

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

Dallis Hunter, Chair
Harold "Skip" Frey, Vice Chair
Charles A. Reed, Board Member
Josetta Lawson, Board Member
Wendy Prather, Board Member

ADMINISTRATIVE STAFF

Janis Fleet, AICP
Land Use Administrator

TOWN ATTORNEY

Mary Norberg

AGENDA

TUESDAY, JULY 12, 2022, 7:00 PM

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

PUBLIC HEARINGS

ITEM-1

Planning and Zoning Board Public Hearing on Ordinance No. 2022-03.
An Ordinance amending the Hilliard Future Land Use Map Designation of the property located on the Northeast Corner of West Seventh Street and Oxford Street from Medium Density Residential to High Density Residential; Providing for severability; and providing for an effective date.

Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication

Open Public Hearing

Call for Public Comment

Close Public Hearing on Ordinance 2022-03

REGULAR MEETING - Planning & Zoning Board Action

Planning and Zoning Board to recommend Ordinance No. 2022-03 to the Hilliard Town Council for adoption.

ITEM-2

Planning and Zoning Board Public Hearing on Ordinance No. 2022-04.
An Ordinance rezoning the property located at Northwest Corner of the U.S

Highway 1 and County Road 108 from C-1, Commercial to PUD, Planned Unit Development; Providing for severability, repealer, and setting an effective date.
Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication
Open Public Hearing
Call for Public Comment
Close Public Hearing on Ordinance 2022-04

REGULAR MEETING - Planning & Zoning Board Action

Planning & Zoning Board to recommend Ordinance No. 2022-04 to the Hilliard Town Council for adoption.

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

REGULAR MEETING

ITEM-3 Additions/Deletions to Agenda

ITEM-4 Planning and Zoning Board approval of the Minutes from the June 14, 2022, Regular Meeting.

ADDITIONAL COMMENTS

PUBLIC

BOARD MEMBERS

LAND USE ADMINISTRATOR

PLANNING AND ZONING 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.

Live & recorded videos can be access at 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.

2022 HOLIDAYS

TOWN HALL OFFICES CLOSED

1. Martin Luther King, Jr. Day	Monday, January 17, 2022
2. Memorial Day	Monday, May 30, 2022
3. Independence Day Monday	Monday, July 4, 2022
4. Labor Day	Monday, September 5, 2022
5. Veterans Day	Friday, November 11, 2022
6. Thanksgiving Day	Thursday, November 24, 2022
7. Friday after Thanksgiving Day	Friday, November 25, 2022
8. Christmas Eve	Friday, December 23, 2022
9. Christmas Day	Monday, December 26, 2022
10. New Year's Eve	Friday, December 30, 2022
11. New Year's Day	Monday, January 2, 2023



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Planning & Zoning Board Regular Meeting Meeting Date: July 12, 2022

FROM: ***Janis Fleet, AICP - Land Use Administrator***

SUBJECT: Planning and Zoning Board Public Hearing on Ordinance No. 2022-03
Future Land Use Map Amendment from Medium Density Residential to High
Density Residential;
Property Owner – Wayne Bishop
Parcel ID No. 08-3N-24-2380-0063-00100

BACKGROUND:

Mr. Wayne Bishop has submitted application for a Small Scale Future Land Map amendment for the property with the Parcel ID # 08-3N-24-2380-0063-00100 from Medium Density Residential to High Density Residential. The parcel is 3.18 acres and is located north of West Seventh Street and east of Oxford Street.

Attached is the analysis of the requested amendment.

FINANCIAL IMPACT:

None, the applicant is required to pay all application, advertising, and review fees.

RECOMMENDATION:

Staff recommends the Planning and Zoning Board recommend to the Town Council the adoption of Ordinance 2022-03 to amend the Future Land Use Map from Medium Density Residential to High Density Residential for the property with the Parcel ID # 08-3N-24-2380-0063-00100.



AGENDA ITEM REPORT

STAFF REPORT AND RECOMMENDATIONS FOR FLUM AMENDMENT #20220603

1. Owner / Applicant Information:
Wayne Bishop
15977 County Road 108
Hilliard, Florida 32046

2. Property Information
Parcel ID # Address: Oxford Street
Current Future Land Use Map Designation: Medium Density Residential (MDR)
Current Zoning: R-3
Proposed Future Land Use Map Designation: High Density Residential (HDR)
Acres: approximately 3.18 acres

3. Description: The property is zoned R-3 and is currently vacant. The table below summarizes the Future Land Use Map Designation, zoning and existing use for the adjacent parcels.

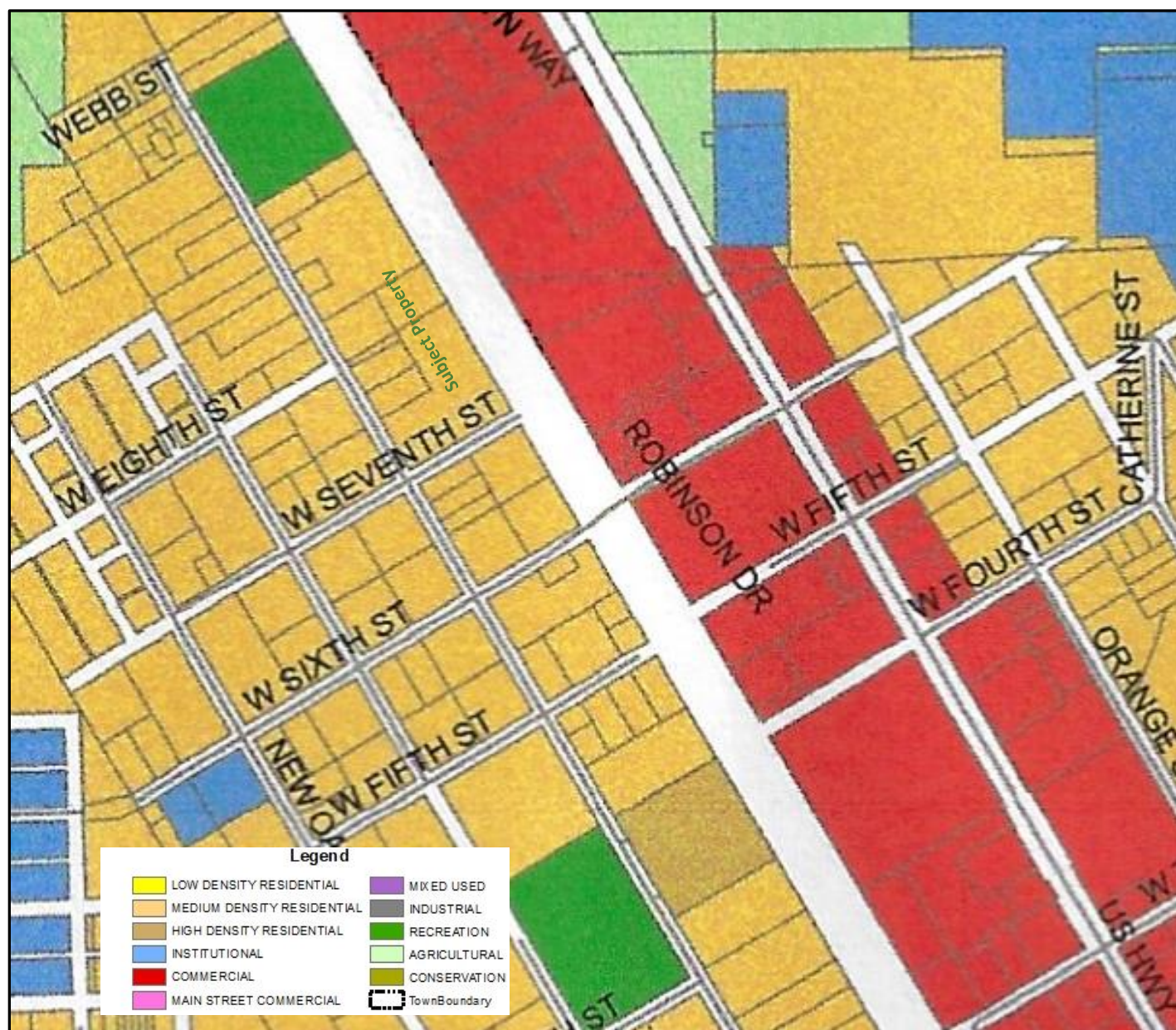
	Current FLUM	Current Zoning	Existing Use
North	Medium Density Residential (MDR)	R-3	Vacant
South	Medium Density Residential (MDR)	R-3	Single Family Residential
East	Commercial (COM)	C-1	Single Family Residential
West	Medium Density Residential (MDR)	R-3	Vacant

