

# HILLIARD PLANNING AND ZONING BOARD MEETING

Hilliard Town Hall / Council Chambers  
15859 West County Road 108  
Post Office Box 249  
Hilliard, FL 32046

## BOARD MEMBERS

Wendy Prather, Chair  
Charles Reed, Vice Chair  
Josetta Lawson  
Harold "Skip" Frey  
Dallis Hunter

## ADMINISTRATIVE STAFF

Janis Fleet, AICP  
Land Use Administrator

## TOWN ATTORNEY

Christian Waugh

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## AGENDA

**TUESDAY, SEPTEMBER 14, 2021, 7:00 PM**

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### NOTICE TO PUBLIC

*Anyone wishing to address the Planning & Zoning Board regarding any item on this agenda is requested to complete an agenda item sheet in advance and give it to the Land Use Administrator. The sheets are located next to the printed agendas in the back of the Council Chambers. Speakers are respectfully requested to limit their comments to three (3) minutes. A speaker's time may not be allocated to others.*

### PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF ONE ANOTHER  
EVEN WHEN WE DISAGREE.  
WE WILL DIRECT ALL COMMENTS TO THE ISSUES.  
WE WILL AVOID PERSONAL ATTACKS.  
***"Politeness costs so little." – ABRAHAM LINCOLN***

## CALL TO ORDER

## PRAYER & PLEDGE OF ALLEGIANCE

## ROLL CALL

**CHAIR**      To call on members of the audience wishing to address the Council on matters not on the Agenda.

## REGULAR MEETING

**ITEM-1**      Additions/Deletions to Agenda

**ITEM-2**      Planning & Zoning Board approval of the Minutes from the August 10, 2021, Regular Meeting.

**ITEM-3**      Planning & Zoning Board recommendation for final plat 20210824, for the SSI Subdivision located on County Road 108 between Kristie Circle South and Kristie Circle North to the Town Council.

**ITEM-4**      Planning and Zoning Board Approval of Site Plan 20210519 - Site Plan and Construction Plans for the Whisper Ridge PUD.  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-5**      Planning and Zoning Board Approval of Site Clearing/Site Work Application #20210821-01

Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0178-0090  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-6** Planning and Zoning Board Approval of Site Clearing/Site Work Application  
#20210821-04  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0176-0080  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-7** Planning and Zoning Board Approval of Site Clearing/Site Work Application  
#20210821-12  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0148-0010  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-8** Planning and Zoning Board Approval of Site Clearing/Site Work Application  
#20210821-19  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0127-0010  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-9** Planning and Zoning Board Approval of Site Clearing/Site Work Application #  
20210821-25.26  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0139-0010  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-10** Planning and Zoning Board Approval of Extension of the Site Clearing/Site Work  
Application #202100528  
Property Owner – James Hilliard  
Parcel ID# - 16-3N-24-0000-0006-0190  
***Janis K. Fleet, AICP, Land Use Administrator***

**ITEM-11** Planning and Zoning Board Review of Land Development Regulations  
Article III  
***Janis K. Fleet, AICP, Land Use Administrator***

#### **ADDITIONAL COMMENTS**

**PUBLIC**

**BOARD MEMBERS**

**LAND USE ADMINISTRATOR**

**TOWN ATTORNEY**

**ADJOURNMENT**

The Town may take action on any matter during this meeting, including items that are not set forth within this agenda.

### **TOWN COUNCIL MEETINGS**

The Town Council meets the first and third Thursday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

### **PLANNING & ZONING BOARD MEETINGS**

The Planning & Zoning Board meets the second Tuesday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

### **MINUTES & TRANSCRIPTS**

Minutes of the Town Council meetings can be obtained from the Town Clerk's Office. The Meetings are usually recorded but are not transcribed verbatim for the minutes. Persons requiring a verbatim transcript may make arrangements with the Town Clerk to duplicate the recordings, if available, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

### **TOWN WEBSITE & YOUTUBE MEETING VIDEO**

The Town's Website can be access at [www.townofhilliard.com](http://www.townofhilliard.com).

Live & recorded videos can be access at [www.youtube.com](http://www.youtube.com) search - Town of Hilliard, FL.

### **ADA NOTICE**

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Town Clerk's Office at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

### **APPEALS**

Pursuant to the requirements of Section 286.0105, Florida Statues, the following notification is given: If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

### **PUBLIC PARTICIPATION**

Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any "proposition" before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

### **EXPARTE COMMUNICATIONS**

Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Council Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the Town Council. The exchanges must be disclosed by the Town Council so the public may respond to such exchanges before a vote is taken.

## 2021 HOLIDAYS

### TOWN HALL OFFICES CLOSED

1. Martin Luther King, Jr. Day	Monday, January 18, 2021
2. Memorial Day	Monday, May 31, 2021
3. Independence Day Monday	Monday, July 5, 2021
4. Labor Day	Monday, September 6, 2021
5. Veterans Day	Thursday, November 11, 2021
6. Thanksgiving Day	Thursday, November 25, 2021
7. Friday after Thanksgiving Day	Friday, November 26, 2021
8. Christmas Eve	Thursday, December 23, 2021
9. Christmas Day	Friday, December 24, 2021
10. New Year's Eve	Thursday, December 30, 2021
11. New Year's Day	Friday, December 31, 2021



# HILLIARD PLANNING AND ZONING BOARD MEETING

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## BOARD MEMBERS

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Dallis Hunter

## ADMINISTRATIVE STAFF

Janis Fleet, AICP  
Land Use Administrator

## TOWN ATTORNEY

Christian Waugh

## MINUTES

**TUESDAY, AUGUST 10, 2021, 7:00 PM**

### NOTICE TO PUBLIC

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### PLEDGE OF CIVILITY

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## CALL TO ORDER

## PRAYER & PLEDGE OF ALLEGIANCE

## ROLL CALL

## PRESENT

Chair Wendy Prather  
Vice Chair Charles A. Reed  
Planning & Zoning Board Member Josetta Lawson  
Planning & Zoning Board Member Harold "Skip" Frey

## ABSENT:

Planning & Zoning Board Member Dallis Hunter

## CHAIR

**To call on members of the audience wishing to address the Council on matters not on the Agenda.**

## REGULAR MEETING

ITEM-1 Additions/Deletions to Agenda.

Land Use Administrator Janis Fleet explains that all items will need to be submitted in advance to be placed on the agenda to allow time for staff review and advertising if necessary.

ITEM-2 Planning & Zoning Board approval of the Minutes from the July 6, 2021, Public Hearings & Regular Meeting.

Motion made by Planning & Zoning Board Member Frey, Seconded by Planning & Zoning Board Member Lawson.

Voting Yea: Planning & Zoning Board Member Lawson, Planning & Zoning Board Member Frey, Chair Prather and Vice Chair Reed.

Absent: Planning & Zoning Board Member Hunter

ITEM-3 Planning & Zoning Board review and discussion of Land Development Regulations.

Land Use Administrator Janis Fleet reviews Article II Administration and Enforcement.

Division 1 Generally

The review begins with the deletion of sections 62-31 and continues with the discussion of section 62-32 through 62-40.

Division 2 Nonconforming Lots, Uses and Structures

Sections 62-61 through 62-72 are reviewed and discussed.

Division 3 Planning and Zoning Board

Section 62-91 through 62-95 are reviewed and section 62-96 will be where the review will pick up at the next meeting.

Land Use Administrator Janis Fleet asks if the Board will continue reviewing Article II and provide comments back to her by August 31, 2021 for the next meeting on September 14, 2021.

## **ADDITIONAL COMMENTS**

### **PUBLIC**

**LeeAnn Wollitz 37024 South Oak Street, Hilliard, Florida**, states that she is glad that the packets are now on the website that she was able to follow along with the meeting and understands the issues that the Town faces with the nonconforming uses.

### **BOARD MEMBERS**

### **LAND USE ADMINISTRATOR**

**Janis Fleet, AICP**, states that she has received revisions to review on the Bayside PUD and that she received the Greenbrier PUD Application this week.

### **TOWN ATTORNEY**

## **ADJOURNMENT**

Motion to adjourn at 8:05 p.m.

Motion made by Planning & Zoning Board Member Frey, Seconded by Planning & Zoning Board Member Lawson.

Voting Yea: Planning & Zoning Board Member Lawson, Planning & Zoning Board Member Frey,  
Chair Prather and Vice Chair Reed.

Absent: Planning & Zoning Board Member Hunter

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the Hilliard  
Planning & Zoning Board, Hilliard, Florida.

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Wendy Prather, Chair  
Hilliard Planning & Zoning Board

**TOWN OF HILLIARD**  
*A Florida Municipality*

ITEM-3

## Memo

TO: Planning & Zoning Board

FROM: Janis K. Fleet, AICP

DATE: September 14, 2021

SUBJECT: 20210824 Final Replat/Subdivision — Request by Anna Sowers on behalf of Sowing Seeds Investments Inc,  
Parcel #17-3N-24-2020-0023-0360

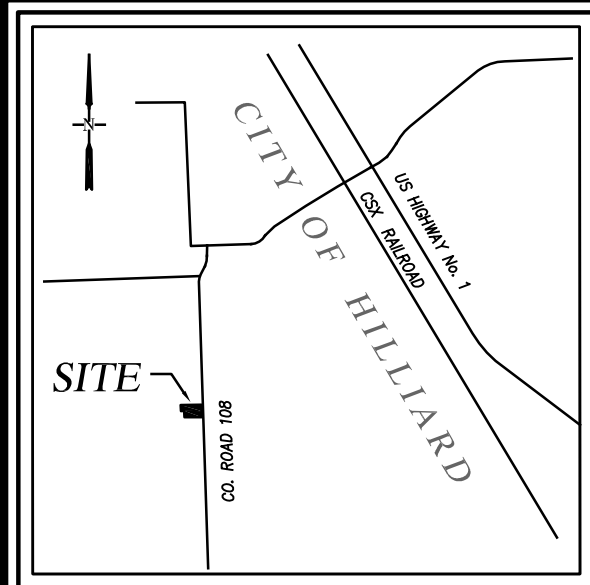
Ms. Anna Sowers on behalf of Sowing Seeds Investments Inc has applied for a final plat for the Replat of Lots 36-40 and 58-63 of the Deer Run Subdivision to create a 3 lot subdivision to be platted as SSI Subdivision. The development will add 3 lots, and therefore is subject to all the subdivision requirements of Chapter 177, Florida Statutes and Chapter 46 of the Town Code.

The property is zoned R-3, which requires a minimum lot width of 70 ft. and minimum lot area of 7,000 s.f. All lots proposed for the SSI Subdivision exceed the minimum lot requirements of the R-3 zoning district.

Staff recommends the Planning and Zoning Board recommend to Town Council the final plat for the Repat of Lots 36-40 and 58-63 of the Deer Run Subdivision to create the SSI Subdivision for the property with the Parcel ID#17-3N-24-2020-0023-0360, the following conditions should be part of the recommendation for approval:

1. Pay all consultant review fees to the Town of Hilliard.
2. The applicant will create a swale along Kristie Circle for drainage.

OFFICIAL RECORDS BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

VICINITY MAP  
(NOT TO SCALE)

## PROPERTY DEVELOPED BY:

SOWING SEEDS INVESTMENTS, INC.  
95050 POPLAR WAY  
FERNANDINA BEACH, FLORIDA 32034  
(O.R.B. 2344, PAGE 299)

## SSI SUBDIVISION

(BEING A RE-PLAT OF LOTS 36-40 & 58-63 DEER RUN SUBDIVISION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 563, PAGES 322-324 ALSO BEING A PORTION OF THE ORIGINAL LOTS 23 & 24, CORNWALL FARM LAND COMPANY'S PLAT OF NORTH FLORIDA PECAN, FRUIT & TRUCK FARMS, SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, TOWN OF HILLIARD, NASSAU COUNTY FLORIDA, ACCORDING TO PLAT RECORDED IN PLAT BOOK "O", PAGE 31, ALL IN THE OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA)

"NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY." 177.091(27)

**LEGEND:**  
○ = SET 1/2" IRON PIPE  
● = FOUND IRON PIPE  
R/W = RIGHT-OF-WAY  
ID = IDENTIFICATION  
no. = NUMBER  
L.B. = LICENSED BUSINESS  
FD. = FOUND  
F&L = FLORIDA POWER & LIGHT  
CONC. = CONCRETE  
(O.R.B.) = OFFICIAL RECORD BOOK

## CAPTION:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING LOTS 36-40 AND 58-63, DEER RUN SUBDIVISION, NASSAU COUNTY, FLORIDA (SAID DEER RUN SUBDIVISION ACCORDING TO PLAT RECORDED IN BOOK 563, PAGE 324 ALSO BEING A PORTION OF THE ORIGINAL LOTS 23 & 24, CORNWALL FARM LAND COMPANY'S PLAT OF NORTH FLORIDA PECAN, FRUIT & TRUCK FARMS, SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, TOWN OF HILLIARD, NASSAU COUNTY FLORIDA, ACCORDING TO PLAT RECORDED IN PLAT BOOK "O", PAGE 31, ALL IN THE OFFICIAL RECORDS OF NASSAU COUNTY) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF LOT 63 OF SAID DEER RUN SUBDIVISION, SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE COUNTY ROAD No. 108 (A 66' RIGHT-OF-WAY) AND RUN SOUTH 01°52'11" EAST, ALONG LAST MENTIONED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 276.30 FEET TO THE SOUTHEAST CORNER OF LOT 36, SAID DEER RUN SUBDIVISION, SAID POINT LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF KRISTIE CIRCLE SOUTH (A 60'-FOOT RIGHT-OF-WAY); RUN THENCE SOUTH 89°-39'-07" WEST, ALONG LAST MENTIONED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 401.01 FEET TO THE SOUTHWEST CORNER OF LOT 40, SAID DEER RUN SUBDIVISION; RUN THENCE NORTH 01°53'44" WEST, ALONG THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF SONYA D. RODGERS (ACCORDING TO DEED RECORDED IN BOOK 1576, PAGE 1663, OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA) A DISTANCE OF 137.54 FEET TO THE NORTHEAST CORNER THEREOF; RUN THENCE S89°38'27" WEST, ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 75.00 FEET; RUN THENCE NORTH 01°53'44" WEST, ALONG THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF BRITINAI D. JOHNSON (ACCORDING TO DEED RECORDED IN BOOK 2420, PAGE 423, OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA), A DISTANCE OF 137.41 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF KRISTIE CIRCLE NORTH; RUN THENCE NORTH 89°29'16" EAST, ALONG LAST MENTIONED SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 476.10 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 2.78 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORDS WHICH MAY LIE WITHIN.

## NOTES:

- BEARINGS SHOWN HEREON REFER TO THE BEARING OF N89°-29'-16"E FOR THE SOUTHERLY R/W LINE OF KRISTIE CIRCLE NORTH ACCORDING TO PLAT RECORDED IN BOOK 563, PAGES 322-324, OFFICIAL RECORDS OF NASSAU COUNTY, FLORIDA.
- THERE MAY EXIST ADDITIONAL RESTRICTIONS LYING OVER THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF NASSAU COUNTY.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A FORMAL TITLE REVIEW.
- ALL INTERIOR LOT CORNERS ARE TO BE SET 1/2" IRON PIPES CAPPED "PSM 6232". OUTER BOUNDARY CORNERS TO BE REPLACED WITH 4"x4" CONCRETE MONUMENTS.
- SUBJECT PROPERTY IS CURRENTLY ZONED: R-3
- MINIMUM LOT REQUIREMENTS: THE MINIMUM LOT REQUIREMENTS PER DWELLING UNIT ARE AS FOLLOWS: (1)MINIMUM LOT WIDTH: 70 FEET.(2)MINIMUM LOT AREA: 7,000 SQUARE FEET.(3)MAXIMUM UNITS PER ACRE: 15.(4)MAXIMUM UNITS PER ONE-HALF ACRE: 7.(5)MAXIMUM UNITS PER STRUCTURE: 16.
- MAXIMUM LOT COVERAGE: MAXIMUM LOT COVERAGE BY ALL BUILDINGS AND ACCESSORY STRUCTURES SHALL NOT EXCEED 35 PERCENT OF LOT AREA OR 15 UNITS PER ACRE.
- MINIMUM YARD REQUIREMENTS: (1)FRONT: 25 FEET.(2)SIDE: THE SUM OF BOTH SIDE YARDS SHALL BE 25 FEET; HOWEVER, NO SIDE YARD SHALL BE LESS THAN TEN FEET IN WIDTH.(3)REAR: 30 FEET.
- MAXIMUM HEIGHT OF STRUCTURES: THIRTY FEET IN HEIGHT ABOVE ESTABLISHED GRADE.
- THERE EXISTS A 15-FOOT IN WIDTH UTILITY EASEMENT, BY THIS PLAT, ALONG ALL RIGHTS-OF-WAY SHOWN HEREON FOR THE USE OF THE CITY OF HILLIARD.
- SUBJECT PROPERTY TO BE SERVICED BY PRIVATE WELL AND SEPTIC.
- SUBJECT PROPERTY LIES IN THE "X"(UNSHADED) FLOOD HAZARD ZONE AS PER F.I.R. MAP No. 12089 0145F, COMM No. 120573, PANEL No. 145, SUFFIX F, DATED: 12-17-2010, FOR: TOWN OF HILLIARD, FLORIDA.
- EASEMENTS REFERENCED FOR CABLE TELEVISION USE, 177.091 (28) "ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICES COMMISSION.

## ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT SOWING SEEDS INVESTMENTS, INC IS THE LAWFUL OWNER AND DEVELOPER OF THE LANDS DESCRIBED IN THE CAPTION HEREON KNOWN AS SSI SUBDIVISION AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY AND IS HERE BY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS.

IN WITNESS THEREOF, \_\_\_\_\_ (THE DEVELOPER)  
HAS CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

## STATE OF FLORIDA

COUNTY OF DUVAL OR NASSAU  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D. BY  
SOWING SEEDS INVESTMENTS, INC.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE MY COMMISSION EXPIRES \_\_\_\_\_

## CLOSURE STATEMENT:

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 19,462 FEET AND AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 77,846 FEET.

EQUIPMENT USED FOR FIELD MEASUREMENTS:

LINEAR: SOKIA SET 3 ANGULAR: SOKIA SET 3

## TOWN COUNCIL CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT IS APPROVED BY TOWN OF HILLIARD THIS DAY \_\_\_\_\_ OF \_\_\_\_\_, A.D. 2021.

MAYOR

TOWN CLERK

## COUNTY HEALTH CERTIFICATE

THIS IS TO CERTIFY THAT I HAVE REVIEWED THE ABOVE PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021, AND THESE LOTS ARE APPROVED TO BE PLACED ON APPROVED PUBLIC WATER AND APPROVED PRIVATE SEWAGE SYSTEMS.

COUNTY HEALTH DEPARTMENT

## CLERKS CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT IS RECORDED IN OFFICIAL RECORDS BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ IN THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

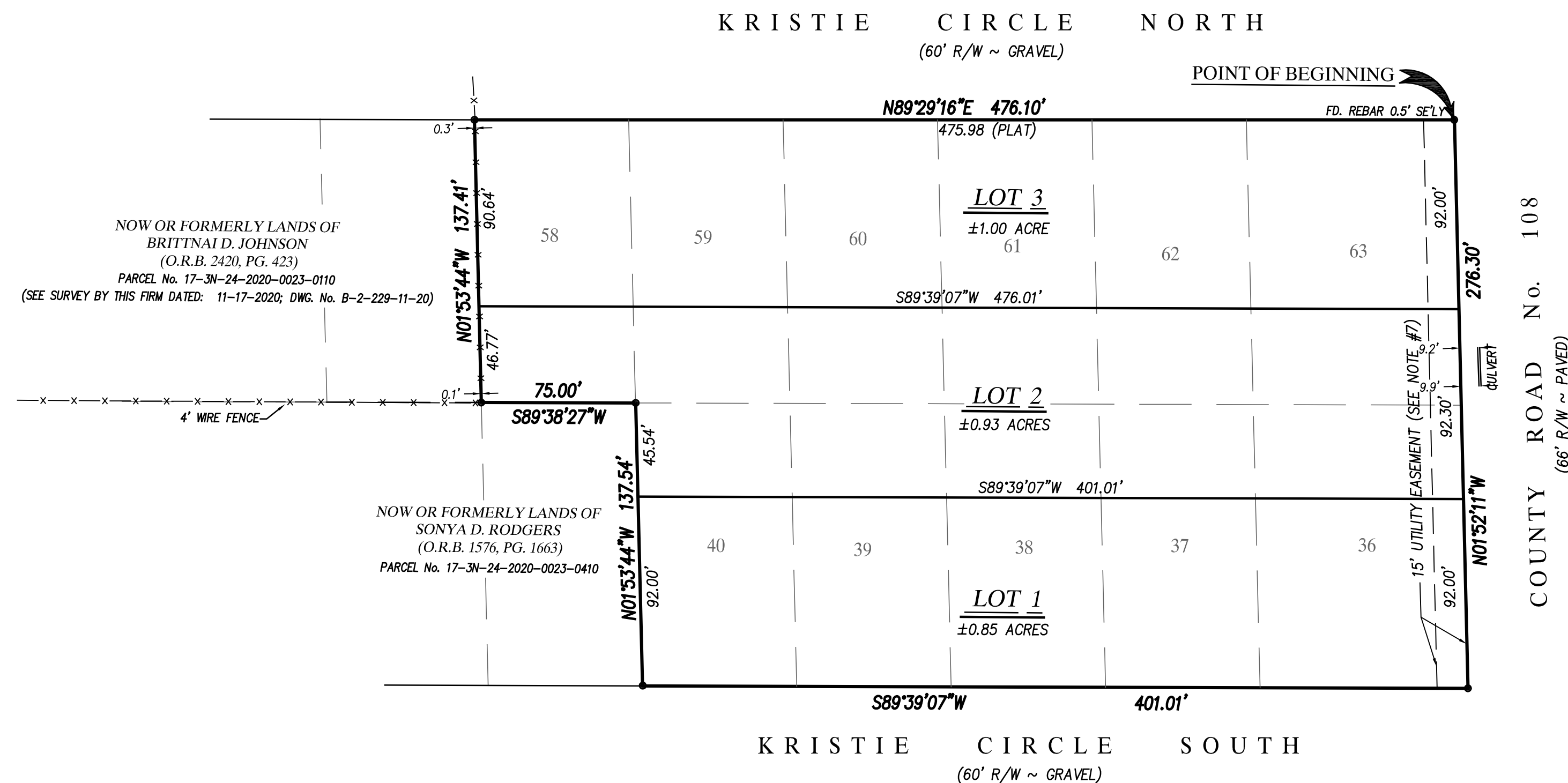
CLERK OF COURTS NASSAU COUNTY, FLORIDA

## CERTIFICATE OF TOWN ATTORNEY

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE TOWN ATTORNEY FOR HILLIARD, FLORIDA. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.

