# 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**

Harold "Skip" Frey, Chair Wendy Prather, Vice Chair Charles A. Reed, Board Member Josetta Lawson, Board Member Lee Anne Wollitz, Board Member

### ADMINISTRATIVE STAFF

Janis Fleet, AICP Land Use Administrator

PLANNING AND ZONING ATTORNEY Mary Norberg

# AGENDA

# TUESDAY, NOVEMBER 08, 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 Affirm or Deny Appeal No. 20220809, for Parcel ID No. 17-3N-24-2020-0040-0080, submitted by Ms. Tobi Welbourne, applicant for Brian Frederick, property owner. Janis Fleet, AICP - Land Use Administrator

> Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Appeal No. 20220809

**PLANNING & ZONING BOARD ACTION** Planning and Zoning Board to affirm or deny Appeal No. 20220809

ITEM-2Planning and Zoning Board approval to grant Variance No. 20220927-09 to<br/>Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-<br/>24-2380-0159-0200, for Christopher Goodin/Coastland Land Group, LLC,<br/>applicant and CCRC Woodlands, property owner.<br/>Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Variance No. 20220927-09

# **PLANNING & ZONING BOARD ACTION**

Planning and Zoning Board to approve or deny Variance No. 20220927-09.

ITEM-3Planning and Zoning Board approval to grant Variance No. 20220927-10 to<br/>Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-<br/>24-2380-0165-0040, for Christopher Goodin/Coastland Land Group, LLC,<br/>applicant and CCRC Woodlands, property owner.<br/>Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Variance No. 20220927-10

# **PLANNING & ZONING BOARD ACTION**

Planning and Zoning Board to approve or deny Variance No. 20220927-10.

ITEM-4Planning and Zoning Board approval to grant Variance No. 20220927-11 to<br/>Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-<br/>24-2380-0165-0010, for Christopher Goodin/Coastland Land Group, LLC,<br/>applicant and CCRC Woodlands, property owner.<br/>Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Variance No. 20220927-11

# **PLANNING & ZONING BOARD ACTION**

Planning and Zoning Board to approve or deny Variance No. 20220927-11.

ITEM-5Planning and Zoning Board approval to grant Variance No. 20220927-12 to<br/>Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-<br/>24-2380-0148-0160, for Christopher Goodin/Coastland Land Group, LLC,<br/>applicant and CCRC Woodlands, property owner.<br/>Janis Fleet, AICP - Land Use Administrator

Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Variance No. 20220927-12

# **PLANNING & ZONING BOARD ACTION**

Planning and Zoning Board to approve or deny Variance No. 20220927-12.

ITEM-6 Planning and Zoning Board approval to grant Variance No. 20220927-13 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0148-0130, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner. Janis Fleet, AICP - Land Use Administrator

> Disclosure of Ex Parte Communication Open Public Hearing Call for Public Comment Close Public Hearing on Variance No. 20220927-13

# **PLANNING & ZONING BOARD ACTION**

Planning and Zoning Board to approve or deny Variance No. 20220927-13.

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

# **REGULAR MEETING**

- ITEM-7 Additions/Deletions to Agenda
- **ITEM-8** Planning and Zoning Board approval of the Minutes from the October 11, 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 <u>www.townofhilliard.com</u>. Live & recorded videos can be access at <u>www.youtube.com</u> 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
- 2. Memorial Day
- 3. Independence Day Monday
- 4. Labor Day
- 5. Veterans Day
- 6. Thanksgiving Day
- 7. Friday after Thanksgiving Day
- 8. Christmas Eve
- 9. Christmas Day
- 10.New Year's Eve
- 11.New Year's Day

Monday, January 17, 2022 Monday, May 30, 2022 Monday, July 4, 2022 Monday, September 5, 2022 Friday, November 11, 2022 Thursday, November 24, 2022 Friday, November 25, 2022 Friday, December 23, 2022 Monday, December 30, 2022 Monday, January 2, 2023





# AGENDA ITEM REPORT TOWN OF HILLIARD, FLORIDA

- TO: Planning and Zoning Regular Meeting Meeting Date: November 8,2022
- FROM: Janis Fleet, AICP Land Use Administrator
- SUBJECT: Planning and Zoning Board Affirm or Deny Appeal #20220809, submitted by Ms. Tobi Welton - Parcel ID: #17-3N-24-2020-0040-0080

**BACKGROUND:** On August 9, 2022, Ms. Tobi Welton submitted a Site Clearing/Site Work application to construct a single-family dwelling unit on Siren Lane. The Land Use Administrator stated that a 60 ft. access to Henry Smith Road was required in order for the property to meet the requirements of Section 62-347 and 62-342 of the Town Code. On August 24<sup>th</sup>, Ms. Welton submitted an application to appeal the decision on the Land Use Administrator.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

**RECOMMENDATION:** Affirm or deny the appeal.



# AGENDA ITEM REPORT

# APPEAL OF LAND USE ADMINISTRATOR'S DECISION

# APPEAL #20220809

 Applicant Information: Applicant – Tobi Welborn 542188 US Hwy 1 Callahan, Florida 32011

> Owner – Brian Frederick 8854 West Snohomish Court Boise, Idaho 83709

- Property Information Parcel ID: #17-3N-24-2020-0040-0080 Future Land Use Map Designation: AGR - Agriculture Current Zoning: A-1 Acres: approximately 18.94 acres
- 3. Description: Ms. Tobi Welborn, on behalf of Mr. Brian Frederick property owner, submitted a SiteWork/Site Clearing application to construct a single family dwelling unit on the subject property. In the staff comments section the Land Use Adminstrator stated that the property required a 60 ft. access to Henry Smith Road per Section 62-347 of the Town Code. In additon, the Land Use Adminstrator emailed Ms. Welborn on August 25<sup>th</sup>, that the property did not have the frontage to meet Section 62-342 of the Town Code.

The 2012 letter from the Town was prior to the lot split that occurred in 2016. The Property Appraiser's website lists the "location address" of the property as "Henry Smith Road". The lot split in 2016, created a nonconforming lot that has access on Henry Smith Road.

# Parcel Map

# 17-3N-24-2020-0040-0080





# ITEM-1

# Existing Access to the Property













### ITEM-1

# **Janis Fleet**

From:	Tobi Welborn,Realtor <realestatewithtobi@gmail.com></realestatewithtobi@gmail.com>
Sent:	Thursday, August 25, 2022 10:14 AM
То:	Janis Fleet
Subject:	Re: Site Clearing/Site Work Application - 20220809

Thank you.

I turned in the appeal yesterday. Should I add this to the application?

On Thu, Aug 25, 2022 at 10:12 AM Janis Fleet <<u>ifleet@townofhilliard.com</u>> wrote:

Tobi-

In addition to Section 62-347, the property does not have the frontage requirements to comply with Section 62-342. The lot does not have frontage on a public street or approved private street. The property is in the A-1 zoning district. The A-1 zoning district requires a minimum lot width of 150 ft. The lot must have 150 ft. of frontage on a public street or approved private street for a structure to be built on the property.

If you have any questions, please let me know.

Thanks-

Janis

Janis K. Fleet, AICP

Land Use Administrator

Town of Hilliard

PO Box 249

15859 West CR 108

Hilliard, FL 32046

904.845.3555 Phone

www.townofhilliard.com

From: Tobi Welborn,Realtor <<u>realestatewithtobi@gmail.com</u>>
Sent: Tuesday, August 23, 2022 2:39 PM
To: Janis Fleet <<u>jfleet@townofhilliard.com</u>>
Subject: Fwd: Site Clearing/Site Work Application - 20220809

Hey Janis,

After reviewing the application, I noticed you did not include a reference to code 62-342. Would you please include that as we will be filing an appeal and I don't want that to be an issue when we go before the Planning and Zoning Board.

Thanks

------ Forwarded message ------From: **Tobi Welborn,Realtor** <<u>realestatewithtobi@gmail.com</u>> Date: Tue, Aug 23, 2022 at 2:12 PM Subject: Re: Site Clearing/Site Work Application - 20220809 To: Janis Fleet <<u>jfleet@townofhilliard.com</u>>

Received. Thank you Janis.

On Tue, Aug 23, 2022 at 1:20 PM Janis Fleet <<u>ifleet@townofhilliard.com</u>> wrote:

Tobi-

Attached is the filled out application.

If you have any questions, please let me know.

# Thanks-

# Janis

Janis K. Fleet, AICP

Land Use Administrator

Town of Hilliard

PO Box 249

15859 West CR 108

Hilliard, FL 32046

904.845.3555 Phone

904.845.1221 Fax

www.townofhilliard.com

"Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing." This email and any files transmitted with it may contain privileged or confidential information and may be read or used only by the intended recipient. If you are not the intended recipient of the email or any of its attachments, please be advised that you have received this email in error and that any use, dissemination, distribution, forwarding, printing or copying of this email or any attached files is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and notify the sender by reply mail. "This institution is an equal opportunity provider and employer" If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint filing cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, <u>1400</u> Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov."

"Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing." This email and any files transmitted with it may contain privileged or confidential information and may be read or used only by the intended recipient. If you are not the intended recipient of the email or any of its attachments, please be advised that you have received this email in error and that any use, dissemination, distribution, forwarding, printing or copying of this email or any attached files is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and notify the sender by reply mail. "This institution is an equal opportunity provider and employer" If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint">http://www.ascr.usda.gov/complaint</a> filing cust.html, or at

any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, <u>1400 Independence Avenue</u>, <u>S.W.</u>, <u>Washington</u>, <u>D.C.</u> 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov."

Tobi Welborn Realtor/Property Manager ERA Fernandina Beach Realty 904-571-SOLD

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(a) Every building hereafter erected or moved shall be on a lot adjacent to a public street or private street approved by the town council, provided that such private street right-of-way shall be not less than 60 feet in width and further provided that all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Existing easements or right-of-way of record shall be excluded.

(Code 1997, § 62-347; Ord. No. 87-119, § 8-5, 12-29-1987; Ord. No. 2006-11, § 1, 1-18-2007)

(Code 1997, § 62-342; Ord. No. 87-119, § 4-6, 12-29-1987)

# TOWN OF HILLIARD ZONING AND LAND DEVELOPMENT REGULATIONS SECTION 62-95: APPEAL TO PLANNING AND ZONING BOARD

DATE APPEAL FILED: 8 23/2022
PERMIT APPLICATION NUMBER: 20220809 (Copy Attached) Frederick
Name and Address of Appellant: Tobi Welborn (Agent For Brian Lee) (Person Appealing) 542188 US Hugy 1 Callahan FL 32011
Phone Number of Appellant: $904-571-7653$
Legal Description: Lot: H Block: Subdivision:
Plat Book: <u>2051</u> Page: <u>2000</u> Property ID Number: <u>17-3N-24-2020-0049-008</u> C
Other:
Location: On the (North/South/East/West) side of Siken have (Street/Avenue)
between (Street/Avenue) and (Street/Avenue)
Zoning Classification: A - I
Section of the Zoning Code that authorized this decision: $(22-347 + 62-342)$
General description of the effect and details of desired action: Red Sik approval
in order for the buyer to obtain building
permit For DNE Residential home.
Supporting data that should be considered by the Zoning Board in making a decision:
See Exhibit A

# TOWN OF HILLIARD ZONING AND LAND DEVELOPMENT REGULATIONS SECTION 62-96: APPEAL ZONING BOARD DECISION TO TOWN COUNCIL

You must attach to this form a list of all the names and addresses of all property owners within
300 feet of the parcel upon which the appeal is being requested. Name and Addresses of
property owners may be obtained from the Nassau County Property Appraiser's Office, or from
their website - <u>www.nassauflpa.com</u> . Exh. bit B
Additional Statements: See Exhibit A

In filing this Appeal, the undersigned understands that it becomes a part of the Official Records of the Town of Hilliard, and the undersigned certifies that all information contained herein is true to the best of their knowledge.