Parcel Map

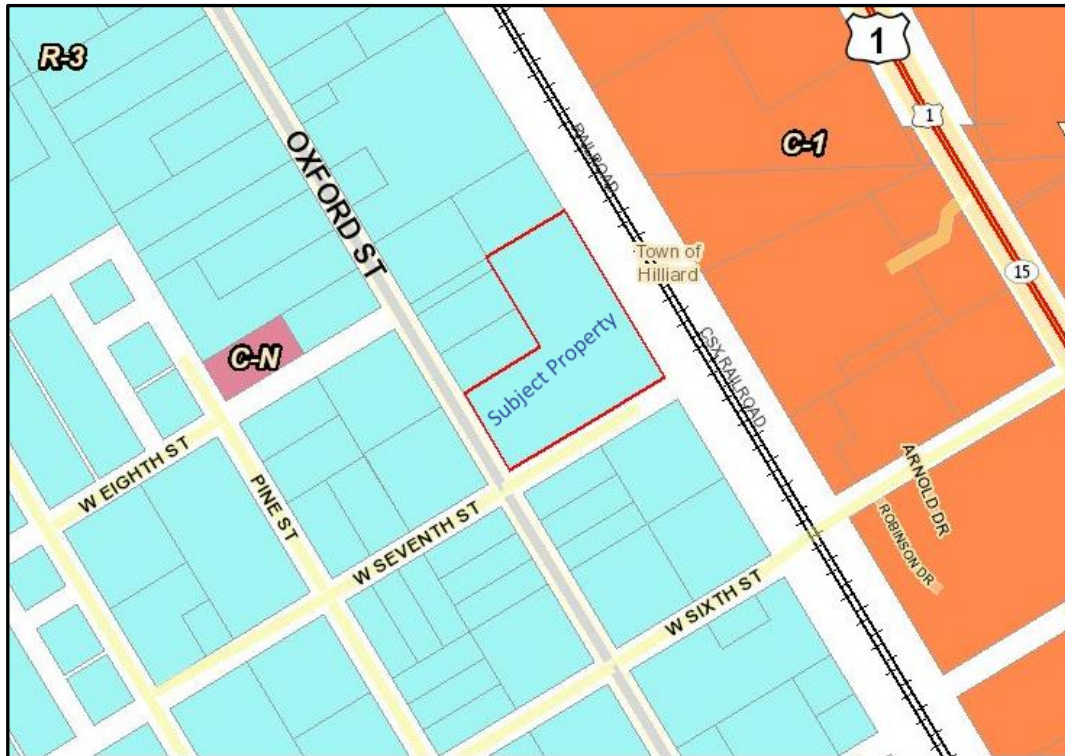
08-3N-24-2380-0063-0010



Future Land Use Map



Existing Zoning



Consistent with Comprehensive Plan Policies – The proposed Future Land Use Map amendment is consistent with the Goals, Objectives, and Policies of the Hilliard Comprehensive Plan. The increased density will not be incompatible with the surrounding development. It will create a buffer from the commercial development to the east of the subject property and the residential development west of the subject property.

Availability of Services – Water and sewer service have capacity to serve this development. Oxford Street and West Seventh Street provide access to the property,

Land Suitability – The soils for the property are suitable for development. There are no wetlands located on the site. The property is not in the 100 year flood zone.

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, AMENDING THE HILLIARD COMPREHENSIVE PLAN, FUTURE LAND USE MAP DESIGNATION OF THAT CERTAIN PROPERTY CONSISTING OF 3.1 ACRES, MORE OR LESS LOCATED ON THE NORTHEAST CORNER OF WEST SEVENTH STREET AND OXFORD STREET, HILLIARD, FL, NASSAU COUNTY PARCEL #08-3N-24-2380-0063-0010, FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that parcel of land, consisting of 3.1 acres more or less located on the northeast corner of West Seventh Street and Oxford Street, Hilliard, Florida, Parcel #08-3N-24-2380-0063-0010, has applied for an amendment to the Future Land Use Map, Medium Density Residential to High Density Residential Designation; and

WHEREAS, the property in question is currently classified as Medium Density Residential; and

WHEREAS, the Planning & Zoning Board recommended approval of the future land use designation change from Medium Density Residential to High Density Residential, at their July 12, 2022, regular meeting; and

NOW THEREFORE, BE IT ENACTED BY THE TOWN OF HILLIARD, FLORIDA, THAT:

SECTION 1. PROPERTY INVOLVED. The property in question for this Future Land Use Map amendment consists of 3.1 acres more or less located on the northeast corner of West Seventh Street and Oxford Street, Hilliard, FL, Parcel #08-3N-24-2380-0063-0010, has applied for an amendment to the Future Land Use Map, Medium Density Residential to High Density Residential Designation.

SECTION 2. LAND USE AMENDMENT. Upon review of the entire file, the future land use of said property is hereby classified High Density Residential, and the Future Land Use Map shall be amended to reflect this change in land use classification.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon final adoption.

ADOPTED this ____ day of _____, _____, by the Hilliard Town Council.

John P. Beasley
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

Floyd L. Vanzant
Mayor

P&Z Publication: June 22, 2022
P&Z Public Hearing: July 12, 2022
TC 1st Publication:
TC 1st Public Hearing:
TC 2nd Publication:
TC 2nd Public Hearing:

**FOR OFFICE USE ONLY**

ITEM-1

P Z File # 20220603Application Fee: \$ 1000.00 pd ck # 275 (A#)Filing Date: 20220603 Acceptance Date: 6/3/22

Review Date: P & Z _____ TC _____

Small Scale Future Land Use Map Amendment Application

A. PROJECT

1. Project Name: Oxford St
2. Address of Subject Property: Oxford St + W 7TH St
3. Parcel ID Number(s): 08-3N-24-2380-0063-0010
4. Existing Use of Property: Vacant
5. Future Land Use Map Designation: Medium Density
6. Existing Zoning Designation: R-3
7. Proposed Future Land Use Map Designation: High Density
8. Acreage (must be 10 acres or less): 3.18

B. APPLICANT

1. Applicant's Status ☒ Owner (title holder) ☐ Agent
2. Name of Applicant(s) or Contact Person(s): Wayne Bishop Title: Owner
Company (if applicable): _____
Mailing address: 15977 CR 108
City: Hilliard State: FL ZIP: 32046
Telephone: (904) 483-6440 FAX: () e-mail: WBCbudder@gmail.com
3. If the applicant is agent for the property owner*
Name of Owner (title holder): _____
Mailing address: _____
City: _____ State: _____ ZIP: _____
Telephone: () FAX: () e-mail: _____

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

C. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed Future Land Use Map change and Future Land Use Map designations on surrounding properties
2. A map showing the zoning designations on surrounding properties
3. A current aerial map (Maybe obtained from the Nassau County Property Appraiser.)
4. Plat of the property (Maybe obtained from the Nassau County Property Appraiser.)
5. Legal description with tax parcel number.
6. Boundary survey
7. Warranty Deed or the other proof of ownership
8. Fee.
 - a. \$1,000
 - b. All applicants must pay the cost of postage, signs, advertisements, and the fee for any outside consultants.

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 8 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:



Signature of Applicant

David Bishop Jr. Owner

Typed or printed name and title of applicant

June 3, 2022

Date

Signature of Co-applicant

Typed or printed name of co-applicant

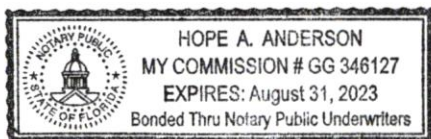
Date

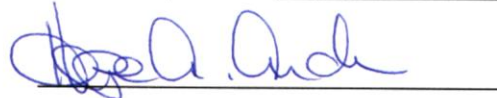
State of Florida County of Nassau

The foregoing application is acknowledged before me this 3 day of June, 2022 by David

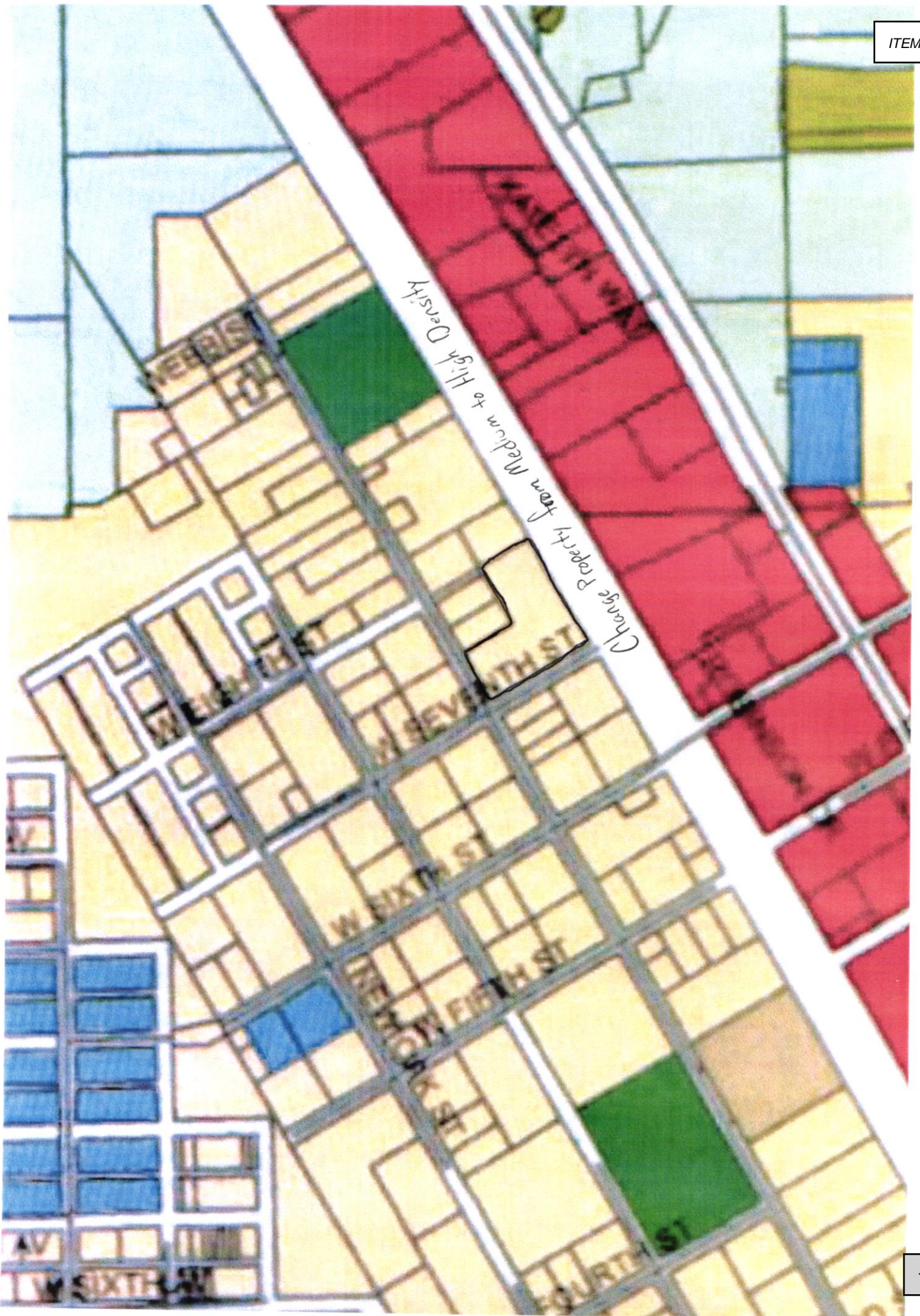
Bishop Jr, who is/are personally known to me, or who has/have produced Driver License as identification.