TOWN ATTORNEY

F.B.:BS142, PG.:72  
SURVEY DATE: 04-21-21  
SIGNATURE DATE: 05-06-21  
DWG. No. B-2-229-11-20  
S:\CAD\2 nassau\hilliard\SSI Subdivision\SSI 36-40 & 58-63 deer run.dwg



## SURVEYORS CERTIFICATE OF REVIEW

I HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMITY TO CHAPTER 177, FLORIDA STATUTES AND THAT I AM EMPLOYED BY OR UNDER CONTRACT TO THE APPROPRIATE LOCAL GOVERNMENT BODY AND ACTING HERETO AS AN AGENT THEREOF; THIS LIMITED CERTIFICATION AS TO FACIAL CONFORMITY WITH REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, IS NOT INTENDED TO BE AND SHOULD NOT BE CONSTRUED AS A CERTIFICATION OF ACCURACY OR QUALITY OF THE SURVEYING/MAPPING REFLECTED ON THIS PLAT.

DATE:

MICHAEL MANZIE P.L.S. 4069  
MANZIE & DRAKE LAND SURVEYING  
117 S. 9TH STREET  
FERNANDINA BEACH, FL 32034

## TOWN ENGINEER APPROVAL

EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.  
BY THE ENGINEER FOR THE TOWN OF HILLIARD

TOWN ENGINEER, HILLIARD

## SURVEYORS CERTIFICATE:

THIS IS TO CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF FLORIDA STATUTE 177, AS AMENDED, THAT THE PERMANENT REFERENCE MONUMENTS, PERMANENT CONTROL POINTS AND LOT CORNERS HAVE BEEN OR WILL BE MONUMENTED IN ACCORDANCE WITH CHAPTER 177.091, E.S. & CHAPTER 5J-17, F.A.C. AND COMPLIES WITH THE LAWS OF NASSAU COUNTY, FLORIDA.

ERNEST R. BENNETT, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION No. 6232  
BENNETT SURVEYING, INC.  
102 MARSH HARBOUR PARKWAY, UNIT 103  
KINGSLAND, GEORGIA 31548  
(912) 258-8899  
(912) 673-8940  
ERNEST R. BENNETT, JR.  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER No. 6232  
LICENSED BUSINESS No. 7815

DATE

## SHEET 1 OF 1

0' 25' 50' 100'  
SCALE: 1" = 50'

OWN. BY: R.B. CKD. BY: T.L.P.  
BENNETT SURVEYING, INC.  
Surveyors and Land Planners  
102 MARSH HARBOUR PARKWAY, UNIT 103  
KINGSLAND, GEORGIA 31548  
(912) 258-8899  
(912) 673-8940  
ERNEST R. BENNETT, JR.  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER No. 6232  
LICENSED BUSINESS No. 7815



# Town of Hilliard Subdivision Application

20210824

## FOR OFFICE USE ONLY

File # 20210824Application Fee: 300.00Filing Date: 8-24-21 Acceptance Date: 8/25/21

- ☐ Major Subdivision – Over 5 Lots  
☒ Minor Subdivision - 3 to 5 Lot  
☐ Preliminary Plat     ☒ Final Plat

**A. PROJECT**

- Project Name: SSI SUBDIVISION
- Address of Subject Property: KRISTIE CIRCLE (15726, 15728, 15730 CR 108)
- Parcel ID Number(s): 17-3N-24-2020-0023-0360
- Existing Use of Property: VACANT R-3
- Future Land Use Map Designation: MEDIUM DENSITY
- Zoning Designation: R-3
- Acreage: 2.77

**B. APPLICANT**

- Applicant's Status     ☐ Owner (title holder)     ☒ Agent
- Name of Applicant(s) or Contact Person(s): BENJAMIN W. BUCHANAN Title: PRES.  
 Company (if applicable): INTACT C.M.G.  
 Mailing address: P.O. Box 365  
 City: HILLIARD State: FL ZIP: 32046  
 Telephone: (904) 483-6128 FAX: (904) 212-2005 e-mail: ben@intactcmg.com
- If the applicant is agent for the property owner\*:  
 Name of Owner (title holder): ANNA SOWERS  
 Company (if applicable): SOWING SEEDS INVESTMENTS, LLC  
 Mailing address: 95050 POPLAR WAY  
 City: FERNANDINA BEACH State: FL ZIP: 32034  
 Telephone: (904) 753-1942 FAX: ( ) e-mail: anna@appraisalsfirstclass.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

## C. ATTACHMENTS

**PRELIMINARY PLAT ATTACHMENTS** (One copy: 24" X 36" with 3" left margin and ½" top, bottom, and right margins, one copy reduced to no greater than 11 x 17, plus one copy in PDF format)

1. Plans, including but not limited to:
  - a. Scale: at least 1" = 200'.
  - b. Proposed Name of Subdivision.
  - c. Name, address, and telephone number of the subdivider and agent of the subdivider.
  - d. Name, address, telephone number and registration number of the surveyor or engineer.
  - e. Date of boundary survey, north arrow, graphic scale, date of plat drawing, and space for revision dates.
  - f. Vicinity map.
  - g. Total acreage of lots and total number of lots.
  - h. Legal description of property to be subdivided.
  - i. Names of owners of adjoining land with their approximate acreage or, if developed, names of abutting subdivisions.
  - j. Preliminary layout including streets and easements with dimensions, lot lines with approximate dimensions, land to be reserved or dedicated for public or common uses, and any land to be used for purposes other than single-family dwellings.
  - k. Block letters and lot numbers, lot lines, and scaled dimensions.
  - l. Zoning district boundaries on abutting properties.
  - m. Proposed method of water supply, sewage disposal, and drainage, and electric service.
  - n. Minimum building setback lines as required by the Land Development Regulations.
  - o. Natural features, including lakes, marshes or swamps, water courses, wooded areas, and land subject to the 100-year flood as defined by FEMA official flood maps.
  - p. Surface drainage and direction of flow and method of disposition and retention indicated.
  - q. Tree survey.
2. Existing and/or proposed covenants and restrictions.
3. Stormwater management plan - including the following:
  - a. Existing contours at one (1) foot intervals.
  - b. Proposed finished floor elevation of each building site.
  - c. Existing and proposed stormwater management facilities with size and grades.
  - d. Proposed orderly disposal of surface water runoff.
  - e. Centerline elevations along adjacent streets.
4. Legal description with tax parcel number.
5. Warranty Deed or other proof of ownership.
6. Proof of payment of taxes.
7. Permit or Letter of Exemption from the St. Johns River Water Management District.
8. Concurrency Application



## 9. Fee.

- a. Major Subdivision – More than 5 lots:
  - i. \$500 plus \$20 per lot
- b. Minor Subdivision – 3 to 5 lots:
  - i. \$300

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

**All 9 attachments are required for a complete application. A completeness review of the application will be conducted within ten (10) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

**Within twelve (12) months of the approval of the Subdivision Preliminary Plat, Construction Plans must be reviewed**

**Within six (6) months of the approval of Construction Plans, the applicant must submit an application for Final Plat for review.**

**FINAL PLAT ATTACHMENTS - ATTACHMENTS** (One copy: 24" X 36" with 3" left margin and ½" top, bottom, and right margins, one copy reduced to no greater than 11 x 17, plus one copy in PDF format)

1. A copy of this original application must accompany the submission.
2. Plans, to include but not limited to:
  - a. Name of subdivision shall be shown in bold legible letters, as stated in Chapter 177, Florida Statutes. The name of the subdivision shall be shown on each sheet included and shall have legible lettering of the same size and type including the words "section," "unit," "replat," "amended," etc.
  - b. Name and address of subdivider.
  - c. North arrow, graphic scale, and date of plat drawing.
  - d. Vicinity map.
  - e. Exact boundary line of the tract, determined by a field survey, giving distances to the nearest one-hundredth foot and angles to the nearest minute, shall be balanced and closed with an apparent error of closure not to exceed one in 5,000.
  - f. Legal description of the property to be subdivided.
  - g. Names of owners of adjoining lands with their approximate acreage or, if developed, names of abutting subdivisions.
  - h. Location of streams, lakes and swamps, and land subject to the 100-year flood as defined by the Federal Emergency Management Agency, official flood maps.
  - i. Bearing and distance to permanent points on the nearest existing street lines of bench marks or other permanent monuments (not less than three (3)) shall be accurately described on the plat.
  - j. Municipal lines shall be accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
  - k. The closest land lot corner shall be accurately tied to the lines of the subdivision by distance and angles.
  - l. Location, dimensions, and purposes of any land reserved or dedicated for public use.
  - m. Exact locations, width, and names of all streets within and immediately adjoining the proposed subdivision.
  - n. Street right-of-way lines must show deflection angles of intersection, radii, and lines of tangents.
  - o. Lot lines, dimensions, and bearings must be shown to the nearest one hundredth (1/100) foot.
  - p. Lots must be numbered in numerical order and blocks lettered alphabetically.
  - q. Accurate location and description of monuments and markers.

Town of Hilliard ♦ 15859 C.R. 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555



- r. Minimum building front yard setback lines as required by the Land Development Regulations as determined by the property's zoning.
  - s. Reference to recorded subdivision plats of adjoining platted land shall be shown by recorded names, plat book, and page number.
  - t. Covenants and restrictions notice in accordance with Chapter 177.091(28), Florida Statutes.
  - u. Dedication to the public by the owners of the land involved of all streets, drainage easements, and other rights-of-way however designated and shown on the plat for perpetual use for public purposes, including vehicular access rights where required. If the property is encumbered by a mortgage, the owner of the mortgage shall join in the dedication or in some other manner subordinate the mortgagee's interest to the dedication of public right-of-way.
  - v. Certification that all payable taxes have been paid and all tax sales against the land redeemed.
  - w. Title certification as required by Chapter 177, Florida Statutes.
3. Legal description with tax parcel number.
  4. Warranty Deed or other proof of ownership.
  5. Proof of payment of taxes.
  6. Permit or Letter of Exemption from the St. Johns River Water Management District or the Florida Department of Environmental Regulations.
  7. Fee.
    - c. Major Subdivision – More than 5 lots:
      - j. \$500 plus \$20 per lot
    - d. Minor Subdivision – 3 to 5 lots:
      - i. \$300

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

**All 7 attachments are required for a complete application. A completeness review of the application will be conducted within ten (10) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

[Signature]  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

BENJAMIN W. BUCHANAN  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

8/24/21  
Date

\_\_\_\_\_  
Date

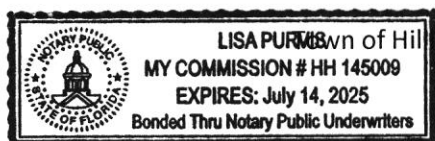
State of Florida County of Nassau

The foregoing application is acknowledged before me this 24<sup>th</sup> day of August, 2021, by Benjamin W.

Buchanan, who is/are personally known to me, or who has/have produced Florida D.L.  
as identification.

NOTARY SEAL

[Signature]



LISA PURVIS, Notary Public, 15859 C.R. 108, Hilliard, FL 32046, (904) 845-3555

MY COMMISSION # HH 145009

EXPIRES: July 14, 2025

Bonded Thru Notary Public Underwriters



Signature of Notary Public, State of Florida

Prepared by:  
Andrea F. Lennon, P.A.  
3391 South Fletcher Avenue  
Fernandina Beach, Florida 32034

File Number: 20-053

## General Warranty Deed

Made this February 27, 2020 A.D. By **Marion K. Mulliniks**, an unmarried woman, whose post office address is: 1036 Whirlaway Circle, Jacksonville, Florida 32218, hereinafter called the grantor, to **Sowing Seeds Investments Inc.**, a Florida Corporation, whose post office address is: 95050 Poplar Way, Fernandina Beach, Florida 32034, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Nassau County, Florida, viz:

**LOTS 36 THROUGH 40 AND LOTS 58 THROUGH 63, DEER RUN  
SUBDIVISION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 563,  
PAGES 322 THROUGH 324, OF THE PUBLIC RECORDS OF NASSAU  
COUNTY, FLORIDA.**

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 17-3n-24-2020-0023-0360

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2019.

Prepared by:  
Andrea F. Lennon, P.A.  
3391 South Fletcher Avenue  
Fernandina Beach, Florida 32034

File Number: 20-053

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence:*

Witness  
Printed Name: ROGER G. DAVIS

Witness  
Printed Name: ARDIS G. DAVIS

Marion K. Mulliniks  
Marion K. Mulliniks

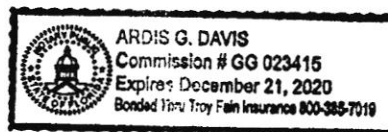
State of Florida

County of DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24<sup>th</sup> day of February, 2020, by Marion K. Mulliniks, an unmarried woman, who is/are personally known to me or who has produced DRIVERS LICENSE as identification.

Notary Public  
Print Name: ARDIS G. DAVIS

My Commission Expires:



## Ownership and Encumbrance Report

**First American Issuing Office:** First American Title Insurance Company  
3563 Phillips Highway, Suite 504, Building E  
Jacksonville, FL 32207

**Customer Reference Number:** Jowers  
**First American File Number:** 2080-5510018

**Prepared For:** Andrea F. Lennon, P.A.  
3391 S. Fletcher Avenue  
Fernandina Beach, FL 32034

### **Legal Description:**

Lots 36 through 40 and Lots 58 through 63, DEER RUN, as described in Official Records Book 563, Pages 322 through 324, of the public records of Nassau County, Florida

### **1. Grantee(s) In Last Deed of Record:**

Sowing Seeds Investment Inc., a Florida corporation

**2. Encumbrances/Matters Affecting Title** (Includes only mortgages, liens and claims of lien (if not specifically affecting other property only), judgments (certified only), federal tax liens, bankruptcy petitions, death certificates, court orders and decrees, divorce decrees, property settlement agreements, tax warrants, incompetency proceedings and probate proceedings which may affect the title to the property described above (attach an exhibit, if necessary)):

(x) Exhibit Attached    () Exhibit Not Attached.

<b><u>Type of Instrument</u></b>	<b><u>O.R.Book</u></b>	<b><u>Page</u></b>
General Warranty Deed	2344	299
Morgage and Security Agreement	2344	301

Copies of the Encumbrances/Matters Affecting Title (x) are ( ) are not included with this Report.

NOTE: The following is for informational purposes only and is given without assurance or guarantee:

Real Estate Taxes for Tax Parcel Number 17-3N-24-2020-0023-0360 for tax year 2020

Gross Tax: \$ 647.36 ( x ) Paid ( ) Not Paid.

Unpaid Taxes for Prior Years: NONE

Map Code: Assessment: **\$55,400.00**

**Customer Reference Number:**  
**First American File Number: 2080-5510018**

## Certificate

"This Report" is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from to at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of NASSAU County, Florida, affecting title to the property described therein. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company

A handwritten signature in black ink, appearing to read "Michael Abbey", is written over a horizontal line.

Michael Abbey, as SVP, Division Region Manager

Dated:07/23/2021



**THIS INSTRUMENT PREPARED BY:**

Pineland Bank  
P O Box 1988  
Alma GA 31510

**RECORD AND RETURN TO:**

Pineland Bank  
P O Box 1988  
Alma GA 31510

**SATISFACTION OF MORTGAGE AND SECURITY AGREEMENT**

SATISFACTION made this 3rd day of August 2021 by and between, **Pineland Bank** the owner and holder of a certain mortgage and security agreement executed by Sowing Seeds Investments Inc bearing date the 27th day of February 2020 and recorded in Official Record Book 2344, Page 301-308 in the office of the Clerk of the Circuit Court of Nassau, Florida, securing that certain note in the principal sum of \$ 48,000.00 and certain promised and obligation set forth in said mortgage, upon the following described land situated in Nassau County, FL, to-wit:

**As described in aforesaid mortgage.**

Owner hereby acknowledges full payment and full satisfaction of said note and mortgage, and surrenders the same as cancelled, and hereby directs the Clerk of the said Circuit Court to cancel the same of record.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness Signature

[Signature]  
Witness Signature

[Signature]  
Pineland Bank  
By: Brandyn E. Harnage  
Title: V.P.  
[Signature]  
By: Lori Stokes  
Title: A.V.P.

State of Georgia  
County of Bacon

This foregoing instrument was acknowledged before me this 3 day of August.

[Signature]  
Notary Signature

Renee Carver  
Notary Printed Signature



THIS DOCUMENT PREPARED  
BY AND RETURN TO:  
ANDREA F. LENNON, P.A.  
961687 GATEWAY BLVD SUITE 101L  
AMELIA ISLAND, FLORIDA 32034

### **MORTGAGE AND SECURITY AGREEMENT**

**THIS MORTGAGE** dated this **27th** day of **February 2020**, by Sowing Seeds Investments, Inc., a Florida Corporation, whose address is **95050 Poplar Way, Fernandina Beach, FL 32034**, hereafter called the Mortgagor, to **Pineland Bank, whose address is 501 West 12<sup>th</sup> Street, P.O. Box 1988, Alma, GA 31510**, hereafter called the Mortgagee.

**WITNESSETH**, that for good and valuable consideration, and also in consideration of the aggregate sum named in the Note, as hereafter described, the Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Mortgagee all that certain land of which the Mortgagor is now seized and possessed and in actual possession, situate in the County of **NASSAU**, State of Florida, as described on Exhibit "A" attached hereto and made a part hereof.

Together with all structures and improvements now and hereafter on said land and fixtures attached thereto and all rents, issues, proceeds and profits accruing and to accrue from said Property, all of which are included within the foregoing description and the habendum thereof; also all gas, steam, electric, water and other heating, cooking, refrigerating, lighting, plumbing, ventilating, irrigating and power systems, machines, appliances, fixtures and appurtenances, which now are or may hereafter pertain to, or be used with, in or on said Property, even though they be detached or detachable, all of which are hereafter called the "Property".

**TO HAVE AND TO HOLD** the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the Mortgagor in and to the same and every part thereof, unto the Mortgagee in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of the Property in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for the Mortgagee at all times peaceably and quietly to enter upon, hold, occupy and enjoy the Property and every part thereof; that it is and will remain free from all encumbrances; that it will make such further assurances to perfect the fee simple title to it in the Mortgagee as may be reasonably required; and that it does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

**PROVIDED ALWAYS** that if the Mortgagor shall pay unto the Mortgagee all sums owed to the Mortgagee by Mortgagor under and by virtue of that certain Promissory Note in the principal amount of **Forty Eight Thousand Dollars and 00/100 Dollars (\$48,000.00)**, dated the date hereof (the "Note") and by this reference made a part hereof, and shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every the stipulations, agreements, conditions and covenants of the Note and this Mortgage, then this Mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor covenants and agrees to and with the Mortgagee as follows:

1. It will pay the principal and interest and the various and sundry sums of money payable by virtue of the Note and this Mortgage promptly on the days the same become due and it will promptly perform and comply with each and every other covenant and agreement in the Note and this Mortgage.
2. It will pay the taxes, assessments, levies, liabilities, obligations and encumbrances of every nature and kind now on the Property, or that hereafter may be imposed, suffered, placed, levied or assessed thereon, or that hereafter may be levied or assessed upon this Mortgage or the indebtedness secured hereby, when due and payable according to law and at least thirty (30) days prior to the time they become delinquent. It will also deliver to the Mortgagee at least twenty (20) days before the same become delinquent the original document evidencing the satisfaction and discharge of such taxes, assessments, levies, liabilities, obligations or encumbrances.
3. It will keep the improvements hereafter erected on the Property insured against loss by fire and other hazards, casualties and contingencies in such amounts and for such periods as may be required by the Mortgagee, and will pay promptly, when due, any premiums on such insurance. All insurance shall be carried in companies approved by the Mortgagee and the policies and renewals thereof shall be held by the Mortgagee and have attached thereto loss payable clauses in favor of and in form acceptable to the Mortgagee. All policies and renewals shall be delivered to the Mortgagee at least ten (10) days prior to the expiration date and if the Mortgagor fails to make such delivery the Mortgagee may procure such insurance and the Mortgagor agrees to pay and reimburse the Mortgagee promptly for the premium paid by the Mortgagee. In the event of loss it will give immediate notice by mail to the Mortgagee, and the Mortgagee may make proof of loss if not made promptly by the Mortgagor, and each insurance company concerned is hereby authorized and directed to make payment for such loss directly to the Mortgagee instead of to the Mortgagor and the Mortgagee jointly, and the insurance proceeds, or any part thereof, may be applied by the Mortgagee at its option either to the reduction of the indebtedness secured hereby or to the restoration or repair of the property damaged. In the event of foreclosure of this Mortgage or other transfer of title to the Property in extinguishment of the indebtedness secured hereby, all right, title and interest of the Mortgagor in and to any insurance policies then in force shall pass to the purchaser or grantee.
4. In the event the Property or any part thereof becomes the subject of or involved in any action, the Mortgagor shall pay and reimburse the Mortgagee for all costs, charges and expenses, including reasonable attorneys' fees, incurred by the Mortgagee in connection with or growing out of such action and all such costs, charges, expenses and attorneys' fees shall be secured by the lien of this Mortgage. The Mortgagor agrees to pay all such costs, charges, expenses and attorneys' fees to the Mortgagee promptly. If any such action is eminent domain proceedings, the Mortgagee shall be entitled to receive and recover the entire award made to the extent that the same does not exceed the amount necessary to pay in full all indebtedness secured by the lien of this Mortgage.
5. It will not permit, commit or suffer any waste, impairment or deterioration of the Property or any part thereof. Should it fail to keep the improvements thereon in good repair, the Mortgagee may make such repairs and expend such sums as in the discretion of the Mortgagee is deemed necessary for the proper preservation thereof.
6. It will pay all and singular the costs, charges and expenses, including reasonable attorneys' fees, cost of abstracts of title and title searches, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of the Note or this Mortgage, and said costs, charges and expenses shall be immediately due and payable.

7. In the event of the failure to pay any sums of money promptly when due under the Note or this Mortgage, the aggregate sum mentioned in the Note then remaining unpaid, with accrued interest to that time, and all other moneys secured hereby, shall become immediately due and payable at the option of the Mortgagee as fully and completely as if all of said sums were originally stipulated and agreed to be paid on such day, anything in the Note or in this Mortgage to the contrary notwithstanding, and thereupon and thereafter at the option of the Mortgagee, without notice or demand, an action may be prosecuted as if all moneys secured hereby had matured prior to the institution of such action. In the event of (a) the breach of any covenant in this Mortgage or any default on the part of the Mortgagor, or (b) the failure to perform promptly and fully any stipulation, agreement, condition or covenant in the Note or in this Mortgage, then Mortgagee shall give Mortgagor written notice by mail to cure such default and, upon failure of Mortgagor to cure such default within thirty (30) days after the notice shall have been mailed, then the aggregate sum mentioned in the Note then remaining unpaid, with accrued interest to that time, and all other moneys secured hereby, shall become immediately due and payable at the option of the Mortgagee as fully and completely as if all of said sums were originally stipulated and agreed to be paid on such day, anything in the Note or in this Mortgage to the contrary notwithstanding, and thereupon and thereafter at the option of the Mortgagee, without notice or demand, an action may be prosecuted as if all moneys secured hereby had matured prior to the institution of such action.

