

POWERPOINT PRESENTATION

APRIL 26, 2018

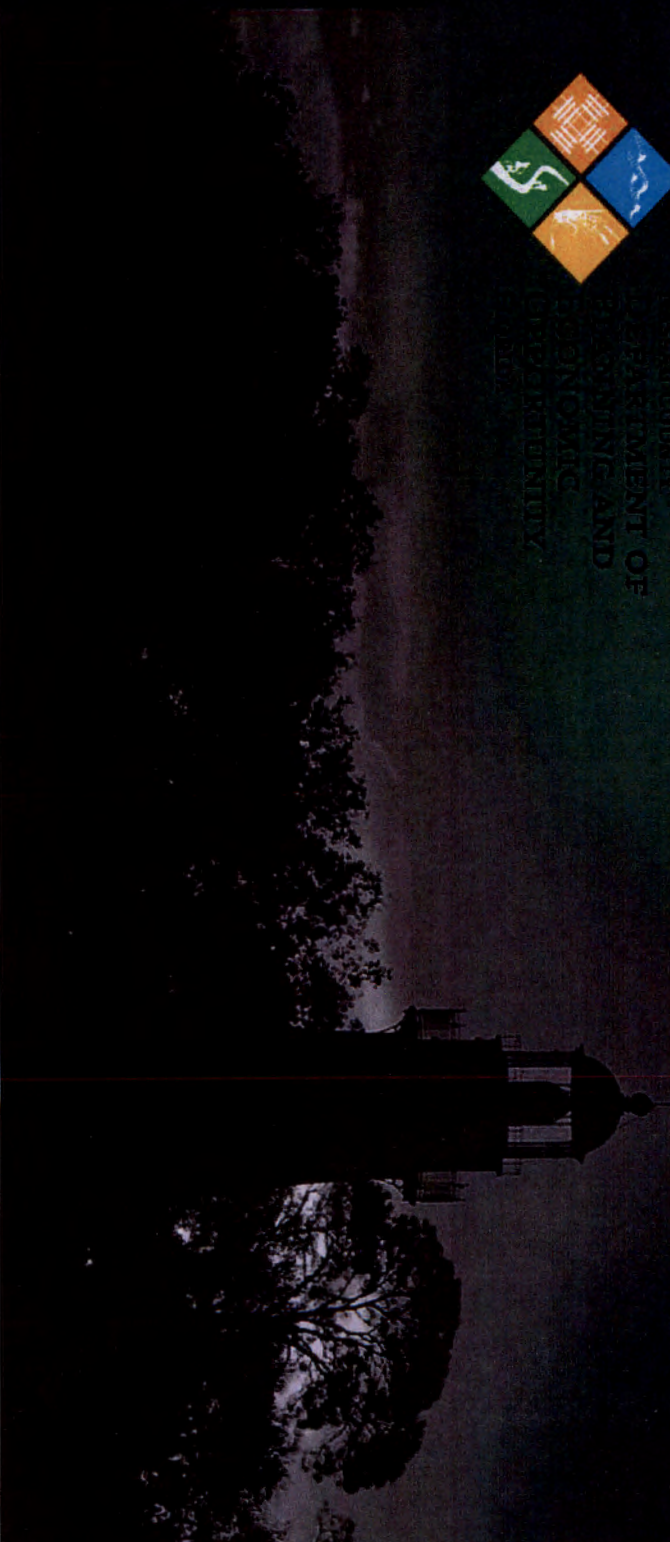
Nassau County, FL

Conditional Use & Variance Board

4/26/2018



FLORIDA GOVERNMENT
DEPARTMENT OF
PLANNING AND
ECONOMIC
DEVELOPMENT
NASSAU COUNTY
FLORIDA

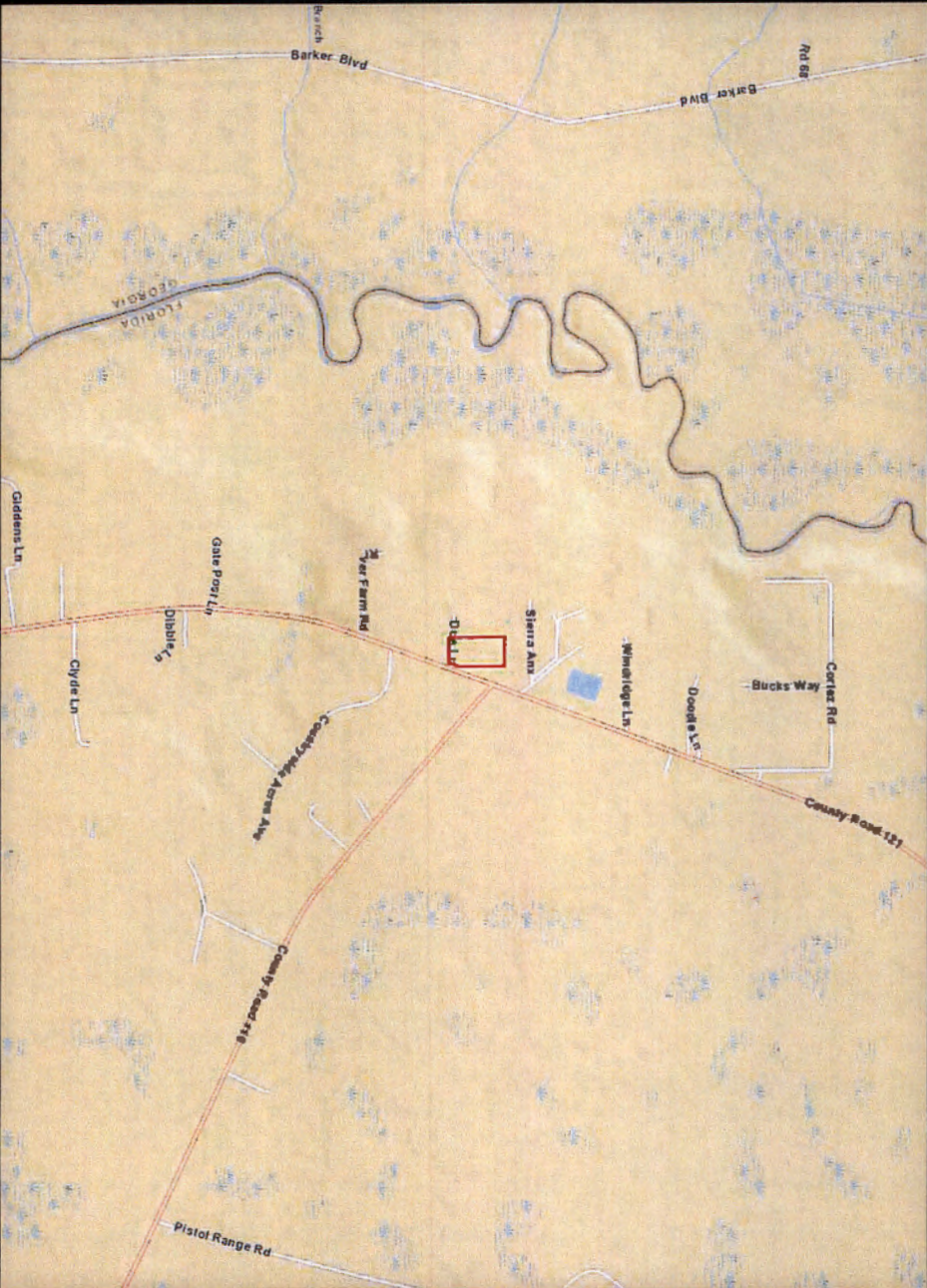


TAB - B

E18-001 – Joan Earrey

Request: The Applicant is seeking a conditional use permit pursuant to Section 28.14(J) of the Nassau County Land Development Code to allow for a mother-in-law dwelling unit in the Open Rural (OR) zoning district.