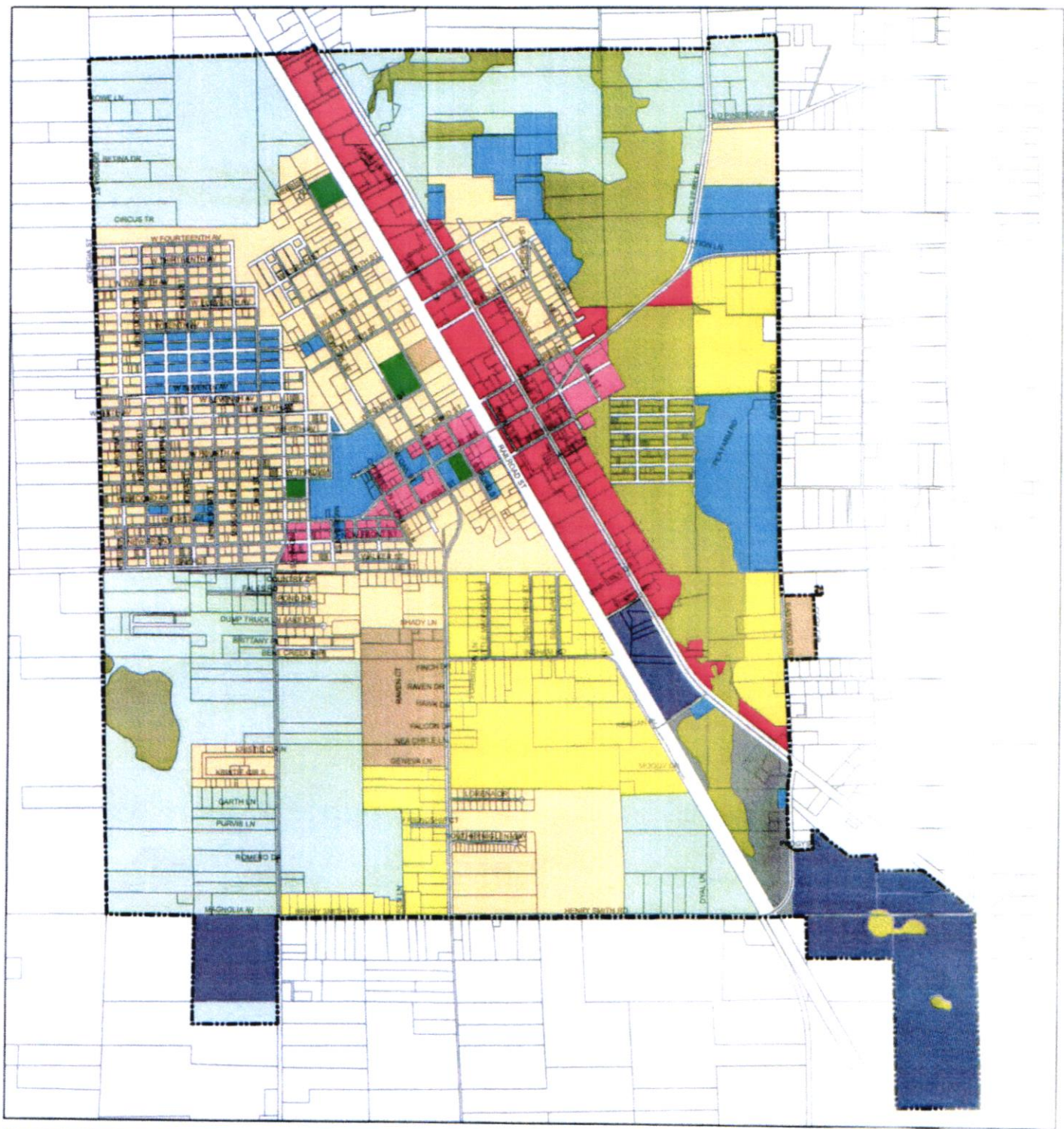
NOTARY SEAL





Signature of Notary Public, State of Florida

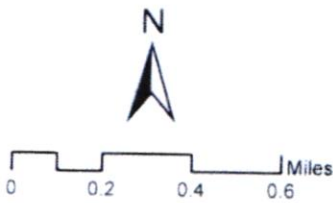




Future Land Use

Town of Hilliard

Legend



- | | |
|----------------------------|--------------|
| LOW DENSITY RESIDENTIAL | MIXED USED |
| MEDIUM DENSITY RESIDENTIAL | INDUSTRIAL |
| HIGH DENSITY RESIDENTIAL | RECREATION |
| INSTITUTIONAL | AGRICULTURAL |
| COMMERCIAL | CONSERVATION |
| MAIN STREET COMMERCIAL | TownBoundary |

FLEET & ASSOCIATES
ARCHITECTS/PLANNERS, INC.

2/23/2021



A. Michael Hickox, CFA
Cert. Res. RD1941

NASSAU COUNTY
PROPERTY APPRAISER

PROPERTY INFORMATION

Parcel Number 08-3N-24-2380-0063-0010

Owner Name BISHOP DAVID W JR & CALLIE KAY

Mailing Address 15977 CR 108

HILLIARD, FL 32046

Location OXFORD ST

Address HILLIARD 32046

Tax District HILLIARD

Milage 16.1525

Homestead No

Property Usage TIMBER 2-1 005401

Deed Acres 0

Short Legal BLOCK 63 LOTS 1 2 4 & PT CLD R/W ORD 2007-03 IN OR

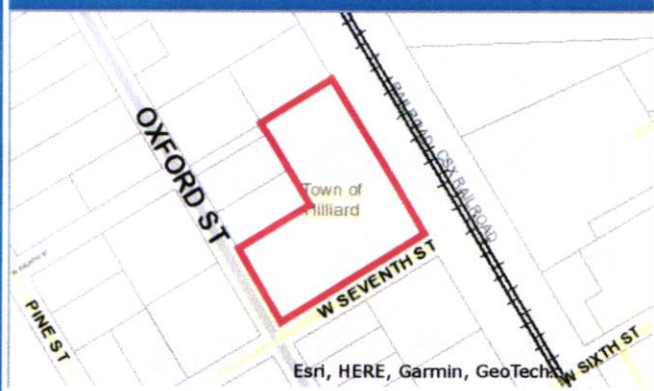
2556/1996

2021 Certified Values

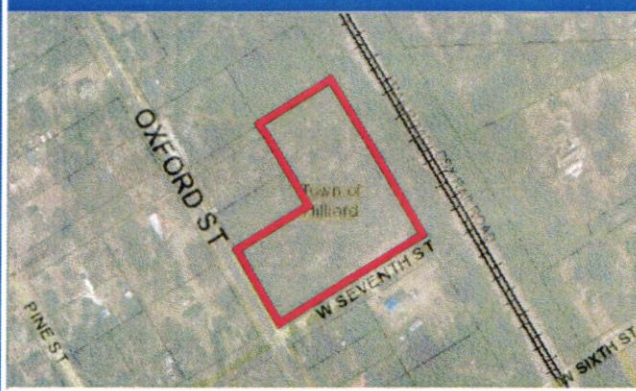
Land Value	\$38,160
(+) Improved Value	\$0
(=) Market Value	\$38,160
(-) Agricultural Classification	\$36,157
(-) SOH or Non-Hx* Capped Savings	\$0
(=) Assessed Value	\$2,003
(-) Homestead	\$0
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$2,003
(-) Non-School HX & Other Exempt Value	\$0
(=) County Taxable Value	\$2,003

Note - *10% Cap does not apply to School Taxable Value

PARCEL MAP



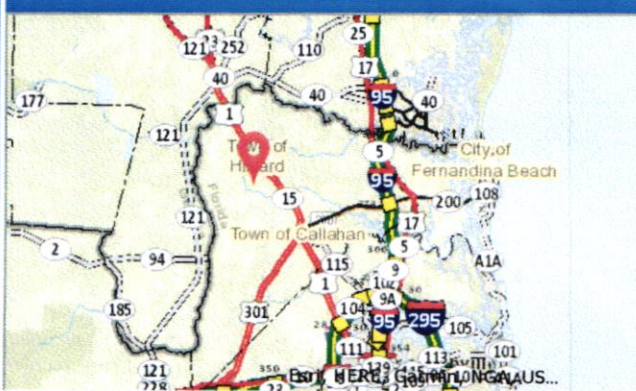
2021 AERIAL MAP



PROPERTY PHOTO

If this picture is incorrect, please email info@nassaufpa.com

LOCATION MAP







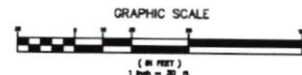
MAP OF BOUNDARY, TOPOGRAPHIC AND TREE SURVEY

ALL OF LOTS 1, 2 AND 4, BLOCK 63, INCLUDING THE SOUTHERLY 30 FOOT OF WEST EIGHTH STREET (CLOSED PER DEED), BEING NORTH OF THE NORTH LOT LINE OF SAID LOT 4, ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 26, OF THE PUBLIC RECORDS OF NASSAU COUNTY, IN THE TOWN OF HILLIARD, NASSAU COUNTY, FLORIDA.