8. The Mortgagee may, at any time while an action is pending to foreclose or to reform this Mortgage, or to enforce any claims arising hereunder, apply to the court having jurisdiction thereof for the appointment of a receiver and such court shall forthwith appoint a receiver of the Property, including all and singular the income, profits, rents, issues and revenues from whatever source derived, and such receiver shall have all the broad and effective functions and powers in anywise entrusted by a court to a receiver, and such appointment shall be made by such court as an admitted equity and a matter of absolute right to the Mortgagee without reference to the adequacy or inadequacy of the value of the Property or to the solvency or insolvency of the Mortgagor or the defendants, and such income, profits, rents, issues and revenues shall be applied by such receiver according to the lien of this Mortgage and the practice of such court.

9. If the Mortgagor fails to perform any of the covenants or agreements contained herein or in the Note and the Mortgagee advances or expends any sums because of such failure and default by the Mortgagor, then all such advances and expenditures shall bear interest at the highest contract rate permitted by applicable law until paid and shall be repayable immediately without demand and shall be secured by the lien of this Mortgage.

10. If all or any part of the Property is sold or transferred without the Mortgagee's prior written consent, all of the sums secured hereby shall become immediately due and payable.

11. Anything in the Note, this Mortgage, or any other agreements or arrangements by the Mortgagor in connection with the loan evidenced by the Note to the contrary notwithstanding, if from any circumstances whatever fulfillment of any provision of any of the foregoing documents or agreements at the time performance of said provision shall be due shall involve transcending the limit of validity prescribed by the usury laws applicable in the State of Florida as preempted and prescribed from time to time by the laws of the United States of America or any rule or regulation of any department or agency thereof, then *ipso facto* the obligation to be fulfilled shall be reduced to the limit of such validity so that in no event shall exaction be possible under any of the aforesaid documents or agreements in excess of the limit of such validity, but such obligation shall be fulfilled to the limit of such validity, and if under any circumstances whatsoever interest in excess of the limit of such validity will have been paid by the Mortgagor in connection with the loan evidenced by the Note, such excess shall be applied by the Mortgagee to the unpaid principal balance of the Note or refunded to the Mortgagor, the manner of handling such excess to be at the Mortgagee's election, and in case any such excess interest has

accrued, the Mortgagee shall eliminate such excess interest so that under no circumstances shall interest on the loan evidenced by the Note exceed the maximum rate allowed by applicable law as preempted and prescribed from time to time by the laws of the United States of America or any rule or regulation of any department or agency thereof.

12. To further secure the indebtedness secured by this Mortgage, the Mortgagor hereby grants to the Mortgagee a security interest in the property described in Exhibit B attached hereto and by this reference made a part hereof. Pursuant to Chapter 679, Florida Statutes, this Mortgage constitutes a financing statement covering the Property as defined in this Mortgage. The mailing address of the Mortgagor/Debtor is as set forth in the preamble of this Mortgage. The mailing address of the Mortgagee/Secured party is as set forth in the preamble of this Mortgage. Some of the Property is or may become attached as fixtures on the real Property encumbered by this Mortgage; that real Property is owned by Mortgagor. This Mortgage is being filed in the real estate records of the county in which the real Property encumbered is situated.

13. Any default by Mortgagor under the terms of any other note or mortgage executed by Mortgagor and held by Mortgagee as evidence of or security for any indebtedness owed by Mortgagor to Mortgagee shall at the option of the Mortgagee constitute a default under the terms hereof. Any default by Mortgagor under the terms of this Mortgage shall at the option of Mortgagee constitute a default under the terms of any other mortgage executed by Mortgagor and held by Mortgagee as security for any indebtedness owned by Mortgagor to Mortgagee.

14. The Property is investment commercial property.

15. The Note evidences and this Mortgage secures all or a portion of the purchase price of the Property in connection with the purchase thereof by the Mortgagor. This is a purchase money mortgage.

16. As additional security for the indebtedness secured hereby, the Mortgagor sells, transfers and assigns unto the Mortgagee all the right, title and interest of the Mortgagor in and to the rents, issues, profits, revenues, royalties, rights and benefits from the real Property and improvements encumbered hereby, together with all leases thereof now made or hereafter entered into, whether written or verbal. The Mortgagor authorizes and empowers the Mortgagee to collect the rents, issues, profits, revenues, royalties, rights and benefits as they shall become due, and does direct each and all of the tenants of the premises to pay the rents as now may be due or shall become due hereafter to the Mortgagee upon demand for payment by the Mortgagee, provided, however, that no such demand shall be made unless and until there has been a default in the payment of any other sums secured by this Mortgage, but the tenants shall pay the rents to the Mortgagee upon such demand without the necessity of inquiry into the propriety of doing so, and shall be fully protected in so doing. Until such demand is made, the Mortgagor is authorized to collect, or continue collecting, the rents, issues, profits, revenues, royalties, rights and benefits, but this privilege shall not operate to permit the collection by the Mortgagor of any installment of rent in advance of the date prescribed in the lease or leases for its or their payment. The amount collected under this assignment, less the expense of collection, if any, shall be applied on account of taxes and assessments on the real estate, insurance premiums and delinquencies of principal and interest under the Note and this Mortgage. Nothing contained in this assignment shall be construed as making the Mortgagee a mortgagee in possession, nor shall the Mortgagee be liable for laches or failure to collect the rents, issues, profits, revenues, royalties, rights and benefits; it is understood that the Mortgagee is to account only for such sums as actually are collected. Neither the existence of this assignment nor the exercise of its privilege to collect the rents, issues, profits, revenues, royalties, rights and benefits under it shall be construed as a waiver by the Mortgagee of the right to enforce payment of



the indebtedness secured hereby in strict accordance with the terms and provisions of this Mortgage and the Note.

17. Failure of the Mortgagor to comply strictly with the provisions of this paragraph shall constitute an event of default under this Mortgage and the Note secured hereby and, at the option of the Mortgagee, the aggregate sum mentioned in the Note secured hereby shall become due and payable as fully and completely as if the aggregate sum mentioned in the Note secured hereby were originally stipulated to be paid on the date of such an event of default, and upon such acceleration the Mortgagee may pursue such rights and remedies as are provided for in this Mortgage. The Mortgagor covenants and agrees with the Mortgagee that, throughout the term of the Note: (a) all hazardous or toxic substances, within the definition of any applicable statute or regulation, which may be used by any person for any purpose upon the Property, shall be used or stored thereon only in a safe and approved manner, in accordance with all industrial standards and all laws, regulations and requirements for such storage promulgated by any applicable governmental agency or authority; (b) other than as described in (a) above, the Property will not be used for the purpose of storing such substances; and (c) other than as described in (a) above, no such storage or use will otherwise be allowed on the Property which will cause, or which will increase the likelihood of causing, the release of such hazardous or toxic substances onto the Property. The Mortgagor hereby agrees to indemnify and save and hold the Mortgagee harmless of and from all loss, cost (including reasonable attorneys' fees), liability and damage whatsoever incurred by the Mortgagee arising out of or by reason of any violation of any applicable statute or regulation for the protection of the environment which occurs upon the Property, or by reason of the imposition of any governmental lien for the recovery of environmental clean-up costs expended by reason of such violation; provided that, to the extent that the Mortgagee is strictly liable under any such statute or regulation, the Mortgagor's obligation to the Mortgagee under this indemnity shall likewise be without regard to fault on the part of the Mortgagor with respect to the violation of law which results in liability to the Mortgagee. A default under this paragraph shall constitute an event of default under this Mortgage.

18. The covenants and agreements herein contained shall bind, and the benefits and advantages shall inure to the respective heirs, legal representatives, successors and assigns of the parties hereto. Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall include all genders. This Mortgage and the Note evidencing the indebtedness secured hereby constitute a Florida contract and shall be construed according to the laws of said state.

19. **NO PARTY TO THIS MORTGAGE OR ANY ASSIGNEE, SUCCESSOR, HEIR OR LEGAL REPRESENTATIVE OF A PARTY SHALL SEEK A JURY TRIAL IN ANY LAWSUIT, PROCEEDING, COUNTERCLAIM OR ANY OTHER LITIGATION PROCEDURE BASED UPON OR ARISING OUT OF THIS MORTGAGE, ANY RELATED AGREEMENT OR INSTRUMENT, ANY OTHER COLLATERAL FOR THE INDEBTEDNESS SECURED HEREBY OR THE DEALINGS OR THE RELATIONSHIP BETWEEN OR AMONG THE PARTIES HERETO OR THERETO, OR ANY OF THEM. NO PARTY WILL SEEK TO CONSOLIDATE ANY SUCH ACTION, IN WHICH A JURY TRIAL HAS BEEN WAIVED, WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THE PROVISIONS OF THIS PARAGRAPH HAVE BEEN FULLY NEGOTIATED BY THE PARTIES HERETO, AND THESE PROVISIONS SHALL BE SUBJECT TO NO EXCEPTIONS. NO PARTY HAS IN ANY WAY AGREED WITH OR REPRESENTED TO ANY OTHER PARTY THAT THE PROVISIONS OF THIS PARAGRAPH WILL NOT BE FULLY ENFORCED IN ALL INSTANCES.**

**IN WITNESS WHEREOF**, the Mortgagor has executed this instrument under seal the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

Print Name  
 Print Name  
Andrea Lennon Print Name

**Sowing Seeds Investments, Inc., a Florida  
Corporation**

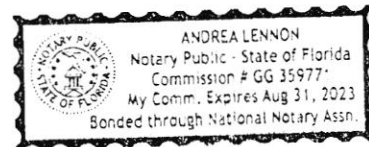
By: Anna Jowers, President

State of Florida

County of Nassau

This foregoing instrument was acknowledged before me by physical presence this 27th day of February 2020, by Anna Jowers as President of Sowing Seeds Investments, Inc., She produced a Driver's License as identification.

Notary Public  
Print Name Andrea Lennon  
My Commission Expires:



**EXHIBIT "A"**

The land referred to herein below is situated in the County of NASSAU, State of Florida,  
and described as follows:

LOTS 36 THROUGH 40 AND LOTS 58 THROUGH 63, DEER RUN SUBDIVISION, AS  
DESCRIBED IN OFFICIAL RECORDS BOOK 563, PAGES 322 THROUGH 324, OF THE  
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.



**EXHIBIT "B"**

**(Description of Personal Property)**

All fixtures, machinery, equipment and appliances owned by the Mortgagor located and installed on the real property described in Exhibit "A".



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: ***Janis K. Fleet, AICP, Land Use Administrator***

SUBJECT: Planning and Zoning Board Approval of Site Plan 20210519 - Site Plan and Construction Plans for the Whisper Ridge PUD

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**BACKGROUND:** The Whisper Ridge PUD was approved by the Town Council in April. The owners have applied for Site Plan approval and for approval of the construction plans for the infrastructure. The construction plans have been reviewed by the Town's Engineering Consultant. The applicant still needs to apply for preliminary plat approval and apply for final plat approval.

**FINANCIAL IMPACT:** None to the Town. The applicant is required to pay for the construction of the infrastructure and for all costs for reviews by the Town's consultants and any permitting costs.

**RECOMMENDATION:** Staff recommends approval of the site plan application, and the construction plans dated August 30, 2021, with the following conditions:

1. The applicant shall pay all fees of the Town's consultants related to the review and acceptance of the infrastructure. This includes all inspections and meetings before and during construction.
2. The applicant shall comply with all comments generated by the Town's staff and Town's consultants.
3. The applicant shall provide a timeline for submitting the preliminary plat on the development.
4. The applicant shall apply for a Site Clearing/Site Work permit from the Town.
5. A pre-construction meeting with the Town's staff and consultants shall be required prior to site clearing and construction of the infrastructure.

**Lisa Purvis**

---

**From:** Beth Leaptrott <bleaptrott@cweng.com>  
**Sent:** Friday, September 3, 2021 4:24 PM  
**To:** Kellen Lindsey; Janis Fleet  
**Cc:** Lisa Purvis; Richie Rowe; Timothy Norman; Shari Higginbotham; Tim Shea; Sabrina Justice; April Bussey  
**Subject:** RE: 9610-23-08 Hilliard - 20-01-0008 Whisper Ridge Subdivision - Site/Development Plan Review No. 3

Kellen and Janis,

We would like to have the plans at this link to be the final plans for Town of Hilliard Sept 14 P&Z approval.

<https://cweng-my.sharepoint.com/:b:/p/bleaptrott/EWZH4yCq41VFf6OWPZrBvs0BE3I2hpHsIAh0RSGFPgKZVg?e=jDvTq2>

We revised a few items since the 8-30-21 approval:

1. OC-1 top elevation fixed on Sheet 6B to 54.50'.
2. Client wanted to delineate showing the Pond as a Tract and the Drainage Easement on Whippoorwill Court as a Tract.
3. Nassau County had two comments we've addressed:
  - a. Mill an resurface limits on Old Pineridge Road and Kings Ferry Road
  - b. Directional drill of watermain connection at County Road 108

Please let me know if you need anything additional.

**Beth Leaptrott, P.E.**

Senior Project Manager  
 Direct: 904-265-3089  
 Office: 904-265-3030  
[bleaptrott@cweng.com](mailto:bleaptrott@cweng.com)




---

**From:** Kellen Lindsey <KLindsey@mittauer.com>  
**Sent:** Monday, August 30, 2021 4:10 PM  
**To:** Beth Leaptrott <bleaptrott@cweng.com>; Janis Fleet <jfleet@townofhilliard.com>  
**Cc:** Lisa Purvis <lpurvis@townofhilliard.com>; Richie Rowe <rrowe@townofhilliard.com>; Timothy Norman <TNorman@mittauer.com>; Shari Higginbotham <shari@ghlandinvest.com>; Tim Shea <sheaman7@gmail.com>; Sabrina Justice <SJustice@cweng.com>; April Bussey <abussey@cweng.com>  
**Subject:** 9610-23-08 Hilliard - 20-01-0008 Whisper Ridge Subdivision - Site/Development Plan Review No. 3

[EXTERNAL EMAIL]

All:

Please find attached our Site/Development Plan Review No. 3 for the Whisper Ridge Construction Plan Submittal on behalf of the Town of Hilliard. We approve this submittal contingent upon approval and receipt of the SJRWMD ERP and final determination of how the fire flow will be addressed.

We have included several comments that will need to be addressed prior to final approval / construction, but we have no issue or concerns with the Town's Planning & Zoning Board moving forward with review.

Janis – please let us know if there is anything else the Town will need from us for processing or for Board review/approval.

Sincerely,

**KELLEN LINDSEY, P.E.**  
**SENIOR PROJECT MANAGER**  
**MITTAUER & ASSOCIATES, INC.**  
 580-1 Wells Road  
 Orange Park, FL 32073  
 Office: (904) 278-0030  
 Direct: (904) 644-0642  
 Email: [klindsey@mittauer.com](mailto:klindsey@mittauer.com)




---

**From:** Beth Leaptrott <[bleaptrott@cweng.com](mailto:bleaptrott@cweng.com)>  
**Sent:** Friday, August 27, 2021 12:03 PM  
**To:** Kellen Lindsey <[KLindsey@mittauer.com](mailto:KLindsey@mittauer.com)>; Janis Fleet <[jfleet@townofhilliard.com](mailto:jfleet@townofhilliard.com)>  
**Cc:** Lisa Purvis <[lpurvis@townofhilliard.com](mailto:lpurvis@townofhilliard.com)>; Richie Rowe <[rrowe@townofhilliard.com](mailto:rrowe@townofhilliard.com)>; Timothy Norman <[TNorman@mittauer.com](mailto:TNorman@mittauer.com)>; Shari Higginbotham <[shari@ghlandinvest.com](mailto:shari@ghlandinvest.com)>; Tim Shea <[sheaman7@gmail.com](mailto:sheaman7@gmail.com)>; Sabrina Justice <[SJustice@cweng.com](mailto:SJustice@cweng.com)>; April Bussey <[abussey@cweng.com](mailto:abussey@cweng.com)>  
**Subject:** RE: 9610-23-08 Hilliard - 20-01-0008 Whisper Ridge Subdivision - Site/Development Plan Review No. 2

Kellen,

At the following link are the revised plans and response to comments.

[https://cweng-my.sharepoint.com/:f/p/bleaptrott/EsrH3lMaTUFJi4KlfSIEqWcB\\_3T8SVZPv1PWAd7L0eAxoQ?e=9Kt2Ag](https://cweng-my.sharepoint.com/:f/p/bleaptrott/EsrH3lMaTUFJi4KlfSIEqWcB_3T8SVZPv1PWAd7L0eAxoQ?e=9Kt2Ag)

We are awaiting the calculations from the Plumbing Engineer for the Booster Pump and will send as soon as received.

Please let us know if you have any issues downloading the submittal and let us know if you have any questions. We are hoping the project can get on the September agenda with the Town of Hilliard.

Thanks for your time.

**Beth Leaptrott, P.E.**  
 Senior Project Manager  
 Direct: 904-265-3089  
 Office: 904-265-3030  
[bleaptrott@cweng.com](mailto:bleaptrott@cweng.com)





# Town of Hilliard Site Plan Application

## FOR OFFICE USE ONLY

ITEM-4

File # 20210519  
Application Fee: 1,650.00  
Filing Date: 5-19-21 Acceptance Date: \_\_\_\_\_

### A. PROJECT

1. Project Name: Whisper Ridge Subdivision
2. Address of Subject Property: SE corner of the Intersection of Kings Ferry Road and Old Pineridge Road
3. Parcel ID Number(s): 04-3N-24-0000-0006-0010 and 04-3N-24-0000-0004-0100
4. Existing Use of Property: Vacant wooded parcel
5. Future Land Use Map Designation: MDR
6. Zoning Designation: PUD
7. Acreage: 26.09

### B. APPLICANT

1. Applicant's Status ☐ Owner (title holder) ☒ Agent
2. Name of Applicant(s) or Contact Person(s): Beth Leaptrott Title: Senior Project Manager  
Company (if applicable): Connelly & Wicker, Inc.  
Mailing address: 10060 Skinner Lake Drive, Suite 500  
City: Jacksonville State: Florida ZIP: 32245  
Telephone: (904) 265-3030 FAX: ( ) e-mail: bleaptrott@cweng.com
3. If the applicant is agent for the property owner\*:  
Name of Owner (title holder): Shari Graham  
Company (if applicable): B.A.M.S. Properties, LLC (G&H Land and Timber Investments, LLC)  
Mailing address: 542435 US Highway 1  
City: Callahan State: Florida ZIP: 32011  
Telephone: (904) 759-2782 FAX: ( ) e-mail: shari@ghlandinvest.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

**D. ATTACHMENTS** (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - e. Statement of Proposed Uses.
  - f. Location of the site in relation to adjacent properties, including the means of ingress and egress to such properties and any screening or buffers along adjacent properties.
  - g. Location of nearest fire hydrant, adjacent pedestrian sidewalks and bicycle paths.
  - h. Date, north arrow, and graphic scale (not to exceed one (1) inch equal to fifty (50) feet).
  - i. Area and dimensions of site.
  - j. Location of all property lines, existing right-of-way approaches, sidewalks, curbs, and gutters.
  - k. Access and points of connection to utilities (electric, potable water, sanitary sewer, gas, etc.).
  - m. Location and dimensions of all existing and proposed parking areas, loading areas, curb cuts.
  - n. Number of proposed parking spaces
  - o. Structures and major features – fully dimensioned – including setbacks, distances between structures, floor area, width of driveways and lot coverage.
  - p. Required buffers.
  - q. Location of existing trees, identifying any trees to be removed.
  - r. Landscaping plan depicting type, size, and design of landscaped areas, buffers, and tree mitigation calculations.
  - s. Percent of pervious surface.
  - t. Lighting plan.
  - u. Location, design, height, and orientation of signs.
  - v. Location of dumpsters and detail of dumpster enclosure.
  - w. For development consisting of Multi-family residential;
    - i. Tabulation of gross acreage.
    - ii. Tabulation of density.
    - iii. Number of dwelling units proposed.
    - v. Floor area of dwelling units.
2. Stormwater management plan - including the following:
  - a. Existing contours at one (1) foot intervals.
  - b. Proposed finished floor elevation of each building site.
  - c. Existing and proposed stormwater management facilities with size and grades.
  - d. Proposed orderly disposal of surface water runoff.
3. Legal description with tax parcel number.
4. Warranty Deed or other proof of ownership.
5. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 6. Fee.

a. Based on size of site:

i. For sites &lt;10,000 s.f. - \$200

ii. For sites &gt;10,000 s.f.- \$1,000 + \$20 per acre

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

**All 6 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

Shari Graham  
Signature of Applicant

Shari Graham

Typed or printed name and title of applicant

\_\_\_\_\_  
Signature of Co-applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

May 18, 2021  
Date

\_\_\_\_\_  
Date

State of Florida County of NASSAU

The foregoing application is acknowledged before me this 18 day of May, 2021 by Shari Graham

\_\_\_\_\_, who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

NOTARY SEAL

Karen A. Schoolcraft

Signature of Notary Public, State of FL



**Karen A. Schoolcraft**  
Notary Public  
State of Florida  
Comm# HH036984  
Expires 9/14/2024

**OWNER'S AUTHORIZATION FOR AGENT  
PLANNING DEPARTMENT**

**TOWN OF HILLIARD, FLORIDA**

**EACH AND EVERY OWNER SHOWN ON THE PROOF OF  
OWNERSHIP MUST SIGN AN AUTHORIZATION FORM**

**Agent Authorization Form**

I/We Shari Graham

(Print Name of Property Owner)

hereby authorize Beth Leaptrott, Connelly & Wicker Inc.

(Print Name of Agent)

to represent me/us in processing an application for Site Plan Application

(Type of Application)

on our behalf. In authorizing the agent to represent me/us, I/we, as owner(s) attest that the application is made in good faith and that any information contained in the application is accurate and complete.

  
(Signature of Owner)

(Signature of Owner)

Shari T. Graham  
(Print Name of Owner)

(Print Name of Owner)

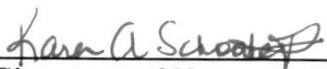
State of Florida

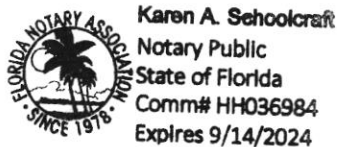
} ss

Nassau County

Sworn to and subscribed before me on this 18<sup>th</sup> day of May, 2021,  
by \_\_\_\_\_

(Name of Person Making Statement)

  
**Signature of Notary Public  
State of Florida**



\_\_\_\_\_  
**Print, type or stamp commissioned name  
of Notary Public**

My Commission Expires: 9/14/2024

Individual making statement is X personally known or \_\_\_\_\_ produced identification.

Type of identification produced: \_\_\_\_\_





## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: **Janis K. Fleet, AICP, Land Use Administrator**

SUBJECT: Planning and Zoning Board Approval of Site Clearing/Site Work Application  
# 20210821-01  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0178-0090

---

**BACKGROUND:** Mr. Christopher Goodin, President of Coastal Group, LLC has submitted a Site Clearing/Site Work application to clear the four lots at the Southeast corner of Montana Street and New Front Street. The Parcel ID#08-3N-24-2380-0178-0090. The property is 0.29 acres and is vacant. Mr. Goodin plans on selling the lots to be developed for one single family dwelling unit on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

Based on the scope of work submitted with the application, Mr. Goodin would like to log the trees and leave any live oaks on the property. He plans to clear all stumps and debris. The lots will be filled back to existing grade to +/- 6 inches from existing grade and seed/hay the lots.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve the Site Clearing/Site Work Application # 20210821-01 which the request to fill the property with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. A pre and post topo survey must be performed on the property to determine the existing grade and finished grade.
3. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the Right-of-Ways that fronts the site.
4. All wetlands on the property shall be identified. No wetlands can be impacted without proper permits from the St. Johns Water Management District.
5. A tree survey shall be performed on the property to determine the location of live oaks to be preserved.
6. Tree protection measures must be provided around live oaks prior to site clearing to insure protection.
7. The property shall be seeded, and hay placed on the lots to prevent erosion.
8. No dirt can impede onto surrounding landowners.
9. The fill cannot exceed 6 inches from existing grade.
10. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.