Signature of Appellant:	Frederick Brian Lee	dotloop verified 08/24/22 11:50 AM EDT NXPO-B8PU-3GR5-EGGH	
Signature of Agent:	be Week	ERN	
Address of Agent:	542188 US	thoy 1	
	allahan.	FL 32	011
Phone No. of Agent:	9045717	653	

# Supporting data for Appeal on Siren Lane Site Clearing/Work Application:

Parcel ID: 17-3n-24-2020-0049-0080

We are seeking approval to eventually build ONE residential home on this 18+/- acre parcel.

I am representing my customer, Frederick Brian Lee, for the sale of his property. This property is currently under contract. The buyer is wanting to build one residential home. We have been working on getting approval for this since May.

With the help of Janice, it was determined that a variance could not be file for codes 62-347 & 62-342 per Section 62-1 of Hilliard Town Code. So, it was decided that the Site Clearing/Site Work needed to filed for this situation.

That application was denied due to the above referenced codes.

There is a 30 foot recorded easement (Siren Lane) that provides access to the parcel above. Currently there is one residential home at the end of Siren Lane. In addition, the home on the

corner of Henry Smith and Siren Lane uses Siren Lane as their primary access to their home.

# Backstory on this property:

Mr Lee purchased this property from Mr King in 2016. This parcel was originally attached to parcel 17-3n-24-2020-0049-0080. Mr King had reached out to the town of Hilliard for approval to split the lot. He received a letter from Mr Higginbotham advising that lot 0080 could be split. (see attached) Mr Lee purchased this property with the knowledge of the letter from Mr Higginbotham with the intent of building a home. Things changed so he never pursued obtaining a building permit after he bought the land.

We are hopeful to get this situation resolved so the buyer can move forward with her plans of building for forever dream home in Hilliard.

Respectfully,

# **TOWN OF HILLIARD** A Florida Municipality

# April 12, 2012

Thomas E. King P.O. Box 1321 Hilliard, Fl. 32046

Dear Mr. King;

As per our phone conversation this date, you may sell all or any portion of your property, ID # 17-3N-24-2020-0049-0030 which is directly accessible from Siren Lane, a 30 foot easement.

Hilliard Town Code, Section 62-347 provides that property accessed from easements or rightsof-way of record are exempt from the 60 foot access requirement. Siren Lane meets this requirement.

However, you may not divide the property in such a way that the portion you sell does not access Siren Lane directly.

If I can be of further help, or if you have any questions, I can be reached at the Hilliard Town Hall on Tuesdays and Thursdays between 2 P.M. and 4 P.M.

Sincerely,

Glenn Higginbotham Land Use Administrator Town of Hilliard, Florida

19

Exhibit A

ITEM-1

EXHIBIT "A"

. From Ellie

Fxhibit

ITEM-1

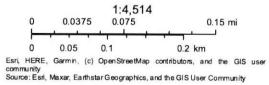
A PORTION OF LOTS 49,50,51,52 AND 53, CORNWALL FARMS LAND COMPANYS PLAT OF NORTH FLORIDA FRUIT AND TRUCK FARMS, ALL IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 89° 13' 00" WEST ALONG THE SOUTH LINE OF SAID SECTION 17, 1032.65 FEET; THENCE NORTH 00° 12' 54" WEST, 32.50 FEET TO POINT OF BEGINNING, SAID POINT LYING IN THE NORTHERLY RIGHT-OF-WAY LINE OF HENRY SMITH ROAD (A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE CONTINUE NORTH 00° 12' 54" WEST, 268.50 FEET; THENCE NORTH 89° 13' 00" WEST, 156.87 FEET; THENCE NORTH 03° 36' 50" EAST, 51.56 FEET; THENCE NORTH 89° 13' 00' WEST, 146.09 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF SAID LOT 50; THENCE NORTH 00° 09' 37" WEST ALONG THE WESTERLY LINE OF SAID LOT 50 AND THE WESTERLY LINE OF SAID LOTS 51,52 AND 53, 1317.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 53; THENCE SOUTH 88° 51' 41" EAST ALONG THE NORTHERLY LINE OF SAID LOT 53, 598.28 FEET; THENCE SOUTH 00° 12' 54" EAST, 1426.33 FEET; THENCE NORTH 88° 41' 34" WEST, 210.00 FEET; THENCE SOUTH 00° 12' 54" EAST, 210.00 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HENRY SMITH ROAD; THENCE NORTH LANDS THUS DESCRIBED CONTAIN 19.46 ACRES, MORE OR LESS.

20

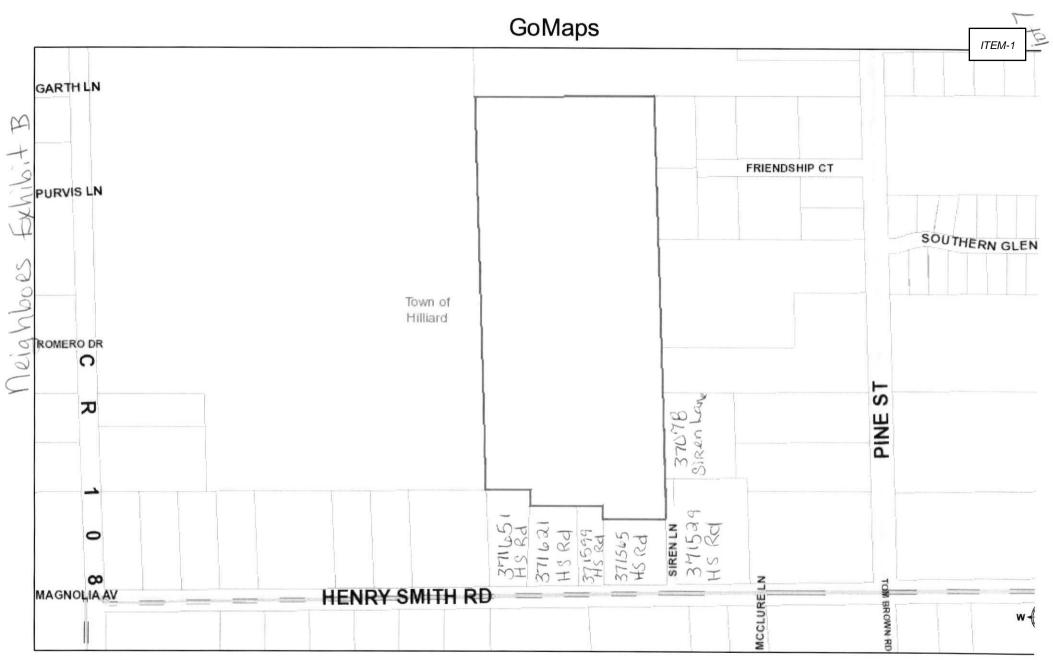
# GoMaps

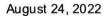


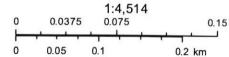




ITEM-1



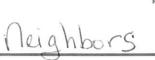




Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEE FAO, NPS, NRCAN, Geoßase, IGN, Kadaster NL, Ordnance Japan, METI, Esri China (Hong Kong), (c) Open Street Man contribu GIS User Community

22

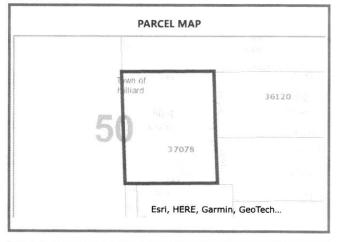
	PROPERTY INFORMATION
Parcel Numbe	er 17-3N-24-2020-0050-0040
Owner Name	HARRIS MITCHELL DALE
Mailing Address	37078 SIREN LANE
	HILLIARD, FL 32046
Location Address	37078 SIREN LN
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	Yes
Property Usage	SINGLE FAM 000100
Deed Acres	1.58
Short Legal	PT OF LOT 50 IN OR 1897/1583 CORNWALL SURVEY

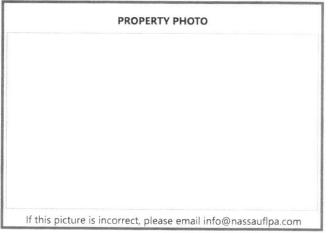




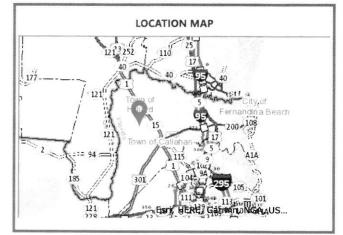
### 2022 Preliminary Values

Land Value	\$42,660
(+) Improved Value	\$116,138
(=) Market Value	\$158,798
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$29,184
(=) Assessed Value	\$129,614
(-) Homestead	\$25,000
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$129,614
(-) Non-School HX & Other Exempt Value	\$25,000
(=) County Taxable Value	\$79,614
Note - *10% Cap does not apply to School Taxable Value	





	2021 AERIAL	MAP	
	Star b		GPOID-2
	80,4076		463 🖘 - CHI (2555)73
	240	Line Hite	TAC.
and the same		C Barris	410.8



BUILDING INFORMATION
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1										
Туре	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	
SINGLE FAM	3024	1728	3	2	BD/BATTEN	CONC BLOCK	AIR DUCTED	FORCED AIR	1976	

	MISCELLANEOUS	INFORMAT	TION	
Descripti	on Dimensions L X W	Units	Year Built	
FP-1-SG-	AV 0 X 0	1	1980	
FP-1-SG-	AV 0 X 0	0	0	

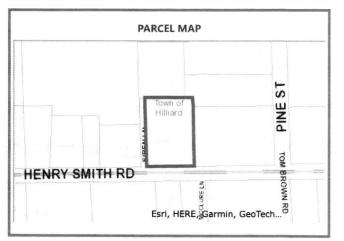
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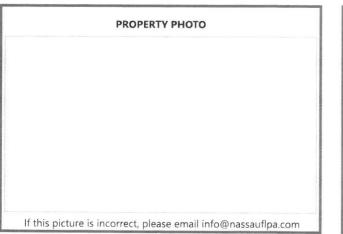
NASSAU COUNT
PROPERTY APPRAISER

ITEM-1

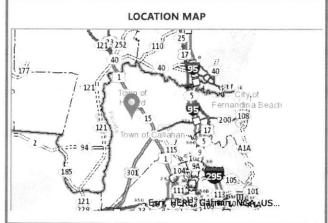
	PROPERTY INFORMATION
Parcel Numbe	r 17-3N-24-2020-0049-0050
Owner Name	MCCULLOUGH CHANDA
Mailing Address	371529 HENRY SMITH ROAD
	HILLIARD, FL 32046
Location Address	371529 HENRY SMITH RD
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	Yes
Property Usage	SINGLE FAM 000100
Deed Acres	2.00
Short Legal	LOTS 49(S-5) & 50(S-1) CORNWALL SURVEY IN OR 2305/196

Land Value	\$46,000
(+) improved Value	\$205,220
(=) Market Value	\$251,220
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$64,146
(=) Assessed Value	\$187,074
(-) Homestead	\$25,000
(-) Additional Exemptions	\$25,500
(=) School Taxable Value	\$187,074
(-) Non-School HX & Other Exempt Value	\$25,000
(=) County Taxable Value	\$136,574
Note - *10% Cap does not apply to School Taxable Value	





# 2021 AERIAL MAP



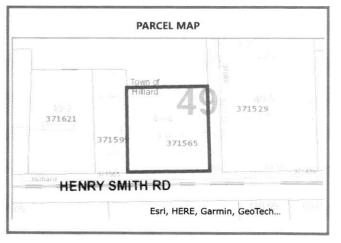
BUILDING INFORMATION Secondary Туре Total Area Heated Area Bedrooms Baths Primary Exterior Heating Cooling Actual Year Built Exterior SFR MODULR 3660 2897 4 3.5 AVERAGE 2 AIR DUCTED FORCED AIR 2005

-					Ē
	м	ISCELLANEOUS I	NFORMAT	ION	
	Description	Dimensions L X W	Units	Year Built	
	GR/UT-A-WD	35 X 25	875	2004	
	GR/UT-A-WD	0 X 0	1	2005	5