PREPARED FOR:
DAVID WAYNE BISHOP JR.
CALLIE KAY BISHOP
FOR THE BENEFIT OF:
PRIME SOUTH BANK
MERIDIAN TITLE CORPORATION



- SURVEY NOTES:**
- 1) The "Target" monument is to be placed with the monument provided by the owner.
 - 2) Unsurveyed improvements were not located or shown.
 - 3) Utility lines shown were not determined by the office of the surveyor. The location of utility lines is shown as provided by the owner.
 - 4) Bearings listed as "S 0° 00' 00\"/>



GLASS LAND SURVEYING, LLC

DAVID WAYNE BISHOP JR.
CALLIE KAY BISHOP
FOR THE BENEFIT OF:
PRIME SOUTH BANK
MERIDIAN TITLE CORPORATION

DAVID WAYNE BISHOP JR.
CALLIE KAY BISHOP
FOR THE BENEFIT OF:
PRIME SOUTH BANK
MERIDIAN TITLE CORPORATION

DAVID WAYNE BISHOP JR.
CALLIE KAY BISHOP
FOR THE BENEFIT OF:
PRIME SOUTH BANK
MERIDIAN TITLE CORPORATION

Statement of Proposed Change:

Requesting to change from Medium Density to High Density for Multifamily Dwelling Units

AFTER RECORDING RETURN TO:
Meridian Title Corporation
405 S. Second Street
Elkhart, IN 46516
File No. 21-49353

This document prepared by:
Heather Mayer, Esq.
8940 Main Street
Clarence, NY 14031
866-333-3081

Tax ID No.: 08-3N-24-2380-0063-0010

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF NASSAU

THIS DEED made and entered into on this 19 day of April, 2022, by and between **First Coast, Inc.**, located at 96235 Glenwood Road, Yulee, FL 32097 hereinafter referred to as Grantor(s) and **David W. Bishop Jr. and Callie Kay Bishop, husband and wife**, residing at 15977 County Road 108, Hilliard, FL 32046, hereinafter referred to as Grantee(s).

WITNESSETH: That the said Grantor(s), for and in consideration of the sum of One Hundred Forty Five Thousand and 00/100 Dollars (\$145,000.00), cash in hand paid, the receipt of which is hereby acknowledged, have this day given, granted, bargained, sold, conveyed and confirmed and do by these presents give, grant, bargain, sell, convey and confirm unto the said Grantee(s) the following described real estate located in Nassau County, Florida:

Lots One (1), Two (2) and Four (4) of Block Sixty-three (63), Town of Hilliard, Nassau County, Florida.

And 210' X 30' of Eighth Street from the West Right of Way line of Oxford Street to the railroad property line adjoining

Prior instrument reference: Book 2244, Page 1373, Recorded: 12/20/2018

This conveyance is subject to easements, covenants, conditions, restrictions, reservations, and limitations of record, if any.

TO HAVE AND TO HOLD the lot or parcel above described together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said Grantee and unto the heirs, administrators, successors or assigns, of the Grantee, forever in fee simple.

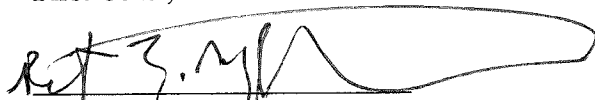
GRANTOR(S) hereby covenant with and represent unto the said Grantee(s) and unto her/his/their successors or assigns, that he/she/they is/are lawfully seized in fee simple of the lot or parcel of land above described; that the same is free from all liens and encumbrances except ad valorem taxes for the current tax year and subsequent years, restrictions, restrictive covenants and easements of record, if any;

that he/she/they has/have a good and lawful right to sell and convey the same as aforesaid and that he/she/they will forever warrant and defend the title to same unto the said Grantee(s) and unto his/her/their successors or assigns, except as to said taxes, restrictions, restrictive covenants and easements of record, if any.


This is not the homestead property of the Grantor or his/her spouse.


IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) and seal(s) on this 19 day of April, 2022.

First Coast, Inc.


NAME: Robert E. Moneyhan
TITLE: President

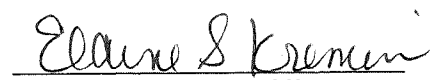
Signed, sealed and delivered in the presence of:
Witnesses:


Signature
Print Name: Nicole Preams


Signature
Print Name: Elaine G. Kremin

STATE OF FLORIDA
COUNTY OF Nassau

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ on-line notarization, this 19 day of April, 2022 by Robert E. Moneyhan as President of **First Coast, Inc.** He/She/They is/are personally known to me or who has produced Driver's License (type of identification) as identification.


Signature of Notary Public
Print Name: Elaine G. Kremin
My commission expires: 01/29/2023

ELAINE G. KREMIN
Notary Public, State of Florida
My Comm. Expires 01/29/2023
Commission No. GG284605



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Planning & Zoning Board Regular Meeting Meeting Date: July 12, 2022

FROM: ***Janis Fleet, AICP - Land Use Administrator***

SUBJECT: Planning and Zoning Board Public Hearing on Ordinance No. 2022-04
Rezoning from C-1 To PUD to Create the Hilliard Shopping Center
Property Owner – Marcus Holley
Parcel ID No. 08-3N-24-2320-0013-0010

BACKGROUND:

Mr. Marcus Holley has submitted application to rezone for the property with the Parcel ID # #08-3N-24-2320-0013-0010 from C-1 to PUD to Create the Hilliard Shopping Center.

The applicant will be out of state on July 12th and has requested a deferral of the item until the August 9, 2022, Planning and Zoning Board meeting.

FINANCIAL IMPACT:

None, the applicant is required to pay all application, advertising, and review fees.

RECOMMENDATION:

Defer the item until the August 9, 2022, Planning and Zoning Board meeting.

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, REZONING THE PROPERTY LOCATED AT NORTHWEST CORNER OF THE U.S. HIGHWAY 1 AND COUNTY ROAD 108 WITH THE ADDRESS OF 551755 U.S.1, DESCRIBED IN ATTACHMENT "A", LEGAL DESCRIPTION FROM C-1, COMMERCIAL TO PUD, PLANNED UNIT DEVELOPMENT, SPECIFICALLY DESCRIBED IN ATTACHMENT "B" WRITTEN DESCRIPTION, AND ATTACHMENT "C" SITE PLAN; PROVIDING FOR SEVERABILITY, REPEALER, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the property described below is currently designated as C-1, Commercial;
and

WHEREAS, the owner has requested to rezone the property described below to PUD, Planned Unit Development; and

WHEREAS, the Town Council has completed a review of the request and finds it in compliance with the Comprehensive Plan and does not adversely impact the health, safety and welfare of the Town's residents; and

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AS FOLLOWS:

SECTION 1. The property described in Attachment "A", Legal Description is hereby rezoned from C-1, Commercial, to PUD, Planned Unit Development:

Parcel No.: #08-3N-24-2320-0013-0010

SECTION 2. Severability. The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. Repealed. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. Effective Date. This Ordinance shall become effective upon passage.

Adopted this _____ day of _____, 2021, by the Hilliard Town Council, Hilliard, Florida.

John P. Beasley
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

Floyd L. Vanzant
Mayor

P&Z Publication: June 22, 2022
P&Z Public Hearing: July 12, 2022
TC 1st Publication:
TC 1st Public Hearing:
TC 2nd Publication:
TC 2nd Public Hearing:

ATTACHMENT “A”
LEGAL DESCRIPTION

ATTACHMENT “B”
WRITTEN DESCRIPTION

ATTACHMENT “C”
SITE DEVELOPMENT PLAN

Binding Letter

Town of Hilliard
 15859 CR 108
 Hilliard, FL 32046

Re: Hilliard Shopping Center PUD Application
 Parcel ID: 08-3N-24-2380-0013-0010

Ladies and Gentlemen:

You are hereby advised that the undersigned, owner of the property, being more particularly described in the Planned Unit Development document attached hereto and by reference made a part hereof, hereby agree to binds it successors in title to the development in accordance with the (a) site plan and (b) any conditions set forth by the Town of Hilliard in the PUD ordinance. Owner, and its successors in title, also agree to proceed with the development of the subject property in accordance with he items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities that are not to be provided, operated, or maintained by the Town of Hilliard.

DATED ON: 5/31/22

BY

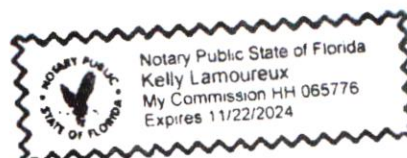
NAME: Jessie Luckon

TITLE: President

State of Florida

County of Duval

The foregoing instruments (referenced above) were acknowledged this 31 day of May, 2022 by Jessie Luckon, who personally appeared before me and acknowledged that he signed the instruments voluntarily for the purpose expressed therein.





Paid by CK# 1010

ITEM-2

File # 2022.531
Filing Date: 2022.05.31
Acceptance Date: _____
Review Date: P & Z _____ TC _____

PUD Rezoning Application

A. PROJECT

1. Project Name: Hilliard Shopping Center
2. Address of Subject Property: 551755 US Hwy 1
3. Parcel ID Number(s): 08-3N-24-2380-0013-0010
4. Existing Use of Property: Service St/Vacant
5. Future Land Use Map Designation: Retail
6. Existing Zoning Designation: C-1
7. Proposed Zoning Designation: C-1 w/ PUD
8. Acreage: 1.03

B. APPLICANT

1. Applicant's Status ☒ Owner (title holder) ☐ Agent
2. Name of Applicant(s) or Contact Person(s): Marcus Holley Title: owner
Company (if applicable): _____
Mailing address: 17671 Holleyoaks Ln
City: Hilliard State: FL ZIP: 32046
Telephone: () _____ FAX: () _____ e-mail: _____
3. If the applicant is agent for the property owner*
Name of Owner (titleholder): _____
Mailing address: _____
City: _____ State: _____ ZIP: _____
Telephone: () _____ FAX: () _____ e-mail: _____

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

C. ATTACHMENTS

1. Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
2. A current aerial map (Maybe obtained from the Nassau County Property Appraiser.)
3. Plat of the property (Maybe obtained from the Nassau County Property Appraiser.)
4. Legal description with tax parcel number.
5. Boundary survey
6. Warranty Deed or the other proof of ownership
7. Site Plan
8. Written Description
9. Binding Letter
10. Fee.

a. \$2,500 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 for of postage, signs, advertisement, outside consultants shall be paid in full prior to any action of any kind on the application by the Planning and Zoning Board.