## FOR OFFICE USE ONLY

File # \_\_\_\_\_

Application Fee: \_\_\_\_\_

Filing Date: \_\_\_\_\_ Acceptance Date: \_\_\_\_\_

# Town of Hilliard

## Site Clearing/Site Work Application

**A. PROJECT**

1. Project Name: Lot #1 (Parcel 2)
2. Address of Subject Property: Corner of Montana & New Front St.
3. Parcel ID Number(s): 08-3N-24-2380-0178-0090
4. Existing Use of Property: Vacant
5. Zoning Designation: R-2
6. Description of Work: Clearing
7. Acreage of Parcel: .29

**B. Owner**

1. Name of Owner(s) or Contact Person(s): Christopher Goodin Title: President  
 Company (if applicable): Coastland Group LLC  
 Mailing address: 220 Hopkins St., Unit 1  
 City: Neptune Beach State: FL ZIP: 32266  
 Telephone: 919 671-5825 FAX: ( ) e-mail: cgoodin@coastlandgroup.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

**D. ATTACHMENTS** (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - c. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 5. Fee.

- a. \$100 plus \$20 per acre;

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

CH Goodin  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

Christopher Goodin - President Coastland Group LLC  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

8/6/21  
Date

\_\_\_\_\_  
Date

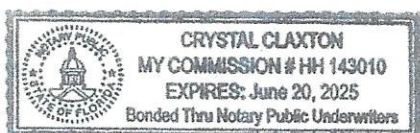
State of Florida County of Duval

The foregoing application is acknowledged before me this 6th day of August, 2021, by Christopher

Goodin, who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

NOTARY SEAL

Crystal Claxton  
Signature of Notary Public, State of Florida







# SCOPE OF WORK



Project Name: Hilliard Lots

Project Location: (See attached Exhibit "A")

Contractor Contact Info:	<u>Caila Contracting LLC</u>	Owner Info:	<u>Coastland Group</u>
	<u>29904 Pigeon Creek Rd.</u>		<u>200 First St.</u>
	<u>Hilliard, FL. 32046</u>		<u>Neptune Beach, FL. 32266</u>
	<u>Contact: Earl Bright 904-805-3715</u>		<u>Contact: Chris Goodin</u>
	<u>Email: ebright@cailacontracting.com</u>		<u>Phone: 919-671-5825</u>

## Scope of Work

- 1 To log the trees leaving any live oaks and other along the edges if possible
- 2 Clear all stumps and debris
- 3 Grade lot back to existing grade (+/- 6")
- 4 Bring enough fill in to return to existing grade and level lot
- 5 Seed & Hay lot

\*\*\* Lot will be graded to where it will not drain onto adjacent property unless natural grade flows that way.

\*\*\* We will install hay bales anywhere it is necessary to keep erosion under control.

EXHIBIT "A"

The land referred to herein below is situated in the County of NASSAU, State of Florida, and described as follows:

---

Parcel 2:  
Lots 9, 10, 11 & 12 of Block 178;

---

all of the PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, according to the Plat thereof as recorded in Plat Book 1, Page(s) 23, of the Public Records of NASSAU County, Florida.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

---

TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: **Janis K. Fleet, AICP, Land Use Administrator**

SUBJECT: Planning and Zoning Board Approval of Site Clearing/Site Work Application  
# 20210821-04  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0176-0080

---

**BACKGROUND:** Mr. Christopher Goodin, President of Coastal Group, LLC has submitted a Site Clearing/Site Work application to clear the five lots at the Southeast corner of Virginia Street and New Front Street. The Parcel ID#08-3N-24-2380-0176-0080. The property is 0.35 acres and is vacant. Mr. Goodin plans on selling the lots to be developed for one single family dwelling unit on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

Based on the scope of work submitted with the application, Mr. Goodin would like to log the trees and leave any live oaks on the property. He plans to clear all stumps and debris. The lots will be filled back to existing grade to +/- 6 inches from existing grade and seed/hay the lots.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

**FINANCIAL IMPACT:** None.



**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve the Site Clearing/Site Work Application # 20210821-04, which includes the request to fill the property, with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. A pre and post topo survey must be performed on the property to determine the existing grade and finished grade.
3. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the Right-of-Ways that fronts the site.
4. All wetlands on the property shall be identified. No wetlands can be impacted without proper permits from the St. Johns Water Management District.
5. A tree survey shall be performed on the property to determine the location of live oaks to be preserved.
6. Tree protection measures must be provided around live oaks prior to site clearing to insure protection.
7. The property shall be seeded, and hay placed on the lots to prevent erosion.
8. No dirt can impede onto surrounding landowners.
9. The fill cannot exceed 6 inches from existing grade.
10. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.



## FOR OFFICE USE ONLY

File # \_\_\_\_\_

Application Fee: \_\_\_\_\_

Filing Date: \_\_\_\_\_ Acceptance Date: \_\_\_\_\_

# Town of Hilliard

## Site Clearing/Site Work Application

**A. PROJECT**

1. Project Name: Lot #4 (Parcel 1)
2. Address of Subject Property: Corner of Virginia & New Front St.
3. Parcel ID Number(s): 08-3N-24-2380-0176-0080
4. Existing Use of Property: Vacant
5. Zoning Designation: R-2
6. Description of Work: Clearing
7. Acreage of Parcel: .35

**B. Owner**

1. Name of Owner(s) or Contact Person(s): Christopher Goodin Title: President  
 Company (if applicable): Coastland Group LLC  
 Mailing address: 220 Hopkins St., Unit 1  
 City: Neptune Beach State: FL ZIP: 32266  
 Telephone: 919 671-5825 FAX: ( ) e-mail: cgoodin@coastlandgroup.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

**D. ATTACHMENTS** (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - c. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 5. Fee.

- a. \$100 plus \$20 per acre:

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

CH Goodin  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

Christopher Goodin - President Coastland Group LLC  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

8/6/21  
Date

\_\_\_\_\_  
Date

State of Florida County of Duval

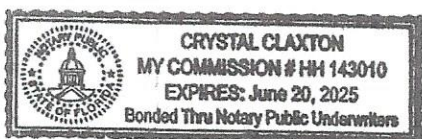
The foregoing application is acknowledged before me this 6th day of August, 2021, by Christopher

Goodin, who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

NOTARY SEAL

[Signature]

Signature of Notary Public, State of Florida



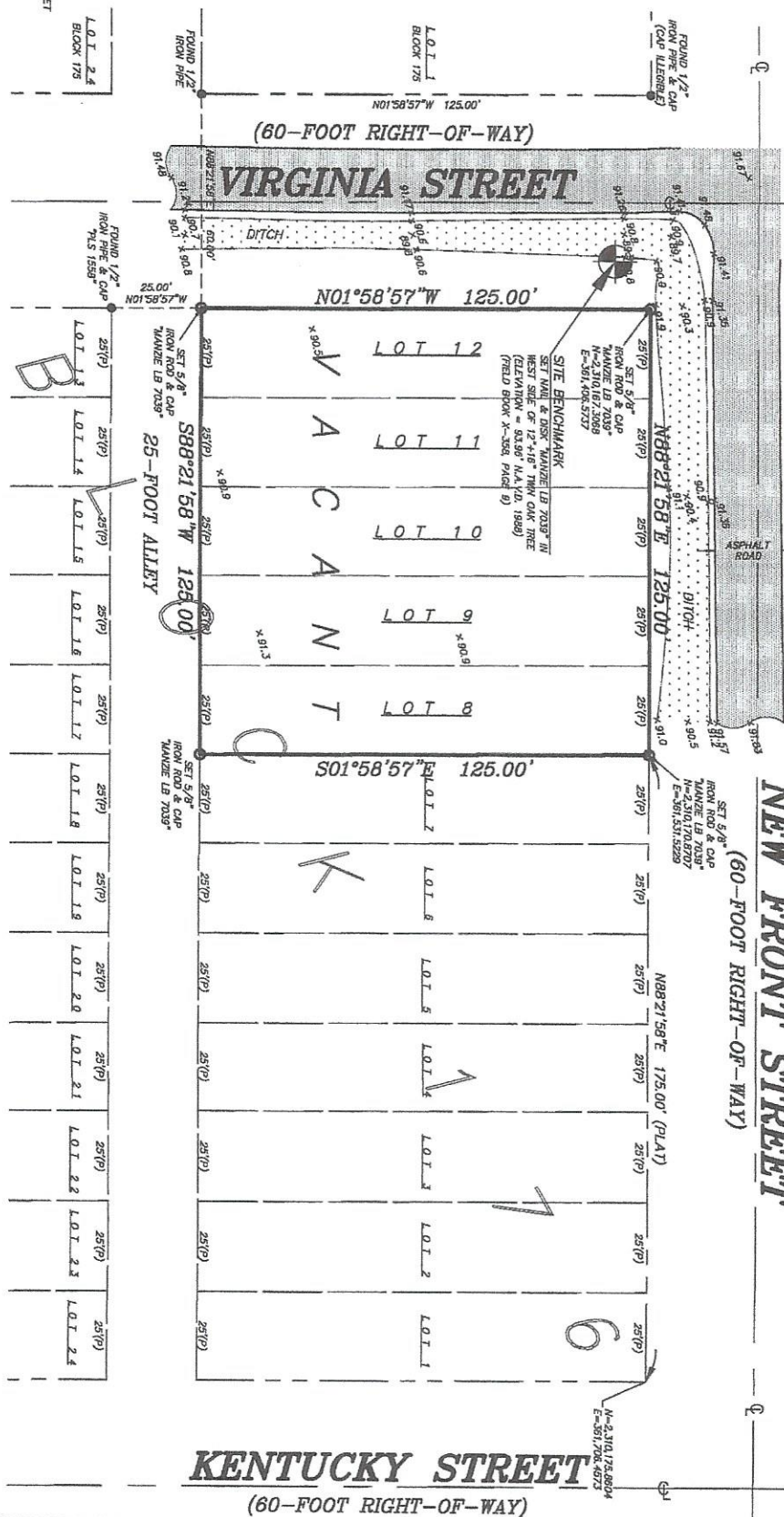


# MAP OF BOUNDARY & TOPOGRAPHIC SURVEY LOTS 8, 9, 10, 11, AND 12, BLOCK 176, PLAT OF THE WEST PORTION OF THE TOWN OF HILLARD AS RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

CERTIFIED TO: COASTLAND GROUP

NEW FRONT STREET

(60-FOOT RIGHT-OF-WAY)



THE INFORMATION SHOWN HEREON IS THE PROPERTY OF THE  
 BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS, FLORIDA  
 IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, CHAPTER  
 PURSUANT TO SECTION 472.022.

**MANZIE & DRAKE LAND SURVEYING**  
 117 South Ninth Street, Fernandina Beach, FL 32034  
 (904) 491-5700 www.ManzieAndDrake.com  
 Certificate of Authorization Number "LB 7033"  
 OUR SIGHTS ARE ON THE FUTURE.  
 SET YOUR SITES ON US.

SCALE: 1"=30' JOB NO: 21275-1 DATE: 7/9/2021 CADD: WMD  
 F.B. NO: X-358 PAGE NO: 9 FIELD CREW: JM FILE NO: A-5420

# SCOPE OF WORK



Project Name: Hilliard Lots

Project Location: (See attached Exhibit "A")

Contractor Contact Info:	<u>Caila Contracting LLC</u>	Owner Info:	<u>Coastland Group</u>
	<u>29904 Pigeon Creek Rd.</u>		<u>200 First St.</u>
	<u>Hilliard, FL. 32046</u>		<u>Neptune Beach, FL. 32266</u>
	<u>Contact: Earl Bright 904-805-3715</u>		<u>Contact: Chris Goodin</u>
	<u>Email: ebright@cailacontracting.com</u>		<u>Phone: 919-671-5825</u>

## Scope of Work

- 1 To log the trees leaving any live oaks and other along the edges if possible
- 2 Clear all stumps and debris
- 3 Grade lot back to existing grade (+/- 6")
- 4 Bring enough fill in to return to existing grade and level lot
- 5 Seed & Hay lot

\*\*\* Lot will be graded to where it will not drain onto adjacent property unless natural grade flows that way.

\*\*\* We will install hay bales anywhere it is necessary to keep erosion under control.

EXHIBIT "A"

The land referred to herein below is situated in the County of NASSAU, State of Florida, and described as follows:

Parcel 1:  
Lots 8, 9, 10, 11 & 12 of Block 176;

all of the PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, according to the Plat thereof as recorded in Plat Book 1, Page(s) 23, of the Public Records of NASSAU County, Florida.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: **Janis K. Fleet, AICP, Land Use Administrator**

SUBJECT: Planning and Zoning Board Approval of Site Clearing/Site Work Application  
# 20210821-12  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0148-0010

---

**BACKGROUND:** Mr. Christopher Goodin, President of Coastal Group, LLC has submitted a Site Clearing/Site Work application to clear the four lots at the Northwest corner of Minnesota Street and West Second Avenue. The Parcel ID#08-3N-24-2380-0148-0010. The property is .29 acres and is vacant. Mr. Goodin plans on selling the lots to be developed for one single family dwelling unit on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

Based on the scope of work submitted with the application, Mr. Goodin would like to log the trees and leave any live oaks on the property. He plans to clear all stumps and debris. The lots will be filled back to existing grade to +/- 6 inches from existing grade and seed/hay the lots.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve the Site Clearing/Site Work Application # 20210821-12, which includes the request to fill the property, with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. A pre and post topo survey must be performed on the property to determine the existing grade and finished grade.
3. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the Right-of-Ways that fronts the site.
4. All wetlands on the property shall be identified. No wetlands can be impacted without proper permits from the St. Johns Water Management District.
5. A tree survey shall be performed on the property to determine the location of live oaks to be preserved.
6. Tree protection measures must be provided around live oaks prior to site clearing to insure protection.
7. The property shall be seeded, and hay placed on the lots to prevent erosion.
8. No dirt can impede onto surrounding landowners.
9. The fill cannot exceed 6 inches from existing grade.
10. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.





## FOR OFFICE USE ONLY

File # \_\_\_\_\_

Application Fee: \_\_\_\_\_

Filing Date: \_\_\_\_\_ Acceptance Date: \_\_\_\_\_

# Town of Hilliard

## Site Clearing/Site Work Application

## A. PROJECT

1. Project Name: Lot #12 (Parcel 7b)
2. Address of Subject Property: Corner of W. Second Ave. & Minnesota St.
3. Parcel ID Number(s): 08-3N-24-2380-0148-0010
4. Existing Use of Property: Vacant
5. Zoning Designation: R-2
6. Description of Work: Clearing
7. Acreage of Parcel: ~~XXXX~~ .29

## B. Owner

1. Name of Owner(s) or Contact Person(s): Christopher Goodin Title: President  
 Company (if applicable): Coastland Group LLC  
 Mailing address: 220 Hopkins St., Unit 1  
 City: Neptune Beach State FL ZIP: 32266  
 Telephone: 919 671-5825 FAX: ( ) e-mail: cgoodin@coastlandgroup.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

## D. ATTACHMENTS (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - c. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 5. Fee.

- a. \$100 plus \$20 per acre;

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

Christopher Goodin  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

Christopher Goodin - President Coastland Group LLC  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

8/6/21  
Date

\_\_\_\_\_  
Date

State of Florida County of Duval

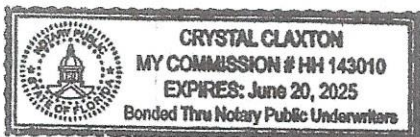
The foregoing application is acknowledged before me this 6th day of August, 2021, by Christopher

Goodin, who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

NOTARY SEAL

Crystal Claxton

Signature of Notary Public, State of Florida





LOT 21-24 OF BLOCK 148 ALL OF THE PLAT OF THE WEST PORTION OF THE TOWN OF HILLARD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

## GENERAL NOTES

1. THIS MAP DOES NOT PURPORT TO BE BOUNDARY SURVEY.
2. THIS SURVEY MAP DOES NOT REFLECT OWNERSHIP.
3. THERE MAY BE UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY, UNLESS OTHERWISE NOTED, RECORD AND MEASURED DIMENSIONS AGREE.
4. THE RELATIVE LINEAR DISTANCE ACCURACY FOR THIS SURVEY EXCEEDS 1:10,000.
5. ALL MEASUREMENTS ARE IN U.S. STANDARD FEET AND WERE MADE WITH A THEODOLITE AND ELECTRONIC DISTANCE MEASURING DEVICE AND/OR STEEL TAPE.
6. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATIONS, TOPOGRAPHIC INFORMATION AND PROPOSED LOT LIMITS.
7. THIS SURVEY MAP AND/OR SURVEY REPORT AND THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE OF A LICENSED SURVEYOR AND MAPPER AND THE ORIGINAL RAISED SEAL.
8. NO TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SURVEYED PROPERTY HAS BEEN OBTAINED, AND THE SURVEYOR HAS NO KNOWLEDGE OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES.
9. NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SIGNING ON THIS NOTICE, THEIR AGENTS AND OTHERS WHO HAVE BEEN ADVISED BY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF SURVEYOR.
10. ELEVATIONS SHOWN, THUS (10.25), ARE IN FEET, AND BASED ON (N.A.M.D.).  
VERTICAL DATUM OF 1988A, (N.A.V.D.).

I HEREBY CERTIFY THAT THIS \_\_\_\_\_ SPECIFIC PURPOSE \_\_\_\_\_ SURVEY

PERFORMED UNDER MY RESPONSIBLE DIRECTION, MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 204-1, F.S., ADMINISTRATIVE CODE (PRESIDENT TO SECTION 472.027, FLORIDA STATUTES).

2025 APR 10 10:00 AM  
STATE OF FLORIDA  
DEPARTMENT OF REVENUE  
TALLAHASSEE, FLORIDA

CHARLES R. BASSETT JR., REGISTERED LAND SURVEYOR FLA. NO. 4591  
LICENSED BUSINESS NUMBER 6628

FLOOD ZONES "X" (UNSHADED) AS BEST ASCERTAINED FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12089C0135F, DATED: 12-17-2010.

FIELD BOOK NO.:	N/A	PAGE(S)	N/A	LEGAL:	N/A	WORK ORDER NO.:	03-21-02
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COMPUTER FILE NAME: 032102 HILLIARD.DWG SCALE: 1" = 30' FILE NO.: S-6906-3



# SCOPE OF WORK



Project Name: Hilliard Lots

Project Location: (See attached Exhibit "A")

Contractor Contact Info:	<u>Caila Contracting LLC</u>	Owner Info:	<u>Coastland Group</u>
	<u>29904 Pigeon Creek Rd.</u>		<u>200 First St.</u>
	<u>Hilliard, FL. 32046</u>		<u>Neptune Beach, FL. 32266</u>
	<u>Contact: Earl Bright 904-805-3715</u>		<u>Contact: Chris Goodin</u>
	<u>Email: ebright@cailacontracting.com</u>		<u>Phone: 919-671-5825</u>

## Scope of Work

- 1 To log the trees leaving any live oaks and other along the edges if possible
- 2 Clear all stumps and debris
- 3 Grade lot back to existing grade (+/- 6")
- 4 Bring enough fill in to return to existing grade and level lot
- 5 Seed & Hay lot

\*\*\* Lot will be graded to where it will not drain onto adjacent property unless natural grade flows that way.

\*\*\* We will install hay bales anywhere it is necessary to keep erosion under control.

EXHIBIT "A"

The land referred to herein below is situated in the County of NASSAU, State of Florida, and described as follows:

Parcel 7b:

Lots 21, 22, 23 & 24 of Block 148;

all of the PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, according to the Plat thereof as recorded in Plat Book 1, Page(s) 23, of the Public Records of NASSAU County, Florida.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

---

TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: **Janis K. Fleet, AICP, Land Use Administrator**

SUBJECT: Planning and Zoning Board Approval of Site Clearing/Site Work Application  
# 20210821-19  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0127-0010

---

**BACKGROUND:** Mr. Christopher Goodin, President of Coastal Group, LLC has submitted a Site Clearing/Site Work application to clear the four lots at the Northwest corner of Minnesota Street and West Fourth Avenue. The Parcel ID#08-3N-24-2380-0127-0010. The property is .29 acres and is vacant. Mr. Goodin plans on selling the lots to be developed for one single family dwelling unit on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

Based on the scope of work submitted with the application, Mr. Goodin would like to log the trees and leave any live oaks on the property. He plans to clear all stumps and debris. The lots will be filled back to existing grade to +/- 6 inches from existing grade and seed/hay the lots.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve the Site Clearing/Site Work Application # 20210821-19, which includes the request to fill the property, with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. A pre and post topo survey must be performed on the property to determine the existing grade and finished grade.
3. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the Right-of-Ways that fronts the site.
4. All wetlands on the property shall be identified. No wetlands can be impacted without proper permits from the St. Johns Water Management District.
5. A tree survey shall be performed on the property to determine the location of live oaks to be preserved.
6. Tree protection measures must be provided around live oaks prior to site clearing to insure protection.
7. The property shall be seeded, and hay placed on the lots to prevent erosion.
8. No dirt can impede onto surrounding landowners.
9. The fill cannot exceed 6 inches from existing grade.
10. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.