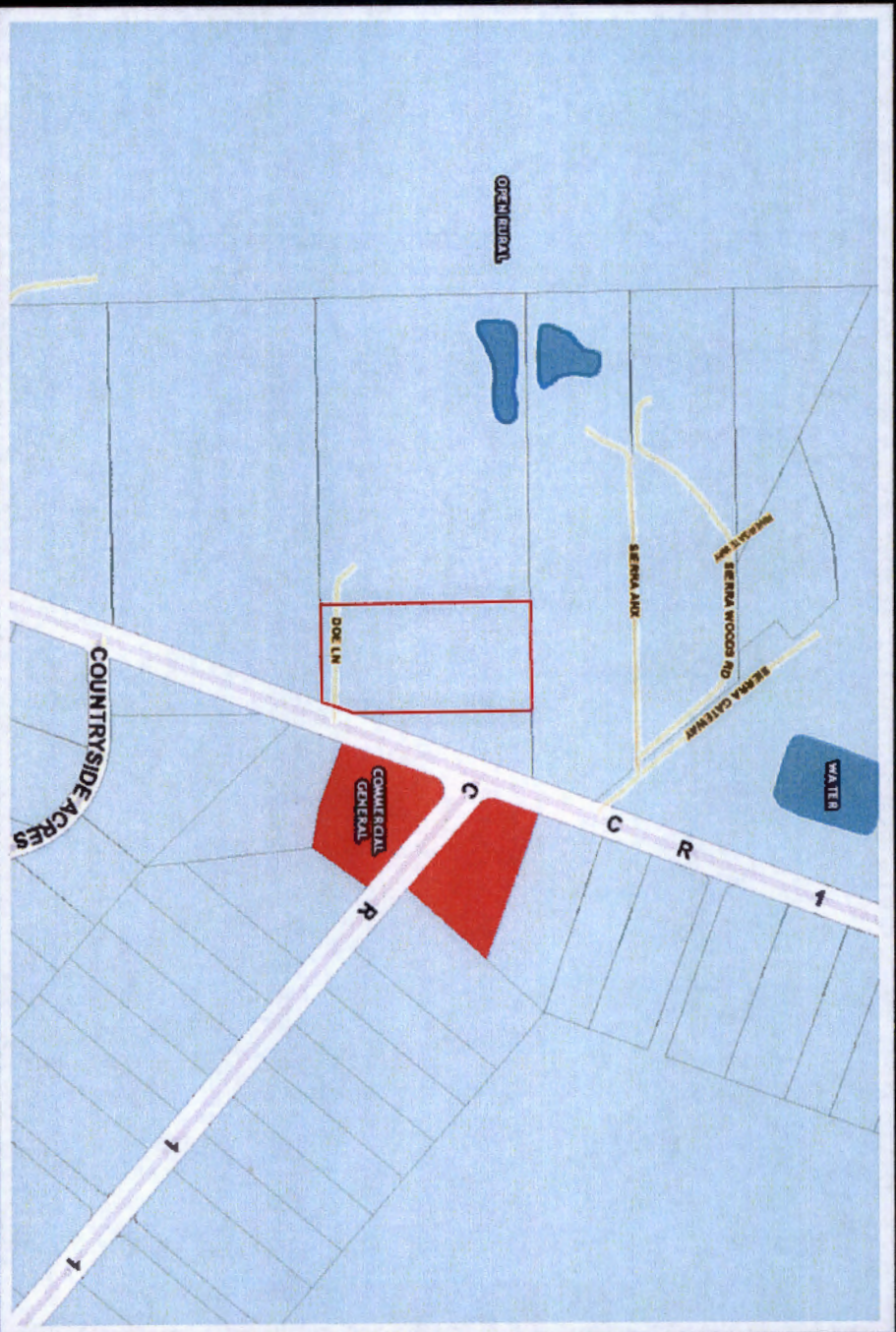
Subject Property Location



Subject Property Location



Subject Property Zoning District



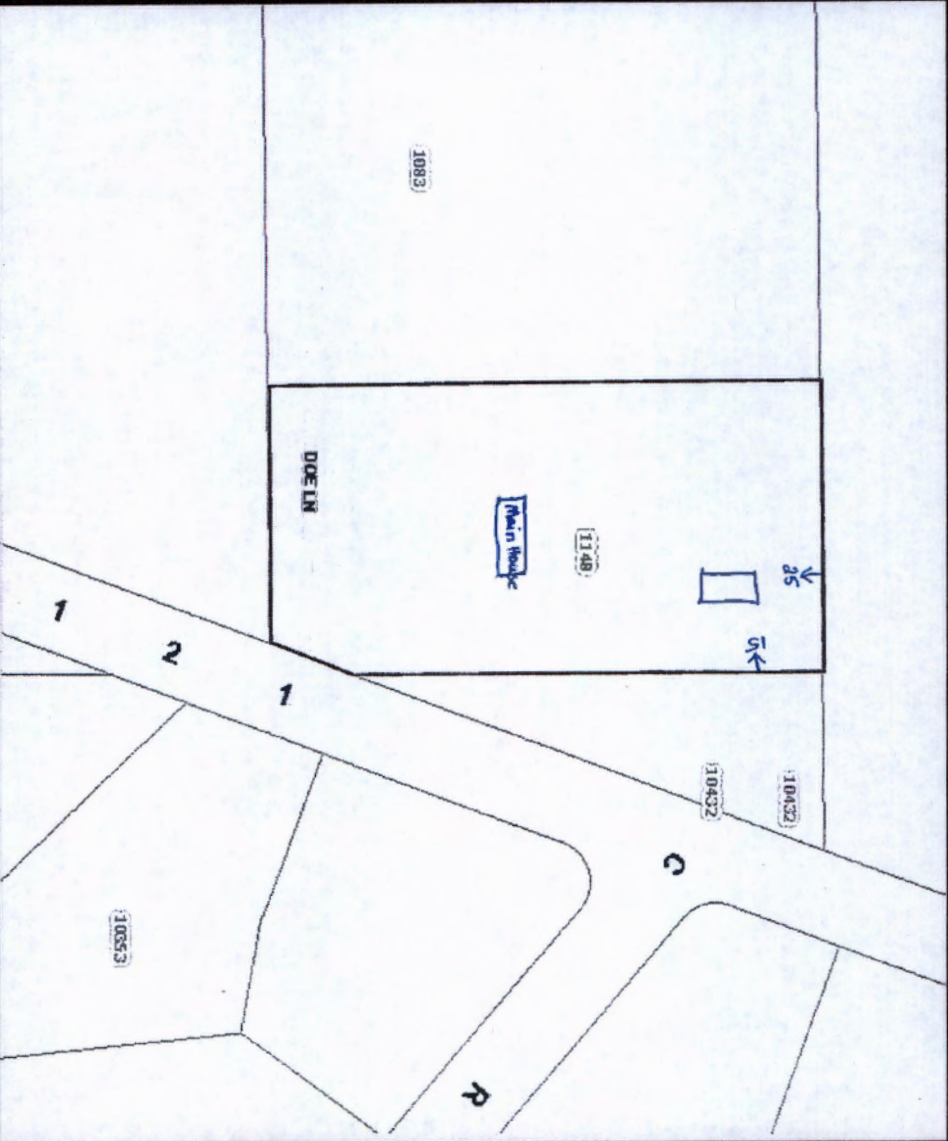
Open Rural (OR)

Subject Property Future Land Use



Agricultural (AGR)

Site Plan



Nassau County Land Development Code

Section 28.14. – Supplementary regulations for certain conditional uses.

(j) Mother-in-law dwelling: A dwelling located on a lot or parcel of land, together with the principal use structure, for the care of aged, infirm or impecunious parent(s). In the case of a medical hardship, a medical certification shall be required with the application. All yard requirements, lot size requirements, height and lot coverage requirements shall apply for the appropriate district unless otherwise waived by the planning and zoning board.

Staff Findings

- ▶ Staff finds the evidence provided by the applicant is **sufficient with conditions** to demonstrate that E18-001 is consistent with the review criteria defined in Section 5.04 of the Nassau County Land Development Code to allow for a mother-in-law dwelling unit in the Open Rural (OR) zoning district.

Conditions: E18-001 Joan Earrey

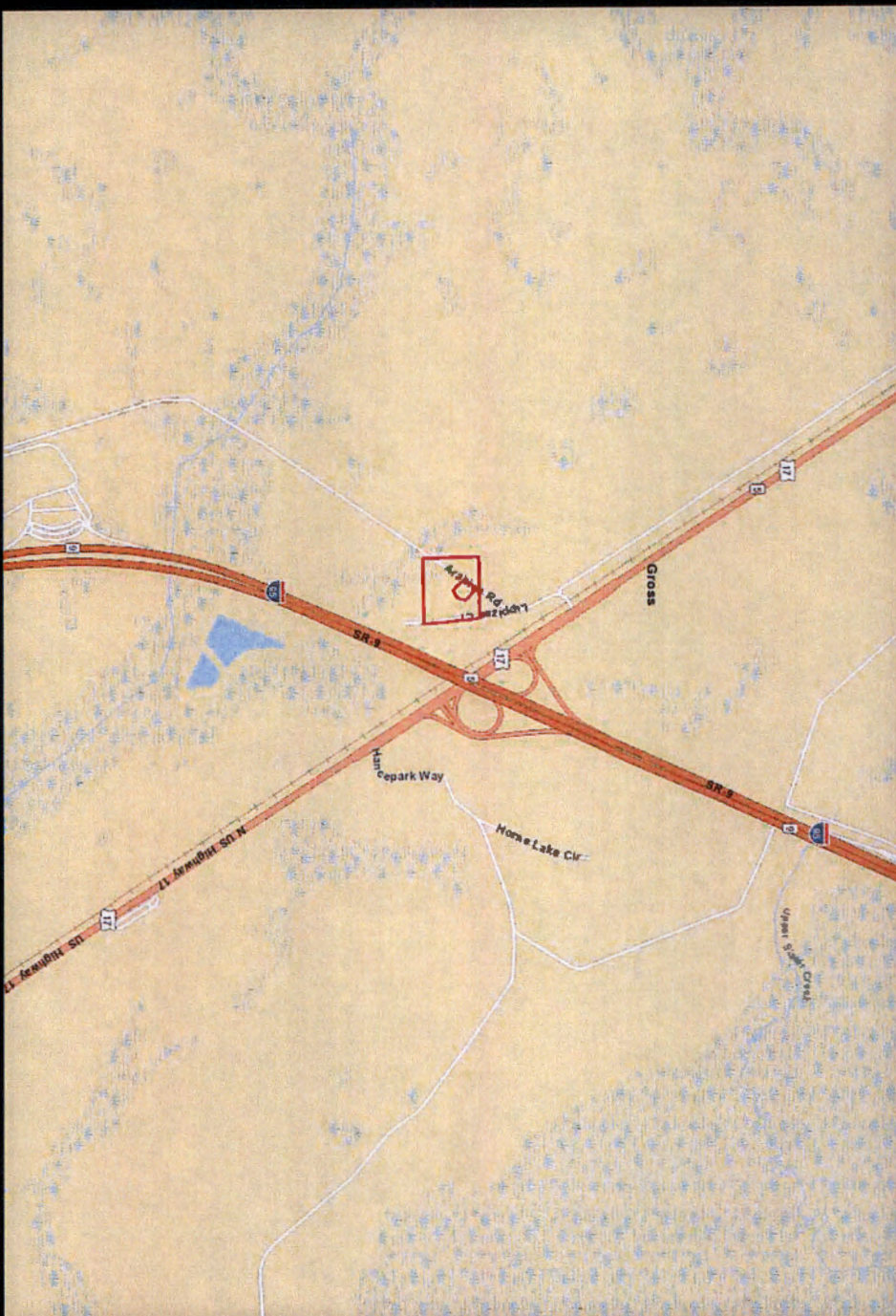
1. When the caretakers no longer reside within the subject structure, the structure shall be removed.
2. The order shall be rendered void if the applicant fails to obtain a Building Permit for the proposed new home within 24 months of the execution of this order.