All 10 attachments are required for a complete application. One original and a PDF Version of the complete application with all attachments need to be submitted. 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 of Applicant

Signature of Co-applicant

Typed or printed name and title of applicant

Typed or printed name of co-applicant

Date

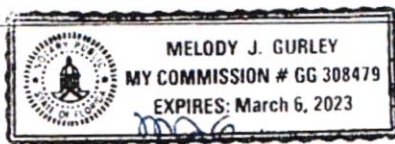
Date

State of FLORIDA County of NASSAU

The foregoing application is acknowledged before me this 14th day of April, 2022 by Marcus

Holley, who is/are personally known to me, or who has/have produced 4 produce FLID as identification.

NOTARY SEAL



Signature of Notary Public, State of

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

Hilliard Shopping Center Legal Description

LOT 1 (EXCEPT THE EAST 10.0 FEET LYING WITHIN U.S. HIGHWAY NO. 1), BLOCK 13, HILLIARD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

LESS AND EXCEPT:

A PARCEL OF LAND IN LOT 1, BLOCK 13, HILLIARD, AS RECORDED IN PLAT BOOK 1, PAGE 28, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, IN SECTION 9, TOWNSHIP 3 NORTH, RANGE 24 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 13, HILLIARD, AS RECORDED IN PLAT BOOK 1, PAGE 28, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 58 DEGREES 49' 23", EAST ALONG THE NORTHERLY RIGHT OF WAY OF COUNTY ROAD NO. 108, A DISTANCE OF 189.87 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE NORTH 58 DEGREES 49' 24" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 15 (U.S. 1); THENCE NORTH 31 DEGREES 05' 23" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE 15.00 FEET; THENCE SOUTH 02 DEGREES 34' 25" WEST, A DISTANCE OF 18.04 FEET TO THE POINT OF BEGINNING, CONTAINING 75 SQUARE FEET, MORE OR LESS.

Tax ID Number: 08-3N-24-2380-0013-0010

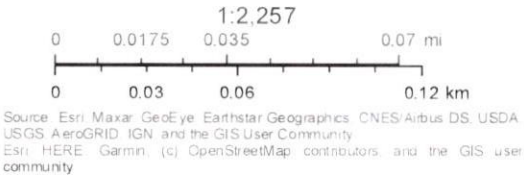
Zoning Plan



April 28, 2022

Town of Hilliard Zoning

	C-N		R-1		RM-4
	A-1		M-1		R-2
	C-1		PUD		R-3
					RM-H



Hilliard Shopping Center



April 11, 2022

 Land Parcels



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



MAP SHOWING A BOUNDARY SURVEY OF

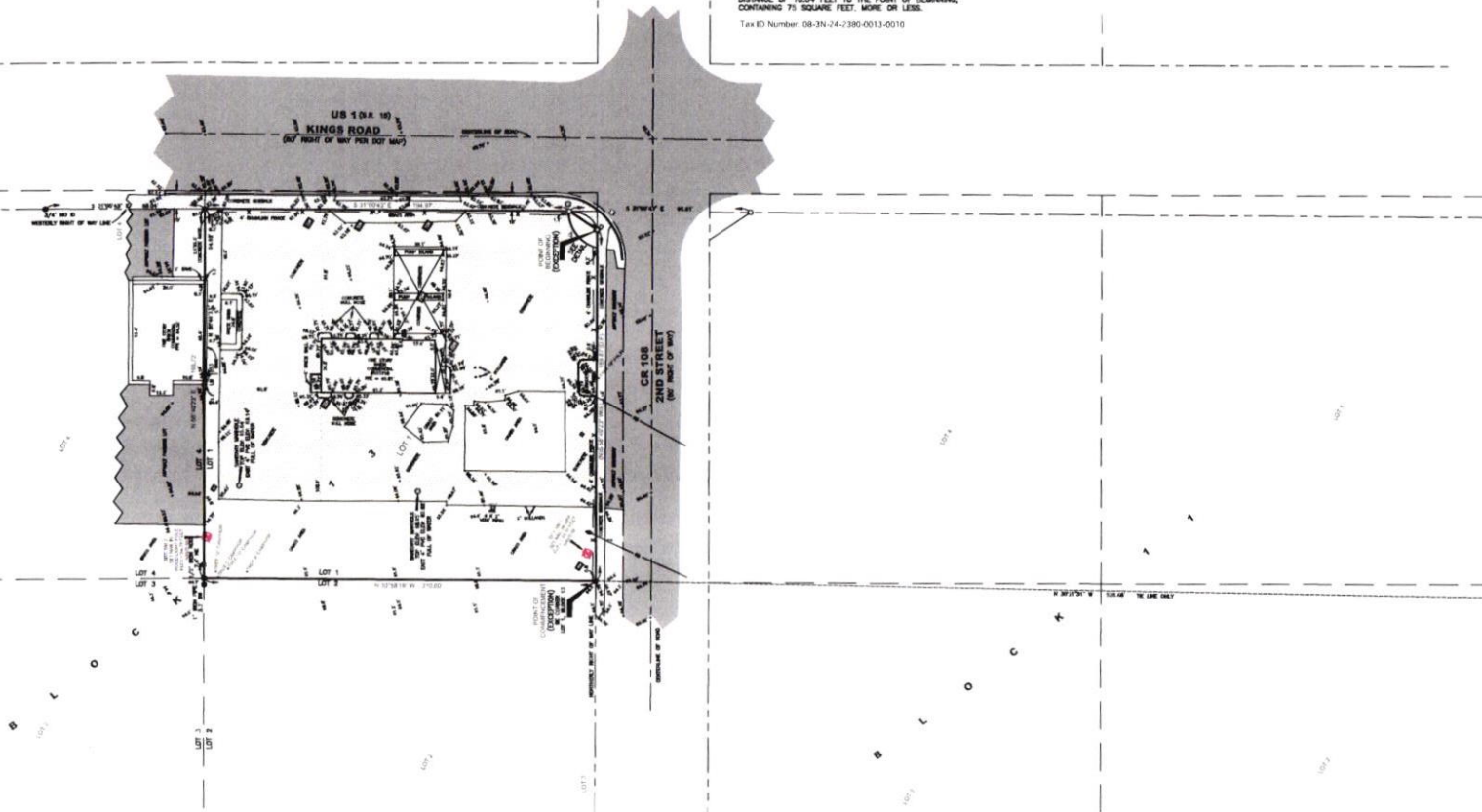
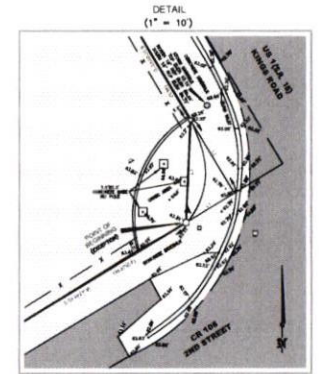
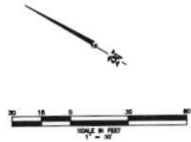
LOT 1 (EXCEPT THE EAST 10.0 FEET LYING WITHIN U.S. HIGHWAY NO. 1), BLOCK 13, HILLIARD, AS RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

LESS AND EXCEPT:

A PARCEL OF LAND IN LOT 1, BLOCK 13, HILLIARD, AS RECORDED IN PLAT BOOK 1, PAGE 28, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, THENCE NORTH 58 DEGREES 48' 23" EAST ALONG THE NORTHERLY RIGHT OF WAY OF COUNTY ROAD NO. 108, A DISTANCE OF 186.87 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE NORTH 58 DEGREES 48' 24" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 15 (U.S. 1), THENCE NORTH 31 DEGREES 05' 23" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE 15.00 FEET; THENCE SOUTH 02 DEGREES 34' 25" WEST, A DISTANCE OF 18.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 75 SQUARE FEET, MORE OR LESS.

Tax ID Number: 08-3N-24-230-0011-0010



SURVEYOR'S NOTES:

- 1) DISTANCES AND COMPUTED ACRES REFER TO GROUND UNITS AND ARE MEASURED IN FEET.
- 2) BEARING SHOWN HEREON REFERS TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 108 (EAST RIGHT OF WAY) ALSO KNOWN AS 2ND STREET, BEING N 58°40'23" E PER OFFICIAL RECORDED BOOK 108, PAGE 483.
- 3) BENCH MARK ORIGIN CONTROL POINT OF TOWN DESIGNATION C 511, ELEVATION 81.53 FEET NAVD 83, ELEVATION SHOWN HEREON REFERS TO NAVD 1983 AND ARE IN FEET; SITE BENCHMARKS ARE BASED ON THIS CONTROL POINT AND ARE SHOWN ON THIS SURVEY.
- 4) THE ELEVATIONS SHOWN ON THIS SURVEY ARE A REPRESENTATION OF THE CONDITIONS ON THE DATE OF THE FIELD SURVEY.
- 5) SOURCES OF INFORMATION:
 - DEEDS OF RECORD
 - PLAT BOOK 1, PAGE 28, NASSAU COUNTY, FLORIDA
 - FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 15 (U.S. 1), SECTION 14030-3516

- LEGEND:
- 1. SET PINE AND BIRCH LIP MARK
 - 2. SET IRON PEG
 - 3. FOUND 1/2" IRON PIPE AND 1/2" IRON CHAINING NAIL
 - 4. FOUND 1/2" IRON PIPE AND 1/2" IRON CHAINING NAIL
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 - 100. FOUND 1/2" IRON PIPE AND 1/2" IRON CHAINING NAIL

LINE #	BEARING	LENGTH
1	N 58°40'23" E	186.87
2	N 58°40'24" E	10.00
3	N 31°05'23" W	15.00
4	S 02°34'25" W	18.54

ACREAGE TABLE	
SITE	0.18 ACRES

RICHARD J. JENKINS, DATED 03/08/2022
FLORIDA REGISTERED LAND SURVEYOR NO. 4417
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL, VARIOUS
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

L.D. BRADLEY L.D. BRADLEY LAND SURVEYORS 510 SOUTH 5TH STREET MACLENNY, FLORIDA 32063 PHONE: 904-247-1111 FAX: 904-247-1112	
ALL NOTES ON THIS SURVEY ARE THE PROPERTY OF L.D. BRADLEY LAND SURVEYORS AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF L.D. BRADLEY LAND SURVEYORS	CHECKED BY: R.J.J. DATE: 03/08/2022 DRAWN BY: R.J.J. DATE: 03/08/2022

Please record and return to:
Gibraltar Title Services
4190 Belfort Road, Suite 475
Jacksonville, FL 32216

RE Parcel ID#: 17-16-33-03-00-0017

SPECIAL WARRANTY DEED
(with Covenant)

PETRO DISTRIBUTING, INC., a Florida corporation whose address is 7014 A.C. Skinner Parkway, Suite 290, Jacksonville, Florida 32256, for ("**Grantor**") and **MARCUS W. HOLLEY**, an individual whose address is at 17671 Holleyoaks Lane, Hilliard, Florida 32046 ("**Grantee**") enter into this Special Warranty Deed (this "**Deed**") as of December 14, 2021 (the "**Effective Date**").