## FOR OFFICE USE ONLY

File # \_\_\_\_\_

Application Fee: \_\_\_\_\_

Filing Date: \_\_\_\_\_ Acceptance Date: \_\_\_\_\_

# Town of Hilliard

## Site Clearing/Site Work Application

## A. PROJECT

1. Project Name: Lot #19 (Parcel 12b)
2. Address of Subject Property: Corner of W. Fourth Ave. & Minnesota St.
3. Parcel ID Number(s): 08-3N-24-2380-0127-0010
4. Existing Use of Property: Vacant
5. Zoning Designation: R-2
6. Description of Work: Clearing
7. Acreage of Parcel: ~~XXXX~~ .29

## B. Owner

1. Name of Owner(s) or Contact Person(s): Christopher Goodin Title: President  
 Company (if applicable): Coastland Group LLC  
 Mailing address: 220 Hopkins St., Unit 1  
 City: Neptune Beach State: FL ZIP: 32266  
 Telephone: 919 671-5825 FAX: ( ) e-mail: cgoodin@coastlandgroup.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

## D. ATTACHMENTS (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - c. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

Town of Hilliard ♦ 15859 C.R. 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555



## 5. Fee.

- a. \$100 plus \$20 per acre:

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

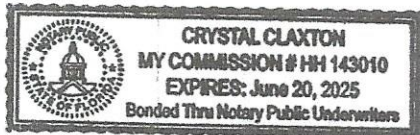
<u>Christopher Goodin</u>	_____
Signature of Applicant	Signature of Co-applicant
<u>Christopher Goodin - President Coastal Group LLC</u>	_____
Typed or printed name and title of applicant	Typed or printed name of co-applicant
<u>8/6/21</u>	_____
Date	Date
State of <u>Florida</u>	County of <u>Duval</u>

The foregoing application is acknowledged before me this 6th day of August, 2021, by Christopher Goodin, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

NOTARY SEAL

Crystal Claxton

Signature of Notary Public, State of Florida



LOT 21-24 OF BLOCK 127 ALL OF THE PLAT OF THE WEST PORTION OF THE TOWN OF HILLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

GENERAL NOTES

1. THIS MAP DOES NOT PURPORT TO BE BOUNDARY SURVEY.
2. THIS SURVEY MAP DOES NOT REFLECT OWNERSHIP.
3. THERE MAY BE UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY, UNLESS OTHERWISE NOTED, RECORD AND MEASURED DIMENSIONS AGREE.
4. THE RELATIVE LINEAR DISTANCE ACCURACY FOR THIS SURVEY EXCEEDS 1:10,000.
5. ALL MEASUREMENTS ARE IN U.S. STANDARD FEET AND WERE MADE WITH A THEODOLITE AND ELECTRONIC DISTANCE MEASURING DEVICE AND/OR STEEL TAPE.
6. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO SHOW TREE LOCATIONS, TOPOGRAPHIC INFORMATION AND PROPOSED LOT LIMITS.
7. THIS SURVEY MAP AND/OR SURVEY REPORT AND THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE OF A LICENSED SURVEYOR AND MAPPER AND THE ORIGINAL RAISED SEAL.
8. NO THE CORNER OR ABSTRACT OF MATTERS AFFECTING THIS OR BOUNDARY OF THE SUBJECT PROPERTY HAS BEEN PROVIDED TO THE PUBLIC BY ANY MEANS OR BY RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES.
9. NOTICE OF LIABILITY: THIS SURVEY IS OFFERED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND VENEREY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF SURVEYOR.
10. ELEVATIONS SHOWN THIS SURVEY (10,252) ARE IN FEET AND BASED ON NORTH AMERICAN VERTICAL DATUM OF 1989. (N.A.V.D.).

P.O. BOX 10046 - FLEMING ISLAND, FLORIDA - 32006 - PHONE (904) 215-0707 - FAX (904) 215-0711

I HEREBY CERTIFY THAT THIS \_\_\_\_\_ SPECIFIC PURPOSE \_\_\_\_\_ SURVEY \_\_\_\_\_  
 PERFORMED UNDER ANY RESPONSIBLE DIRECTION, MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 201-14, F.S.  
 F.L.A. ADMINISTRATIVE CODE (PARAGRAPH TO SECTION 472.007, FLORIDA STATUTES).

SURVEYED AUGUST 02, 2021

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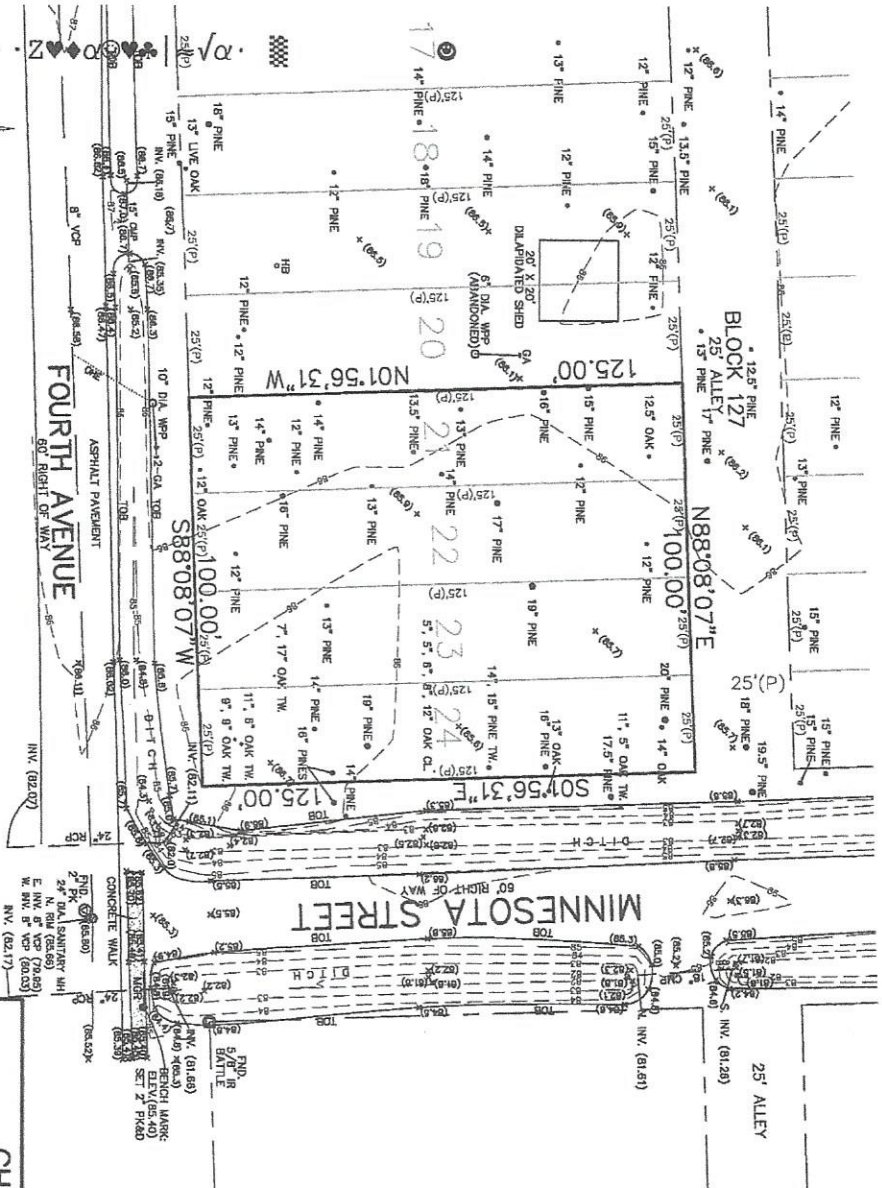
CHARLES R. BASSETT JR., REGISTERED LAND SURVEYOR FLA. NO. 45991  
LICENSED BUSINESS NUMBER 6628

BEARING DATUM BASED ON \_\_\_\_\_  
FLORIDA EAST ZONE STATE PLANE COORDINATES NAD 83/90

FLOOD ZONES "X" (UNSHADED) AS BEST ASCERTAINED FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12086C0135F, DATED: 12-17-2010.

	$N/A$	$N/A$	$N/A$
02 04 03			

FIELD BOOK NO.: N/A, PAGE(S) N/A LEGAL: N/A WORK ORDER NO.: 03-21-02

[illegible]

FIELD BOOK NO.:	N/A	PAGE(S)	N/A	LEGAL:	N/A	WORK ORDER NO.:	03-21-02
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## SCOPE OF WORK



Project Name: Hilliard Lots

Project Location: (See attached Exhibit "A")

Contractor Contact Info: Caila Contracting LLC  
29904 Pigeon Creek Rd.  
Hilliard, FL. 32046  
Contact: Earl Bright 904-805-3715  
Email: ebright@cailacontracting.com

Owner Info: Coastland Group  
200 First St.  
Neptune Beach, FL. 32266  
Contact: Chris Goodin  
Phone: 919-671-5825

### Scope of Work

- 1 To log the trees leaving any live oaks and other along the edges if possible
- 2 Clear all stumps and debris
- 3 Grade lot back to existing grade (+/- 6")
- 4 Bring enough fill in to return to existing grade and level lot
- 5 Seed & Hay lot

\*\*\* Lot will be graded to where it will not drain onto adjacent property unless natural grade flows that way.

\*\*\* We will install hay bales anywhere it is necessary to keep erosion under control.



EXHIBIT "A"

The land referred to herein below is situated in the County of NASSAU, State of Florida, and described as follows:

Parcel 12b:  
Lots 21, 22, 23 & 24 of Block 127;

all of the PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, according to the Plat thereof as recorded in Plat Book 1, Page(s) 23, of the Public Records of NASSAU County, Florida.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: **Janis K. Fleet, AICP, Land Use Administrator**

SUBJECT: Planning and Zoning Board Approval of Site Clearing/Site Work Application  
# 20210821-25.26  
Property Owner – Coastland Group, LLC, Christopher Goodin Owner  
Parcel ID# - 08-3N-24-2380-0139-0010

---

**BACKGROUND:** Mr. Christopher Goodin, President of Coastal Group, LLC has submitted a Site Clearing/Site Work application to clear the eight lots at the Southeast corner of Indiana Street and West Fourth Avenue. The Parcel ID#08-3N-24-2380-0139-0010. The property is 0.57 acres and is vacant. Mr. Goodin plans on selling the lots to be developed for two single family dwelling units on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

Based on the scope of work submitted with the application, Mr. Goodin would like to log the trees and leave any live oaks on the property. He plans to clear all stumps and debris. The lots will be filled back to existing grade to +/- 6 inches from existing grade and seed/hay the lots.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve the Site Clearing/Site Work Application # 20210821-25.26, which includes the request to fill the property, with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. A pre and post topo survey must be performed on the property to determine the existing grade and finished grade.
3. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the Right-of-Ways that fronts the site.
4. All wetlands on the property shall be identified. No wetlands can be impacted without proper permits from the St. Johns Water Management District.
5. A tree survey shall be performed on the property to determine the location of live oaks to be preserved.
6. Tree protection measures must be provided around live oaks prior to site clearing to insure protection.
7. The property shall be seeded, and hay placed on the lots to prevent erosion.
8. No dirt can impede onto surrounding landowners.
9. The fill cannot exceed 6 inches from existing grade.
10. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.



## FOR OFFICE USE ONLY

File # \_\_\_\_\_

Application Fee: \_\_\_\_\_

Filing Date: \_\_\_\_\_ Acceptance Date: \_\_\_\_\_

# Town of Hilliard

## Site Clearing/Site Work Application

**A. PROJECT**

1. Project Name: Lot #25 & 26 (Parcel 11)
2. Address of Subject Property: W. Fourth Ave. between Ohio St. & Indiana St.
3. Parcel ID Number(s): 08-3N-24-2380-0139-0010
4. Existing Use of Property: Vacant
5. Zoning Designation: RM-4
6. Description of Work: Clearing
7. Acreage of Parcel: .57

**B. Owner**

1. Name of Owner(s) or Contact Person(s): Christopher Goodin Title: President  
 Company (if applicable): Coastland Group LLC  
 Mailing address: 220 Hopkins St., Unit 1  
 City: Neptune Beach State: FL ZIP: 32266  
 Telephone: 919 671-5825 FAX: ( ) e-mail: cgoodin@coastlandgroup.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

**D. ATTACHMENTS** (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - c. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 5. Fee.

- a. \$100 plus \$20 per acre:

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

CH Goodin  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

Christopher Goodin - President Coastland Group LLC  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

8/6/21  
Date

\_\_\_\_\_  
Date

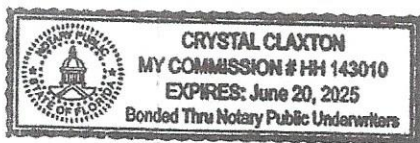
State of Florida County of Duval

The foregoing application is acknowledged before me this 6th day of August, 2021, by Christopher

Goodin, who is/are personally known to me, or who has/have produced \_\_\_\_\_  
as identification.

NOTARY SEAL

Crystal Claxton  
Signature of Notary Public, State of Florida





CERTIFIED TO: COASTLAND GROUP



## SCOPE OF WORK



Project Name: Hilliard Lots

Project Location: (See attached Exhibit "A")

Contractor Contact Info:	<u>Caila Contracting LLC</u>	Owner Info:	<u>Coastland Group</u>
	<u>29904 Pigeon Creek Rd.</u>		<u>200 First St.</u>
	<u>Hilliard, FL. 32046</u>		<u>Neptune Beach, FL. 32266</u>
	<u>Contact: Earl Bright 904-805-3715</u>		<u>Contact: Chris Goodin</u>
	<u>Email: ebright@cailacontracting.com</u>		<u>Phone: 919-671-5825</u>

### Scope of Work

- 1 To log the trees leaving any live oaks and other along the edges if possible
- 2 Clear all stumps and debris
- 3 Grade lot back to existing grade (+/- 6")
- 4 Bring enough fill in to return to existing grade and level lot
- 5 Seed & Hay lot

\*\*\* Lot will be graded to where it will not drain onto adjacent property unless natural grade flows that way.

\*\*\* We will install hay bales anywhere it is necessary to keep erosion under control.

EXHIBIT "A"

The land referred to herein below is situated in the County of NASSAU, State of Florida, and described as follows:

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Parcel 11:  
Lots 1, 2, 3, 4, 5, 6, 7 & 8 of Block 139;

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all of the PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, according to the Plat thereof as recorded in Plat Book 1, Page(s) 23, of the Public Records of NASSAU County, Florida.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: ***Janis K. Fleet, AICP, Land Use Administrator***

SUBJECT: Planning and Zoning Board Approval of Extension of the Site Clearing/Site Work Application # 202100528  
Property Owner – James Hilliard  
Parcel ID# - 16-3N-24-0000-0006-0190

---

**BACKGROUND:** The Planning and Zoning Board approved the Site Clearing/Site Work Application # 202100528 at the July 6, 2021, Planning and Zoning Board meeting with the following conditions:

1. All fill and clearing activities be completed within 90 days of the approval.
2. The property shall be seeded, and hay placed on the lots to prevent erosion.
3. No dirt can impede onto surrounding landowners.
4. The fill cannot exceed 2 feet over current grade.
5. The applicant will prepare topographic survey of the property after the grading is complete and submit a copy to the Town.
6. No stormwater runoff can impede on neighboring property.

Mr. Hilliard has requested an extension of the permit to complete the project.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** Staff recommends the Planning and Zoning Board approve an extension for an additional 60 days for Site Clearing/Site Work Application # 2021000528 with compliance with the previously approved and the addition of the following conditions:

1. A drainage plan shall be submitted for the site and approved the Town. The drainage plan shall include building a swale system in the right-of-ways that fronts the site.
2. Comply with Ordinance 2011-09 and submit a deposit of \$500 to the Town as an owner of property adjoining an unimproved right-of-way or alleyway.



## James Hilliard Pending Permit approval

James Hilliard <jrandallhilliard820@gmail.com>

Fri 8/27/2021 10:08 AM

To: Janis Fleet <jfleet@townofhilliard.com>

Good Morning Janis,

You had asked me to email you a request for a extension for permit approval via email for my property on South Oak Street.

The original surveyor of the property has yet to come out to do the Topographical surveys ,and I have yet to get good grass and root bed to grow...assuming both are delayed due to the excessive rain.

Beyond that point, the development of a water drainage plan can occur that Mr. Fry proposed for Kenny Sims (the neighboring property) at the original meeting.

I do need a extension to meet all of the requirements asked.

Thank you.

Sent from my iPhone

# TOWN OF HILLIARD

## *A Florida Municipality*

### Memo

TO: Planning & Zoning Board

FROM: Janis K. Fleet, AICP

DATE: June 29, 2021

SUBJECT: Site Clearing/Site Work Application # 20210528  
Property Owner – James Hilliard  
Parcel ID# - 16-3N-24-0000-0006-0180 &  
Parcel ID# - 16-3N-24-0000-0006-0190

Mr. James Hilliard have submitted a Site Clearing/Site Work application to clear two parcels of land on the east side of South Oak Street. The parcels are ID #16-3N-24-0000-0006-0180 and ID#16-3N-24-0000-0006-0190. The two parcels have a total of 1.16 acres and are vacant. Mr. Hilliard plans on developing the property with single family dwelling units on the property in the future. No separate site clearing permit is required when the site clearing is part of a building permit for a dwelling unit.

According to Section 62-357 of the Town Code,

*“No excavation or filling for purposes other than the construction of a driveway, walk, swimming pool, a permitted wall or building or part thereof, or accessory thereto, or to remove topsoil from one part of the lands of an owner to another part of the same premises, when such removal is necessary as an accessory use or is for the purpose of farming or improving such property, shall be made unless permission is granted by the planning and zoning board and any necessary state permits are secured, if applicable.”*

Mr. Hilliard would like to clear and remove undergrowth and remove trees on the site.

Staff recommends that if the Planning and Zoning Board decides to grant Mr. Hilliard request to fill the property with the Parcels ID #16-3N-24-0000-0006-0180 and ID#16-3N-24-0000-0006-0190, the following conditions be part of the on the approval:

1. All fill and clearing activities be completed within 90 days of the approval
2. The property shall be seeded, and hay placed on the lots to prevent erosion.
3. No dirt can impede onto surrounding landowners.
4. The fill cannot exceed 2 feet over current grade.



**FOR OFFICE USE ONLY**

ITEM-10

File #

0820210528

Application Fee:

8/20 -

Filing Date:

3/28/2021

Acceptance Date:

4/1/2021

# Town of Hilliard

## Site Clearing/Site Work Application

**A. PROJECT**

1. Project Name: Building Prep
2. Address of Subject Property: Lot 18 & 19 S. Oak St. Hilliard, FL 32046
3. Parcel ID Number(s): 16-3N-24-0000-0006-0180, & 0190
4. Existing Use of Property: Vacant
5. Zoning Designation: \_\_\_\_\_
6. Description of Work: Land clearing, tree removal, stump excavation, stump grinding  
House Pad built 69' x 52'
7. Acreage of Parcel: 1.16 Acre

**B. Owner**

1. Name of Owner(s) or Contact Person(s): James Hilliard Title: Mr.  
Company (if applicable): NA  
Mailing address: 37089 S. Oak St  
City: Hilliard State: Florida ZIP: 32046  
Telephone: (904) 507-1612 FAX: ( ) e-mail: Jrandallhilliard820@gmail.com

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

**D. ATTACHMENTS** (One copy plus one copy in PDF format)

1. Site Plan and Survey including but not limited to:
  - a. Name, location, owner, and designer of the proposed development.
  - b. Vicinity map - indicating general location of the site and all abutting streets and properties.
  - e. Statement of Proposed Work.
2. Legal description with tax parcel number.
3. Warranty Deed or other proof of ownership.
4. Permit or Letter of Exemption from the St. Johns River Water Management District.

## 5. Fee.

- a. \$100 plus \$20 per acre:

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees necessary for technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any action of any kind on the development application.

**All 5 attachments are required for a complete application. A completeness review of the application will be conducted within fourteen (14) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

James R. Hilliard  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

James R. Hilliard  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

5/28/21  
Date

\_\_\_\_\_  
Date

State of Florida County of Nassau

The foregoing application is acknowledged before me this 28 day of May, 2021, by James Hilliard, who is/are personally known to me, or who has/have produced FL DL

as identification.

NOTARY SEAL



[Signature]  
Signature of Notary Public, State of Florida

**Prepared By:**  
James Randell Hilliard

**After Recording Return To:**  
37089 South Oak Street  
Hilliard, Florida 32046

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### QUITCLAIM DEED

WITNESSETH, on 1/22/2021 THE GRANTOR(S),

- Peggy A. Cogan, a single person,

for and in consideration of the sum of: \$15,250.00 and/or other good and valuable consideration to the below Grantee(s) in hand paid by the Grantee(s), the receipt whereof is hereby acknowledged:

- James Randell Hilliard, a single person, residing at 37089 South Oak Street, Hilliard, Nassau County, Florida 32046

Grantor does hereby remise, release, and quit-claim unto the Grantee, the Grantee's heirs and assigns forever, all the rights, title, interest, claim of the Grantor in and to the following described land, in an unincorporated area in the County of Nassau, state of FLORIDA to wit:

Legal Description:

16-3N-24-0000-0006-0180

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever for the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee forever.



## Grantor Signatures:

DATED: 1/22/2021

Peggy A. Cogan  
 Peggy A. Cogan  
 11320 Alta Drive  
 Jacksonville, Florida, 32226

## In Witness Whereof,

Paula Gail Hilliard  
 Witness

Victoria Hart  
 Witness

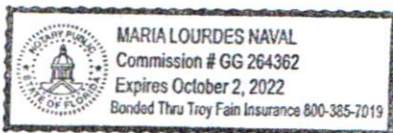
Paula Gail Hilliard

Victoria Hart

STATE OF FLORIDA, COUNTY OF DUVAL, ss:

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 22 day of January, 2021 by Peggy A. Cogan, who are personally known to me or who have produced FL DL as identification.

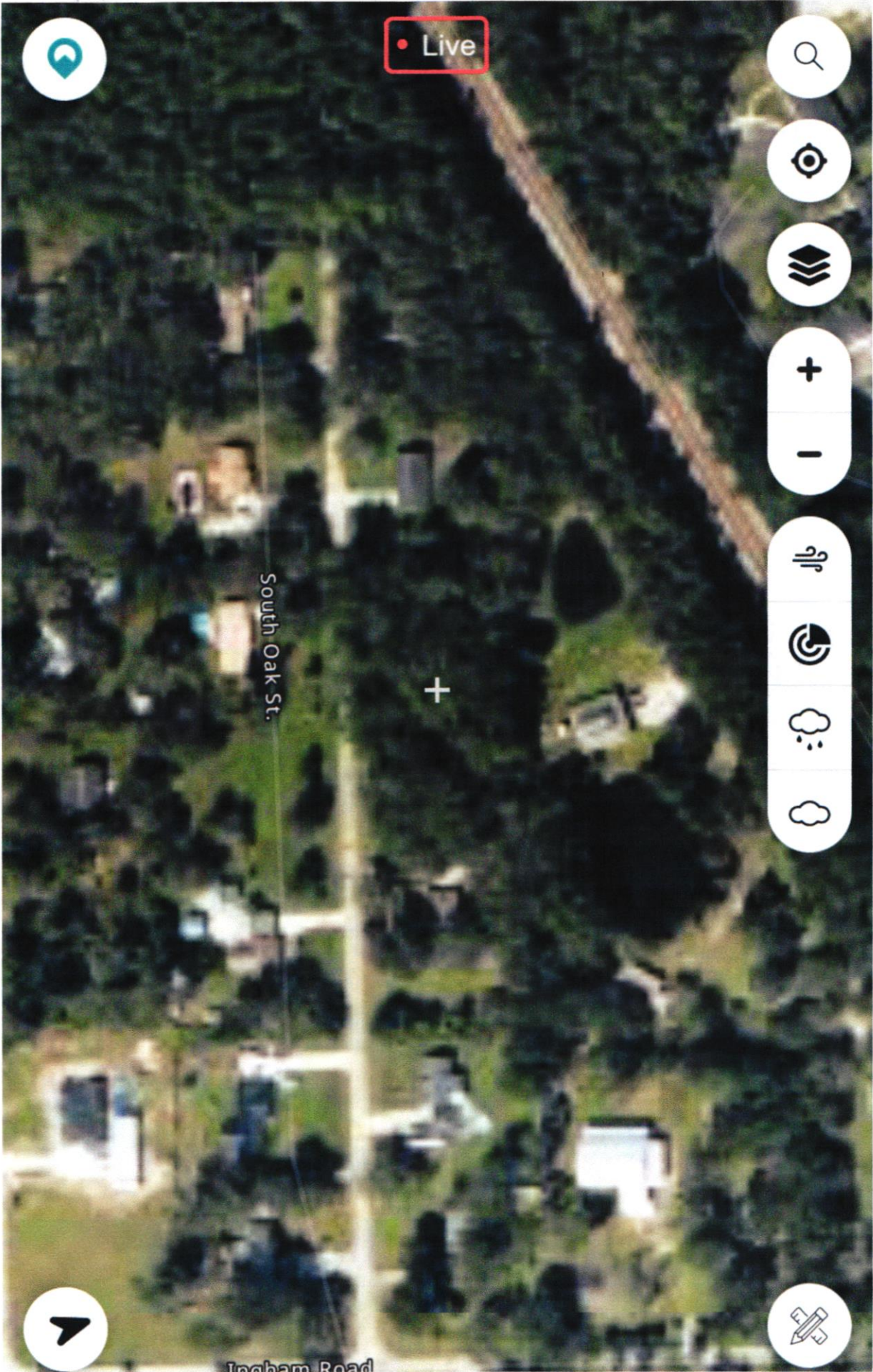
Maria Lourdes Naval  
 Signature of person taking acknowledgment



Name typed, printed, or stamped

Relationship Specialist  
 Title or rank

Serial number (if applicable)





JIMMY CUNNNINGHAM  
17267 CROSS BRANCH RD.  
HILLIARD, FLORIDA 32046

## PROPOSAL

May 4, 2021

James Hilliard  
South Oak Street  
Hilliard, Florida  
jrandallhilliard820@gmail.com

The following may be considered as our scope of work and budget for the referenced project.