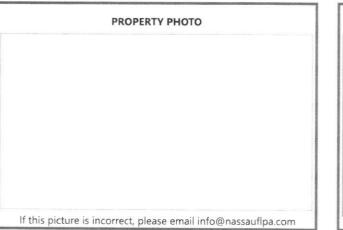
NASSAU COUNT	
PROPERTY APPRAISER	

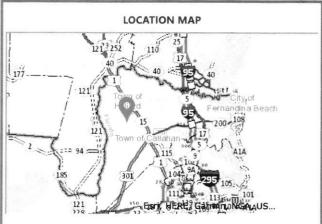
	PROPERTY INFORMATION
Parcel Numbe	r 17-3N-24-2020-0049-0040
Owner Name	COLLINS DONNIE
Mailing Address	371565 HENRY SMITH ROAD
	HILLIARD, FL 32046
Location Address	371565 HENRY SMITH RD
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	Yes
Property Usage	SINGLE FAM 000100
Deed Acres	1.00
Short Legal	PT OF LOT 49 IN OR 2188/1619 CORNWALL SURVEY

Land Value	\$27,000
(+) Improved Value	\$158,841
(=) Market Value	\$185,841
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$52,880
(=) Assessed Value	\$132,961
(-) Homestead	\$25,000
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$132,961
(-) Non-School HX & Other Exempt Value	\$25,000
(=) County Taxable Value	\$82,961
Note - *10% Cap does not apply to School Taxable Value	









				BUILI	DING INFORM	ATION				
Туре	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	
SINGLE FAM	3030	1960	3	2	FACE BRICK	CEDAR	AIR DUCTED	FORCED AIR	1972	A-

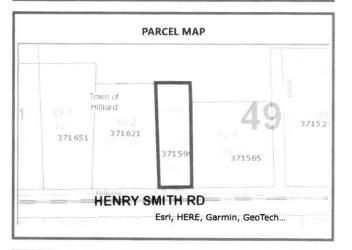
м	ISCELLANEOUS I	NFORMAT	ION	
Description	Dimensions L X W	Units	Year Built	
CONCRETE B	0 X 0	680	1982	
CONCRETE B	0 X 0	0	0	

NASSAU COUNT	
PROPERTY APPRAISER	

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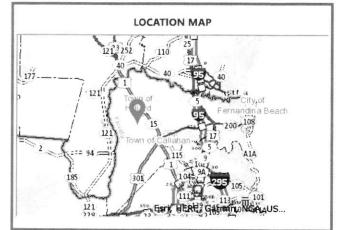
	PROPERTY INFORMATION
Parcel Numbe	r 17-3N-24-2020-0049-0030
Owner Name	SHAFFER JIMMY R II & ASHLEIGH
Mailing Address	371599 HENRY SMITH RD
	HILLIARD, FL 32046
Location Address	371599 HENRY SMITH RD
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	Yes
Property Usage	SINGLE FAM 000100
Deed Acres	0.55
Short Legal	PT OF LOTS 49 50 51 52 & 53 IN OR 2107/423 (EX OR 2051/2000)

Land Value	\$19,305
(+) Improved Value	\$166,875
(=) Market Value	\$186,180
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$52,302
(=) Assessed Value	\$133,878
(-) Homestead	\$25,000
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$133,878
(-) Non-School HX & Other Exempt Value	\$25,000
(=) County Taxable Value	\$83,878
Note - *10% Cap does not apply to School Taxable Value	



**PROPERTY PHOTO** If this picture is incorrect, please email info@nassauflpa.com





**BUILDING INFORMATION** Secondary Туре Total Area Heated Area Primary Exterior Bedrooms Baths Heating Cooling Actual Year Built Exterior SINGLE FAM 2294 1878 3 2 CEDAR FACE BRICK AIR DUCTED FORCED AIR 1979 GARAGE 720 720 0 0 MOD METAL N/A N/A 2019

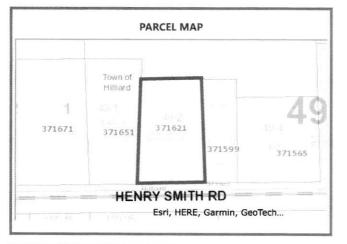
# MISCELLANEOUS INFORMATION

NASSAU COUNT
PROPERTY APPRAISER

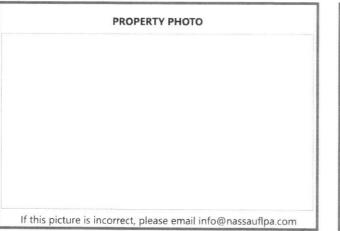
ITEM-1

	PROPERTY INFORMATION
Parcel Numbe	r 17-3N-24-2020-0049-0020
Owner Name	PHILLIPS DAVID E JR & TABETHA
Mailing Address	371621 HENRY SMITH ROAD
	HILLIARD, FL 32046
Location Address	371621 HENRY SMITH RD
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	No
Property Usage	SINGLE FAM 000100
Deed Acres	1.02
Short Legal	PT OF LOTS 49 (S-2) IN OR 2483/294 CORNWALL SURVEY

Land Value	\$27,540
(+) Improved Value	\$180,364
(=) Market Value	\$207,904
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$0
(=) Assessed Value	\$207,904
(-) Homestead	\$0
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$207,904
(-) Non-School HX & Other Exempt Value	\$0
(=) County Taxable Value	\$207,904
Note - *10% Cap does not apply to School Taxable Value	









BUILDING INFORMATION										
Туре	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	
SNGL FAM	2892	1425	3	2	AVERAGE		AIR DUCTED	FORCED AIR	1972	A-

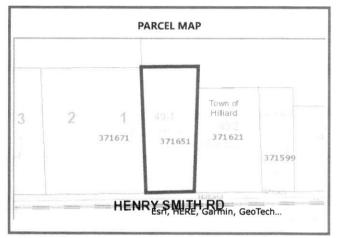
	MI	SCELLANEOUS I	NFORMAT	ION	
C	Description	Dimensions L X W	Units	Year Built	
CC	ONCRETE A	0 X 0	282	1985	
CC	ONCRETE A	13 X 32	416	1987	

NASSAU COUNT	
PROPERTY APPRAISER	

ITEM-1

	PROPERTY INFORMATION
Parcel Numbe	r 17-3N-24-2020-0049-0010
Owner Name	ROBERTS JIMMY D & TAMMY D
Mailing Address	371651 HENRY SMITH ROAD
	HILLIARD, FL 32046
Location Address	371651 HENRY SMITH RD
	HILLIARD 32046
Tax District	HILLIARD
Milage	16.1525
Homestead	No
Property Usage	MOBILE HOM 000200
Deed Acres	1.00
Short Legal	PT OF LOTS 49 & 50 IN OR 742 PG 1847 CORNWALL SURVEY

Land Value	\$27,000
(+) Improved Value	\$23,731
(=) Market Value	\$50,731
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$0
(=) Assessed Value	\$41,318
(-) Homestead	\$0
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$50,731
(-) Non-School HX & Other Exempt Value	\$0
(=) County Taxable Value	\$41,318
Note - *10% Cap does not apply to School Taxable Value	









BUILDING INFORMATION										
Туре	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	
M/H 93-	1262	1262	2	2	AVERAGE		AIR DUCTED	FORCED AIR	1985	<b>A</b> ₽

### MISCELLANEOUS INFORMATION

Description	Dimensions L X W	Units	Year Built
CR/CP-A-WD	18 X 18	324	1993
CR/CP-A-WD	14 X 14	196	1993

Exhibit C ITEM-1

	Exhibit C ITEM-1
A STATE OF THE LEADER OF THE L	FOR OFFICE USE ONLY File # 20220809 Application Feb 9420 Caroh - 24 Filing Date: 819 22 By:
Town of Hilliard Site Clearing/Site Work Application	Acceptance Date: By:
(Individual Dwelling Unit)	
A. PROJECT	have
	2020-0049-0080
3. Acreage of Project: IET- ac RES	
B. APPLICANT	Relberger Righter
	Malborn Title: Realter Indina Beh Realty, Callahan
	tury 1
city: (allalan	State: FL ZIP: 32UII
Telephone: 904 571-71653 FAX: ()	e-mail: Realestate with Tobi@gmail
<ul> <li>C. ATTACHMENTS, if available (One copy plus one copy not strength of proposed development</li> <li>Survey of proposed development</li> <li>Design of the proposed of development</li> <li>Vicinity map - indicating general location of the site and al Statement of proposed work</li> </ul>	no larger than 8 ½ X 11 or in PDF format)
D. APPLICATION FEE 1. \$100 plus \$20 per acre $+ 3420^{-4}$	
FOR OFFICE USE ONLY DO NOT WRITE BELOW THIS	S LINE (REVIEWS ARE COMPLETED WITHIN 14 DAYS)
Zoning Reviewed By:	he a fill the start the a stall
Improvements Required for Water Service Caston of Service	vice Henry Smith water meter at thing Smith
Sewer Service Available	
Improvements Required for Sewer Service Exception	
plv Town Lode soction	ND Paved Road Unpaved Road UCCSS to UCN (Y SWI Reviewed By: DR This U2 - 3 4 7 108 • Hilliard, FL 32046 • (904) 845-3555
P	age 1 of 1 5/12/2022
If more Than one house is c	with the taps at the property lines
a six in ch hater line added	with the ingos at the property lines

Sec. 62-347. - Buildings to have access.

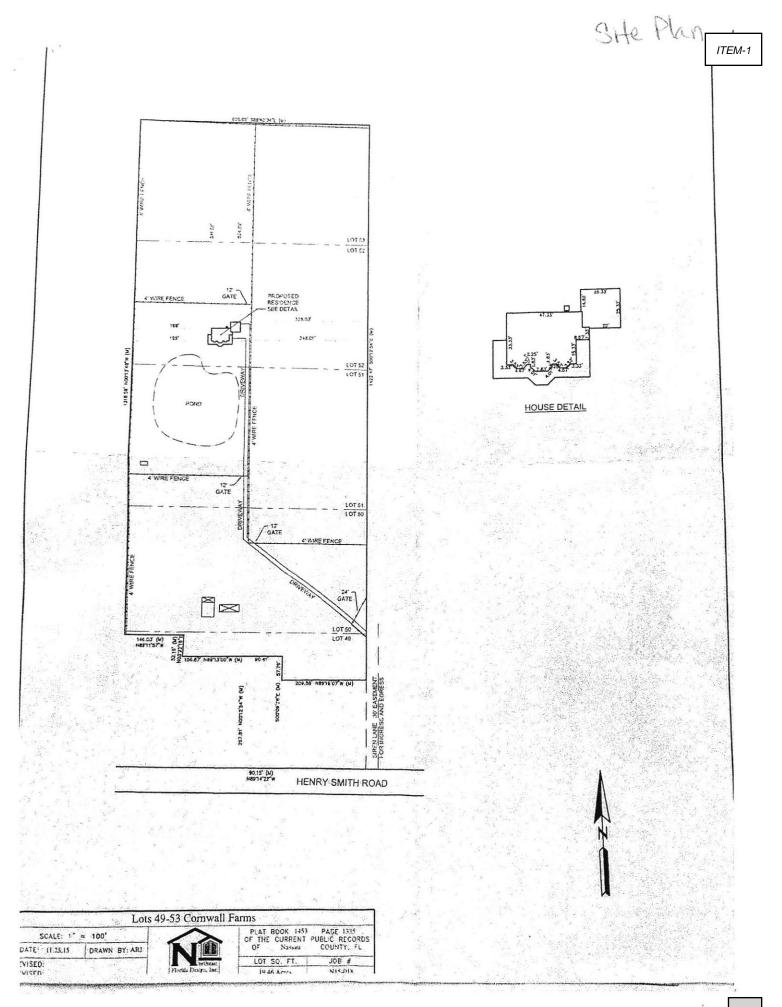
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(a) Every building hereafter erected or moved shall be on a lot adjacent to a public street or private street approved by the town council, provided that such private street right-of-way shall be not less than 60 feet in width and further provided that all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Existing easements or right-of-way of record shall be excluded.