W I T N E S S E T H:

For and in consideration of the sum of Ten Dollars (\$10.00), the covenants and restrictions contained in this Deed and other good and valuable consideration, the receipt and sufficiency of which are agreed and acknowledged, Grantor does by execution and delivery of this Deed GRANT, BARGAIN, SELL, CONVEY, and RELEASE unto Grantee, its successors and assigns forever, all of Grantor's right, title and interest, if any, in and to the Premises more particularly described in **Exhibit A** attached to and made a part of this Deed (the "**Premises**"), together with any buildings, fixtures and improvements owned by Grantor and located thereon;

Together with all right, title and interest of Grantor in and to any streets and roads abutting the Premises to the center lines of such streets and roads, plus all the estate and rights of Grantor in and to any easements, rights, privileges, appurtenances, strips and gores and all other hereditaments appurtenant to the Premises;

This conveyance is made by Grantor and accepted by Grantee SUBJECT TO all covenants, reservations, exceptions, restrictions, easements, encumbrances and rights of way of record; ad valorem and real estate taxes and assessments, both general and special, for the year 2022 and all subsequent years; building and zoning ordinances, laws, regulations, and restrictions by municipal and other governmental authorities; and all other matters of record that are currently valid and subsisting, and that affect the Premises (which reference shall not be deemed to reimpose any of the foregoing); and the items set forth on **Exhibit B**, to the extent that the same are currently valid and enforceable against the Premises;

TO HAVE AND TO HOLD the Premises unto Grantee, its successors and assigns in fee simple forever; but:

IN ADDITION TO THE FOREGOING, Grantor grants the Premises to Grantee subject to the following covenants and restrictions:

1. NOTWITHSTANDING ANYTHING CONTAINED IN THIS AGREEMENT TO THE CONTRARY, GRANTEE ACKNOWLEDGES, UNDERSTANDS AND AGREES THAT GRANTEE HAS BEEN GIVEN THE OPPORTUNITY TO MAKE FULL AND COMPLETE INSPECTIONS OF THE PREMISES TO GRANTEE'S SATISFACTION PRIOR TO THE DATE OF THIS DEED AND THAT, AS OF THE DATE OF THIS DEED, GRANTEE IS RELYING SOLELY ON GRANTEE'S OWN INVESTIGATIONS OF THE PREMISES AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR, OR ANY AGENT, REPRESENTATIVE OR OTHER PARTY ACTING, OR PURPORTING TO ACT, ON BEHALF OF GRANTOR. IT IS THE UNDERSTANDING AND INTENTION OF THE PARTIES THAT THE SALE OF THE PREMISES FROM GRANTOR TO GRANTEE IS MADE ON A STRICT "AS IS, WHERE IS" BASIS AND WITH ALL FAULTS. GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, EXPRESS OR IMPLIED, ORAL OR WRITTEN, RELATING TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR PRESENT OR FUTURE CONDITION OF THE ASSETS, INCLUDING WITHOUT LIMITATION THE PREMISES, (B) THE COMPLIANCE OF, OR BY, THE PREMISES WITH ANY LAWS OF ANY APPLICABLE GOVERNMENTAL ENTITY, (C) THE LIABILITY, MERCHANTABILITY, MARKETABILITY, OR PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PREMISES, INCLUDING WITHOUT LIMITATION THE ASSETS THEREON, OR (D) ANY OTHER MATTER WITH RESPECT TO THE ASSETS. GRANTEE REPRESENTS TO GRANTOR THAT GRANTEE IS RELYING, HAS RELIED AND SHALL IN THE FUTURE RELY SOLELY UPON ITS OWN INVESTIGATIONS, INSPECTIONS AND STUDIES OF THE PREMISES, AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR, GRANTOR'S AGENTS OR CONTRACTORS OR OTHERWISE GENERATED FROM THIRD PARTY SOURCES. GRANTOR SHALL NOT BE LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENT, REPRESENTATION OR INFORMATION PERTAINING TO THE PREMISES OR THE OPERATION OF THE PREMISES FURNISHED BY ANY PARTY PURPORTING TO ACT ON BEHALF OF GRANTOR, INCLUDING, WITHOUT LIMITATION, ANY AGENT, BROKER OR SALESPERSON. GRANTEE ACKNOWLEDGES THAT THE CONTRIBUTION VALUE HAS BEEN SPECIFICALLY NEGOTIATED AND ADJUSTED TO TAKE INTO ACCOUNT THE AS-IS NATURE OF THIS SALE AND THE DISCLAIMERS AND WAIVER OF REPRESENTATIONS AND WARRANTIES AS STATED IN THIS AGREEMENT.

2. For a period of twenty-five (25) years from the date on which this Deed is recorded in the Official Records of Nassau County, Florida, the retail sale of motor fuels (except in de minimis prepackaged quantities), and the construction or operation on all or any portion of the Property of a retail motor fuel facility, a convenience store, a car wash, or any combination of same, shall be and the same is prohibited by the execution, delivery and acceptance by Grantee of this Deed. The foregoing restriction and prohibition shall run with the land and shall be binding upon and enforceable against Grantee, Grantee's successors in title, and all persons and entities occupying or operating the Property for, under or through Grantee or Grantee's successor(s) in title. This covenant shall run with title to the Property, and pass with each and every portion of

the Premises, and shall apply to and bind the respective successors in interest of each and every portion of the Premises

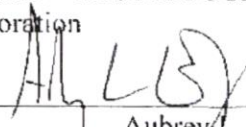
GRANTOR AND GRANTEE ACKNOWLEDGE AND AGREE THAT GRANTEE'S ACCEPTANCE OF THE PROPERTY WITH AND SUBJECT TO THE FOREGOING COVENANTS AS SET FORTH IN THIS DEED AND THE CONTINUING ENCUMBRANCE OF THE PROPERTY WITH THOSE RESTRICTIONS AND COVENANTS ARE EACH A SIGNIFICANT AND MATERIAL PORTION OF THE CONSIDERATION PROVIDED BY GRANTEE TO GRANTOR IN CONNECTION WITH GRANTOR'S AGREEMENT TO CONVEY THE PROPERTY AND THAT GRANTOR WOULD NOT CONVEY THE PROPERTY TO GRANTEE FOR THE OTHER CONSIDERATION GIVEN BY GRANTEE ALONE WITHOUT EACH SUCH RESTRICTION AND COVENANT.

SUBJECT to the foregoing, Grantor covenants with Grantee that Grantor will warrant specially the Premises in this Agreement conveyed and defend title to the Premises against the lawful claims of all persons claiming by, through, or under Grantor, but not otherwise, provided, that this conveyance and the special warranty made by Grantor contained in this Agreement are subject to the matters contained in this Agreement and any and all matters of record, and the interest of Grantor in any offsite easements is conveyed without warranty. The preceding sentence is for the benefit of Grantee and the parties now or hereafter constituting Grantee and may not be relied on or enforced by any other entity, including, without limitation, any direct or remote successor in title to Grantee or any title insurer of Grantee or its direct or remote successors in title, by way of subrogation or otherwise.

*[balance of page intentionally left blank;
signatures appear on following pages]*


IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be duly executed on the day and year first above written.

PETRO DISTRIBUTING, INC., a Florida corporation

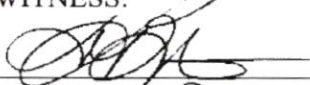
By: 
Aubrey L. Edge
Its President

Signed, Sealed and Delivered In Our Presence:

WITNESS:


Printed Name: A.L. Daw

WITNESS:


Printed Name: Donna A. Miller

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 13th of December 2021 by Aubrey L. Edge, as President of and on behalf of Petro Distributing, Inc., a Florida corporation. He is personally known to me.

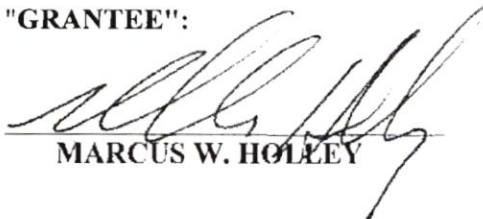

Notary Signature
Print Name: Donna A. Miller
Notary Public, State and County Aforesaid
My commission expires: 7/29/2023
Commission Number: GG318151

(Notarial Seal)



DONNA A MILLER
Commission # GG 318151
Expires July 29, 2023
Bonded thru Budget Notary Services

"GRANTEE":


MARCUS W. HOLLEY

Witness: 
Print Name: A.K. P. A.W.

Witness: Lynn Kolbeck Besette
Print Name: LYNN KOLBECK BESSETTE

STATE OF FLORIDA)
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization this 14th of December 2021 by Marcus W. Holley, an individual, who is
personally known to me or produced a FLORIDA LICENSE as identification.

Lynn Kolbeck Besette
Notary Signature
Print Name: LYNN KOLBECK BESSETTE
Notary Public, State and County Aforesaid
My commission expires: MARCH 1, 2023
Commission Number: GG 297015

(Notarial Seal)



LYNN KOLBECK BESSETTE
Commission # GG 297015
Expires March 1, 2023
Bonded Thru Budget Notary Services

EXHIBIT A TO DEED
Legal Description of Premises

A parcel of real property situated in Nassau County, Florida, and more particularly described as follows:

LOT 3 (EXCEPT THE EAST 10.0 FEET LING WITHIN US HWYWAY NO. 1, 1/4 SECTION 13, T4, R1, W. 1/4, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 28 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA)

EXHIBIT B TO DEED
Permitted Encumbrances

Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.