TAB - C

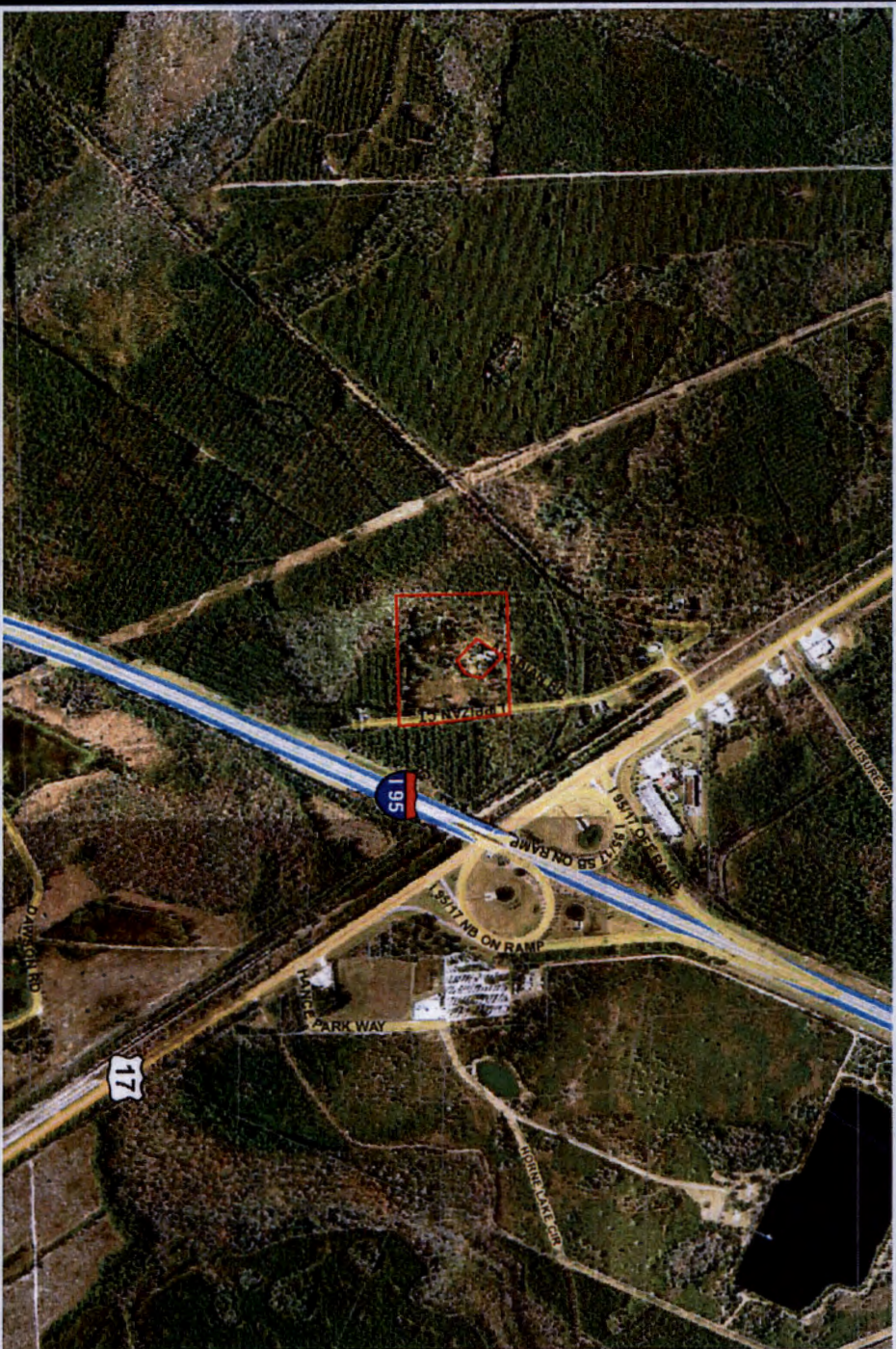
E18-002 – Ryan Kight

Request: The applicant is seeking a conditional use permit pursuant to Section 22.03(N) of the Nassau County Land Development Code to allow for an alligator and wild game processing facility in the Open Rural (OR) zoning district.