(Code 1997, § 62-347; Ord. No. 87-119, § 8-5, 12-29-1987; Ord. No. 2006-11, § 1, 1-18-2007)

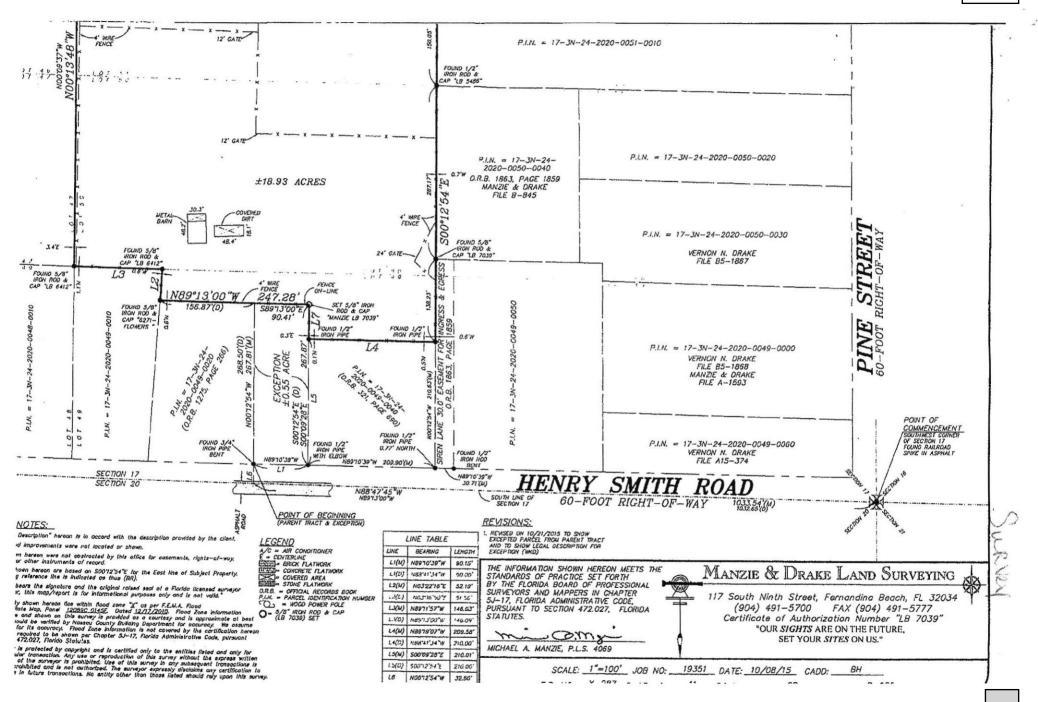
, ``t	
	ITEM-1
OF HILLIAN	FOR OFFICE USE ONLY
	File # 2020,0809
	Application Fee
COUNTIN	Filing Date: 89.22 By:
Town of Hilliard	Acceptance Date: By:
Site Clearing/Site Work	
Application	
(Individual Dwelling Unit)	
A. PROJECT 1. Address of Subject Property: O Siren La	ne
2. Parcel ID Number(s): 17-30-24-202	10-0049-0080
3. Acreage of Project: 187- acres	
B. APPLICANT	
1. Name of Applicant(s) or Contact Person(s): 1001 02	elborn Title: Realtor
Company (if applicable): ERA Fernandi	a Bch Kealty, Callahan
Mailing address: 542188 U.S. Huoy	
city: Callahan	state: FL ZIP: 32011
Telephone: 904 571-11653 FAX: ()	e-mail: Realestate with Tobi @gmail
C. ATTACHMENTS, if available (One copy plus one copy no larger	than 8 ½ X 11 or in PDF format)
<ul><li>4. Site Plan of proposed development</li><li>2. Survey of proposed development</li></ul>	
<ol> <li>Design of the proposed of development</li> <li>Vicinity map - indicating general location of the site and all abuttir</li> </ol>	ng streets and properties (*Required)
5. Statement of proposed work	
<b>D.</b> APPLICATION FEE 1. \$100 plus \$20 per acre $+ 3(00^{c0} = 4400^{c2})$	
FOR OFFICE USE ONLY DO NOT WRITE BELOW THIS LINE	(REVIEWS ARE COMPLETED WITHIN 14 DAYS)
Zoning Reviewed By:	
Water Service Available Location of Service	
Improvements Required for Water Service	Reviewed By:
Sewer Service Available Location of Service	
Improvements Required for Sewer Service	Reviewed By:
Access onto Public Right of Way or Approved Private Road	Paved RoadUnpaved Road
Improvements Required for Access	Reviewed By:

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

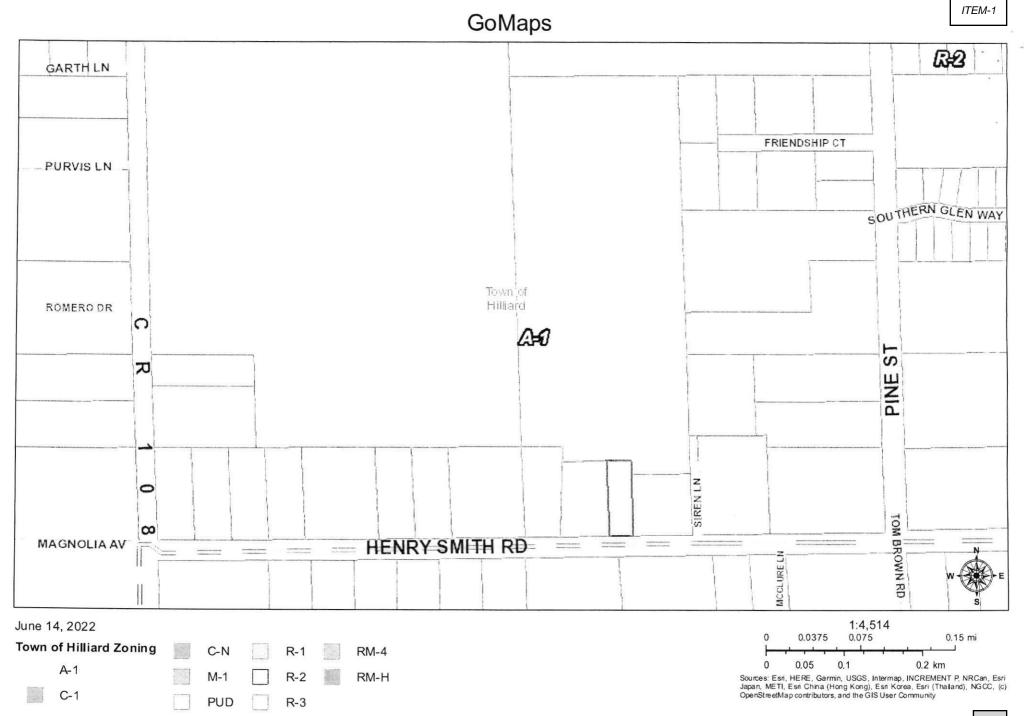


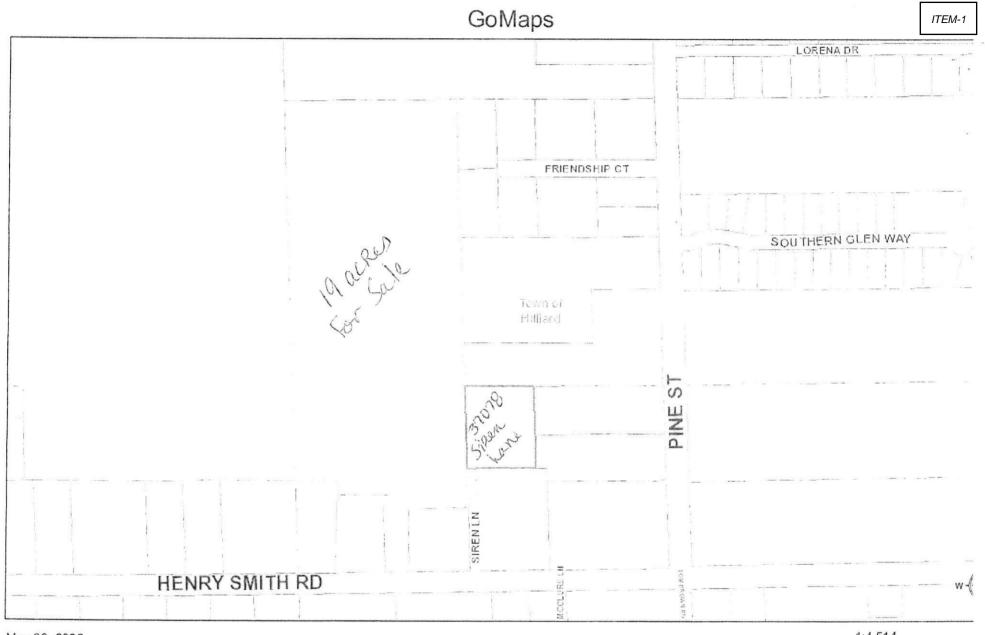
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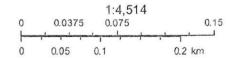


### ITEM-1







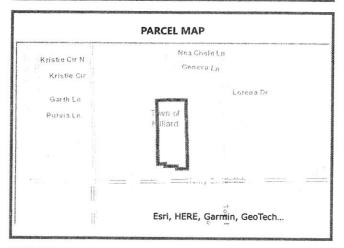


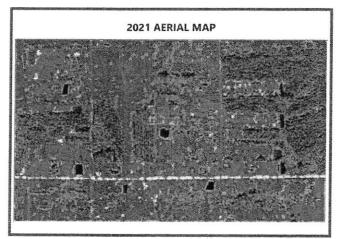
Sources: Esti, HERE, Garmin, USGS, Intermap, INCREMENT P. F. Japan, METI, Esti China (Hong Kong), Esti Korea, Esti (Thaland) OpenStreetMap contributors, and the GIS User Community

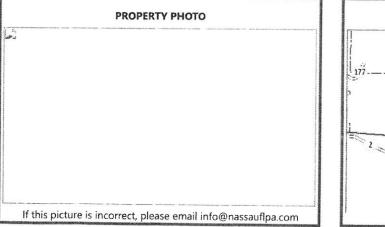


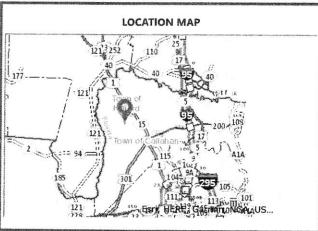
PROPERTY INFORMATION								
Parcel Number	17-3N-24-2020-0049-0080							
Owner Name	LEE FREDERICK BRIAN							
Mailing Address	8854 W SNOHOMISH CT							
	BOISE, ID 83709							
Location Address	HENRY SMITH RD							
	HILLIARD 32046							
Tax District	HILLIARD							
Milage	16.1525							
Homestead	No							
Property Usage	VAC W/XFOB 000001							
Deed Acres	18.91							
Short Legal	PT OF LOT 49 IN OR 2051/2000 CORNWALL SURVEY							

2022 Preliminary Valu	es
Land Value	\$132,370
(+) Improved Value	\$2,264
(=) Market Value	\$134,634
(-) Agricultural Classification	\$0
(-) SOH or Non-Hx* Capped Savings	\$0
(=) Assessed Value	\$117,570
(-) Homestead	\$0
(-) Additional Exemptions	\$0
(=) School Taxable Value	\$134,634
(-) Non-School HX & Other Exempt Value	\$0
(=) County Taxable Value	\$117,570
Note - *10% Cap does not apply to School Taxable Value	









BUILDING INFORMATION									
Туре	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built

MISCELLANEOUS INFORMATION							
	Description	Dimensions L X W	Units	Year Built			
	BARN-1N-TN	48 X 30	1440	1980			
	BARN-1N-TN	0 X 0	0	0			
						I	

# **Statement of Proposed Work on Siren Lane:**

Parcel ID: 17-3n-24-2020-0049-0080

We are seeking approval to eventually build ONE residential home on this 18+/- acre parcel. Does this lot meet the requirements to build ONE residential home?