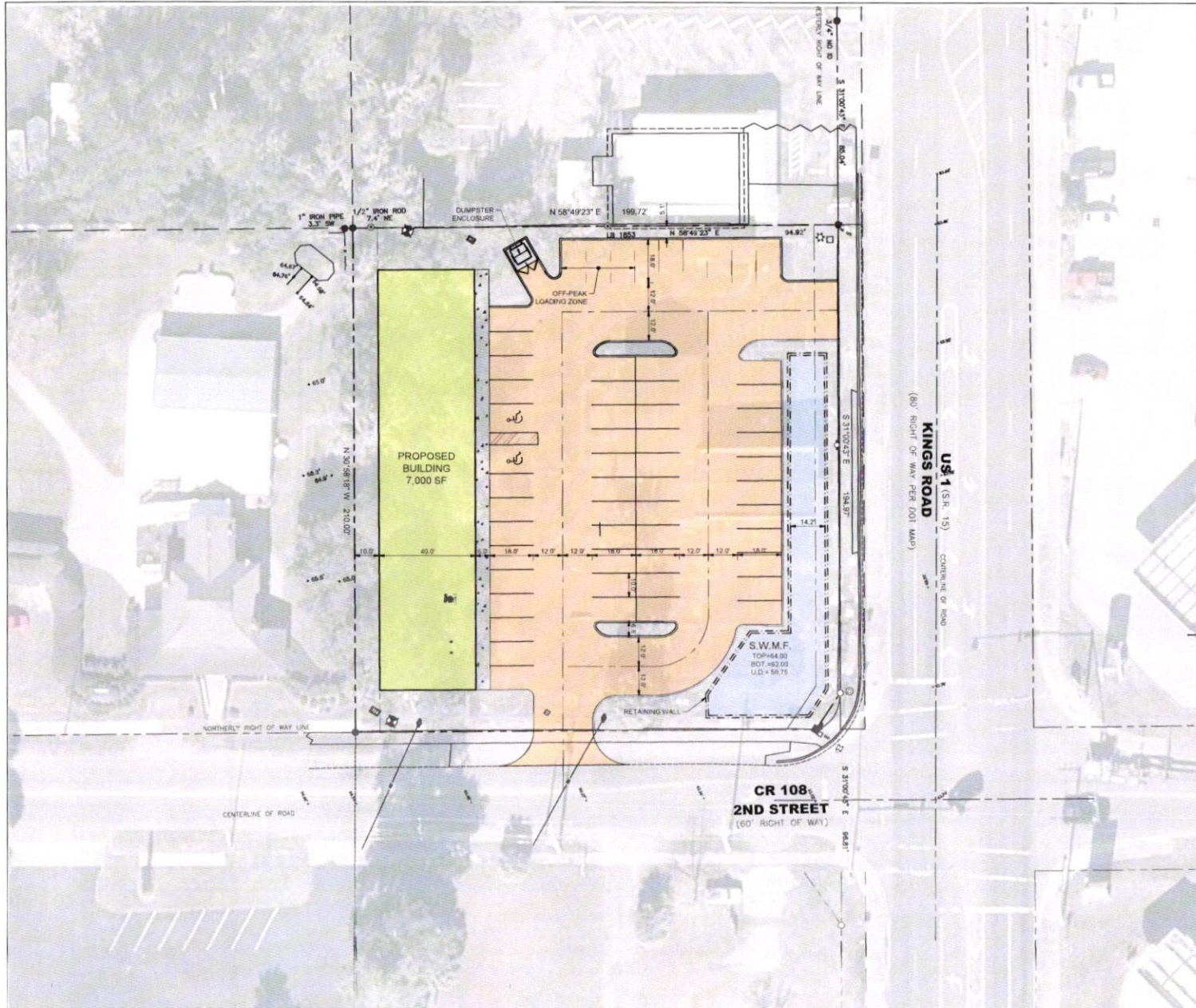
Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.

Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

Easement(s) as set forth in instrument(s) recorded in Official Records Book 209, Page 427.

Easement(s) as set forth in instrument(s) recorded in Official Records Book 694, Page 1502.

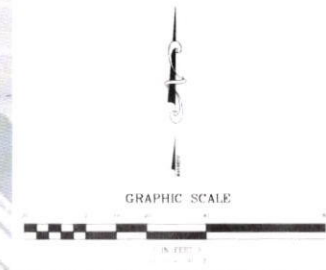


LEGEND

- PARCEL BOUNDARY
- PARCEL BOUNDARY BUFFER
- PROPOSED BUILDING
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED STORMWATER MANAGEMENT FACILITY

SITE DEVELOPMENT SUMMARY

ZONING	C-1 (COMMERCIAL GENERAL)
LAND USE	COMMERCIAL / RESTAURANT
SUBJECT PROPERTY AREA	0.96 ACRES
PROPOSED DEVELOPMENT	0.96 ACRES
BUILDING AREA	7,000 SF (17%)
IMPERVIOUS AREA	0.53 ACRES (55%)
SETBACKS	10' FRONT 10' REAR 0' SIDE
PARKING REQUIRED	47 (1 SPACE PER 150 SF)
TOTAL PARKING PROVIDED	57 (STANDARD & ADA)
STANDARD PARKING PROVIDED	55 (10'X18')
ADA REQUIRED PARKING	2
ADA PARKING PROVIDED	2



NORTHPATH
ENGINEERING
364 PINE HAVEN DRIVE
JACKSONVILLE, FL 32073
904-415-4443
CONTACT@NORTHPATHENG.COM

HILLIARD SHOPPING CENTER
TOWN OF HILLIARD, FLORIDA
MARCUS HOLLEY
SITE PLAN

ISSUE	
DATE	
SCALE	
DRAWN BY	
DRAWING NAME	
PROFESSIONAL ENGINEER	
PROJECT NUMBER	208
DATE	28-Apr-22
SHEET	C001

PUD Written Description Hilliard Center

I. PROJECT DESCRIPTION

This application is for Hilliard Center Planned Unit Development ("PUD"). The Hilliard Center PUD proposed to rezone approximately 1.01 acres located at the Northwest corner of U.S. Highway 1 and C.R. 108 from C-1 to PUD to develop the parcel for business, commercial or personal service and/or restaurant. The proposed PUD will conform to all Sec 62-289 General Commercial District ordinances. This PUD application is specifically written to amend Sec. 62-382 General off-street parking requirements. The property consists of a single parcel (ID 08-3N-24-2380-0013-0010), owned by Marcus Holley (the "Applicant"). All References herein to the Applicant shall include the Applicant's successors and assigns.

II. USES AND RESTRICTIONS

A. Permitted Uses

- (1) Retail 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 equipment, dairy supplies, monuments. Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, pet shops, veterinarian, musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs, home furnishings and appliances (including repairs incidental to sales), office equipment, hardware, and similar uses.
- (2) Service establishments 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; veterinarian or animal boarding kennels in soundproof buildings; pest control; plant nurseries or landscape contractors; carpenter or cabinet shops; home equipment rental; ice delivery stations; job printing or newspaper establishments; blueprint; funeral home; upholstery shop; boat sales; dry storage of pleasure craft; private clubs radio or television broadcasting transmitter and antenna facilities; barbershops or beauty shops; shoe repair shop; restaurant; interior decorator; photographic studio; dance or music studio; reducing salon or gymnasium; self-service laundry; or dry cleaner; tailor or dressmaker; dry cleaning and laundry package plants in completely enclosed buildings using nonflammable liquids such as perchlorethylene and with no odor, fumes, or steam detectable to normal senses from off the premises and similar activities.
- (3) Medical and dental offices and clinics.
- (4) Churches (except temporary revival establishments).
- (5) Hotels and motels.
- (6) Hospitals, sanitariums, rest homes, nursing homes, convalescent homes, and homes for orphans and the aged.
- (7) Art gallery, museum, community center, little theatre, and libraries.
- (8) Research laboratories not involving odors, noise, smoke, or other obnoxious effects detectable to normal senses from outside the building nor involving electrical interference to any television or radio receivers off the premises, nor involving any manufacturing activities.
- (9) Professional and business office, union halls.
- (10) Bank and financial institutions, travel agencies, employment offices, and similar establishments.
- (11) Commercial recreation facilities such as carnivals or circuses, open air or indoor motion picture theatres, billiard parlor, swimming pool, bowling alley, golf driving or archery ranges, par three miniature golf courses, indoor shooting galleries housed in completely enclosed buildings, skating rinks, pony rides, and similar uses.
- (12) Miscellaneous uses such as outdoor fruit, vegetable, poultry, or fish markets.
- (13) Athletic complex, arena, auditorium, convention center.
- (14) Wholesaling from sample stock only, providing no manufacturing or storage for distribution is permitted on the premises.
- (15) Manufacturing as involved in production of eyeglasses, hearing aids, prosthetic appliances, and similar products.
- (16) Vocational, trade, and business schools.
- (17) Indoor and outdoor skating rink.
- (18) Miscellaneous uses such as express or parcel delivery office, telephone exchange, commercial parking lots and parking garages, motorbus or other transportation terminals.

- (19) Sale of secondhand merchandise in a completely enclosed building.

B. Uses by Special Exception

The following uses may be permitted by exception after site plan review:

- (1) Wholesale, warehouse, or storage use, but not bulk storage of flammable liquids.
- (2) Building trades contractor with storage yard for materials and equipment on premises.
- (3) Boat building and repairs.
- (4) Air conditioning and heating contractor or sheet metal fabrication.
- (5) Recreational vehicle parks.
- (6) One dwelling unit located in the same building as the main business for occupancy by the business owner and family.