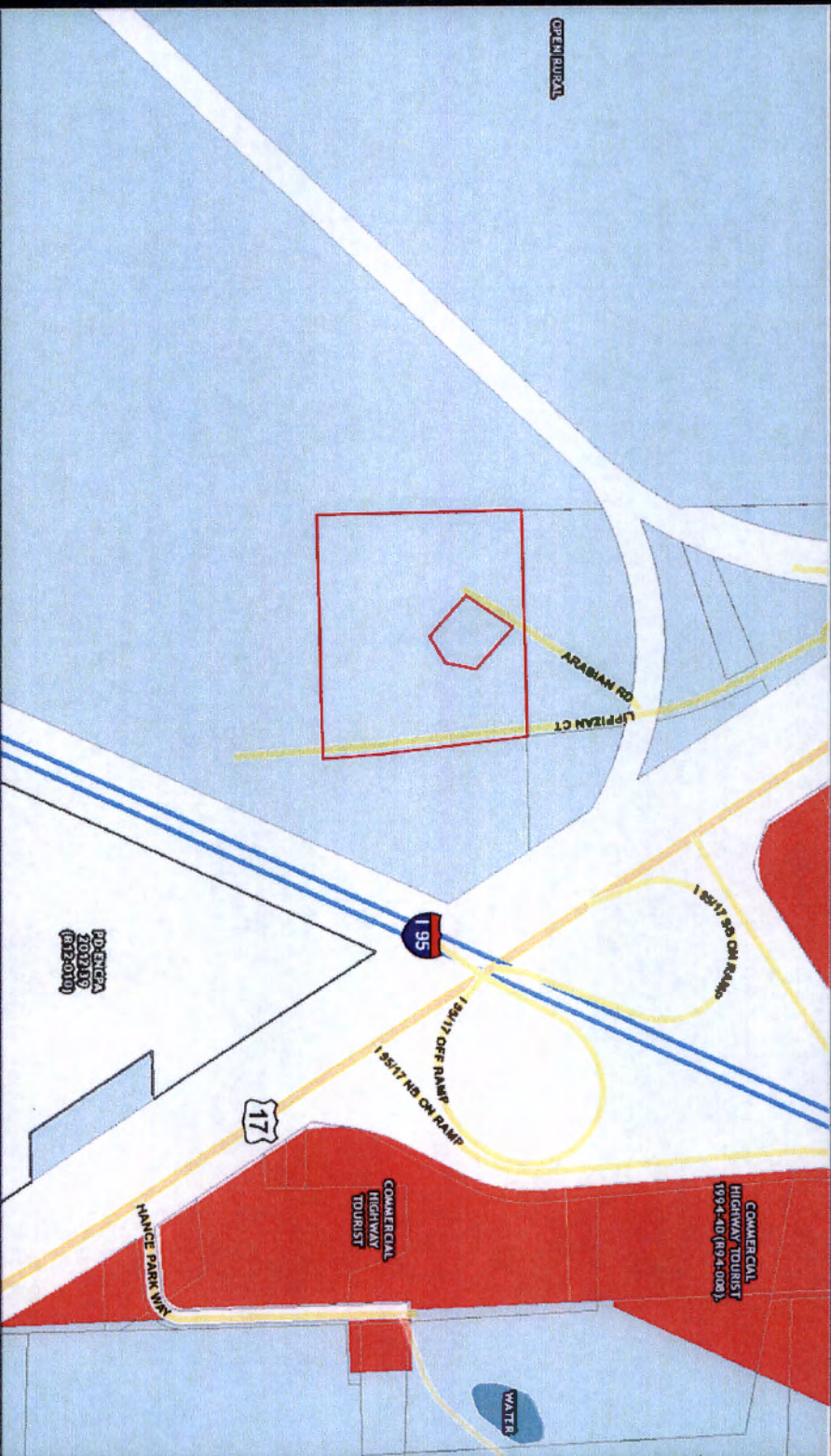
Subject Property Location



Subject Property Location

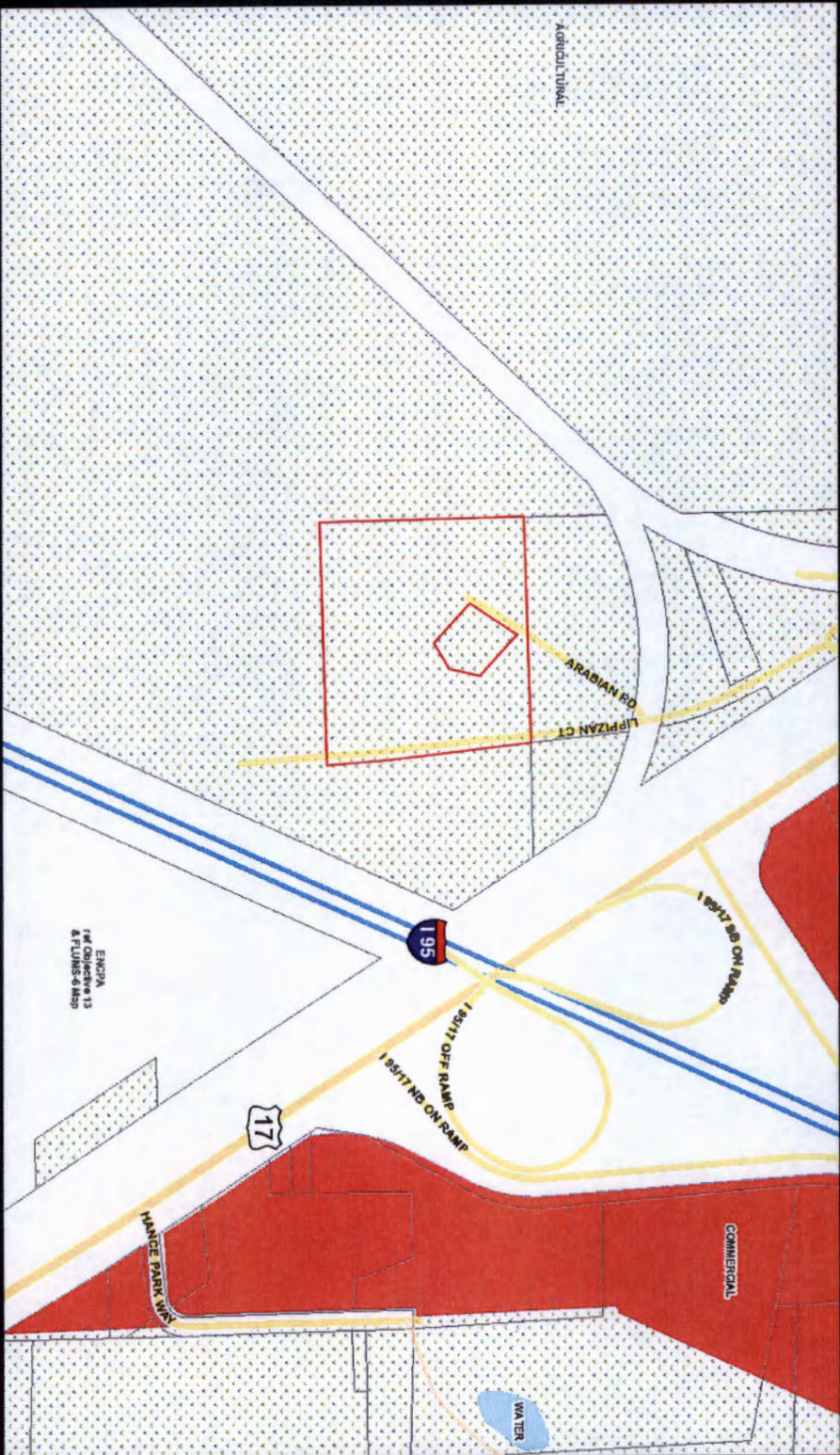


Subject Property Zoning District

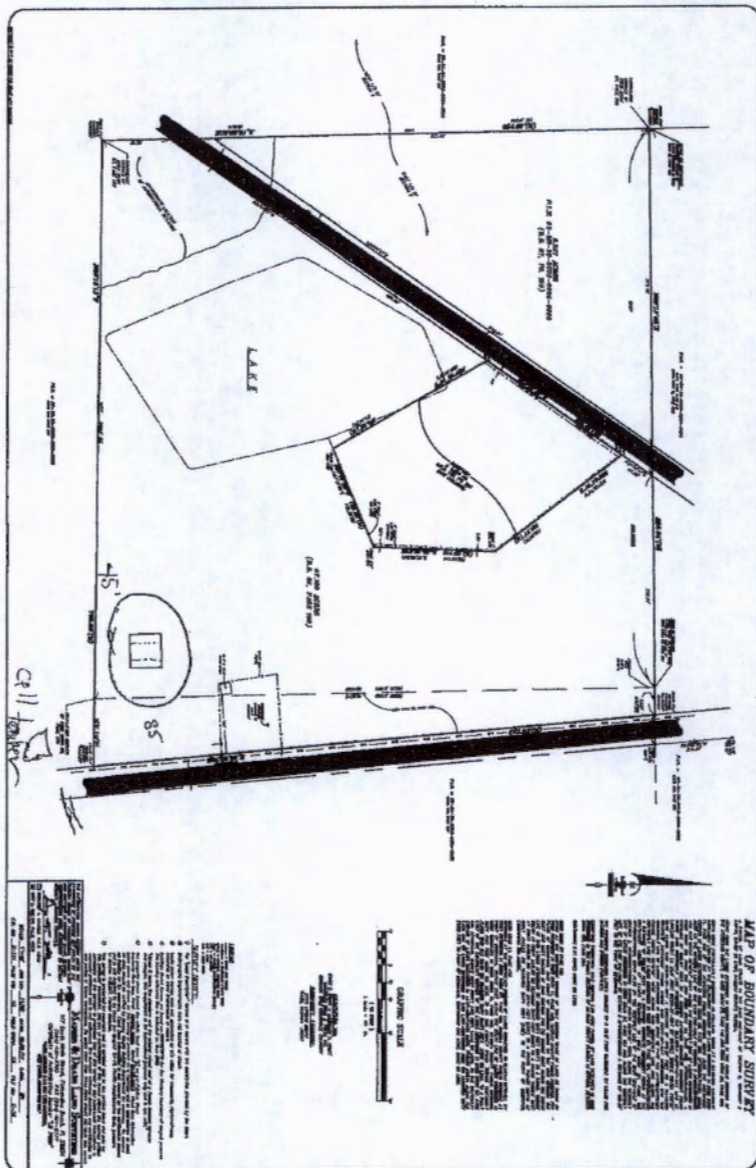


Open Rural (OR)

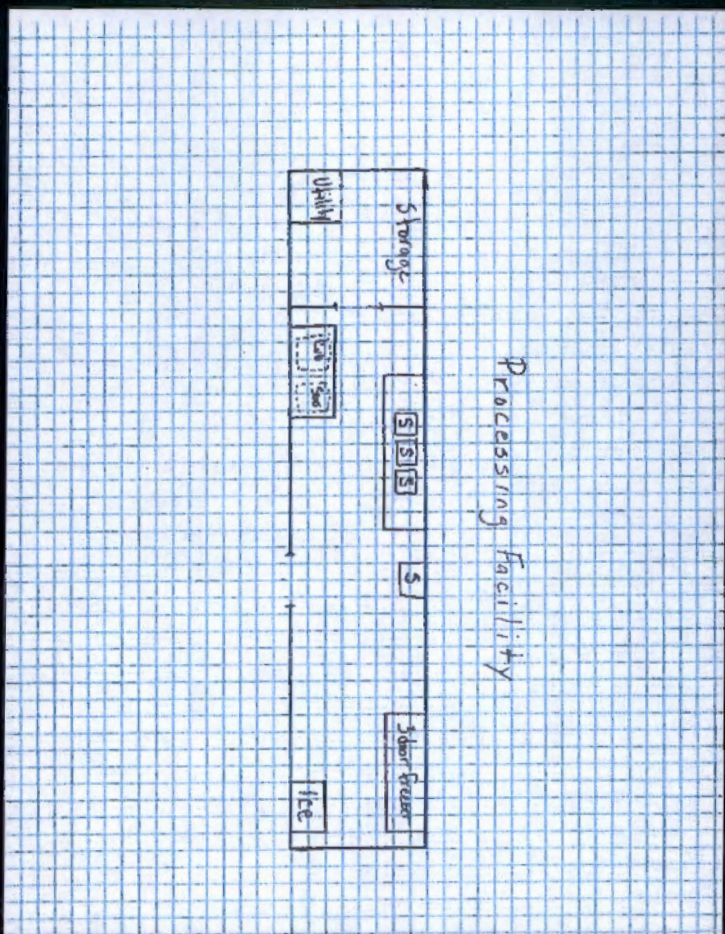
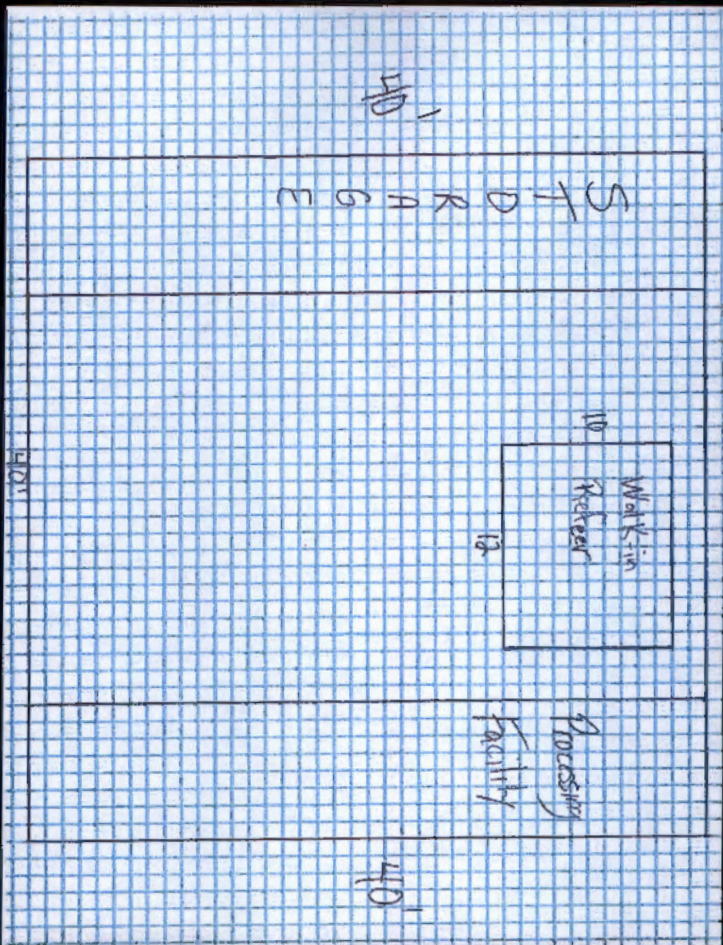
Subject Property Future Land Use