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

April 12, 2012

**Thomas E. King** P.O. Box 1321 Hilliard, Fl. 32046

Dear Mr. King;

As per our phone conversation this date, you may sell all or any portion of your property, ID # 17-3N-24-2020-0049-0030 which is directly accessible from Siren Lane, a 30 foot easement.

Hilliard Town Code, Section 62-347 provides that property accessed from easements or rightsof-way of record are exempt from the 60 foot access requirement. Siren Lane meets this requirement.

However, you may not divide the property in such a way that the portion you sell does not access Siren Lane directly.

If I can be of further help, or if you have any questions, I can be reached at the Hilliard Town Hall on Tuesdays and Thursdays between 2 P.M. and 4 P.M..

Sincerely,

Glenn Higginbotham Land Use Administrator Town of Hilliard, Florida

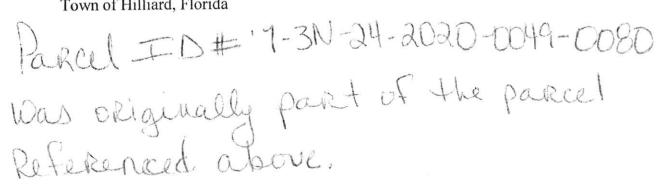


EXHIBIT "A"

From Ellie

A PORTION OF LOTS 49,50,51,52 AND 53, CORNWALL FARMS LAND COMPANYS PLAT OF NORTH FLORIDA FRUIT AND TRUCK FARMS, ALL IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 89° 13' 00" WEST ALONG THE SOUTH LINE OF SAID SECTION 17, 1032.65 FEET; THENCE NORTH 00° 12' 54" WEST, 32.50 FEET TO POINT OF BEGINNING, SAID POINT LYING IN THE NORTHERLY RIGHT-OF-WAY LINE OF HENRY SMITH ROAD (A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE CONTINUE NORTH 00° 12' 54' WEST, 268.50 FEET; THENCE NORTH 89° 13' 00" WEST, 156.87 FEET; THENCE NORTH 03° 36' 50" EAST, 51.56 FEET; THENCE NORTH 89° 13' 00' WEST, 146.09 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF SAID LOT 50; THENCE NORTH 00° 09' 37" WEST ALONG THE WESTERLY LINE OF SAID LOT 50 AND THE WESTERLY LINE OF SAID LOTS 51,52 AND 53, 1317.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 53; THENCE SOUTH 88° 51' 41" EAST ALONG THE NORTHERLY LINE OF SAID LOT 53, 598.28 FEET; THENCE SOUTH 00° 12' 54" EAST, 1426.33 FEET; THENCE NORTH 88° 41' 34" WEST, 210.00 FEET; THENCE SOUTH 00° 12' 54" EAST, 210.00 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HENRY SMITH ROAD; THENCE NORTH LANDS THUS DESCRIBED CONTAIN 19.46 ACRES, MORE OR LESS.

ITEM-1



Prepared by: Andrea F. Lennon, P.A. 961687 Gateway Blvd. Suite 101L Amelia Island, Florida 32034

File Number: 16-192

#### **General Warranty Deed**

Made this June 3, 2016 A.D. By Thomas E. King and Ellen E. King, husband and wife, whose post office address is: 3351 A 1st Avenue, Fernandina Beach, Florida 32034, hereinafter called the grantor, to Frederick Brian Lee, whose post office address is: 8854 W. Snohomish Ct., Boise, Idaho 83709, 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:

#### See Attached Schedule "A"

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-24-2020-0049-0030

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, 2015.

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:

Printed Name:	ness ned Name: And La F UNNON	Thomas E. King	(Seal
	ness Inted Name: Mayla F Unnon	En CV.	
Witness Sherry Michaelis Ellen E. King (St		Ellen E. King	_(Seal

State of Florida County of Nassau

The foregoing instrument was acknowledged before me this 3rd day of June, 2016, by Thomas E. King and Ellen E. King, husband and wife, who has produced drivers license as identification.

ANDREA F LENNON Notary Public - State of Florida L Commission # FF 245315 My Comm. Expires Aug 31, 2019 Bender through National Petary Assn.

SALLAT Public Print Name:

My Commission Expires:

DEED Individual Warranty Deed with Non-Homestead-Legal on Schedule A

ITEM-1

Prepared by: Andrea F. Lennon, P.A. 961687 Gateway Blvd. Suite 101L Amelia Island, Florida 32034

File Number: 16-192

Schedule "A"

A PORTION OF LOTS 49, 50, 51, 52 AND 53, CORNWALL FARMS LAND COMPANY'S PLAT OF NORTH FLORIDA FRUIT AND TRUCK FARMS", ALL IN SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDAAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 17: THENCE NORTH 89°13'00" WEST, ALONG THE SOUTH LINE OF SAID SECTION 17, 1,032.65 FEET; THENCE NORTH 00°12'54" WEST 32.50 FEET TO POINT OF BEGINNING, SAID POINT LYING IN THE NORTHERLY RIGHT-OF-WAY LINE OF HENRY SMITH ROAD (A 60 FOOT RIGHT-0F-WAY AS NOW ESTABLISHED); THENCE CONTINUE NORTH 00°12'54" WEST 268.50 FEET; THENCE NORTH 89°13'00" WEST 156.87 FEET; THENCE NORTH 03°36'50" EAST, 51.56 FEET; THENCE NORTH 89°13'00" WEST 146.09 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF SAID LOT 50; THENCE NORTH 00°09'37" WEST ALONG THE WESTERLY LINE OF SAID LOT 50 AND THE WESTERLY LINE OF SAID LOTS 51, 52 AND 53, 1317.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 53; THENCE SOUTH 88°51'41" EAST ALONG THE NORTHERLY LINE OF SAID LOT 53, 598.28 FEET; THENCE SOUTH 00°12'54" EAST, 1426.33 FEET; THENCE NORTH 88°41'34" WEST, 210.00 FEET; THENCE SOUTH 00°12'54" EAST, 210.00 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HENRY SMITH ROAD; THENCE NORTH 88°41'34" WEST, 90.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

A PORTION OF LOT 49, THE CORNWALL FARM LAND COMPANY'S PLAT OF NORTH FLORIDA PECAN, FRUIT AND TRUCK FARMS", SECTION 17, TOWNSHIP 3 NORTH, RANGE 24 EAST, NASSAU COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "O" PAGE 31, OF THE PUBLIC RECORDS OF NASSAU COUNTY; FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 88°47'45" WEST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1,033.54 FEET; THENCE NORTH 00°12'54" WEST A DISTANCE OF 32.50 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HENRY SMITH ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°12'54" WEST ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1275, PAGE 266, OF THE PUBLIC RECORDS OF NASSAU COUNTY. FLORIDA, A DISTANCE OF 267.81 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 89°13'00" EAST, ALONG THE EASTERLY PROJECTION OF THE NORTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 90.41 FEET; THENCE SOUTH 00°09'28" EAST, ALONG THE WESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 690, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA, AND THE NORTHERLY PROJECTION THEREOF, A DISTANCE OF 267.87 FEET TO INTERSECT OF THE NORTHERLY RIGHT-OF-WAY DEED Individual Warranty Deed with Non-Homestead-Legal on Schedule A

ITEM-1

Prepared by: Andrea F. Lennon, P.A. 961687 Gateway Blvd. Suite 101L Amelia Island, Florida 32034

File Number: 16-192

LINE OF SAID HENRY SMITH ROAD; THENCE NORTH 89°10'39" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 90.15 FEET TD THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS A PORTION OF LOTS FORTY-NINE (49) AND FIFTY (50) OF THE CORNWALL FARM LAND COMPANY'S PLAT OF NORTH FLORIDA PECAN, FRUIT AND TRUCK FARMS, SECTION SEVENTEEN (17), TOWNSHIP THREE (3) NORTH, RANGE TWENTY-FOUR (24) EAST, NASSAU COUNTY, FLORIDA, ACCORDING TO PLAT THEREOF RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY IN PLAT BOOK "O", PAGE 31, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SECTION SEVENTEEN (17) AFOREMENTIONED AND RUN NORTH ONE (1) DEGREE, FIFTY-THREE (53) MINUTES, FIFTY (50) SECONDS WEST ALONG THE EAST LINE OF SAID SECTION, BEING ALSO THE CENTERLINE OF HENRY F. SMITH ROAD (HAVING A RIGHT-OF-WAY OF EIGHTY (80) FEET), A DISTANCE OF SIX HUNDRED SIXY-EIGHT AND FIFTY-FIVE HUNDREDTHS (668.55) FEET TO A POINT; RUN THENCE SOUTH EIGHTY-NINE (89) DEGREES, THIRTY-EIGHT (38) MINUTES, FIFTY (50) SECONDS WEST A DISTANCE OF SEVEN HUNDRED THIRTY-TWO AND FIFTY-FIVE HUNDREDTHS (732.55) FEET TO AN IRON PIPE; RUN THENCE SOUTH ONE (1) DEGREE, FIFTY-FOUR (54) MINUTES EAST A DISTANCE OF TWO-HUNDRED EIGHTY-SEVEN AND THREE TENTHS (287.3) FEET TO AN IRON PIPE FOR THE POINT OF BEGINNING (SAID POINT OF BEGINNING BEING THE SAME POINT AS THAT DESCRIBED AS POINT "A" IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS VOLUME 151 AT PAGE 488 OF THE PUBLIC RECORDS OF NASSAU COUNTY); CONTINUE SOUTH FROM THE POINT OF BEGINNING, ONE (1) DEGREE, FIFTY-FOUR (54) MINUTES EAST A DISTANCE OF THREE HUNDRED EIGHTY-ONE (381) FEET TO A POINT IN THE GRADED COUNTY ROAD AND BEING THE SOUTHERLY LINE OF AFOREMENTIONED SECTION SEVENTEEN (17); RUN THENCE NORTH EIGHTY-NINE (89) DEGREES. THIRTY-SEVEN (37) MINUTES, TWENTY (20) SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF THIRTY (30) FEET TO A POINT; RUN THENCE NORTH ONE (1) DEGREE, FIFTY-FOUR (54) MINUTES WEST A DISTANCE OF THREE HUNDRED EIGHTY-ONE AND SIXTY HUNDREDTHS (381.60) FEET TO A POINT; RUN THENCE SOUTH EIGHTY-NINE (89) DEGREES, THIRTY-EIGHT (38) MINUTES, FIFTY (50) SECONDS WEST A DISTANCE OF THIRTY (30) FEET TO THE POINT OF BEGINNING.

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TO: Planning & Zoning Board Regular Meeting Meeting Date: November 8, 2022

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

SUBJECT: Planning and Zoning Board approval to grant Variance No. 20220927-09 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.

#### **BACKGROUND:**

Mr. Christopher Goodin of Coastland Group, LLC agent for CCRC Woodlands, LTD., has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet. The property Tax ID is 08-3N-24-2380-0159-0200, and is described as Block 159, Lots 20 through 22, located on West First Avenue between Missouri Street and Ohio Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

The property on the west of the subject property is developed. East of the subject property, there are two lots remaining on the block. Mr. Goodin has approached the owners of the 2 lots to purchase them. He has not been successful.

Attached is the analysis of the requested variance.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

#### **RECOMMENDATION:**

Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0159-0200 meets the requirements of Section 62-183



### AGENDA ITEM REPORT

#### STAFF REPORT AND RECOMMENDATIONS FOR VARIANCE 20220927-09

 Owner / Applicant Information: Applicant – Christopher Goodin Coastland Group 200 First Street Neptune Beach, Florida 32266

Owner – CCRC Woodland, LTD. 4223 Lakeside Drive Jacksonville, Florida 32210

- Property Information
   Parcel ID: #08-3N-24-2380-0159-0200
   Location: West First Avenue between Missouri Street and Ohio Street
   Future Land Use Map Designation: Medium Density Residential (MDR)
   Current Zoning: R-2, Single Family district
   Acres: approximately 0.22 acres (9,583 s.f.)
- 3. Description: Mr. Christopher Goodin, on behalf of CCRC Woodland, LTD., property owner has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,583 square feet. The property Tax ID is 08-3N-24-2380-0159-0200, and is described as Block 159, Lots 20 through 22, located on West First Avenue between West First Avenue between Missouri Street and Ohio Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

### Parcel Map

### 08-3N-24-2380-0159-0200





The property owner owns 3 lots and would like to build 1 dwelling unit on the property. The R-2 zoning category requires 4 lots to allow 1 dwelling units to be built on the property. The property to the east of the subject property is developed and the there is one vacant lot on the property. The single lot is too small to build a dwelling unit and therefore is unbuildable.