1. Scrape Lot, Bury Chips, Pull Stumps	4200.00
2. Clear Fence Line and Haul off debris	4500.00
3. Build House Pad 42x80	4460.00
Total:	13,160.00

Thank You:

Jimmy Cunningham

Accepted:

Date: \_\_\_\_\_

-----  
Owner

904-237-2130  
jgc625@gmail.com





## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Planning and Zoning Board Regular Meeting Meeting Date: Sept. 14, 2021

FROM: ***Janis K. Fleet, AICP, Land Use Administrator***

SUBJECT: Planning and Zoning Board Review of Land Development Regulations  
Article III

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**BACKGROUND:** The Planning and Zoning Board has been reviewing the Land Development Regulations. Attached is proposed revisions to the parts of Article 3 and the chart of uses.

**FINANCIAL IMPACT:** None

**RECOMMENDATION:** No recommendation, for review and comment only.

**TOWN OF HILLIARD**  
*A Florida Municipality*

**Memo**

TO: Planning & Zoning Board

FROM: Janis K. Fleet, AICP

DATE: August 3, 2021

SUBJECT: Land Development Regulations (LDR) Revisions

Attached for discussion is Article II – Administration and Enforcement for discussion and review.

**P. O. Box 249**

**Hilliard, Florida 32046**

**(904) 845-3555**

## ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

### DIVISION 1. - GENERALLY

#### Sec. 62-31. – Time periods procedural.

~~All time periods provided for in this chapter are procedural and not substantive and noncompliance with any time period shall neither confer nor deny any substantive right to any applicant for a zoning exception, variance, appeal or a rezoning of property.~~

#### Sec. 62-32. - Appointed officials and employees.

It shall be within the powers of the town council to contract a land use administrator and appoint such other town employees as the council may deem necessary in order to enforce and administer the provisions of this chapter and any order or resolution made under authority thereof.

#### Sec. 62-33. - Powers and duties of the land use administrator's office.

The land use administrator shall administer and enforce the provisions of this chapter. The duties of the land use administrator are to:

- (1) Provide for the processing of all applications for rezoning, comprehensive plan amendments, variances, and conditional uses Special Exceptions.
- (2) Keep ~~comprehensive records of applications, permits and certificates issued, complaints filed, inspections made and notices or orders issued related to this chapter. The land use administrator shall retain on file copies of required drawings and all related legal documents.~~
- (3) Record changes in zoning district and Future Land Use Map boundaries of the zoning atlas. If ~~in accordance with the provisions of this chapter when changes are made in district boundaries or other matters portrayed on the official zoning atlas, such changes shall be made on the official zoning map promptly after the amending ordinance has been legally approved by the town council, together with an entry on the official zoning map as follows: "On (date) by official action of the town council the following change(s) were made on the official zoning atlas (brief description of nature of change)," which entry shall be signed by the president, attested by the town clerk, and approved by the mayor.~~
- (4) Mail notices of zoning requests to be considered at the next scheduled meeting of the planning and zoning board to its respective members seven days prior to the meeting date. This will allow the planning and zoning board members sufficient time to make the necessary site inspections.
- (5) Assist applicants in understanding the provisions of this chapter.
- (6) ~~Enter any building, structure, or premises to perform any duty imposed by this chapter.~~
- (7) Suggest to the planning and zoning board and the town council modifications to this chapter and map, with written statement outlining the need for such changes to the Land Development Regulations and the Comprehensive Plan.
- (8) ~~Conduct the necessary inspections required to make rational zoning decisions and to properly advise the town council and the planning and zoning board on zoning matters.~~
- (9) Review all applications for building permits including plot plans to determine whether the proposed construction, alteration, repair, enlargement, and the proposed use are is in for compliance with the provisions of this chapter Comprehensive Plan and Land Development Regulations. The land use administrator's signature, stating approval or disapproval, is required on all building permit applications before a building permit is issued.

- (10) Review all applications for permits proposing to construct, alter, or allow an airport obstruction in an airport hazard area. The land use administrator's signature, stating approval or disapproval, is required on all building permit applications before a building permit is issued.
- (11) ~~Periodically canvass the town for zoning violations.~~
- (12) ~~Initiate the appropriate proceedings against violators of this chapter in accordance with the provisions of this chapter.~~
- (13) ~~In the event the land use administrator is unable to perform these duties the mayor shall appoint a planning and zoning board member to serve in that capacity or a designee as directed by the planning and zoning board.~~

Sec. 62-34. - Schedule of fees.

- (a) Fees as set by resolution of the town council shall apply to action under this chapter. A receipt showing payment of the applicable fee shall accompany an application prior to consideration thereof.
- (b) If the applicant does not appear at the advertised public hearing and the planning and zoning board votes to postpone the public hearing as provided for in section 62-37, the applicant shall bear the additional costs of readvertising and renotifying adjacent property owners. Such costs shall be paid prior to the rescheduled hearing.

Sec. 62-35. - Limitation on exceptions and variances.

~~Exceptions and variances shall be nontransferable and granted to the applicant only and the exception or variance shall be commenced within a period of 90 days from the effective date of the final order granting same; provided, however, that the~~ The planning and zoning board may adopt the following conditions to any exception or variance:

- (1) The exception or variance shall be nontransferable and granted to the applicant only ~~run with the land when the facts involved warrant same or where construction or land development is included as part of the exception or variance and restrict transfer of land to maintain the exception or variance.~~
- (2) ~~The time within which the exception or variance shall be~~ Place a time period on the exception or variance shall ~~commenced may be extended for an additional period of time no longer than 90 days. Failure to exercise the exception or variance by commencement of the use or action approved thereby within six months within the time period approved shall render the exception or variance invalid and all rights granted thereunder shall terminate. Transfer of the property by the applicant unless the exception or variance runs with the land shall terminate the exception or variance.~~
- (3) Whenever the planning and zoning board has denied an application for an exception or variance, no further application shall be filed for the same exception or variance on any part or all of the same property for a period of one year from the date of such action.
- (4) ~~The time limits of subsections (2) and (3) of this section may be waived by the affirmative votes of a majority of the planning and zoning board when such action is deemed necessary to prevent injustice or to facilitate the proper development of the town.~~

Sec. 62-36. - Notice of public hearings.

- (a) Notice of a time and place of any required public hearings with respect to the rezoning of land, zoning exceptions, zoning variances or appeals shall be given by the land use administrator's office at least 30 days in advance of any such hearings by the town council and at least 15 days in advance of such hearings by the planning and zoning board, via first class mail or hand delivery to all owners of real property within 300 feet of the boundaries of the land upon which rezoning, exception, variance or appeal is requested, together with identical notice to the owner of the land for which rezoning or other action is proposed as provided by F.S. § 166.041. A list of names and addresses of

adjoining property owners shall be furnished to the land use administrator's office by the petitioner when his application is submitted and fee paid to the town clerk. The notification costs shall be paid by the petitioner. Failure of owners of lands adjoining the parcel upon which such rezoning or other action is proposed to receive notice of hearings shall in no way affect the validity of the action taken.

- (b) Notice of any public hearing shall be published once in a newspaper of local general circulation with publication at least 15 days prior to the date of hearing by the planning and zoning board, and at least 30 days prior to the date of hearing by the town council pursuant to F.S. § 166.041. The advertisement costs shall be paid by the petitioner.
- (c) The land use administrator shall cause signs to be posted on any land upon which an application for rezoning is made not less than 15 days in advance of the public hearing by the planning and zoning board and 30 days in advance of the public hearing by the town council at which such application is to be considered. Such signs shall be posted on the property by the land use administration department, which shall possess the right to entrance upon such property. Such signs shall be in such form as required by the planning and zoning board and shall be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land for which rezoning is sought.
- (d) The land use administration department shall post a sign in such form as required by the planning and zoning board on the property upon which a request is made for a zoning exception or variance, such sign shall be posted not less than 15 days in advance of the public hearing by the planning and zoning board and 30 days prior to the date of the public hearing by the town council before the public on a street side of the land involved and shall be maintained by the land use administration department until final determination has been made by the planning and zoning board on the zoning exception or variance.

#### Sec. 62-37. - Postponement of public hearings.

Whenever a public hearing date has been scheduled in accordance with the provisions of this chapter by the planning and zoning board, or town council, it will take the majority vote of the appropriate planning and zoning board or town council to alter such a date.

#### Sec. 62-38. - Amendment of application prohibited.

An application for the rezoning of land, a zoning exception, or a zoning variance shall not be allowed to be amended by the applicant at any time after the required fees have been paid to the town clerk.

#### Sec. 62-39. - Concurrent applications.

An application for the rezoning of land and for an exception and/or variance on all or part of the same land may be made concurrently. In such cases, the application for a zoning exception and/or variance shall be held in abeyance by the planning and zoning board until action has been taken by the town council on the application for the rezoning of such land.

#### Sec. 62-40. - Site plan review.

- (a) Site plans, as a condition to the issuance of building permits, are required for special exceptions and for all multifamily, commercial, industrial, mobile home parks, and mobile home subdivisions, planned unit developments, and flood hazard or wetland development. A building permit for a project requiring a site plan shall not be issued until such site plan is approved.

#### (b) Rezonings

An application for rezoning shall be accompanied by the following, in sufficient copies as deemed necessary by the planning and zoning board for referrals and recommendations:

- (1) Plans, maps, studies and reports, as may reasonably be required by the planning and zoning board in order to make the findings and determinations called for in the particular case.

- (2) Written description of the intended plan of development including present and future ownership, clearly indicating where approval will benefit the future occupants of the proposed development and the town in general.
  - (3) General location map with a north arrow, site boundaries and adjacent land uses.
  - (4) A site plan at an appropriate scale supporting the above statement illustrating:
    - a. The location, grouping and height of all uses and facilities.
    - b. In the case of residential development, the number of residential units proposed their general location and number of stories, indicating those areas to be owner occupied and those to be renter occupied.
    - c. A vehicular and pedestrian circulation system including driveways, walkways, parking areas, and streets to be dedicated.
    - d. A system of planting screens and buffers, open space and recreational uses, with estimates of acreage to be dedicated and that to be retained in common ownership.
    - e. A topographic map at a minimum five-foot interval scale showing contour lines, including all existing buildings, wooded areas, and wetlands.
  - (5) Statements indicating how the problems of maintenance and ownership of common facilities will be resolved.
  - (6) Plans and schedules of development, including the staging and phasing of:
    - a. Areas to be developed, in order of priority;
    - b. The construction of streets, utilities, stormwater management and drainage and other improvements necessary to serve the proposed development; and
    - c. The dedication of land to public use.
  - (7) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment.
- (c) In reaching a decision as to whether or not the site and development plan as submitted should be approved or approved with changes, the planning and zoning board shall be guided in its decision and the exercise of its discretion to approve, to approve with conditions, or to deny by the following criteria. The planning and zoning board shall record its findings in regard to the following criteria, where applicable:
- (1) Sufficiency of statements on ownership and control of the development and permanent maintenance of common open spaces.
  - (2) Density and/or use of the proposed development with particular attention to its relationship to adjacent and nearby properties and the effect thereon and in accordance with the town's comprehensive plan.
  - (3) Ingress and egress to the site and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe, or emergency.
  - (4) Location and relationship of off-street parking and loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, screening and landscaping.
  - (5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.



- (6) A stormwater management and drainage plan for the property in accordance with all town, county and state requirements.
- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
- (8) Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to communitywide open spaces and recreation facilities.
- (9) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause a substantial depreciation of property values.
- (10) Such other standards as may be imposed by this chapter for the particular use or activity involved.

## DIVISION 2. - NONCONFORMING LOTS, USES AND STRUCTURES

### Sec. 62-61. - Intent.

- (a) ~~Within the districts established by this chapter, there exist lots, structures, uses of land or water and characteristics of use which were lawful prior to December 29, 1987 before the adoption of the ordinance from which this chapter is derived, but which would be prohibited, regulated or restricted under the terms of this the current code chapter or future amendments.~~
- (b) ~~It is the intent of this chapter to permit these nonconformities to continue until they are removed or otherwise discontinued. It is further the intent of this chapter that nonconformities shall not be used as grounds for adding other structures or other uses prohibited elsewhere in the same district. It is further the intent of this chapter that lots, structures, uses of land or water and characteristics of use which were lawful prior to December 29, 1987, before the adoption of the ordinance from which this chapter is derived, may be enlarged upon, or expanded as long as they meet all other requirements of the district established by this chapter.~~

### Sec. 62-62. - Right of survivorship and conveyance.

~~Nonconformities in existence prior to the adoption of this section (December 29, 1987) may be permitted to continue, may be sold, conveyed, or transferred until it becomes a conforming use. It is further the intent that these existing nonconformities will be treated the same as other conforming uses in the district, however the protection of the citizens in the affected district will be governed by the district in which the nonconformity exists and not the nonconformity.~~

### Sec. 62-63. ~~Work in process.~~

~~To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which a building permit has been issued prior to the adoption of the ordinance from which this chapter is derived. If actual construction has not begun under a permit issued prior to the adoption of the ordinance from which this chapter is derived within six months of the date of issuance of the permit, such permit shall become invalid and shall not be renewed except in conformity with this chapter.~~

### Sec. 62-64. ~~Nonconforming use of open land (R.F.1).~~

~~Where open land (i.e., land not enclosed by buildings) is being used for nonconforming use, such use shall not be enlarged on the same or adjoining property.~~

### Sec. 62-65. - Nonconforming use of buildings.

~~Except as otherwise provided in this chapter, the lawful use of a building existing prior to December 29, 1987, at the effective date of the ordinance from which this chapter is derived may be continued although such use does not conform to the provisions hereof. The removal of nonconforming use, either due to deterioration or voluntary removal, shall result in the nonconforming use being permanently removed and shall not be replaced except in full compliance with the provisions of the code district in which the prior nonconforming use existed. See section 62-360 relating to acts of God.~~

Sec. 62-66. - Discontinuance of nonconforming uses.

- (a) Whenever a nonconforming use of a building, or a portion thereof, has been changed to a conforming use, such nonconforming use shall not thereafter be reestablished and the future use shall be in conformity with the provisions of the district in which it is located code.
- (b) Whenever a nonconforming use of a building has been changed to a conforming use, the new conforming use must meet all provisions of the code, including the off-street parking requirements of this chapter, as established in section 62-381 et seq.
- (c) Whenever a nonconforming use is being changed to a conforming use, the continuation of an existing nonconforming use may be continued as temporary shelter during construction ~~upon which the nonconforming use is located without a special exception~~, providing a permit for construction has been issued and such permit authorizes a temporary use. ~~Such use~~ The temporary shelter shall not be permitted more than 90 days after completion of construction. ~~All other requirements of the district shall remain.~~
- (d) ~~Whenever a nonconforming lot of record is nonconforming because of a nonconforming building or use exists~~, the nonconformity shall cease and no longer be lawful upon the first of the following circumstances to occur:
  - (1) The nonconforming building is vacant for 180 days;
  - (2) ~~The nonconforming building was a residence but is no longer used as a residence for at least 180 days; or~~
  - (3) The nonconforming building ceases having water service or electric power for 180 days. ~~The 180 days shall begin to run on the date that notice in substantially the following form, which may be contained in a letter from a town official, is mailed by certified mail, return receipt requested, to:~~
    - a. ~~The owner of record as can be reasonably determined by reviewing the records of the county property appraiser on the date that such notice is given; and~~
    - b. ~~The last person to receive a statement for water service or electric service, as can be reasonably determined by the records available to the town, at such person's last known address;~~

~~Important Notice: In accordance with Section 62-66 of the Hilliard Town Code and as a courtesy to you, you are hereby notified that [insert address for the nonconforming building or lot] is a nonconforming lot or building which may no longer be lawful as a nonconforming lot or building if, among other reasons: 1) the nonconforming building is vacant for 180 days; 2) the nonconforming building was a residence but is no longer used as a residence for at least 180 days; or 3) the nonconforming building ceases having water service or electric power for 180 days. In other words, previous nonconforming uses that may have been "grandfathered in" will no longer be allowed in most instances. This may cause you or the owner, if you are not the owner, significant hardship or expense. For example, it may require the removal of a mobile home, demolition of certain structures, or significant repairs and maintenance. You are placed on notice to become familiar with the Hilliard Town Code and Section 62-66 in particular. Please govern yourself accordingly. You will most likely not be given further notice. If you have any questions, please contact the Land Use Administrator for the Town of Hilliard.~~

Sec. 62-67. - Destruction of a nonconforming use building.

No building which has been damaged by any means to an extent of more than 60 percent of the replacement cost of the building immediately prior to damage shall be restored except in conformity with the regulations of this chapter code, and all rights as a nonconforming use are terminated except as permitted in section 62-360 the code. If a building is damaged by less than 60 percent of the replacement cost, it may be repaired or reconstructed and used as before the time of change, provided that such repair or reconstruction is substantially completed within 12 months of the date of such damage.

Sec. 62-68. - Nonconforming lots of record.

- (a) Where a lot or parcel of land has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot of record in single and separate ownership prior to December 29, 1987, such lot or parcel of land may be developed, provided the minimum yard requirements for the zoning districts in which it is located are met.
- (b) ~~In any district, a~~ A conforming use or structure on a ~~nonconforming~~ lot of record which was so recorded on or before the ~~effective date of adoption of the ordinance from which this chapter~~ December 29, 1987 is derived may be expanded or altered, provided other requirements of this chapter code are met.
- (c) ~~After the effective date of adoption of the ordinance from which this chapter is derived, n~~ No lot or parcel ~~in any district shall be so divided as to create a lot with an area or width below the requirements of this chapter code~~
- and ~~(d) n~~ No lot or parcel or portion of a lot or parcel shall be altered in a manner which causes the lot to be less compliant with the Code.

Sec. 62-69. - Nonconforming characteristics of use.

If characteristics of use such as off-street parking or loading or other matters pertaining to the use of land, structures, or premises are made nonconforming by this chapter code, as amended, no change shall thereafter be made in such characteristics of use which increase nonconformity with the regulations set out in this chapter code; provided, however, that changes may be made which do not increase, or which decrease, such nonconformities.

Sec. 62-70. - Repairs and maintenance.

On any nonconforming structure or portion of a structure and on any structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of 75 percent of the current market value of the structure, or of the nonconforming portion of the structure if a nonconforming portion of the structure is involved.

Sec. 62-71. - Nonconforming structures unsafe because of maintenance.

If a nonconforming structure or portion of a structure or any structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance and is declared by any duly authorized official of the town to be an unsafe building, it shall not thereafter be restored, repaired or rebuilt except in conformance with the regulations of the district code in which it is located, adopted and the Florida Building Codes and standards except in accordance with section 62-70.

Sec. 62-72. - Use, change.

Whenever nonconforming use has been changed to a conforming use or to a use ~~permitted in a district of greater restrictions~~, it shall not thereafter be changed back to a nonconforming use.

Secs. 62-73—62-90. - Reserved.

DIVISION 3. - PLANNING AND ZONING BOARD

Sec. 62-91. - Established; membership.

- (a) There is established a planning and zoning board consisting of five members, each of whom shall reside in and be qualified voters of the town and shall hold no office of profit under the town government. Members shall be appointed by the town council. ~~Members, where practical, may include a representative from the various geographic areas of the town.~~
- (b) Members of the planning and zoning board shall serve three-year terms so staggered that the terms expire in accordance with the provisions of the Charter. Any vacancy in the membership shall be filled for the unexpired term within 60 days, in the same manner as the initial appointment. A member of the planning and zoning board may be removed from office ~~for cause~~ by the affirmative vote of 80 percent of the entire town council; ~~provided that upon his request, the member so affected shall have the right to written charges and a public hearing before the council prior to such removal.~~

#### Sec. 62-92. - Rules of procedure.

The planning and zoning board shall adopt rules of procedure for the governance of its proceedings and the conduct of its business and may adopt such other rules relating to its internal administration as may be necessary. Such rules shall include the following:

- (1) *Officers and voting.* ~~Within 30 days of full appointment,~~ Annually at the January meeting, the planning and zoning board shall select a new chairperson and a new vice-chairperson from among its members ~~and may create such other officers as it may determine,~~ with all such officers serving a term of one year ~~unless removed from the office or planning and zoning board for due cause.~~ All members of the planning and zoning board shall vote in all matters before the planning and zoning board, except where absent or disqualified. Votes shall be recorded by a roll call vote.
- (2) *Minutes, public records.* The land use administrator, or a person designated by the land use administrator, shall serve as the planning and zoning board secretary, keep minutes of all its meetings and record its actions and decisions; state if a member is absent ~~or disqualified from voting;~~ and make a timely report of all planning and zoning board actions to the town council. ~~All minutes shall be considered public records and shall be filed in the town hall.~~
- (3) *Meetings.* Meetings shall be held at the call of the chairperson and at such other times as a majority of the planning and zoning board may determine; provided, however, that the planning and zoning board shall hold at least one regular meeting every month, on a day to be determined by the planning and zoning board. All meetings shall be open to the public and shall be held in governmentally-owned or -leased premises.
- (4) *Quorum.* A majority of the planning and zoning board shall constitute a quorum for the purpose of meetings and transacting business.
- (5) *Disqualification of members.* ~~If any member of the planning and zoning board shall find that his private or personal interests are involved in any particular matter coming before the planning and zoning board, the member shall disqualify himself from all participation in that case; or he may be disqualified by the votes of three members of the planning and zoning board, including the members about whom the question of disqualification in the particular matter is raised.~~
- (6) *Removal of members.* The planning and zoning board may recommend removal of any member who has three or more consecutive unexcused absences.