Agricultural (AGR)



Floor Plans



Nassau County Land Development Code

Section 22.03. – Conditional Uses.

(N) Poultry and animal slaughtering and dressing facility, livestock auction facility.

Staff Findings

- ▶ Staff finds the evidence provided by the applicant is **sufficient with conditions** to demonstrate that E18-002 is consistent with the review criteria defined in Section 5.04 of the Nassau County Land Development Code to allow for an alligator and wild game processing facility in the Open Rural (OR) zoning district.

Conditions: E18-002 Ryan Kight

1. The conditional use shall run with the applicant and shall not be transferable.
2. The order shall be rendered void if the applicant fails to obtain a Building Permit for the proposed structure within 12 months of the execution of this order.
3. The proposed shipping container shall not be used for human or animal habitation pursuant to Section 28.14(J)(6)(b) of the LDC.
4. The proposed shipping container must comply with all requirements in Section 28.15(J) of the LDC and receive required Building Permits.
5. Signage shall be limited to one on-site sign and must comply with Section 30.04 of the LDC.
6. All outdoor storage must be screened by a wall, fence or other means of a physical barrier.

TAB - D

E18-003 – Patricia Smith

Request: The applicant is seeking a conditional use permit pursuant to Section 28.14(J) of the Nassau County Land Development Code to allow for a mother-in-law dwelling unit in the Open Rural (OR) zoning district.