The requirements to grant a Variance is included in Section 62-183 of the Hilliard Town Code. Below is Section 62-183.

#### Section 62-183 of the Town Code - 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:
  - The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, 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; 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 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.

The Future Land Use Map (FLUM) designation for the property is Medium Density Residential (MDR), allowing 2 to 6 units per acre, or a minimum lot size of 7,250 s.f. Most of the lots in the Town are 25' x 125' or 3,125 s.f. A minimum of three of these sized lots are required to comply with the MDR FLUM category. The R-2 zoning district requires a minimum of 4 lots to build a single family dwelling unit. The Variance allow the property owner to construct 1 dwelling unit on the 3 lots.

#### **RECOMMENDATION:**

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs will allow the reduction in the number of lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0159-0200 meets the requirements of Section 62-183. Specifically:

 (a) (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section,

There are many locations throughout the Town that property owners do not have enough land to meet the current R-2 zoning. In this case, there is no use for the property on the eastside of the property. If a dwelling unit is built on the subject property, it will appears as it meets the requirements of the R-2 zoning district. The Planning and Zoning Board identified this as problem and made recommendation to the Town Council to change the lot size requirement with the updated LDRs in the R-2 zoning district.

- (5) The grant of the variance will:
  - 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.

The applicant would not be able to develop the property with a smaller lot size than allowed by Code.

(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

The property owner could not develop the property with the variance..



# Town of Hilliard Variance Application

PROJECT

Α.

		ITEM-2
FOR OFFICE USE ONLY		
File #		_
Application Fee:		
Filing Date:	Acceptance Date:	

1.	Project Name:Single Lot 1
2.	Address of Subject Property:
3.	Parcel ID Number(s) 08-3N-24-2380-0159-0200
4.	Existing Use of Property: Vacant platted Lot - 3 lots 25' wide
5.	Future Land Use Map Designation: Medium Density
6.	Zoning Designation:
7.	Acreage:0.22
в.	APPLICANT
1.	Applicant's Status   Owner (title holder)  Agent
2.	Name of Applicant(s) or Contact Person(s): Christopher Goodin
	Company (if applicable): Coastland Group, LLC
	Mailing address: 200 First Street
	City: Neptune Beach State: FL ZIP: 32266
	Telephone: (91)9-671-5825 FAX: ()e-mail:_cgoodin@coastlandgroup.com
3.	If the applicant is agent for the property owner*:
	Name of Owner (title holder): CCRC Woodlands LTD
	Company (if applicable):
	Mailing address: 4223 Lakeside Drive
	City: _JacksonvilleState: _FLZIP: _32210
	Telephone: () FAX: () e-mail:
	* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

Town of Hilliard +15859 C.R. 108 + Hilliard, FL 32046 + (904) 845-3555 Page 1 of 3

#### C. STATEMENT OF VARIANCE SOUGHT

- 1. Requested Variance: Reduce minimum lot width
- 2. Section of Town Code under which the variance is sought Section 62-284 (c) (1)
- 3. Reason Variance is requested: To construct a home on 3 lots (75' wide)
- 4. Statement of Facts for Requested Variance (Use additional pages if necessary)

(PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY. THESE FACTS WILL BE USED BY THE STAFF TO MAKE A RECOMMENDATION AND THE PLANNING AND ZONING BOARD IN MAKING THEIR DECISION)

a. Extraordinary and Exceptional Conditions- What are the extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought, that do not generally apply to other land or structures in the same district?

Additional lots are not available, and lot is unable to be built on without a variance.

b. Not Result of Action by Applicant- Why are the special circumstances not the result of the actions of the applicant?

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to	se]	.1	or	I	have	not	bee	en able	to	get	in-touch	wit	h them.	,

c. No Special Privilege- Does the granting of the variance confer any special privilege on the applicant that is denied to other lands or structures in the same zone district?

No

d. Strict Application Deprives Use-Would the strict interpretation of the Town Code to this property effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship?

Yes, without the variance this lot is not buildable

e. Minimum Variance- Is the variance the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of the Town Code?
 Yes, I only requesting to build on a 75' wide lot and no less.

f. Not Detrimental-Is the granting of the variance detriment to the adjacent land, and the character of the zoning district in which the land is located?

Will meet all other zoning requirements.

- ATTACHMENTS (One hard copy or one copy in PDF format) D.
  - 1. Copy of Warranty Deed or other proof of ownership
  - 2. Legal description
  - 3. Survey of the property
  - 4. Site plan of the property indicating setbacks, proposed construction and requested variance.

#### F. FEE.

Residential property - \$300 Non- residential - \$500

a. The Cost of postage, signs, advertisements, and outside consultants are in addition to the application fee. b. The applicant is responsible to pay the cost of the advertisement and signs.

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary 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 4 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:

ban

Signature of Applicant

<u>Christopher Geechin</u> president Typed or printed name and title of applicant

Typed or printed name of co-applicant

Signature of Co-applicant

24/22

Date

State of \_\_\_\_\_ Florida \_\_\_\_ County of \_\_\_\_ Duval

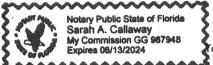
The foregoing application is acknowledged before me this 24 day of February , 2022, by Christopher

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

as identification.

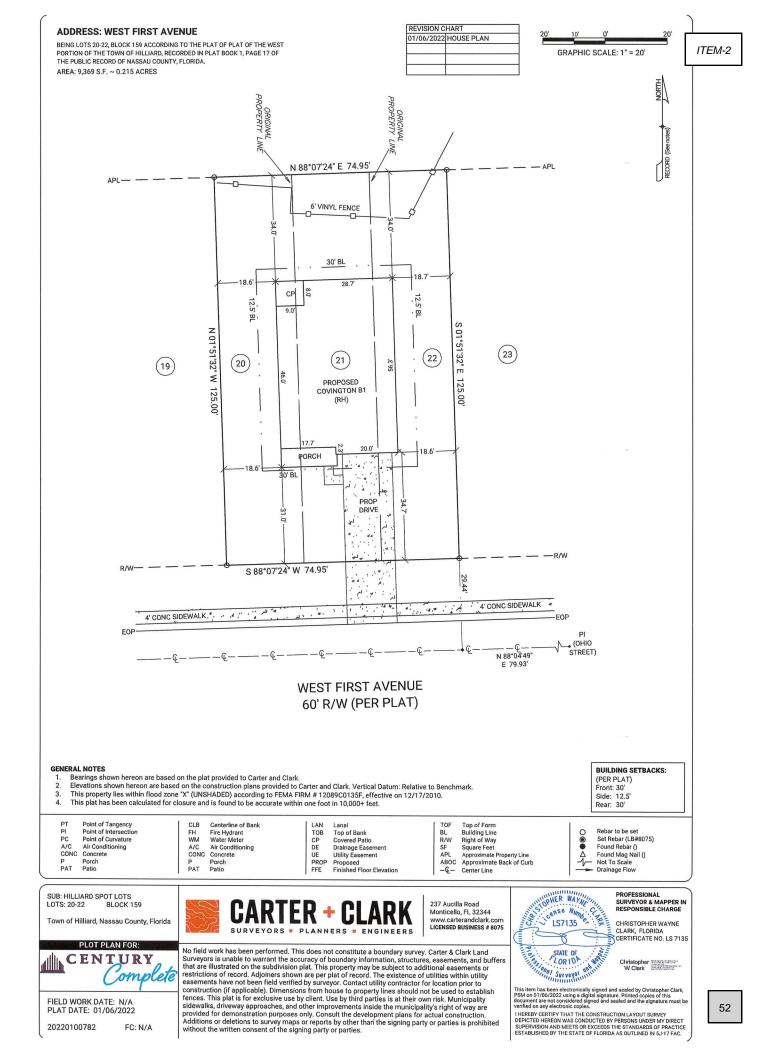
NOTARY SEAL

Signature of Notary Public, State of Florida



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

Revised 2/9/2022



#### ITEM-2

#### **Property Ownership Affidavit**

Date: Tuesday, February 2, 2021

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

**Re: Zoning & Permitting of Multiple Parcels** 

Gentlemen:

I, John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest, hereby certify that I am an Owner/Representative of the property described in the attached legal description, in connection with re-zoning and filing applications for all applicable agencies to include but not limited to Town of Hilliard, Nassau County, SJRWMD, and ACOE/DEP.

Ed. Thing

Print: John T. Cassidy, Sr.

STATE OF FLORIDA COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this \_\_2nd\_ day of \_February\_, 2020, by \_\_\_\_\_\_

He/She (check one) (\_X\_) is personally known to me, or (\_\_\_\_) has produced a valid driver's license as identification

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Notary Public, State of \_\_\_\_\_ and county aforesaid Name: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_ My Commission Number is: \_\_\_\_\_



#### AGENT AUTHORIZATION

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

RE: AgentAuthorization for the sites located below:

RE #: 08-3N-24-2380-0178-0090; 08-3N-24-2380-0178-0180; 08-3N-24-2380-0178-0030; 08-3N-24-2380-0176-0070; 08-3N-24-2380-0159-0200; 08-3N-24-2380-0165-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0136-0180; 08-3N-24-2380-0136-0030; 08-3N-24-2380-0139-0010; 08-3N-24-2380-0139-0200

To Whom It May Concern:

You are hereby advised that the undersigned is the owner/representative of the referenced property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Coastland Group, LLC to act as agent to file application(s) for the above referenced site location/property address and in connection with such authorization to file such applications, papers, documents, request; and other matters necessary for such requested change.

BY:

John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest Signature of Owner

\_John T. Cassidy, Sr.\_\_ **Print Name** 

\_904-924-9624 EXT. 118 **Telephone Number** 

STATE OF FLORIDA **COUNTY OF DUVAL** 

The foregoing instrument was acknowledged before me this \_\_2nd\_\_\_\_ day of \_\_\_February\_\_\_, 2020,

by  $T_{A}$  (*check one*) (X) is personally known to me, or (\_\_\_\_) has

produced a valid driver's license as identification.

(SEAD) Notary Public, State of

and county aforesaid

Name:

My Commission Expires:

My Commission Number is:



## **GENERAL AUTHORIZATION LETTER**

#### TO WHOM IT MAY CONCERN:

I hereby certify that I have Read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

#### Please print:

Name of Owner(s): CCRC WOODLANDS, LTD. and The Carol T. Cassidy Trust by: John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

Address of Owner(s):

#### \_4223 Lakeside Drive, Jacksonville, FL 32210

Telephone: \_904-924-9624 EXT 118\_\_\_\_

Name of Agent:

**Tocoi Engineering** 

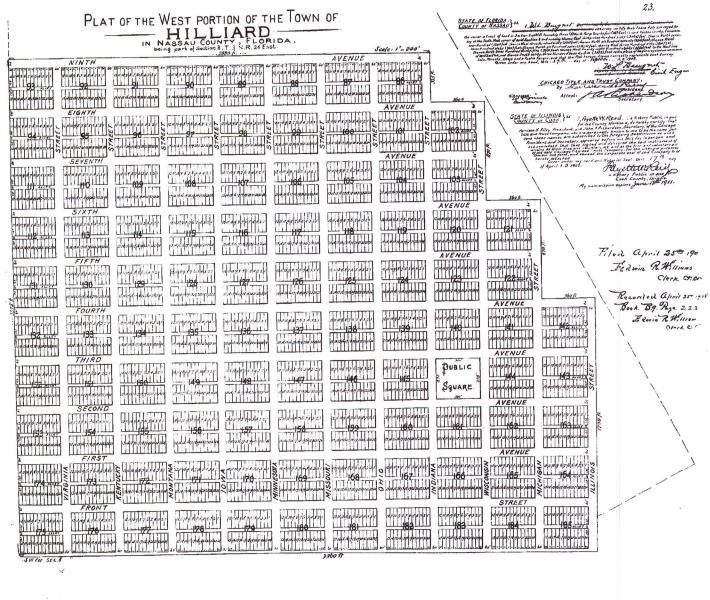
Address of Agent:

714 N Orange Ave. Green Cove Springs, FL 32043

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(Owner Signature) John T Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

(Agent Signature)

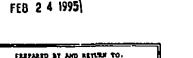


Parcel ID/Number: 08-3N-24-2380-0159-0200

Short Legal (from Nassau County Property Appraiser): **BLOCK 159 LOTS 20 21 22 PT OR 724 PG 971 TOWN OF HILLIARD** 

Legal Description: BEING LOTS 20-22, BLOCK 159 ACCORDING TO THE PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

ITEM-2



ne Enterprise Center nville, Floride 32203

## FOR RECORDER

#### BK 0724 PG 0971 OFFICIAL RECORDS

STATE OF FLORIDA DOCUMENTARY STAMP TAX DIFT. OF REVENUE E mazers 4 2 5. 0 C

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: <u>See Exhibit "B"</u>

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise apportaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

And the Grantor hereby covenants with Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantce shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

written.