#### Sec. 62-93. - Powers and duties.

The functions, powers and duties of the planning and zoning board shall be, in general, to serve in an advisory capacity to the town council on all planning and zoning matters. In this capacity, the planning and zoning board shall have the following duties and responsibilities:

- (1) Review and recommend changes in the town's comprehensive plan.
- (2) ~~Coordinate planned development with adjacent municipalities and the county.~~

- (3) Review and make recommendations on ~~petitions~~ applications for changes in rezonings classifications, amendments and district boundary and amendments to the Land Development Regulations ~~changes~~.
- (4) Review and approve requests for special exceptions.
- (5) Review and approve site plans for all ~~proposed zoning changes~~ for multifamily, mobile home parks, mobile home subdivisions, commercial and industrial development and redevelopment and planned unit developments, variances, and all special exceptions.
- (6) Review, consider, and approve or deny applications for permits to construct, alter, or allow an airport obstruction in an airport hazard area, ~~in accordance with section 62-523~~.
- (7) Hear and decide appeals ~~where it is alleged that there is an error in any order, requirement, decision or determination made by the land use administrator in the enforcement of this chapter~~.
- (8) ~~Authorize upon appeal such variances from the terms of this chapter which will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship upon the owner of the subject property or structure or the applicant for the variance.~~
- (9) ~~Recommend to the town council the removal of the land use administrator for noncompliance with or nonenforcement of the land development regulations.~~

Sec. 62-94. - Procedure for hearings for comprehensive plan amendments, special exception, zoning variance and appeals.

- (a) The planning and zoning board shall make rules for the conduct of hearings related to the granting of comprehensive plan amendments, special exceptions, zoning variances and appeals which shall include at least the right of any party to:
  - ~~(1) Present his case or defense by oral and documentary evidence.~~
  - ~~(2) Submit rebuttal evidence, and conduct such cross examination as may be required for a full and true disclosure of the facts.~~
  - ~~(3) Submit proposed findings and conclusions and supporting reasons therefor.~~
  - ~~(4) Make offers of compromise or proposals of adjustment.~~
  - ~~(5) Be accompanied, represented and advised by counsel or represent himself.~~
  - ~~(6) Be promptly notified of any action taken on any request for a zoning exception, request for a zoning variance, or appeal of any action of the planning and zoning board affecting substantive rights taken in connection with any proceedings.~~
- ~~(b) The planning and zoning board shall receive that which could be admissible in civil proceedings in the courts of this state, but in receiving evidence due regard shall be given to the technical and highly complicated subject matter which must be handled and the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect. Otherwise, however, effect shall be given to rules of evidence recognized by the law of the state.~~
- ~~(c) The planning and zoning board shall promulgate appropriate rules and regulations provided for the establishment and maintenance of a record of all requests for zoning exceptions, zoning variances, and appeals considered by it. A verbatim transcript of the record is not required but each planning and zoning board shall establish such record in a sufficient degree to disclose the factual basis for its final determination with respect to such requests and appeals. The planning and zoning board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote, indicating such fact, and shall keep records of all its official actions.~~
- ~~(d) A final order on each request for a zoning exception or zoning variance and each appeal shall be made within 30 calendar days of the last hearing at which such request or appeal was considered. Each final order shall contain findings upon which the planning and zoning board's order is based~~

~~and may include such conditions and safeguards as prescribed by the appropriate planning and zoning board as are appropriate in the matter including reasonable time limits within which action pursuant to such order shall be begun or completed or both. The originals of the application and all orders of the planning and zoning board and one copy of the final order shall be furnished to the land use administrator and to the applicant.~~

#### Sec. 62-95. - Appeals.

- (a) An appeal may be taken to the planning and zoning board by any person aggrieved by any decision of the land use administrator ~~or any other administrative official or official body in the administration or enforcement of this chapter~~, provided such appeal is filed with the town clerk within 30 days of the date of the action which is the subject of such appeal.
- (b) In exercising its powers, the planning and zoning board may, upon appeal and in conformity with provisions of this chapter, reverse or affirm, wholly or partly, or may modify ~~the order requirement, decision or determination being appealed, and to that end, shall have the powers of the land use administrator and may issue the necessary permit.~~ An 80 percent vote of the zoning board (minimum of 4 votes) is required to override a decision of the land use administrator ~~or any other administrative official or official body in the administration or enforcement of this chapter.~~
- (c) A notice of appeal shall be filed on the forms established and provided by the planning and zoning board and shall include all pertinent information required thereon.
- (d) The planning and zoning board shall within 15 days after receipt of such notice of appeal set a reasonable time for hearing thereon and shall give notice of the time and place of the hearing to the applicant and the land use administrator.
- (e) An appeal shall stay all administrative proceedings in furtherance of the action appealed until such time as a final determination has been made by the planning and zoning board on such appeal; ~~provided that no action shall be taken by the applicant or the land use administrator during such time which would change the status of the matter being appealed.~~

#### Sec. 62-96. - Review of decisions by town.

Decisions of the planning and zoning board in the granting of appeals, exceptions or variances shall be subject to review by the town council on appeal.

- (1) An appeal may be taken by any person who appeared before the planning and zoning board and is adversely affected by the decision of the planning and zoning board provided such appeal is filed with the town clerk within 30 days of the date of the action which is the subject of such appeal.
- (2) A notice of appeal shall be filed on the forms established and provided by the town clerk and shall include all pertinent information required thereon. All appeals are limited to matters raised by appellant before the planning and zoning board and procedural matters which have arisen since the planning and zoning board heard the matter.
- (3) An appeal shall stay all administrative proceedings in furtherance of the action appealed until such time as a final determination has been made by the town council on such appeal; ~~provided that no action shall be taken by the applicant or the land use administrator during such time which would change the status of the matter being appealed.~~
- (4) The town council shall within 15 days after receipt of such notice of appeal set a reasonable time limit for public hearing shall give notice of the time and place of the hearing to the appellate, applicant, and the planning and zoning board members in the manner prescribed in subsection 62-95(d).
- (5) The town council shall find whether in its opinion error was made, and, within the terms of this section, affirm, reverse or modify the action appealed as it deems just and equitable. An 80 percent vote of the town council (minimum of four votes) is required to override a planning and zoning board decision ~~(see section 62-129).~~



- (6) Appeals from the decision of the town council may be appealed to the circuit court within 30 days of the date of the action which is subject to appeal.

Secs. 62-97—62-120. - Reserved.

#### DIVISION 4. - AMENDMENTS

##### ~~Sec. 62-121. - General authority.~~

~~This chapter may from time to time be amended, supplemented, changed or repealed and the zoning atlas may from time to time be revised by the rezoning of land as provided in this chapter.~~

##### Sec. 62-122. - Initiation of ~~proposals~~ Rezoning or Comprehensive Plan Amendment.

- (a) An ordinance for the rezoning of land or comprehensive plan amendment may be proposed only by the town council or any member thereof, the planning and zoning board, or the owner of the subject property, his attorney, or duly authorized agent, ~~or by petition of the owners of 51 percent or more of the area involved in the proposed zoning change.~~
- (b) ~~An amendment to this chapter may be proposed for adoption only by the town council or any member thereof. All such proposals shall be submitted in writing accompanied by all pertinent information which may be required by the town council for proper consideration of the matter.~~

##### Sec. 62-123. - Public hearing.

~~A public hearing shall be held by the planning and zoning board to consider a proposal for an amendment to this chapter land development regulations, comprehensive plan amendment or for the rezoning of land and make recommendation to the Town on the action taken. Notice of such public hearing shall be made as provided in section 62-36 and any party shall be heard in person or by agent or attorney.~~

##### ~~Sec. 62-124. - Nature and requirements of planning and zoning board.~~

~~The report and recommendations to the town council as required by section 62-125 shall show that the planning and zoning board has studied and considered:~~

- ~~(1) The need and justification for the change; and~~
- ~~(2) The consistency of the proposed amendment or rezoning to the town's general planning program and to the comprehensive plan with consideration as to whether the proposed changes will further the purposes of these zoning regulations and other town codes and actions designed to implement the comprehensive plan.~~

##### ~~Sec. 62-125. - Planning and zoning board report to town council.~~

- ~~(a) Unless a longer time shall be mutually agreed upon by the town council and the planning and zoning board, in that particular case, the planning and zoning board shall submit its report and recommendation to the town council no later than 60 days from:~~
  - ~~(1) The date the planning and zoning board received a proposed amendment to this chapter; or~~
  - ~~(2) The date a completed application for the rezoning of land was filed.~~
- ~~(b) Failure of the planning and zoning board to submit a report within the prescribed time shall be deemed to be a recommendation for approval of the amendment or application for rezoning. The report and recommendation of the planning and zoning board shall be advisory only and shall not be construed to be binding upon the town council.~~

##### Sec. 62-126. - Limitation of rezoning of land.

- (a) No ordinance to amend the Future Land Use Map (FLUM) of the Comprehensive Plan or to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article V of this chapter rezoning to a PUD, Planned Unit Development.
- (b) ~~Whenever the town council has, by ordinance, changed the zoning classification of land, the planning and zoning board shall not then consider any application for rezoning of any part or all of the same land for a period of one year from the effective date of such ordinance.~~
- (c) Whenever the town council has denied an application for a FLUM amendment or the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of one year from the date of such action. ~~If two or more applications for the same rezoning for any part or all of the same land have been denied, no further application shall be filed for the same rezoning of any part or all the same land for a period of two years from the date of such act last denying the last application filed.~~
- (d) ~~Whenever an application for rezoning, exception or variance shall have been withdrawn by or at the direction of the applicant at any time prior to denial or approval or prior to final disposition of any appeal taken therefrom, no further application shall be filed for the same rezoning, exception or variance of any part or all of the same land for a period of 12 months from the date of such withdrawal.~~

~~Sec. 62-127. Town council action and appeals.~~

~~Except in cases where an application for rezoning has been withdrawn by the owner or the owner's agent, upon receipt of the report of the planning and zoning board required by section 62-125, the town council shall set the matter for public hearing in the manner prescribed in section 62-36.~~

~~Sec. 62-128. Action after denial.~~

~~If a petition for a zoning amendment is denied, the planning and zoning board and the town council shall not take any further action on an application for basically the same amendment within 12 months after the last application was denied, unless there has been a substantial change of facts or unless waived by the town council.~~

~~Sec. 62-129. - Denial or adoption of amendment; appeal to circuit court.~~

- (a) At the conclusion of the public hearing, the town council shall either deny the proposed amendment or rezoning, or by ordinance adopt such amendment or rezoning by majority vote of the town council. In order to override a recommendation of the planning and zoning board, an 80 percent vote of the town council is required, minimum of four votes.
- (b) Any amendment to ~~this chapter~~ the Comprehensive Plan ~~the~~ Land Development Regulations or rezoning of land established by ordinance by the town council shall be subject to appeal to the circuit court within 30 days of the date of the council action which is subject to appeal by any persons aggrieved by such action.

~~Sec. 62-130. Amendment to comprehensive plan.~~

~~The adopted comprehensive plan shall be amended when necessitated by proposed zoning amendments as stipulated in F.S. §§ 163.3184 and 163.3187.~~

~~Secs. 62-131—62-150. - Reserved.~~

**DIVISION 5. - SPECIAL EXCEPTIONS**

**Sec. 62-151. - Conditions and safeguards.**

In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of ~~this chapter~~ the Land Development Regulations.

Sec. 62-152. - Written application.

All applications for a special exception ~~under this chapter~~ shall be in writing in such form as may be prescribed by ~~the planning and zoning board~~ the Town.

Sec. 62-153. - Public hearing.

~~Unless a longer time shall be agreed upon by the applicant and t~~ The planning and zoning board in the particular case, shall conduct a public hearing shall be held by the planning and zoning board to consider any application for a special exception at a scheduled meeting subsequent to the date of filing of the completed application of the planning and zoning board. Notice of public hearing shall be made as provided in ~~section 62-36 and any party shall be heard in person or by agent or attorney.~~

Sec. 62-154. - Power to deny, approve or disapprove with conditions.

The planning and zoning board has the power to deny, approve, or disapprove with conditions any special exception requested. ~~When a special exception has been approved with conditions, the planning and zoning board may, as it deems necessary for the protection of public health, safety and general welfare, impose certain conditions, limitations, or restrictions on the use requested and its premises.~~

Sec. 62-155. - Limits of uses.

Any special exception permit granted by the planning and zoning board shall allow only that use specifically described in the application and is subject to the terms or conditions expressed in ~~this chapter~~ the Land Development Regulations. ~~The expansion or extension of the conditional use beyond the scope or terms of the conditional use permit shall be unlawful and is in violation of this chapter. The planning and zoning board may suspend or revoke a special exception permit the terms or conditions of which have been violated.~~

Sec. 62-156. - Resubmittal.

If the planning and zoning board denies an application ~~petition~~ for a special exception permit, ~~the denied permit~~ another application for special exception cannot be resubmitted ~~nor can any action be taken on a new petition for basically the same special exception on the same premises for a period within of 12 months after the date the last petition application was denied.~~

Sec. 62-157. - Review criteria.

The planning and zoning board, when considering special exception requests, shall use the following criteria as a basis for its findings:

- (1) The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations, or ordinances of other governmental agencies.
- (2) Each structure or improvement is so designed and constructed that it is not unsightly, undesirable, or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the town and the zoning district in which it is proposed.
- (3) The special exception will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the area.
- (4) The establishment of special exception will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.

- (5) Adequate water supply and sewage disposal facilities will be provided in accordance with state, county and town health requirements. The most stringent of these requirements will apply.
- (6) Adequate access roads, on-site parking, on-site loading and unloading berths, and drainage have been or will be provided where required.
- (7) Adequate measures have been taken to provide ingress and egress to the property which is designed in a manner to minimize traffic congestion on local streets.
- (8) Adequate screening and buffering of the special exception will be provided, where needed.
- (9) The special exception will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by the special exception shall be compatible with development in the zoning district.

~~Sec. 62-158. – Withdrawal of application.~~

~~When application for a special exception has been withdrawn by the applicant for such special exception prior to denial, approval or final disposition of any appeal taken for the denial of such special exception, no further application shall be filed for the same special exception on the same land, or any part thereof, for a period of 12 months from the date of withdrawal.~~

~~Sec. 62-159. – Screening and buffering.~~

~~Adequate screening and buffering of the special exception will be provided, where needed.~~

~~Sec. 62-160. – Revocation of special exception permit.~~

~~The planning and zoning board may suspend or revoke a special exception permit if it is determined that the special exception use has become a public or private nuisance resulting from an improper or unauthorized use of the premises.~~

DIVISION 6. - VARIANCES

Sec. 62-181. - Written application.

All applications for a variance ~~under this chapter~~ shall be in writing in such form as may be prescribed by the planning and zoning board Town and shall be accompanied by the required fee.

Sec. 62-182. - Public hearing.

~~Unless a longer time shall be agreed upon by the applicant and the planning and zoning board in the particular case, a~~ public hearing shall be held by the planning and zoning board to consider any application for a zoning variance ~~at the next regularly scheduled meeting subsequent to the date of filing of the completed application.~~ Notice of public hearing shall be made as provided in section 62-36, and any party shall be heard in person or by agent or attorney. Land Development Regulations.

Sec. 62-183. - Requirements for grant of variance.

- (a) The planning and zoning board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that realization of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the planning and zoning board shall find that:
  - (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of ~~this section~~ the code, which disadvantage does not apply to other properties in the vicinity;

- (2) Because of this disadvantage, the owner is unable to make reasonable use of the affected property;
- (3) This disadvantage does not exist because of conditions created by the owner or applicant;
- (4) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- (5) The grant of the variance will:
  - a. Not be contrary to the public interest;
  - b. Not adversely affect other property in the vicinity;
  - c. Be in harmony with the spirit, intent and purpose of ~~this section~~ the code; and
  - d. Not confer on the applicant any special privilege that is denied ~~by this chapter~~ to other lands, buildings or structures in the same zoning district.
- (b) In the passing upon a request for variance, the planning and zoning board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the planning and zoning board, by variance, permit ~~to be established or carried on in any use district~~ an activity, business, or operation which is not otherwise allowed in such zoning district by a specific provision of this chapter. ~~No nonconforming use of neighboring lands, structures or buildings in the same zoning district, and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the approval of a variance application.~~

Sec. 62-184. - ~~Withdrawal~~ Denial of variance application.

When application for a variance has ~~been withdrawn~~ denied by the planning and zoning board applicant for such variance prior to denial, approval or final disposition of any appeal taken from the ~~denial of such variance~~, no further application shall be filed for the same variance on the same land, or any part thereof, for a period of 12 months from the date of ~~withdrawal~~ denial.

~~Sec. 62-185. - Violations of variances.~~

~~The violations of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.~~

Secs. 62-186—62-210. - Reserved.

## ARTICLE III. - ZONING DISTRICTS ESTABLISHED; ZONING ATLAS

## Sec. 62-251. - Use districts generally.

In order to regulate and restrict the location of agriculture, trades, industries, public and semipublic uses, residences, and the location of buildings erected or altered for specific uses, the incorporated area of the town must be developed according the Future Land Use Map (FLUM) of the Hilliard Comprehensive Plan and the criteria of the zoning districts described in the Land Development Regulations. ~~is hereby divided into districts or zones as shown on the zoning atlas entitled *Zoning Atlas for Hilliard, Florida*, and such atlas is hereby declared to be a part of this chapter. Districts as delineated on the zoning atlas are as follows, with titles and abbreviations as indicated:~~

District	Abbreviation
Agricultural, general	A-1
Residential, single-family	R-1
Residential, single-family	R-2
Residential, single-family and multiple-family	R-3
Multiple-family-mobile home district	RM-4
Residential, mobile home park/subdivision	RMH
<del>Commercial, neighborhood</del> Main Street Commercial	<del>C-N</del> MSC
Commercial, general	C-1
Manufacturing, industrial warehousing	M-1

~~(Code 1997, § 62-251; Ord. No. 87-119, art. 5, 12-29-1987)~~

## Sec. 62-252. - Reference to district names.

- (a) Where the phrase "agricultural district" appears in the Land Development Regulations, ~~this chapter~~, the phrase shall be construed to include the A-1 district, and no others.
- (b) Where the phrases "all residential districts," "residential districts," and "zoned residentially" are used the Land Development Regulations, ~~in this chapter~~, the phrases shall be construed to include A-1, R-1, R-2, R-3, RM-4, and RMH districts, and no others.
- (c) Where the phrase "commercial districts" is used the Land Development Regulations, ~~in this chapter~~, the phrase shall be construed to include the ~~C-N~~ MSC and C-1 districts, and no others.



- (d) Where the phrase "industrial districts" is used in the Land Development Regulations, ~~this chapter~~, the phrase shall be construed to include the M-1 district, and no others.

~~(Code 1997, § 62-252; Ord. No. 87-119, § 5-1, 12-29-1987)~~

Sec. 62-253. - Interpretation of district boundaries.

Where uncertainty exists as to the boundaries of districts ~~as shown on the zoning atlas and the Future Land Use Map and Zoning Map~~, the following rules shall apply:

- ~~(1) (1) Where such~~
- ~~(2) district boundaries are indicated as approximately following centerlines of streets and alleys, such centerlines shall be construed to be such boundaries.~~
- ~~(2) — In unsubdivided property or where a district boundary divides a lot, the location of such boundary, unless such boundary is indicated by dimensions, shall be determined by the use of the scale appearing on the original map.~~
- (3) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (4) Boundaries indicated as approximately following town limits shall be construed as following such town limits.
- (5) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- (6) Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- ~~(7) — Boundaries indicated as parallel to or extension of features indicated in subsections (1) through (5) of this section shall be so construed. Distances not specifically indicated on the zoning atlas shall be determined by the scale of the map.~~
- ~~(8) — Where physical or cultural features existing on the ground are not in agreement with those shown on the zoning atlas or in other circumstances not covered by subsections (1) through (7) of this section, the planning and zoning board shall interpret the district boundaries.~~
- ~~(9) Where a district boundary line divides a lot which was in single ownership at the time of passage of the ordinance from which this chapter is derived, the planning and zoning board may permit, as an exception, the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.~~

~~(Code 1997, § 62-253; Ord. No. 87-119, § 5-2, 12-29-1987)~~

~~Sec. 62-254. — Zoning omission.~~

~~If because of error or omission in the zoning map any property in the town is not shown as being in a zoning district, the classification of such property shall be the most restrictive zoning classification adjacent to the property, unless changed by amendment to this chapter.~~

~~(Code 1997, § 62-254; Ord. No. 87-119, § 4-5, 12-29-1987)~~

Secs. 62-255—62-280. - Reserved.

ARTICLE IV. - DISTRICT REGULATIONS

Sec. 62-281. - Zoning districts exclusive.

The use provisions in the various zoning districts are exclusive and any use not included under permitted or permissible uses shall be prohibited in such districts pending a review process by the planning and zoning board. The following chart includes the permitted uses and the permitted uses by exception for each district.