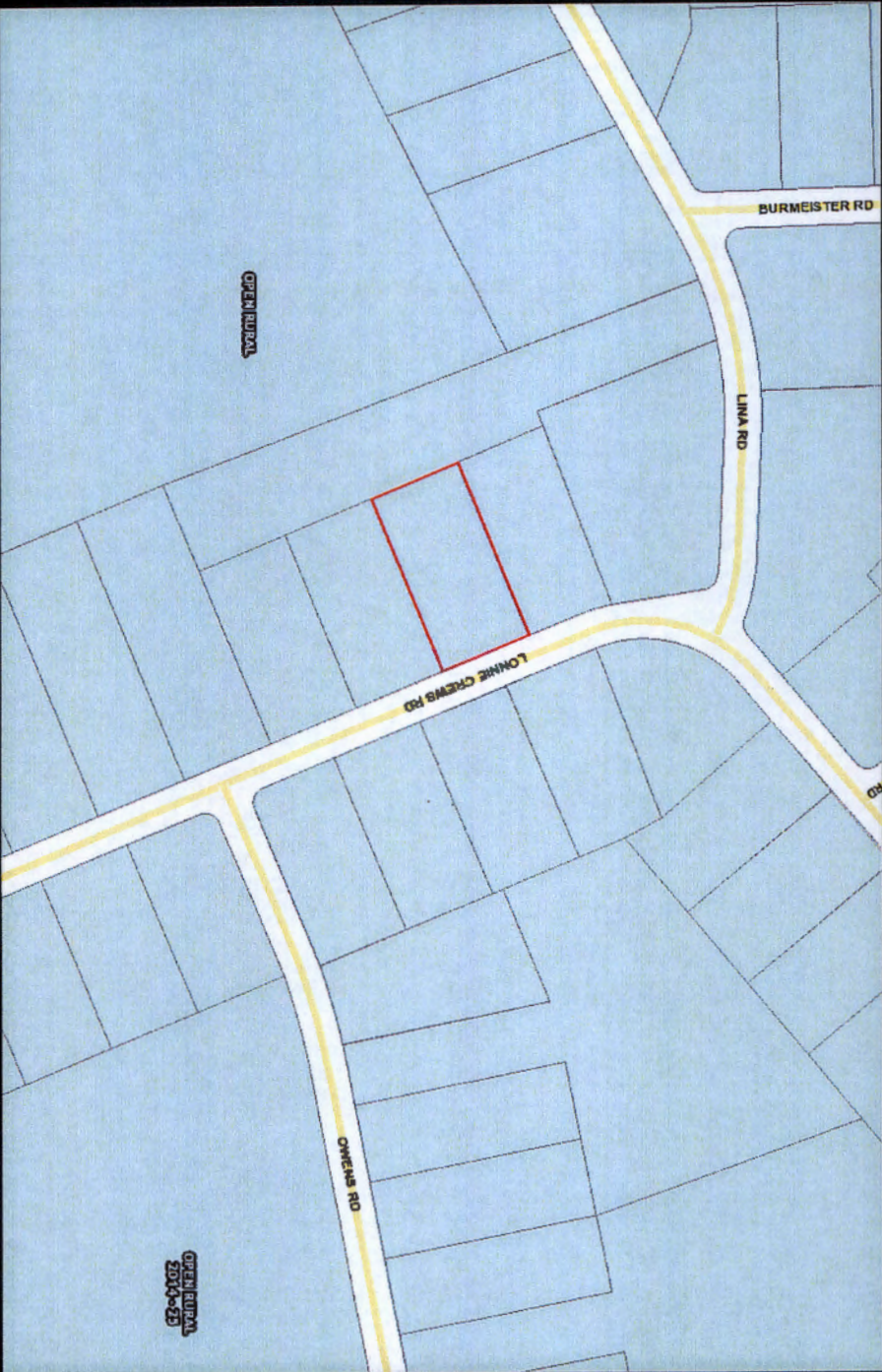
Subject Property Location



Subject Property Location

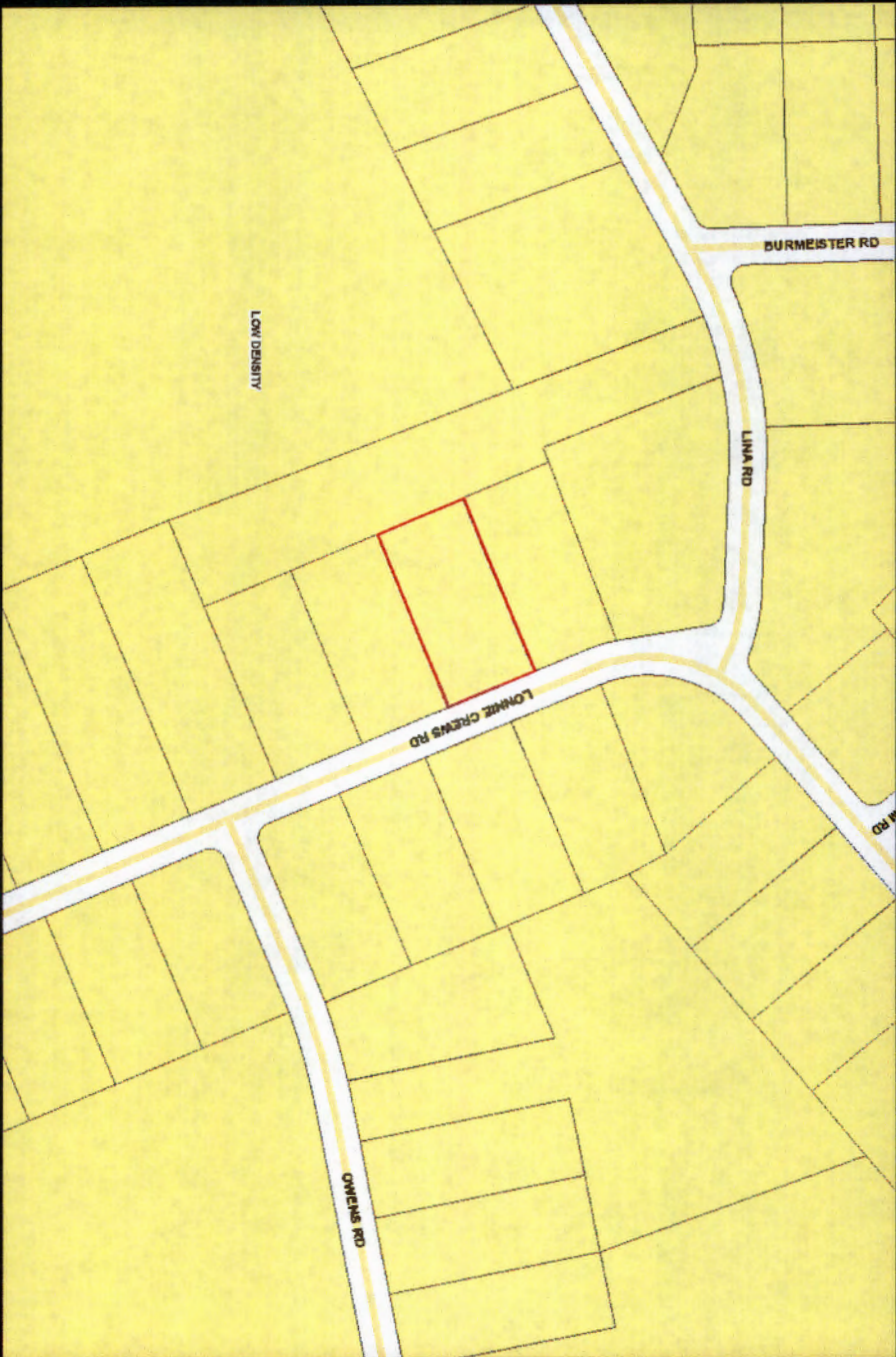


Subject Property Zoning District



Open Rural (OR)

Subject Property Future Land Use



Low Density Residential (LDR)

Nassau County Land Development Code

Section 28.14. – Supplementary regulations for certain conditional uses.

(j) Mother-in-law dwelling: A dwelling located on a lot or parcel of land, together with the principal use structure, for the care of aged, infirm or impecunious parent(s). In the case of a medical hardship, a medical certification shall be required with the application. All yard requirements, lot size requirements, height and lot coverage requirements shall apply for the appropriate district unless otherwise waived by the planning and zoning board.

Staff Findings

- ▶ Staff finds the evidence provided by the applicant is **sufficient with conditions** to demonstrate that E18-003 is consistent with the review criteria defined in Section 5.04 of the Nassau County Land Development Code to allow for the placement of a mother-in-law dwelling in the Open Rural (OR) zoning district

Conditions: E18-003 Patricia Smith

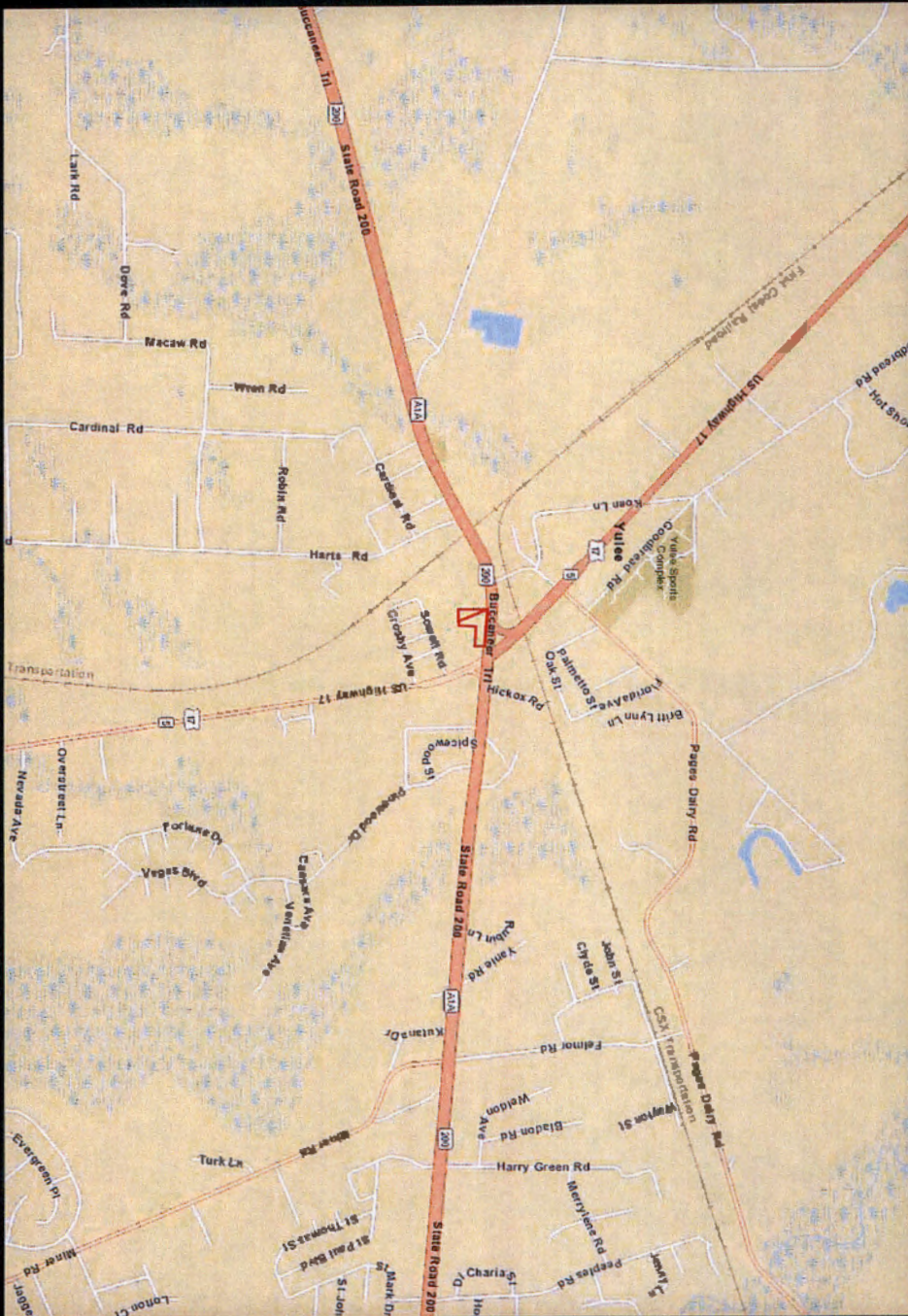
1. When the caretakers no longer reside within the subject structure, the structure shall be removed.
2. The order shall be rendered void if the applicant fails to obtain a Building Permit for the proposed new home within 24 months of the execution of this order.

TAB - E

E18-004 – Pure Auto Centers LLC

Request: The applicant is seeking a conditional use permit pursuant to Section 16.03(B) to allow for an auto service station in the Commercial General (CG) zoning district.