Signed, sealed and delivered in the presence of:

J. Carsidy Carol T. Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210



STATE OF FLORIDA

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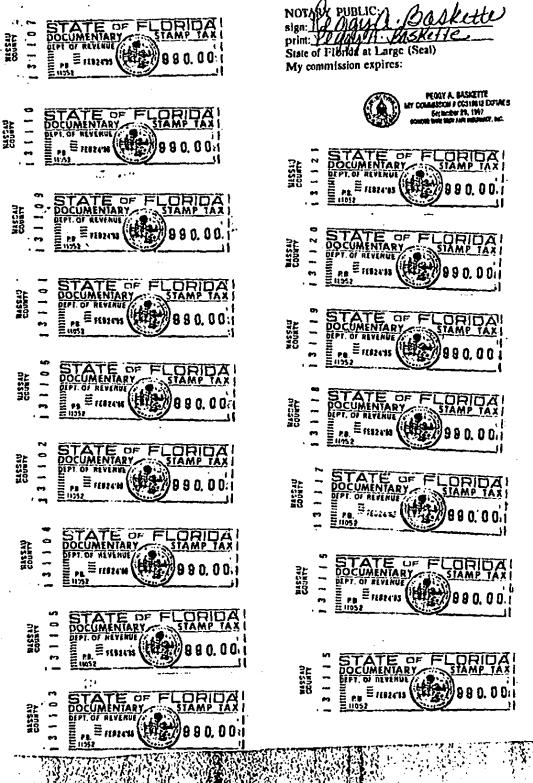
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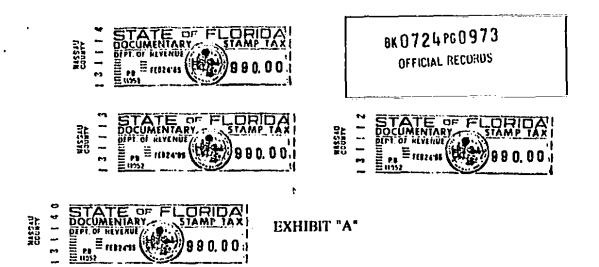
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COUNTY OF DOVAL The foregoing instrument was acknowledged before me this \_\_\_\_\_\_day of December, 1994 by Carol T. Cassidy, (1) who is personally known to me ( ) or who has produced \_\_\_\_\_\_ as identification and who did take an oath.





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\_\_\_\_\_

All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, located in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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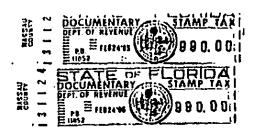
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ITEM-2

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07-3N-24-2020-0003-0000	05-21-24-2240-0308-0010	05-21-24-2240-0335-0010	05-21-24-22/0.0303-0010
19-3N-24-2020-0007-0000	05-2N-24-2240-0309-0010	05-2N-24-2240-0338-0010	05-2N-24-2240-0384-0010
19-3N-24-2020-0010-0000	05-29-24-2240-0010-0010	05-21-24-2240-0337-0010	05-2N-24-2240-0364-0210
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33-3N-24-2020-0001-0000	05-21-24-2240-0312-0010	05-21-24-2240-0338-0010	05-21-24-2240-0387-0020
03-21-23-0000-0001-0000	05-21-24-2240-0314-0010	05-21-24-2240-0341-0010	05-24-24-2240-0308-0010
05-2N-24-2240-0344-0250	05-21-24-2240-0014-0190	05-21-24-2240-0341-0240	05-21-24-2240-0309-0010
08-3N-24-2020-0003-0000	05-21-24-2240-0315-0010	05-21-24-2240-0342-0010	05-21-24-2240-0370-0010
08-3N-24-2380-0128-0070 19-3N-24-2020-0006-0000	05-2N-24-2240-0315-0160 05-2N-24-2240-0318-0010	05-2N-24-2240-0343-0010 05-2N-24-2240-0344-0010	05-21-24-2240-0371-0010
19-3N-24-2020-0057-0000	05-21-24-2240-0316-0110	05-21-24-2240 0345-0010	05-24-24-2240-0373-0010
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### BK 0724PG 0975 OFFICIAL RECORDS

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ITEM-2



- TO: Planning and Zoning Board Public Hearing & Meeting Date: November 8, 2022 Regular Meeting
- FROM: Janis Fleet, AICP Land Use Administrator
- SUBJECT: Planning and Zoning Board approval to grant Variance No. 20220927-10 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0165-0040, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

**BACKGROUND:** Mr. Christopher Goodin of Coastland Group, LLC agent for CCRC Woodlands, LTD., has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet. The property Tax ID is 08-3N-24-2380-0165-0040, and is described as Block 165, Lots 4 through 6, located on County Road 108 between Wisconsin Street and Michigan Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

The property on the west of the subject property is developed. East of the subject property, there are three vacant lots owned by the same property as the subject property.

Attached is the analysis of the requested variance.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

#### RECOMMENDATION

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs will allow the reduction in the lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0165-0040 does not meets the requirements of Section 62-183.



### AGENDA ITEM REPORT

#### STAFF REPORT AND RECOMMENDATIONS FOR VARIANCE 20220927-10

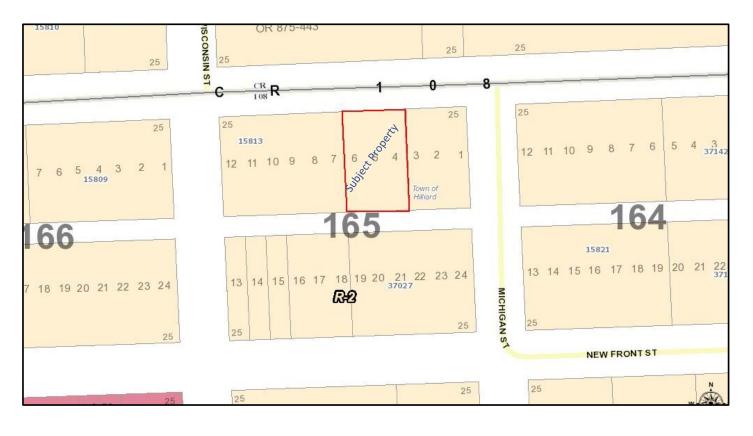
 Owner / Applicant Information: Applicant – Christopher Goodin Coastland Group 200 First Street Neptune Beach, Florida 32266

Owner – CCRC Woodland, LTD. 4223 Lakeside Drive Jacksonville, Florida 32210

- Property Information
   Parcel ID: #08-3N-24-2380-0165-0040
   Location: County Road 108 between Wisconsin Street and Michigan Street
   Future Land Use Map Designation: Medium Density Residential (MDR)
   Current Zoning: R-2, Single Family district
   Acres: approximately 0.21 acres (9,148 s.f.)
- 3. Description: Mr. Christopher Goodin, on behalf of CCRC Woodland, LTD., property owner has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,583 square feet. The property Tax ID is 08-3N-24-2380-0159-0200, and is described as Block 165, Lots 4 through 6, County Road 108 between Wisconsin Street and Michigan Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

### Parcel Map

### 08-3N-24-2380-0165-0040





The property owner owns 6 lots in 2 parcels, each parcel with 3 lots, on the block and would like to build 1 dwelling unit on each parcel. A second variance has been applied for the second parcel. As individual parcels, without a variance, neither parcel could be developed. If the parcels were combined, one dwelling unit could be developed meeting the R-2 zoning requirements.

The requirements to grant a Variance is included in Section 62-183 of the Hilliard Town Code. Below is Section 62-183.

#### Section 62-183 of the Town Code - 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:
  - The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, 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; 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 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.

The Future Land Use Map (FLUM) designation for the property is Medium Density Residential (MDR), allowing 2 to 6 units per acre, or a minimum lot size of 7,250 s.f. Most of the platted lots in the Town are 25' x 125' or 3,125 s.f. A minimum of three of these sized lots are required to comply with the MDR FLUM category. The R-2 zoning district requires a minimum of 4 lots to build a single family dwelling unit. The Variance allow the property owner to construct 1 dwelling unit on the 3 lots.

#### **RECOMMENDATION:**

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs may allow the reduction in the number of lots. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0165-0040 does not meets the requirements of Section 62-183. Specifically:

 (a) (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section,

There are many locations throughout the Town that property owners do not have enough land to meet the current R-2 zoning. The subject property could be developed for one single family development if it was combined with the parcel to the east. The Planning and Zoning Board identified this as problem and made recommendation to the Town Council to change the lot size requirement with the updated LDRs in the R-2 zoning district.

- (5) The grant of the variance will:
  - 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.

The applicant would not be able to develop the property with a smaller lot size than allowed by Code unless it was combined with the parcel to the east.

(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

The property owner could develop the property without the variance if the subject property was combined with the parcel on the east. The variance request is to allow the building 2 dwelling units on the block, instead of 1 if the parcels are combined on the block, a financial gain to the property owner.

	own of Hilliard ariance Application	FOR OFFICE USE ONLY File # Application Fee: Filing Date:		
Α.	PROJECT			
1.	Project Name: Single Lot 1			
2.	Address of Subject Property: None Assigned			
3.	Parcel ID Number(s) 08-3N-24-2380-0165-0040			
4.	Existing Use of Property: <b>Vacant platted Lot -</b>	3 lots 25' wide		
5.	Future Land Use Map Designation: <u>Medium Density</u>			
6.	Zoning Designation:			
7.	Acreage:0.22			
в.	APPLICANT			
1.	Applicant's Status   Owner (title holder)	Agent		
2.	Name of Applicant(s) or Contact Person(s):	GoodinTitle	: Pro	esident`
	Company (if applicable): Coastland Group, LLC			
	Mailing address: 200 First Street			
	City: Neptune Beach	State: FL	_ZIP: _	32266
	Telephone: (996715825FAX: (	e-mail: <b>cgoodin@c</b>	oast	Landgroup.com
3.	If the applicant is agent for the property owner*:			
	Name of Owner (title holder): CCRC Woodlands LTD			
	Company (if applicable):			
	Mailing address: 4223 Lakeside Drive			(m)
	City: Jacksonville	State:	_ZIP: _	32210
	Telephone: () FAX: ()	e-mail:		
	* Must provide executed Property Owner Affidavit authorizing the a	agent to act on behalf of the prop	erty ow	ner.

Town of Hilliard \$15859 C.R. 108 \$ Hilliard, FL 32046 \$ (904) 845-3555 Page 1 of 3

#### C. STATEMENT OF VARIANCE SOUGHT

- 1. Requested Variance: \_\_\_\_\_ Reduce minimum lot width
- 2. Section of Town Code under which the variance is sought Section 62-284 (c) (1)
- 3. Reason Variance is requested: To construct a home on 3 lots (75' wide)
- 4. Statement of Facts for Requested Variance (Use additional pages if necessary)

(PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY. THESE FACTS WILL BE USED BY THE STAFF TO MAKE A RECOMMENDATION AND THE PLANNING AND ZONING BOARD IN MAKING THEIR DECISION)

a. Extraordinary and Exceptional Conditions- What are the extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought, that do not generally apply to other land or structures in the same district?

