change reflects to the established land use pattern.

This modification will not affect the type of uses previously approved. The proposed modifications will not conflict with established land use patterns.

B. Identify isolated district(s) that would be created by proposed change.

No isolated districts will be created by this modification.

C. Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.

The proposed modification will not impact any public facilities and will utilize existing utilities and roadways.

D. Describe the existing and proposed conditions for the subject property and surrounding properties.

The land is currently vacant with an existing clubhouse to be removed and was previously approved for multi-family. The proposed use is to be 11 duplexes and is compatible with Marsh Lakes and Piney Island, adjacent subdivisions.

E. Identify Comprehensive Plan policies that support proposed change, especially long range land use plans.

Changes being requested will not increase density or intensity of development proposed in the existing PUD which is in compliance with County regulations.

F. Explain how changed or changing conditions make the approval of the proposed rezoning desirable.

The proposed conditions will actually reduce density from what was previously approved for this parcel.

G. Explain how the proposed change will not adversely influence living conditions in immediately adjacent neighborhoods.

The proposed modifications and development of the vacant/abandoned parcels will be a positive improvement to surrounding area.

H. Explain how the proposed change will comply with all Federal, State, and Local drainage requirements.

The proposed development will meet all drainage requirements by the Nassau County Roadway and Drainage Standards and the SJRWMD. The proposed modification should not create drainage problems.

I. Explain how the proposed change will encourage the improvement or development of adjacent property in accordance with existing regulation.

The proposed changes to the Preliminary Development Plan and PUD conditions will not create a negative impact and therefore not be a deterrent to the improvement of surrounding properties.

J. Explain why the property cannot be used with existing zoning.

Applicant wishes to make a modification to the existing PUD.

K. Describe the scale of the proposed project with the needs of neighborhood and the needs to Nassau County.

The proposed modification is minor and will more likely to increase property values with this site being developed.

L. Are there other sites in this general location with similar zoning?

Yes. An example is Marsh Lakes (remaining PUD).



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EXHIBIT B

SURVEY

EXHIBIT "C"

PUD Conditions for Marsh Lakes PUD

(tract previously known as the "Restaurant Site")

1. Permitted Uses and Structures: ~~Up to thirty six (36) Multi Family Dwellings and up to 15,000 11,000 square feet of commercial and retail, professional office, public meeting rooms, service establishments such as barber, hair salon, music studio, gym, dry cleaner, coffee and wine shop, travel agency, dental and medical facilities, and uses similar to the CN, Commercial Neighborhood, zoning district.~~ 11 duplexes (22 single family dwellings)
2. Permitted Accessory Uses and Structures: Article 28, Section 28.15 of the Nassau County Zoning Code. Additionally, uses may include marine facilities, including docks and piers, club facilities, pools, pump/equipment rooms and bathroom facilities, cabanas and similar uses provided such uses will be used primarily by the residents and occupants of the development.
3. Minimum Lot Requirements:
 - Residential: Maximum ~~three (3)~~ twelve (12) buildings as shown on Preliminary Development Plan
 - a. Front Yard: ~~Twenty five (25)~~ ~~Thirty (30) feet~~ Twenty-five (25) feet
 - b. Side Yard: ~~Twenty five (25)~~ ~~Thirty (30) feet~~ Zero (0) feet
 - c. Rear Yard: Twenty-five (25) feet
 - ~~Commercial/Office~~
 - a. Front Yard: ~~Twenty five (25) feet~~
 - b. Side Yard: ~~Twenty five (25) feet~~
 - c. Rear Yard: ~~Twenty five (25) feet~~
4. Building Restrictions:
 - a. Maximum Residential Building Height: ~~Forty-five (45) Forty(40) feet as measured from the crown of eastbound A1A (in no event shall the height exceed 45' from the site's base elevation)~~ Forty-five (45) feet
 - b. ~~Maximum Commercial/Office Height: Twenty (20) feet~~
 - c. b. Maximum Lot Coverage: ~~Thirty five (35)~~ Forty-five (45) percent
5. Access: The primary access is a boulevard entrance to the site to be finalized by the Florida Department of Transportation. A second access will be designed for emergency and select use subject to review of the Florida Department of Transportation. The proposed secondary access point shall be reviewed for a necessity during the Final Development Plan review by the Department of Emergency Services Fire/Rescue. There will be a fifty (50) foot radius designed turn around for emergency vehicles.