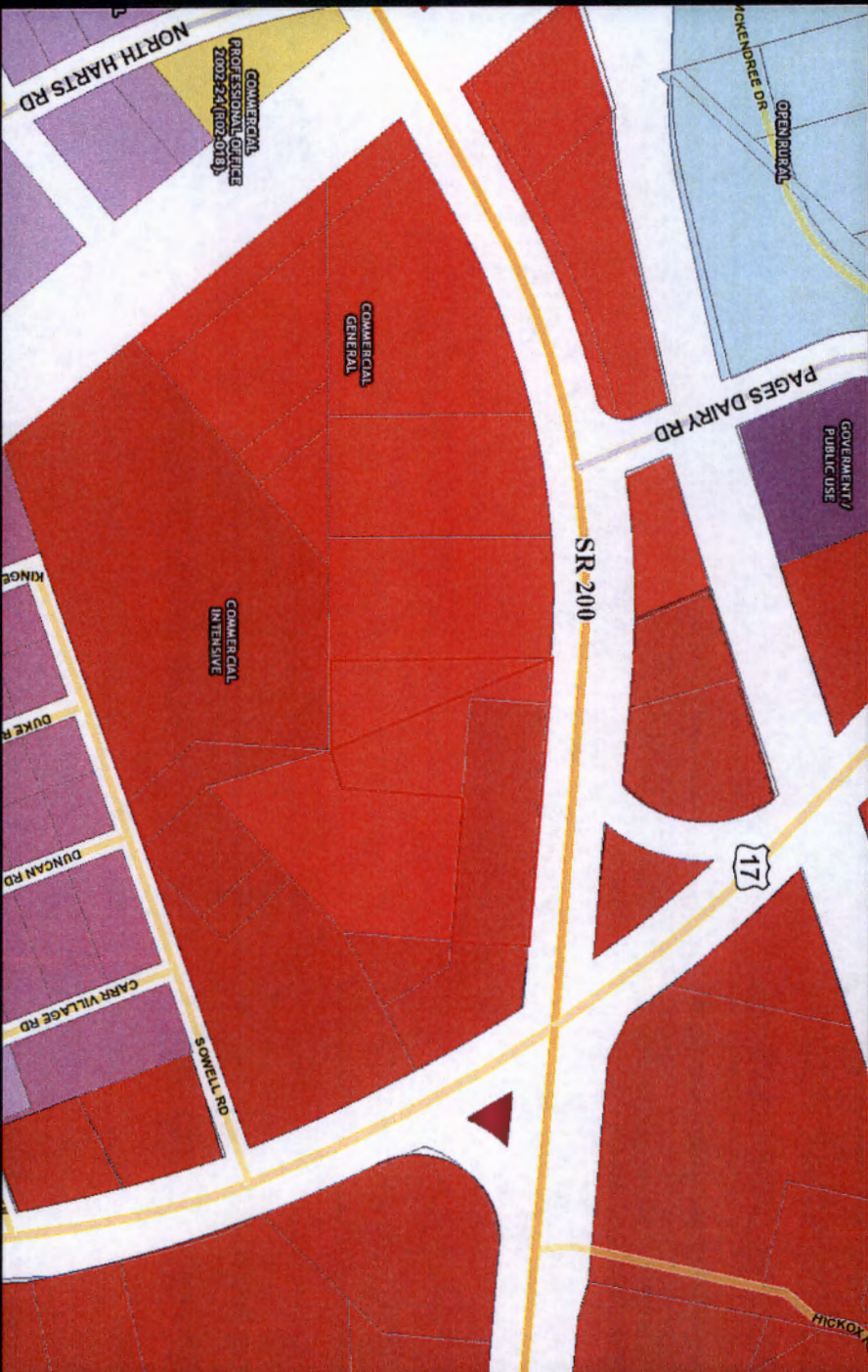
Subject Property Location



Subject Property Location

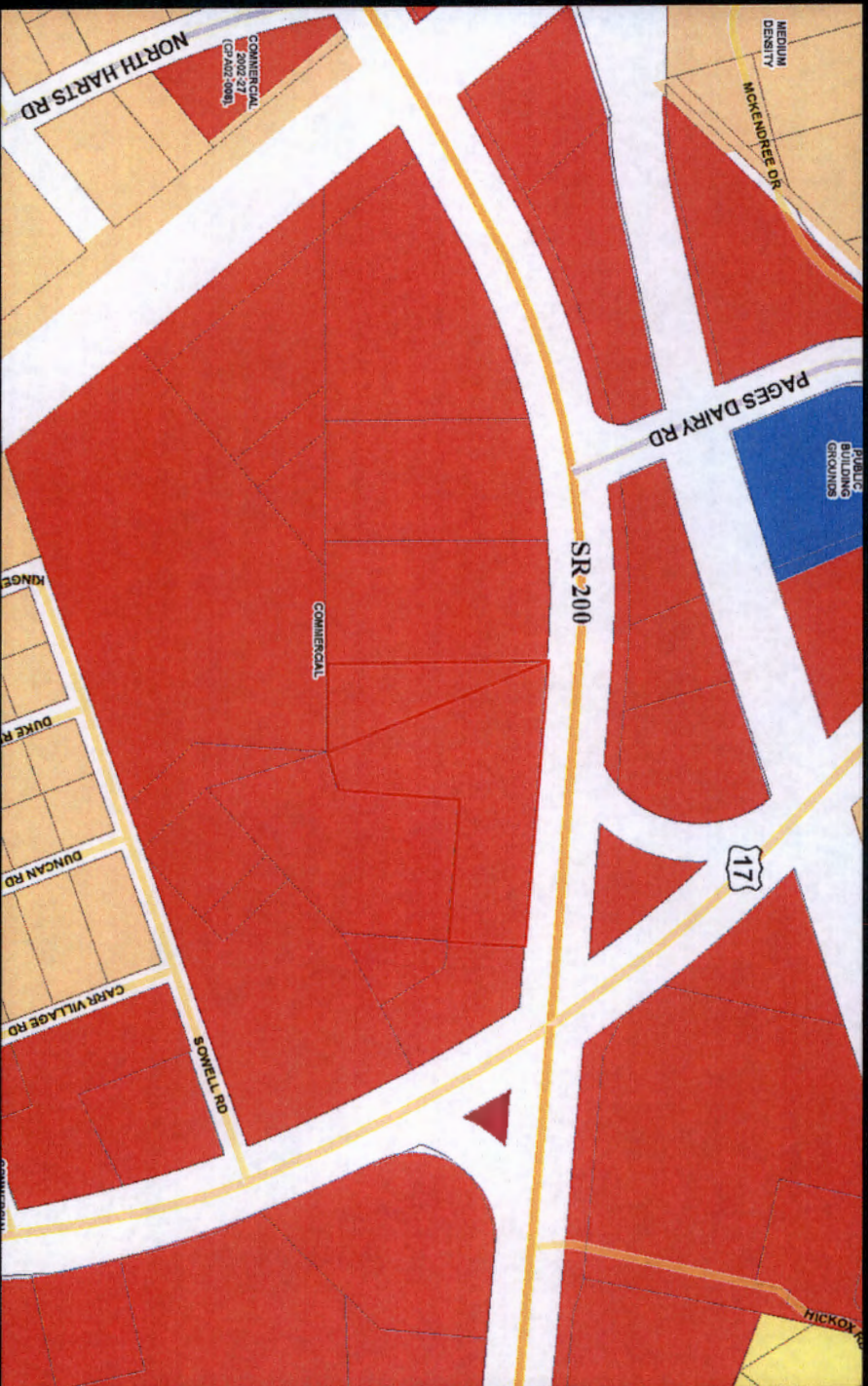


Subject Property Zoning District



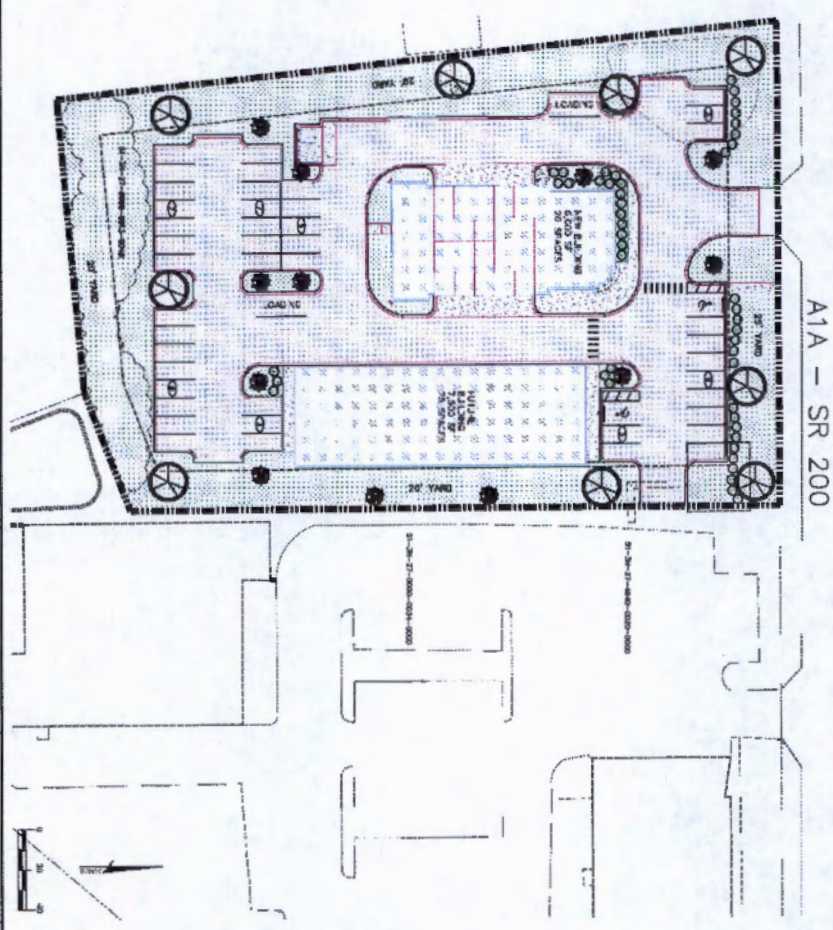
Commercial General (CG)

Subject Property Future Land Use



Commercial (COM)

C:\DOC\PROJECTS\AutoCenter\AutoCenter.dwg (1/25/2004) 10:58:44 AM 10/25/2004 10:58:44 AM
 © 1985 THIS DRAWING IS THE INSTRUMENT OF SERVICE AND PROPERTY OF EISMAN & RUSSO, INC. ANY USE OR REPRODUCTION WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THIS FIRM IS PROHIBITED. ALL RIGHTS OF DESIGN AND INVENTION ARE EXPRESSLY RESERVED.



Site Plan

A1A - SR 200

PROJECT NO. 2228	88-084-07-0000-0000-0000 - ADDITION: MECHANICAL AND ELECTRICAL SYSTEMS, PLUMBING, AND ROOFING		Eisman & Russo 1000 N. 10TH AVE. SUITE 100 DENVER, CO 80202 TEL: 303.733.1111 FAX: 303.733.1112	10/25/04 10/25/04 10/25/04 10/25/04	DATE 10/25/04	BY JWR	CHECKED JWR	APPROVED JWR
	PURE AUTO CENTER							
	PORT-DEVELOPMENT PLAN							
	10/25/04							

Nassau County Land Development Code

Section 16.03. - Conditional uses.