III. DESIGN GUIDELINES

A. Lot Requirements

- | | |
|---------------------------------|--|
| a. Minimum lot area: | 7,500 sf |
| b. Maximum lot coverage | 35% of Lot Area (Buildings and Accessory structures) |
| c. Minimum front yard | 10-Feet |
| d. Minimum side yard | None |
| e. Minimum rear yard | 10-Feet |
| f. Maximum height of structures | 35-Feet |

B. Ingress, Egress and Circulation

- a. Parking Requirements:
 - 1) Business, commercial, or personal service establishment not otherwise listed: One space for each 200 square feet of gross floor area.
 - 2) Commercial shopping centers: One space for each 125 square feet of nonstorage floor area.
 - 3) Restaurant, nightclub, bar or tavern: One space for each 125 square feet of gross floor area.
- b. Vehicular Access: One access drive connection to U.S. Highway 1 and one access drive connection to C.R. 108. Not to exceed two access drives to parcel.
- c. Pedestrian Access: Provided along adjacent public roadways.

- C. **Signs:** One monument sign located within 15' of adjacent right of ways.

- D. **Landscaping:** Shall comply with the Town of Hilliard LDR Standards.

- E. **Recreation and Open Space:** N/A

F. Utilities

- a. Water will be provided by the Town of Hilliard via existing water main along C.R. 108.
- b. Sanitary sewer will be provided by the Town of Hilliard via existing gravity sewer along Westerly property line.
- c. Electric will be provided by Okefenokee Rural Electrical via existing overhead drop along C.R. 108.

- G. **Wetlands:** N/A



PUD Statement of Proposed Change

Hilliard Center at U.S. 1 and C.R. 108

Parcel ID: 08-3N-24-2380-0013-0010

Existing Zoning Classification: C-1 General Commercial

The Parcel is currently Zoned C-1 Commercial, which currently encompasses principal uses planned for the Proposed Development. Principal Uses that are being marketed for the parcel are Business, Commercial or Personal Service and Restaurant. All these uses fall under the current C-1 Zoning Code for permitted principal uses.

Proposed Zoning Classification: PUD Hilliard Center

The requested Zoning Classification would be PUD Hilliard Center. This proposed PUD would utilize Zoning C-1 General Commercial (Sec. 62-289) in its entirety. All permitted principal uses and structures would apply as well as uses by exception, minimum lot requirements, maximum lot coverage, minimum yard requirements and maximum height of structures.

Requested Deviations from Existing Code under the Requested PUD Hilliard Center

All zoning codes and ordinances shall apply except for the listed items below:

- a) Sec. 62-382 (b)(15) Restaurant, nightclub, bar or tavern: *One space for each three seats in public rooms or one space for each 75 square feet of floor area devoted to patron use, whichever is greater. Shall be One space for each 125 square feet of gross floor area.*

PUD Written Description Hilliard Center

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 - 3) Restaurant, nightclub, bar or tavern: One space for each 125 square feet of gross floor area.
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- c. Pedestrian Access: Provided along adjacent public roadways.

C. **Signs:** One monument sign located within 15' of adjacent right of ways.

D. **Landscaping:** Shall comply with the Town of Hilliard LDR Standards.

E. **Recreation and Open Space:** N/A

F. Utilities

- a. Water will be provided by the Town of Hilliard via existing water main along C.R. 108.
- b. Sanitary sewer will be provided by the Town of Hilliard via existing gravity sewer along Westerly property line.
- c. Electric will be provided by Okefenokee Rural Electrical via existing overhead drop along C.R. 108.

G. **Wetlands:** N/A

TOWN OF HILLIARD
904-845-3555

REC#: 00150855 5/31/2022 2:55 PM
OPER: AH TERM: 001
REF#: 1010
PAID BY:

TRAN: 104.0000 ZONING REVENUE
REZONE/PUD/NORES/HSC
ZONING REVENUE 2,520.00CR

TENDERED: 2,520.00 CHECK
APPLIED: 2,520.00-

CHANGE: 0.00

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

Dallis Hunter, Chair
Harold "Skip" Frey, Vice Chair
Charles A. Reed, Board Member
Josetta Lawson, Board Member
Wendy Prather, Board Member

ADMINISTRATIVE STAFF

Janis Fleet, AICP
Land Use Administrator

TOWN ATTORNEY

Mary Norberg

MINUTES

TUESDAY, JUNE 14, 2022, 7:00 PM

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

PRESENT

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

CHAIR

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

Tobi Welborn, ERA Fernandina Beach, 542188 US Hwy 1, Callahan, representing the seller with Angela Moilanen, Bold & Sold Reality, representing the buyer presents an issue that has arisen regarding 30' Siren Lane Easement.

Planning & Zoning Board Chair Hunter advises Ms. Welborn and Ms. Moilanen to make an appointment with Land Use Administrator Fleet. He advises that the Board cannot make a decision or recommendation prior to the situation going to staff.

REGULAR MEETING

ITEM-1 Additions/Deletions to Agenda

Motion is made to swap items two and three at the request of the applicant, Mr. Chris Goodin.

Motion made by Planning and Zoning Board Member Prather, Seconded by Planning and Zoning Board Member Lawson.

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

ITEM-2 Planning & Zoning Board approval to grant Variance No. 20220309-02 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0178-0180, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

Janis Fleet, AICP - Land Use Administrator

Land Use Administrator Fleet states the application was deferred from April to May then Mr. Goodin asked to move the item to June. She reads the Agenda Item Report and also explains that originally, she had recommended approval, but is now recommending denial because a variance cannot be given for financial reasons. Land Use Administrator Fleet states this application does not meet the requirements of the Hilliard Town Code to grant the Variance.

Chris Goodin, 220 Hopkins St, Unit 1, Neptune Beach, states there are four lots with mobile homes, one lot with nothing but the broker is not willing to sell, and then you have three different owners with four lots.

Planning and Zoning Chair Hunter states that she staff has recommended denial.

Planning and Zoning Vice Chair Frey recommends denial until the Town Council based on the findings included in the Agenda Item Report.

Motion is made to deny Variance No. 20220309-02 based on the findings included in the Agenda Item Report.

Motion made by Vice Chair Frey, Seconded by Planning and Zoning Board Member Reed.

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

ITEM-3 Planning & Zoning Board approval to grant Variance No. 20220309-01 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0159-0200, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

Janis Fleet, AICP - Land Use Administrator

Land Use Administrator Fleet states that the application was deferred from April to May then Mr. Goodin asked to move the item to June. She reads the Agenda Item Report and also explains that originally, she had recommended approval, but is now recommending denial because a variance cannot be given for financial reasons. Land Use Administrator Fleet states this application does not meet the requirements of the Hilliard Town Code to grant the Variance.

Chris Goodin, 220 Hopkins St, Unit 1, Neptune Beach, asks what would qualify for a Variance if the adjacent property owners will not sell.

Planning and Zoning Board Vice Chair Frey recommends waiting on the Town Council but would like to see citizens be allowed to build on three lots.

Chris Goodin, 220 Hopkins St, Unit 1, Neptune Beach, states that he hopes the Planning and Zoning Board voices their reasonings to the Town Council on why they recommended the R-2 minimum lot requirements.

Motion is made to deny Variance No. 20220309 based on the findings included in the Agenda Item Report.

Motion made by Vice Chair Frey, Seconded by Planning and Zoning Board Member Lawson.

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

ITEM-4 Planning & Zoning Board approval of Site Clearing/Site Work Application #20220516

Property Owner – LL Properties of Hilliard FL, LLC

Parcel ID No. 08-3N-24-2380-0006-0010

Janis Fleet, AICP - Land Use Administrator

Land Use Administrator Fleet reads her Agenda Item Report and gives her recommendation.

Motion is made to approve Site Clearing/Site Work Application #20220516 with the Land Use Administrator recommendations and conditions.

Motion made by Planning and Zoning Board Member Prather, Seconded by Planning and Zoning Board Member Lawson.

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

- ITEM-5 Planning & Zoning Board approval of Minor Modification of the Whisper Ridge PUD #20220523
 Property Owner – LGI Home – Florida, LLC
 Parcel ID No. 04-3N-24-0000-0006-0010 and 04-3N-24-0000-0004-0100
Janis Fleet, AICP - Land Use Administrator

Land Use Administrator Fleet reads her Agenda Item Report and gives her recommendation.

Ed Kassik from LGI Home, explains this is being requested due to the trees being in the ditch area.

Motion is made to approve the Minor Modification of the Whisper Ridge PUD #20220523 with the Land Use Administrator recommendations.

Motion made by Vice Chair Frey, Seconded by Planning and Zoning Board Member Reed.

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

- ITEM-6 Planning and Zoning Board approval of the Minutes from the May 10, 2022, Regular Meeting.

Motion is made to approve the Minutes.

Motion made by Vice Chair Frey, Seconded by Planning and Zoning Board Member Prather.

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

ADDITIONAL COMMENTS

PUBLIC

No public wish to address the Board.

BOARD MEMBERS

Planning and Zoning Board Member Reed states, regarding the three lots issue, maybe the Town should look into Tiny Homes.

Planning and Zoning Board Member Prather apologizes for missing the last two Joint Workshops.

Planning and Zoning Board Chair Hunter apologizes for missing the last Joint Workshop.

LAND USE ADMINISTRATOR

Land User Administrator Fleet states the Council is moving fast, and the next Joint Workshop will be set at the June 16, 2022, Town Council meeting. Fleet also states Daycares in the Commercial District are moving forward now, so hopefully the rest of the Code will be updated soon.

PLANNING AND ZONING ATTORNEY

Planning and Zoning Attorney Norberg, states she will meet with Land Use Administrator Fleet in the upcoming week regarding items discussed at the Joint Workshop on June 13, 2022, and the items brought up in tonight's meeting.

ADJOURNMENT

Motion to adjourn at 7:49 p.m.

Motion made by Planning and Zoning Board Member Reed, Seconded by Planning and Zoning Board Member Lawson.

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

Approved this 12th day of July 2022, by the Hilliard Planning & Zoning Board, Hilliard, Florida.

Dallis Hunter, Chair
Hilliard Planning & Zoning Board