### USES BY ZONING DISTRICT

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>Agricultural, horticultural and forestry uses</u>						<u>P</u>							
<u>Air conditioning and heating contractor</u>								<u>E</u>					
<u>Airports</u>						<u>P</u>							
<u>Animal hospital veterinary clinic</u>						<u>E</u>							
<u>Animal Boarding place-Facility</u>							<u>E</u>						
<u>Antique shop</u>							<u>P</u>						
<u>Archery Ranges</u>								<u>P</u>					
<u>Arena</u>								<u>P</u>					
<u>Athletic complex.</u>								<u>P</u>					
<u>Auditorium</u>								<u>P</u>					
<u>Bank and financial</u>							<u>P</u>	<u>P</u>					

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>institutions</u>													
<u>Billiard parlor, pony rides</u>								<u>P</u>					
<u>Boat building and repairs</u>								<u>E</u>					
<u>Bowling Alley</u>								<u>P</u>					
<u>Building trades contractor with storage yard for materials and equipment on premises</u>								<u>E</u>					
<u>Bulk storage yards, not including bulk storage of flammable liquids and acids.</u>									<u>P</u>				
<u>Cemeteries, crematories, mausoleums</u>						<u>P</u>							
<u>Churches</u>						<u>P</u>	<u>P</u>	<u>P</u>					
<u>Commercial Parking Lots and Parking Garages</u>								<u>P</u>					
<u>Commercial recreation facilities</u>								<u>P</u>					

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>Community residential homes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>							
<u>Community Center</u>							<u>P</u>	<u>P</u>					
<u>Convenience stores</u>							<u>E</u>						
<u>Convention Center</u>								<u>P</u>					
<u>Day nurseries and kindergartens.</u>						<u>P</u>	<u>P</u>						
<u>Delicatessen, bake shop</u>							<u>P</u>						
<u>Dude ranch, riding academy, or boarding stable</u>						<u>P</u>							
<u>Dwelling in building with business</u>							<u>P</u>	<u>E</u>					
<u>Dwelling unit for occupancy by security guards or caretakers</u>									<u>E</u>				
<u>Employment offices</u>							<u>P</u>	<u>P</u>					
<u>Family day care homes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>						
<u>Game preserves, wildlife management areas, fish hatcheries</u>						<u>P</u>							

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>Gasoline sales</u>							<u>E</u>						
<u>General store</u>						<u>E</u>	<u>P</u>						
<u>Golf Driving Ranges, Par Three Miniature Golf Courses</u>								<u>P</u>					
<u>Governmental uses</u>	<u>P</u>					<u>P</u>	<u>P</u>						
<u>Hospitals</u>								<u>P</u>					
<u>Hotels and motels</u>							<u>E</u>	<u>P</u>					
<u>Light manufacturing, processing including food processing, packaging, or fabricating</u>									<u>P</u>				
<u>Manufacturing as involved in production of eyeglasses, hearing aids, prosthetic appliances, and similar products</u>								<u>P</u>					
<u>Medical and dental clinic/office</u>							<u>P</u>	<u>P</u>					
<u>Multiple-family dwellings</u>			<u>P</u>	<u>P</u>			<u>P</u>						
<u>Mobile or</u>				<u>P</u>		<u>E</u>							

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>manufactured home</u>													
<u>Mobile home parks</u>					<u>P</u>								
<u>Mobile home subdivisions</u>					<u>P</u>								
<u>Motorbus or Other Transportation Terminals</u>								<u>P</u>					
<u>Museum, and art gallery</u>							<u>P</u>	<u>P</u>					
<u>Outdoor fruit, vegetable, poultry, or fish markets</u>								<u>P</u>					
<u>Outdoor storage yards and lots, but not wrecking yards or junkyards</u>													
<u>Parcel delivery office</u>							<u>E</u>	<u>P</u>					
<u>Printing, lithographing, publishing or similar establishment</u>							<u>E</u>		<u>P</u>				
<u>Private Clubs</u>							<u>E</u>		<u>P</u>				
<u>Professional and business office</u>							<u>P</u>	<u>P</u>	<u>P</u>				



<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>Public parks</u>													
<u>Public swimming pools</u>								<u>P</u>					
<u>Radio or television broadcasting office with transmission equipment and towers</u>						<u>E</u>			<u>P</u>				
<u>Railroad rights-of-way, tracks, sidings, yards</u>									<u>P</u>				
<u>Recreational vehicle parks</u>					<u>E</u>			<u>E</u>					
<u>Restaurants without drive-in through facilities.</u>							<u>P</u>	<u>P</u>					
<u>Restaurants with or without drive-through facilities.</u>							<u>E</u>	<u>P</u>					
<u>Restaurants with alcohol sales</u>							<u>E</u>		<u>E</u>				
<u>Retail sales of wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage,</u>							<u>P</u>	<u>P</u>					

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>jewelry, art supplies, cameras or photographic supplies, sporting goods, hobby shops and musical instruments, florist or gift shop– without outside sales or storage</u>													
<u>Retail facilities for the sale of alcoholic beverages with alcoholic content not more than 14 percent– beer and wine for consumption off premises</u>							<u>E</u>	<u>P</u>					
<u>Retail facilities with outside sales and display. outlets for sale of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, automotive vehicle parts and accessories (but not junkyards or automobile wrecking yards), heavy machinery and</u>								<u>P</u>					

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>equipment, dairy</u> <u>supplies,</u> <u>monuments.</u>													
<u>Retail outlets for sale</u> <u>of food and drugs,</u> <u>wearing apparel,</u> <u>toys, sundries and</u> <u>notions, books and</u> <u>stationery, leather</u> <u>goods and luggage,</u> <u>art supplies, cameras</u> <u>or photographic</u> <u>supplies (including</u> <u>camera repair),</u> <u>sporting goods,</u> <u>hobby shops, pet</u> <u>shops, veterinarian,</u> <u>musical instruments,</u> <u>television and radio</u> <u>(including repairs),</u> <u>florist or gift shop,</u> <u>delicatessen, bake</u> <u>shop (but not</u> <u>wholesale bakery),</u> <u>drugs, home</u> <u>furnishings and</u> <u>appliances (including</u> <u>repairs incidental to</u> <u>sales), office</u> <u>equipment,</u> <u>hardware, and</u> <u>similar uses</u>								<u>P</u>					
<u>Retail sale of</u>									<u>P</u>				

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>secondhand merchandise in a completely enclosed building</u>													
<u>Research laboratories</u>								<u>P</u>					
<u>Rifle and gun shooting range, and archery range,</u>						<u>E</u>		<u>P</u>					
<u>Roadside stands</u>						<u>P</u>							
<u>Sanitariums, nursing homes, assisted living facilities, convalescent homes, and homes for orphans and the aged</u>						<u>E</u>	<u>E</u>	<u>P</u>				<u>P</u>	
<u>Schools; colleges and universities</u>						<u>P</u>							
<u>Self-service laundries or dry cleaners</u>							<u>E</u>	<u>P</u>					
<u>Sheet Metal Fabrication</u>								<u>E</u>	<u>P</u>				
<u>Shooting galleries housed in completely enclosed buildings</u>								<u>P</u>	<u>P</u>				

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
Single-family dwellings	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>						
Service establishments such as barbershops or beauty shops, shoe repair shop, interior decorator, photographic studio, dance or music studio, tailor or dressmaker conducted in an enclosed building							<u>P</u>	<u>P</u>					
Service establishments with outside sales and storage such as automobile filling stations; truck stops; repair and service garages; motor vehicle body shops; rental of automotive vehicles, trailers, and trucks; auto laundries; drive-in restaurants; auction houses or pawnshops; laundries or dry cleaning establishments;							<u>E</u>	<u>E</u>					

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>veterinarian or</u> <u>animal boarding</u> <u>kennels in</u> <u>soundproof</u> <u>buildings; pest</u> <u>control; plant</u> <u>nurseries or</u> <u>landscape</u> <u>contractors;</u> <u>carpenter or cabinet</u> <u>shops; home</u> <u>equipment rental; ice</u> <u>delivery stations; job</u> <u>printing or</u> <u>newspaper</u> <u>establishments;</u> <u>blueprint; funeral</u> <u>home; upholstery</u> <u>shop; boat sales; dry</u> <u>storage of pleasure</u> <u>craft; private clubs</u> <u>radio or television</u> <u>broadcasting</u> <u>transmitter and</u> <u>antenna facilities;</u> <u>barbershops or</u> <u>beauty shops; shoe</u> <u>repair shop;</u> <u>restaurant; interior</u> <u>decorator;</u> <u>photographic studio;</u> <u>dance or music</u> <u>studio; reducing</u> <u>salon or gymnasium;</u> <u>self-service laundry;</u>													



<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N</u> <u>MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>or dry cleaner; tailor or dressmaker; dry cleaning and laundry package plants in completely enclosed buildings using nonflammable liquids.</u>													
<u>Skating Rinks</u>								<u>P</u>					
<u>Swine and non-domestic animals</u>						<u>E</u>							
<u>Telephone Exchange</u>								<u>P</u>					
<u>Temporary revival establishments</u>						<u>P</u>							
<u>Travel agencies</u>								<u>P</u>					
<u>Union Hall</u>							<u>P</u>	<u>P</u>					
<u>Veterinary Clinic</u>							<u>E</u>	<u>P</u>	<u>P</u>				
<u>Vocational, trade, and business schools</u>								<u>P</u>	<u>P</u>				
<u>Wholesale sales without manufacturing or storage conducted in an enclosed building</u>							<u>E</u>	<u>P</u>	<u>P</u>				
<u>Wholesaling,</u>								<u>E</u>	<u>P</u>				

<u>FLUM DESIGNATION</u>	<u>LDR</u>	<u>MDR</u>	<u>HDR</u>			<u>AGR</u>	<u>MSC</u>	<u>COM</u>	<u>IND</u>	<u>REC</u>	<u>CON</u>	<u>INS</u>	<u>MU</u>
<u>ZONING CATEGORY</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM-4</u>	<u>RMH</u>	<u>A-1</u>	<u>C-N MSC</u>	<u>C-1</u>	<u>M-1</u>				
<u>USE</u>													
<u>warehousing, storage, or distribution establishments with outside storage</u>													
<u>Wholesale, warehouse, or storage use, but not bulk storage of flammable liquids</u>								<u>E</u>					

(Code 1997, § 62-281; Ord. No. 87-119, § 4-4, 12-29-1987; Ord. No. 97-93, § 6, 4-6-1998)

Sec. 62-282. - Agricultural district A-1.

- (a) ~~Intent. This section applies to the A-1 district. This district is intended to apply to areas which are sparsely developed and includes uses as normally found in rural areas away from urban activity. It is intended that substantial residential, commercial, or industrial development shall not be permitted in the A-1 district, but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.~~
- (b) ~~Permitted principal uses and structures.~~ **MOVED TO CHART**
- (1) ~~Agricultural, horticultural and forestry uses, including the keeping and raising of farm animals and poultry provided structures for horses, donkeys, cattle, goats and sheep shall not be located within 50 feet of any property line.~~
- (2) ~~Roadside stands where the major portion of products offered for sale are grown on the premises.~~
- (3) ~~Dude ranch, riding academy, or boarding stable provided structures for the housing of animals shall not be located within 200 feet of any property line; private camps (including day camps), country clubs, private clubs, golf courses, parks, camping grounds and recreational areas.~~
- (4) ~~Game preserves, wildlife management areas, fish hatcheries and refuges, watersheds, water reservoirs, control structures and wells.~~
- (5) ~~Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, crematories, mausoleums.~~
- (6) ~~Schools; colleges and universities with conventional academic curriculums.~~

~~(7) Single-family dwellings on individual lots provided that no subdivision plat shall be recorded for such use in this district.~~

~~(8) Airport provided FAA requirements are met.~~

~~(9) Day nurseries and kindergartens.~~

~~(10) Family day care homes as required by F.S. § 166.0445.~~

~~(11) Community residential homes, as defined and required by F.S. § 419.001.~~

~~(12) Governmental uses.~~

~~(c) *Permissible uses by exception.* The following uses may be permitted by exception after site plan review:~~

~~(1) See section 62-358.~~

~~(2) Radio or television broadcasting office, studio, transmitter, antenna and line of sight relay device.~~

~~(3) Animal hospital, veterinary clinic, animal boarding place, fur farm, dog kennel, provided no structure for the housing of animals shall be located within 200 feet of any property line.~~

~~(4) Rifle, shotgun or pistol shooting range, field archery range, golf driving range, and Par 3 golf course.~~

~~(5) Sanitariums, nursing homes, convalescent homes, and homes for orphans and the aged.~~

~~(6) General store.~~

~~(7) Swine and non-domestic animals.~~

~~(d) *Minimum lot requirements.*~~

~~(1) Single-family dwelling or Mobile Homes on individual lot:~~

~~a. Minimum lot width: 150 feet.~~

~~b. Minimum lot area: One acre.~~

~~(2) Minimum lot size for all other uses: Five acres.~~

~~(e) *Maximum lot coverage.*~~

~~(1) Maximum lot coverage by all buildings and accessory structures shall not exceed 25 percent of lot area.~~

~~(2) Other permitted or permissible use and accessory buildings shall be five percent.~~

~~(f) *Minimum yard requirements.*~~

~~(1) Front: 35 feet minimum.~~

~~(2) Side: 20 feet minimum.~~

~~(3) Rear: 40 feet minimum.~~

~~(g) *Maximum height of structures.* Thirty feet in height above established grade, or as permitted by exception.~~

~~(Code 1997, § 62-282; Ord. No. 87-119, § 6-1, 12-29-1987; Ord. No. 92-139; Ord. No. 2017-14, § 3, 8-17-2017)~~

Sec. 62-283. - Single-family district R-1.

~~(a) *Intent.* This section applies to the R-1 district. This district is intended to apply to areas which are to be developed with large lot single-family homes and ancillary residential uses normally applicable in a residential neighborhood. It is intended to limit the neighborhood density to an intensity of~~

~~development that will not overcrowd the land and that can be adequately served by available public water, sewage, schools and parks. It is also designed to conserve the value of the land, buildings and resources, both natural and manmade, and to protect and maintain the character and stability of the district and the town.~~

(b) ~~Permitted principal uses and structures.~~ **MOVED TO CHART**

- ~~(1) Single family dwellings and their customary accessory uses, including gardening when located on the same lot as the principal use.~~
- ~~(2) Family day care homes as required by F.S. § 166.0445.~~
- ~~(3) Community residential homes, as defined and required by F.S. § 419.001.~~
- ~~(4) Public parks, playgrounds, playfields, community buildings and other governmental structures.~~
- ~~(5) Permitted uses by special exception (section 62-358).~~

(c) *Minimum lot requirements.*

- (1) Minimum lot width: 100 feet.
- (2) Minimum lot area: 20,000 square feet.

(d) *Maximum lot coverage.* Maximum lot coverage by all buildings and accessory structures shall not exceed 30 percent of lot area.

(e) *Maximum yard requirements.*

- (1) Front: 30 feet.
- (2) Side: ~~The sum of both side yards shall be 25 feet; however, no side yards shall be less than ten feet in width~~ 12.5 feet.
- (3) Rear: 35 feet.

(f) *Maximum height of structures.* Thirty feet in height above established grade.

~~(Code 1997, § 62-283; Ord. No. 87-119, § 6-2, 12-29-1987; Ord. No. 92-139; Ord. No. 2000-05, § 3, 10-5-2000; Ord. No. 2003-01, § 3, 3-6-2003)~~

Sec. 62-284. - Single-family district R-2.

(a) ~~*Intent.* This section applies to the R-2 district. This district is intended to apply to areas which are to be developed with medium-sized lot single-family homes and accessory residential uses applicable in a single-family residential density that is in keeping with the needs of the community and that can be served adequately by available community services and facilities. It is also designed to make available housing for the appropriate income level and to conserve land, buildings and resources as well as to conserve and protect the character and stability of the district and the town.~~

(b) ~~Permitted principal uses and structures.~~ **MOVED TO CHART**

- ~~(1) Single family dwelling.~~
- ~~(2) Family day care homes as required by F.S. § 166.0445.~~
- ~~(3) Community residential homes, as defined and required by F.S. § 419.001.~~

(c) ~~*Permissible uses and structures by exception.* The following uses may be permitted by exception after site plan review: See section 62-358.~~

(d) *Minimum lot requirements.* The minimum lot requirements per one dwelling are as follows:

- (1) Minimum lot width: ~~90~~ 75 feet.
- (2) Minimum lot area: 10,000 square feet.

- (e) *Maximum lot coverage.* Maximum lot coverage by all buildings and accessory structures shall not exceed 30 percent of lot area.
- (f) *Minimum yard requirements.*
  - (1) Front: 30 feet.
  - (2) Side: ~~The sum of both side yards shall be 25 feet; however, no side yard shall be less than ten feet in width~~ 12.5.
  - (3) Rear: 30 feet.
- (g) *Maximum height of structures.* Thirty feet in height above established grade.

~~(Code 1997, § 62-284; Ord. No. 87-119, § 6-3, 12-29-1987; Ord. No. 92-139; Ord. No. 2000-05, § 4, 10-5-2000; Ord. No. 2003-01, § 4, 3-6-2003)~~

Sec. 62-285. - Multiple-family district R-3. **MOVED TO CHART**

- (a) *Intent.* ~~This section applies to the R-3 district.~~ This district is designed to apply to areas which are to be developed with a combination of single-family and multiple-family homes on small lots as is appropriate in a multiple residential area. It is intended to create and maintain a residential district of small homes and rental dwelling units at an intensity that is in keeping with the needs of the community and can be served adequately by available community services and facilities. It is also designed to create and maintain a multiple-family housing stock to serve and protect the character and stability of the district and the town.
- ~~(b) *Permitted principal uses and structures.*~~
  - ~~(1) Single-family dwelling.~~
  - ~~(2) Reserved.~~
  - ~~(3) Multiple-family dwellings.~~
  - ~~(4) Family day care homes as required by F.S. § 166.0445.~~
  - ~~(5) Community residential homes, as defined and required by F.S. § 419.001.~~
- ~~(c) *Permissible uses and structures by exception.* The following uses may be permitted by exception after site plan review:~~
  - ~~(1) See section 62-358.~~
  - ~~(2) Convenience store.~~
- (d) *Minimum lot requirements.* The minimum lot requirements per dwelling unit are as follows:
  - (1) Minimum lot width: 70 feet.
  - (2) Minimum lot area: 7,000 square feet.
  - (3) Maximum units per acre: 15 ~~12~~.
  - (4) Maximum units per one-half acre: 7.
  - (5) Maximum units per structure: 16.
- (e) *Maximum lot coverage.* Maximum lot coverage by all buildings and accessory structures shall not exceed 35 percent of lot area or 15 units per acre.
- (f) *Minimum yard requirements.*
  - (1) Front: 25 feet.

- (2) Side: The sum of both side yards shall be 25 feet; however, no side yard shall be less than ten feet in width.
- (3) Rear: 30 feet.

(g) *Maximum height of structures.* Thirty feet in height above established grade.

~~(Code 1997, § 62-285; Ord. No. 87-119, § 6-4, 12-29-1987; Ord. No. 92-139; Ord. No. 2000-05, § 5, 10-5-2000; Ord. No. 2003-01, § 5, 3-6-2003; Ord. No. 2017-14, § 4, 8-17-2017)~~

Sec. 62-286. - Multifamily-mobile home district RM-4. **MOVED TO CHART**

(a) *Intent.* This section applies to the RM-4 district. This district is designed to apply to areas to be set aside for development with a combination of single-family, multiple-family and mobile homes on small lots. ~~Its purpose is to create and maintain a residential district of low-cost small homes and apartments at a density that is in keeping with present development of the area and that can be adequately served by available community facilities.~~

~~(b) *Permitted principal uses and structures.*~~

- ~~(1) Single-family dwelling.~~
- ~~(2) Multiple-family dwellings.~~
- ~~(3) Mobile or manufactured home.~~
- ~~(4) Family day care homes as required by F.S. § 166.0445.~~
- ~~(5) Community residential homes, as defined and required by F.S. § 419.001.~~

~~(c) *Permitted accessory uses and structures by exception.* The following uses may be permitted by exception after site plan review:~~

- ~~(1) See section 62-358.~~
- ~~(2) Convenience store.~~

(d) *Lot and building requirements.*

- (1) Minimum lot width: 75 feet.
- (2) Minimum lot area: 9,000 square feet.
- (3) Maximum lot unit density: One dwelling unit per 9,000 square feet of lot area.
- (4) Maximum building capacity: 16 dwelling units per for each building.
- (5) Maximum density: 12 dwelling units per acre.

(e) *Maximum lot coverage.* Maximum lot coverage by all buildings and accessory structures shall not exceed 35 percent of lot area.

(f) *Minimum yard requirements.*

- (1) Front yard: 25 feet.
- (2) Side yard: ~~The sum of both side yards shall be 25 feet; however, no side yard shall be less than ten feet in width~~ 12.5 feet.
- (3) Rear yard: 30 feet.

(g) *Maximum height of buildings.* Thirty feet in height above established grade.

~~(h) *Applicable area.*~~

- ~~(1) Boundaries: Third Avenue to Seventh Avenue; Missouri to Michigan.~~

~~(2) This district may be enacted only in those areas which have 60 percent preexisting legal dwelling units at the time of adoption of the ordinance from which this chapter is derived which are mobile homes or manufactured housing.~~

~~(Code 1997, § 62-286; Ord. No. 87-119, § 6-5, 12-29-1987; Ord. No. 92-139; Ord. No. 2000-05, § 6, 10-5-2000; Ord. No. 2003-01, § 6, 3-6-2003)~~

Sec. 62-287. - Mobile home district RMH.

- (a) *Intent.* The provisions of the RMH district provides for the development of areas for individual mobile home parks for residents desiring the unique environments characteristic of mobile home living. It shall be the responsibility of those entities establishing an RMH district to provide for these areas the community services as set forth in this amendment for their orderly development.
- (b) *Permitted uses and structures.*
  - (1) Mobile home parks.
  - (2) Mobile home subdivisions shall be handled as prescribed in chapter 46, Subdivision Code.
- (c) *Permitted accessory uses and structures.*
  - (1) Each mobile home park shall be permitted to display one identifying sign at each park entrance, provided said sign does not exceed nine square feet and may be lighted by indirect lighting only.
  - (2) Each mobile home park shall be permitted to contain accessory or support facilities customarily incidental to the operation of the mobile home park as approved on the site plan. Such facilities may include recreational facilities, maintenance facilities and laundry facilities for use by the park residents.
- (d) *Permissible uses by exception.* The following uses may be permitted by exception after site plan review:
  - (1) Recreational vehicle parks.
- (e) *Procedure.*
  - (1) New or revised mobile home parks shall comply with the provisions of the latest amended zoning and land development regulations.
  - (2) Developers of mobile home parks shall file site plans for review as required in article II, section 62-40. Said site plan shall be supplemented with a legal description of the overall development plan, mobile home spaces, open space, together with a description of the manner in which the water and sewer facilities shall be provided.
- (f) *Minimum lot requirements.*
  - (1) Mobile home park.
    - a. Minimum site width:
      - 1. One hundred feet at site ingress and egress points.
      - 2. Two hundred feet at the portion of the site used for mobile home stands.
    - b. Minimum site area:
      - 1. Ten acres.
      - 2. Maximum density of eight mobile homes per gross acre.
- (g) *Maximum lot coverage by all buildings and structures.* Maximum lot coverage by all buildings and structures shall not exceed 35 percent of lot area.



(h) *Minimum yard requirements.*

(1) Mobile home park:

- a. Front yard: Twenty-five feet from any boundary of park to any mobile home stand or accessory building.

(i) *Mobile home parks.* All mobile home parks developed in the town shall meet the following minimum standards:

- (1) All mobile home parks shall have a minimum area of ten acres.
- (2) Each mobile home lot shall have a minimum area of 5,000 square feet.
- (3) The maximum density of any mobile home park shall not exceed eight mobile home units per gross acre.
- (4) Each mobile home lot shall have the following front, rear and side yards:
  - a. Front yard: 20 feet.
  - b. Rear yard: ten feet.
  - c. Side yard: 7½ feet.
- (5) Each mobile home space shall be provided with two paved off-street parking spaces as required under subsection (i)(10).
- (6) Each mobile home shall be securely anchored in compliance with state regulations.
- (7) Prior to occupancy, skirts shall be installed around every mobile home.
- (8) Each mobile home park shall be provided with adequate park or recreational areas for residents based on a recreation standard of 150 square feet per mobile home lot.
- (9) All streets and roads within a mobile home park shall have a minimum width of 50 feet. Cul-de-sac or dead end streets shall have a turning radius of at least 50 feet.
- (10) All streets have a minimum paved surface width of 20 feet and a minimum thickness of six inches. Any of the following pavement bases shall be utilized:
  - a. Sand-bituminous road mix.
  - b. Florida lime rock base.
  - c. Lime rock stabilized base (300 per square yard).
  - d. Shell cement mix.
  - e. Soil cement mix.
- (11) All drainage plans for the mobile home park shall be approved by the St. Johns River Water Management District.
- (12) A landscaped buffer at least eight feet wide and six feet high or privacy fence six feet high shall be maintained along the exterior boundary of the mobile home park.