(B) Auto service stations and repair garages.

Staff Findings

- ▶ Staff finds the evidence provided by the applicant is **sufficient with conditions** to demonstrate that E18-004 is consistent with the review criteria defined in Section 5.04 of the Nassau County Land Development Code to allow for an auto service station in the Commercial General (CG) zoning district.

Conditions: E18-004 Pure Auto Centers LLC

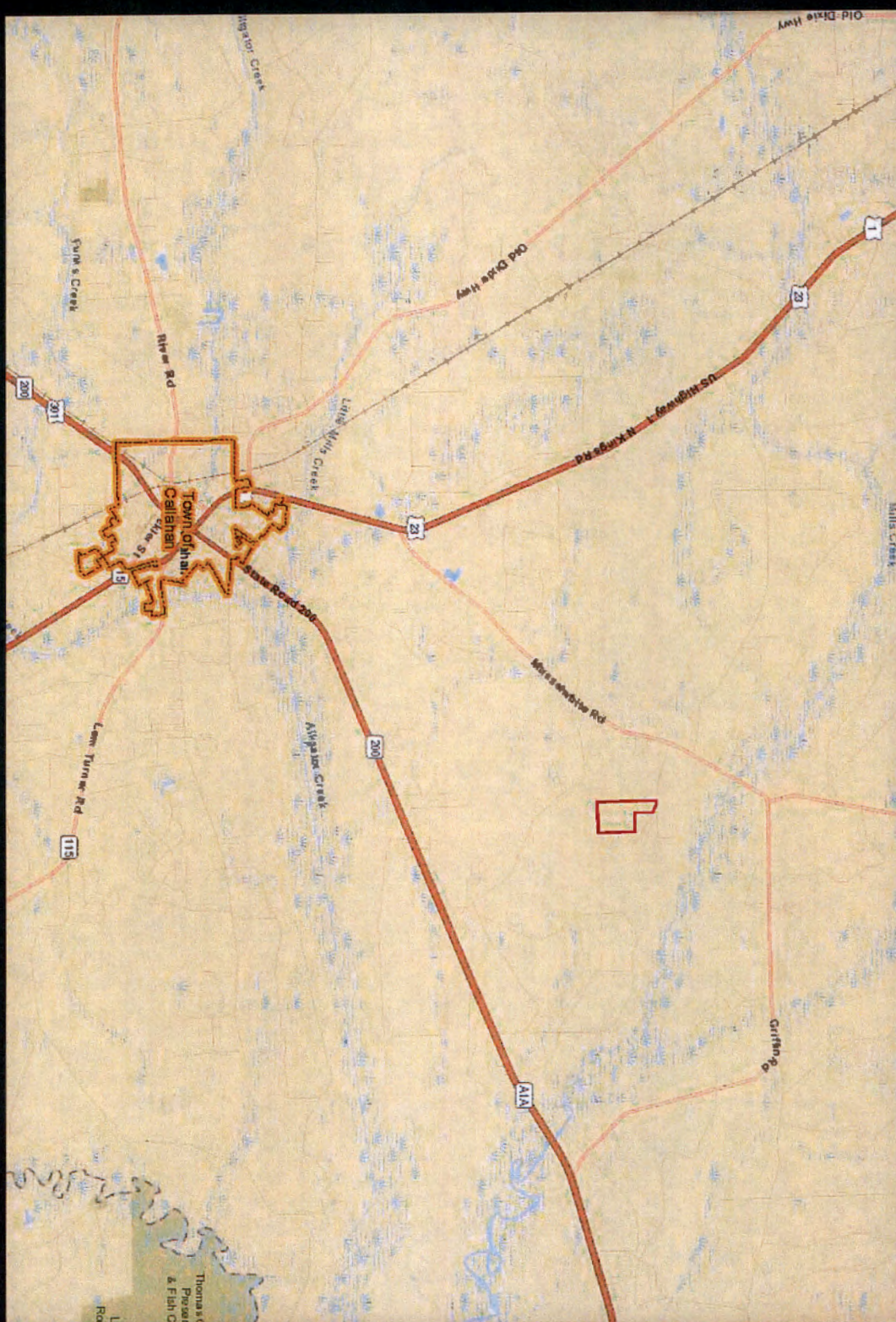
1. The rights entitled via Final Order E18-004 shall be transferable and shall run with the title to the land.
2. This Order shall expire in one year from the effective date if the project has not received site engineering plan approval from the Development Review Committee of Nassau County, FL.
3. All service and repair activities shall be conducted within an enclosed structure.
4. No materials, parts vehicles, equipment or any other items may be stored outside the enclosed building.
5. Site development is subject to all design standards in effect at the time application is made to the Development Review Committee.
6. All signage shall comply with the requirements of the SR 200/A1A Access Management Overlay District.

TAB - F

V18-001 – Amellio Davis Road

Request: The applicant is seeking relief from Sec. 29-32 of the Nassau County Code of Laws and Ordinances requiring Davis Road to be paved and constructed in accordance with the Nassau County Roadway and Drainage Standards from Muslewhite Road to approximately the eastern most boundary of Sandy Oaks Lane.

Finding: Application V18-001 fails to demonstrate consistency with the standards of review defined in Section 29-152 (b)(1)-(3) of the Nassau County Code of Laws and Ordinances. As such, staff finds no justification or grounds on which the requested variance may be granted and recommends the Conditional Use and Variance Board deny application V18-001.





Section 29-32 Subdivision Regulations:

All subdivisions shall have direct paved access to the connection with a county maintained road or street dedicated to public use which has been accepted for maintenance by the county or Florida Department of Transportation. If the county maintained road or street is not paved the developer shall pave the county road or provide paved access from the subdivision, including rural subdivisions, to connect with a paved county road or street accepted by the county or the state.

Relief Options

Sec. 29-152 Subdivision Regulations:

Option 1: An applicant may request a variance from the provisions of Chapter 29 of the Nassau County Code of Laws and Ordinances pursuant to Sections 29-152(a) and (b). Applications filed pursuant to Sec. 29-152 (a) and (b) are subject to the review criteria defined in Sec. 29-152(b)(1)-(3). Variance request are heard by the Conditional Use and Variance Board.

Option 2: An applicant may request an administrative appeal pursuant to Sec. 29-152(c) where it is alleged there is an error in a decision or determination made by an administrative official in the enforcement of Chapter 29 of the Nassau County Code of Laws and Ordinances. Administrative appeals are heard by the Planning and Zoning Board.

Review Criteria

Sec. 29-152(b)(1)-(3) Subdivision Regulations:

- (1) The particular physical conditions, shape or topography of the property involved causes an undue hardship to the applicant if the strict letter of the ordinance is carried out. An undue hardship does not include a financial hardship.
- (2) The conditions, upon which a request for waiver are based, are peculiar to the property for which the waiver is sought, are not generally applicable to other property and do not result from actions of the applicant.
- (3) The variance is consistent with the criteria for granting a variance specified in section 3.05(B)(2)(a)–(g) of the zoning ordinance and the requirements of Nassau County Comprehensive Plan.

Per V18-001 - Primary justification for variance:

Davis Road is not physically capable of being paved

- ▶ Douglas Seamen – 2009
- ▶ Scott Herring – 2017 Memo
- ▶ Peters & Yaffee, Inc. – 2018

Feasibility Report for Paving Davis Road

- ▶ Our research indicates that it is feasible for Davis Road to be paved. The paving of Davis Road will promote the health, safety and quality of life for the traveling public. Davis Road can be paved based on the following reasons:
- ▶ The proposed conditions for Typical Section 1 and 2 can be accommodated in the existing right of way.
- ▶ All of the minimum design criteria meets standards outlined in the Nassau County Roadway and Drainage Standards (Ordinance NO. 99-17 as amended in the Land Development Code and Chapter 29 – Subdivision and Development Review), Florida Greenbook and the MUTCD.
- ▶ Existing utility conflicts are minimal with the exception of the relocation of FPL power poles.
- ▶ Stormwater treatment and conveyance can be accommodated with road side swales. Additional treatment volume may be available in Pond 1 at the Hawk's Landing Development.
- ▶ Wetland impacts can be minimized and potentially eliminated.
- ▶ Asphalt pavement will offer a more stable roadway surface free of loose material and "washout" areas. In addition, visibility will be increased with the reduction of dust and debris. Also, signing and pavement markings can be added to the paving of Davis Road which will provide motorists an increase in safety during daytime and nighttime conditions.

The project can move forward provided Davis Road is paved per County regulations.

The applicant has failed to demonstrate consistency with review

- ▶ Sec. 29-152(b)(1) of the Nassau County Subdivision Regulations:
 - ▶ Failed demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same zoning district. (can be paved – 176 miles)
- ▶ Sec. 29-152(b)(2) of the Nassau County Subdivision Regulations:
 - ▶ Failed to demonstrate that special conditions and circumstances do not result from actions of the applicant. (applied uniformly – chose to develop in a rural area - 176 miles)
- ▶ Sec. 29-152(b)(3) of the Nassau County Subdivision Regulations:
 - ▶ Failed to demonstrate consistency with Section 3.05(B)(2)(a) — (e) LDC