6. Phasing: The project will be phased to meet marketing and economic demands for the entire project. It is proposed for two phases:

Phase I:

Residential: 3 buildings, 12 units per building, total 36 units

Commercial: 1 building, not to exceed 5,000 square feet

Phase II:

Commercial: Up to 2 building not to exceed 10,000 square feet with total square footage of all buildings not to exceed 11,000 square feet

7. Stormwater and Drainage: All storm water pond and facilities shall be constructed to St. Johns River Water Management District configuration standards and shall be deeded to the homeowner's association which will have responsibility for maintenance and insurance.
8. Wetland Buffers: Wetland areas will have a minimum ~~twenty-five (25)~~ fifteen (15) foot and an average of a minimum setback buffer of ~~fifty (50)~~ twenty-five (25) feet. ~~Accessary structures, storm water facilities, landscaping and signage may be located in the setback buffers. No development other than a 20' foot pedestrian access path shall be permitted within any of the required wetland buffer areas.~~ All wetland impacts will be in accordance with SJRWMD and COE regulations with permits obtained accordingly.
9. Signage: There will be one (1) entry sign and entry features. The entry features may include landscape and wall and berm features. No signs at the entry will be illuminated. There will be internal signage and directional signs for both the residential buildings and on the commercial/office structures. There will be a master sign program for the entire development. All signage will comply with the A1A Overlay master plan.
10. Landscape: Landscaping for the entire project will meet or exceed the landscape requirement of the Code. There may be accent lighting for the landscaping. All landscaping will comply with the A1A Overlay.
11. Parking: Parking for the development, including handicap requirements, will be per Code.
12. Covenants and Deed Restrictions: Covenants and Deed Restrictions will be developed to assign responsibilities and regulatory controls for the entire development. The covenants and restrictions will be reviewed by the ~~Growth Management Department~~ Nassau County Planning & Economic Opportunity Department and will be recorded prior to Development.
13. Fire Protection: All buildings will be sprinkled have and fire hydrants as required and will be designed to comply with Fire Rescue requirements.

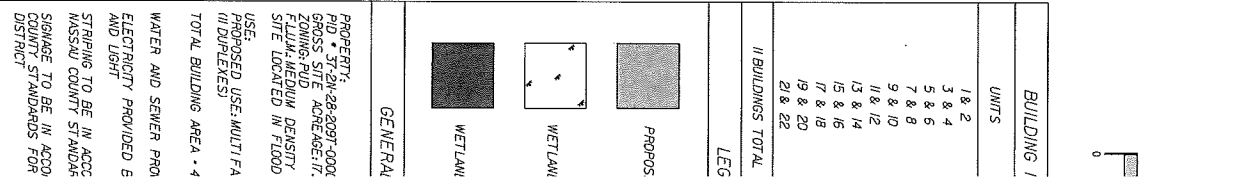
14. Architectural Review: The project will have an architectural and landscape review for any development.
15. Sidewalks and Lighting: The project will have a themed lighting and master signage program and will have a master sidewalk plan. Pedestrian access will be provided throughout the site and connectivity with adjoining properties within the PUD will be provided, subject to a determination of appropriateness by the Growth Management Department, Nassau County Planning & Economic Opportunity Department.
16. The application shall produce documentation of review by the City of Fernandina Beach to ensure there no adverse impact posed by this development on airport operations.



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EXHIBIT D

11 - duplexes (22 units) will be constructed within the Marsh Lakes PUD (known as Tuscany at Marsh Lakes Condo). Site currently has an abandoned clubhouse and vacant lots.



BUILDING 1
UNITS

11 BUILDINGS TOTAL
LEG

GENERAL

PROPERTY, PLOT # 27.82-28-2097-0001, ZONING DISTRICT ACRES:46.17, GRASSY, PUD FILL, MEDIUM DENSITY SITE LOCATED IN FLOOD USE, PROPOSED USE: MULTI F.A (3 DUPLEXES)
TOTAL BUILDING AREA = 4 WATER AND SEWER PROVIDED, ELECTRICITY PROVIDED AND LIGHT STRIPING TO BE IN ACC MASSACHUSETTS COUNTY STANDARDS TO BE IN ACCO, COUNTY STANDARDS FOR DISTRICT

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Smith & Associates, Inc.
80 South 4th Street
Fernandina Beach, FL 32034

Certificate of Authorization No. 9332

DO NOT SCALE THIS DRAWING - DIMENSIONS AND NOTES TAKE
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G & A[®]
GILLETTE & ASSOCIATES, INC.
20 SOUTH 4TH STREET
FERRANDINA BEACH, FL 32034
PHONE: (904) 261-8819

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