Additional lots are not available, and lot is unable to be built on without a variance.

b. Not Result of Action by Applicant- Why are the special circumstances not the result of the actions of the applicant?

Ver	cy ol	Ld :	pla	tted	lots	of :	record,	and	ne	eighbors	are	either	unwilling
to	sell	Lo	r I	have	not	bee	n able	to ge	et	in-touch	wit	h them.	•

c. No Special Privilege- Does the granting of the variance confer any special privilege on the applicant that is denied to other lands or structures in the same zone district?

No

d. Strict Application Deprives Use-Would the strict interpretation of the Town Code to this property effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship?

Yes, without the variance this lot is not buildable

Minimum Variance- Is the variance the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of the Town Code?
 Yes, I only requesting to build on a 75' wide lot and no less.

f. Not Detrimental-Is the granting of the variance detriment to the adjacent land, and the character of the zoning district in which the land is located?

Will meet all other zoning requirements.

- D. ATTACHMENTS (One hard copy or one copy in PDF format)
  - 1. Copy of Warranty Deed or other proof of ownership
  - 2. Legal description
  - 3. Survey of the property
  - 4. Site plan of the property indicating setbacks, proposed construction and requested variance.

#### F. FEE.

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Residential property - \$300 Non- residential - \$500

a. The Cost of postage, signs, advertisements, and outside consultants are in addition to the application fee.b. The applicant is responsible to pay the cost of the advertisement and signs.

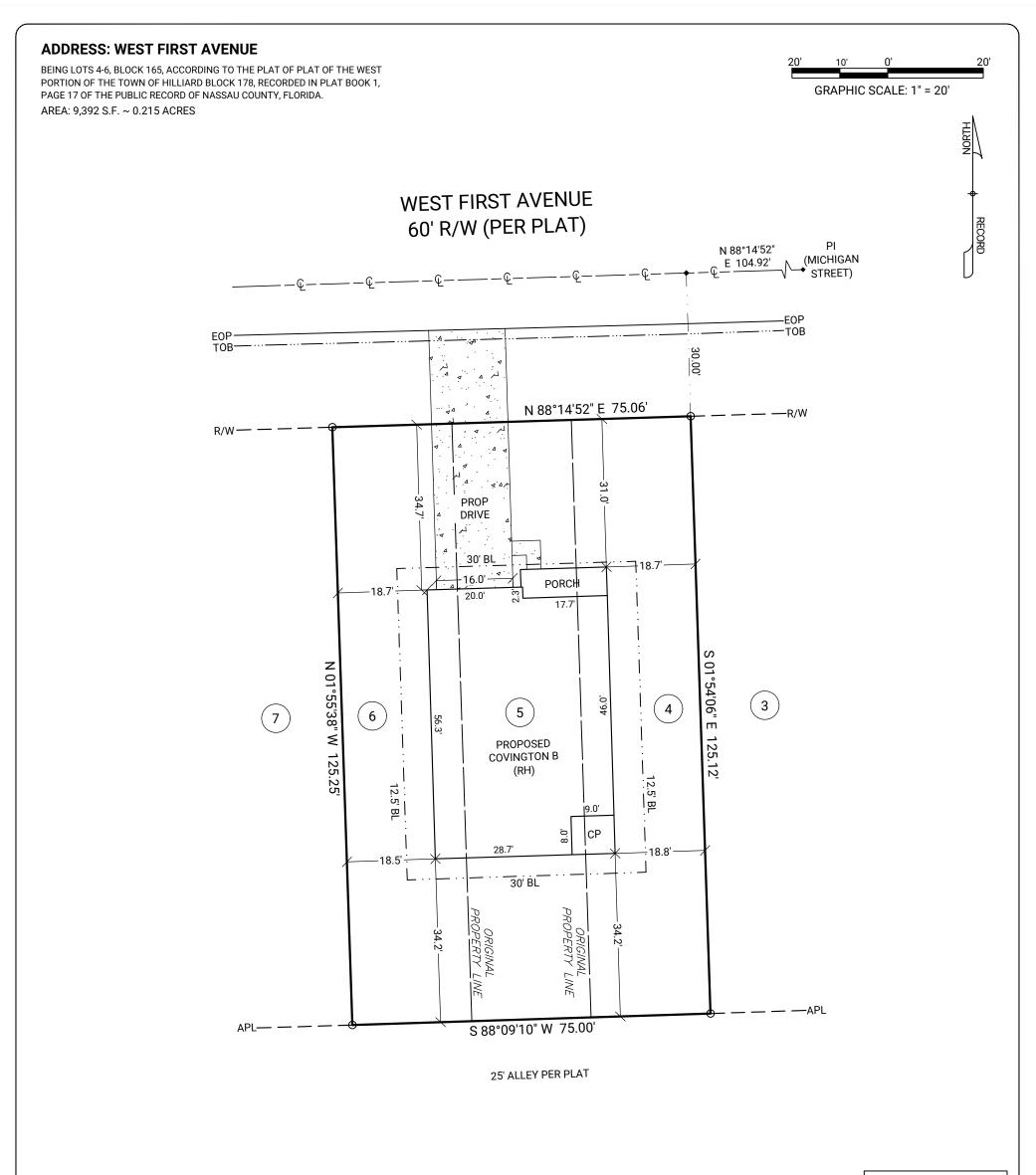
No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity.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

<u>All 4 attachments are required for a complete application.</u> 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:

CLOBOL	
Signature of Applicant	Signature of Co-applicant
Christopher Goodin, president Typed or printed name and title of applicant	Typed or printed name of co-applicant
Z/24/22 Date	Date
State of Florida County of	Duval
The foregoing application is acknowledged before me this 2	day of February, 2022, by christopher
. who is/are personally known to me or as identification.	who has/have produced
NOTARY SEAL	_l_
Signatu	re of Notary Public, State of Florida
Notary Public State of Floride Sarah A. Callaway My Commission GG 967948 Emission 06/46/0021	. 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555
Expires 06/13/2024 Down of Hilliard +15859 C.R.	Page 3 of 3

Revised 2/9/2022



**GENERAL NOTES** 

<ol> <li>Elevations shown hereon are based</li> <li>This property lies within flood zone</li> </ol>	on the plat provided to Carter and Clark. on the construction plans provided to Ca "X" (UNSHADED) according to FEMA FIRM osure and is found to be accurate within c	A # 12089C0135F, effective on 12/17/			(PER PLAT) Front: 30' Side: 12.5' Rear: 30'						
PTPoint of TangencyPIPoint of IntersectionPCPoint of CurvatureA/CAir ConditioningCONCConcretePPorchPATPatio	CLB Centerline of Bank FH Fire Hydrant WM Water Meter A/C Air Conditioning CONC Concrete P Porch PAT Patio	LAN Lanai TOB Top of Bank CP Covered Patio DE Drainage Easement UE Utility Easement PROP Proposed FFE Finished Floor Elevation	TOF Top of Form BL Building Line R/W Right of Way SF Square Feet APL Approximate Prope ABOC Approximate Back -♀- Center Line	of Curb -1/	Rebar to be set Set Rebar (LB#8075) Found Rebar () Found Mag Nail () Not To Scale Drainage Flow						
SUB: HILLIARD SPOT LOTS LOTS: 4-6 BLOCK 165 Town of Hilliard, Nassau County, Florida		R + CLARK	237 Aucilla Road Monticello, FL 32344 www.carterandclark.com LICENSED BUSINESS # 8075	ense Nume LS7135	PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER WAYNE CLARK, FLORIDA CERTIFICATE NO. LS 7135						
CENTURY Complete	christopher W Clark Brandwards and sealed by Christopher Clark, tal signature. Printed copies of this										
FIELD WORK DATE: N/A PLAT DATE: 01/06/2022 20220100795 FC: N/A	and an angular error of 7 seconds per a Equipment used: Leica Total Station- 12	tillities within utility easements have not been field verified by surveyor. Contact utility contractor or location prior to construction (if applicable). Dimensions from house to property lines should not be used to establish fences. This plat is for exclusive use by client. Use by third parties is at their own sk. The field data upon which this plat is based has a closure precision of one foot in 10,000+ feet and an angular error of 7 seconds per angle point and was adjusted using the compass rule. quipment used: Leica Total Station- 12. Additions or deletions to survey maps or reports by other an the signing party or parties is prohibited without the written consent of the signing party or arties.									

#### **Property Ownership Affidavit**

Date: Tuesday, February 2, 2021

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

**Re: Zoning & Permitting of Multiple Parcels** 

Gentlemen:

I, John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest, hereby certify that I am an Owner/Representative of the property described in the attached legal description, in connection with re-zoning and filing applications for all applicable agencies to include but not limited to Town of Hilliard, Nassau County, SJRWMD, and ACOE/DEP.

Ed T. Cmy

Print: John T. Cassidy, Sr.

STATE OF <u>FLORIDA</u> COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this \_\_2nd\_ day of \_February\_, 2020, by

He/She (check one) (\_X\_) is personally known to me, or (\_\_\_\_) has produced a valid driver's license as identification

TSEAL)

Notary Public, State of \_\_\_\_\_ and county aforesaid Name: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_ My Commission Number is: \_\_\_\_\_



#### AGENT AUTHORIZATION

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

RE: AgentAuthorization for the sites located below:

RE #: 08-3N-24-2380-0178-0090; 08-3N-24-2380-0178-0180; 08-3N-24-2380-0178-0030; 08-3N-24-2380-0176-0070; 08-3N-24-2380-0159-0200; 08-3N-24-2380-0165-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0136-0130; 08-3N-24-2380-0136-0030; 08-3N-24-2380-0139-0010; 08-3N-24-2380-0139-0200

To Whom It May Concern:

You are hereby advised that the undersigned is the owner/representative of the referenced property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Coastland Group, LLC to act as agent to file application(s) for the above referenced site location/property address and in connection with such authorization to file such applications, papers, documents, request; and other matters necessary for such requested change.

John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest **Signature of Owner** 

\_John T. Cassidy, Sr.\_\_\_\_\_ Print Name

\_904-924-9624 EXT. 118\_\_\_\_\_ Telephone Number

STATE OF <u>FLORIDA</u> COUNTY OF <u>DUVAL</u>

The foregoing instrument was acknowledged before me this \_\_2nd\_\_\_\_ day of \_\_\_February\_\_\_, 2020,

by  $T_{h}$  Cassidy Sr He/She (check one) (X) is personally known to me, or (\_\_\_\_) has

produced a valid driver's license as identification.

(SEAD) Notary Public, State of

otary Public, state of \_\_\_\_\_ and county aforesaid

Name:

My Commission Expires: \_\_\_\_\_

My Commission Number is:



# **GENERAL AUTHORIZATION LETTER**

#### TO WHOM IT MAY CONCERN:

I hereby certify that I have Read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

## Please print:

Name of Owner(s): CCRC WOODLANDS, LTD. and The Carol T. Cassidy Trust by: John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

Address of Owner(s):

## \_4223 Lakeside Drive, Jacksonville, FL 32210\_

Telephone: \_904-924-9624 EXT 118\_\_\_\_

Name of Agent:

**Tocol Engineering** 

Address of Agent:

714 N Orange Ave. Green Cove Springs, FL 32043

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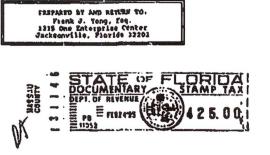
(Owner Signature) John T Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

(Agent Signature)

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#### FOR RECORDER

# BK 0724 PG 0971 OFFICIAL RECORDS

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: Seo Exhibit "B"

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 Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantee shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

Signed, scaled and delivered in the presence of:

written.

ORTNER

1. Causidy Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

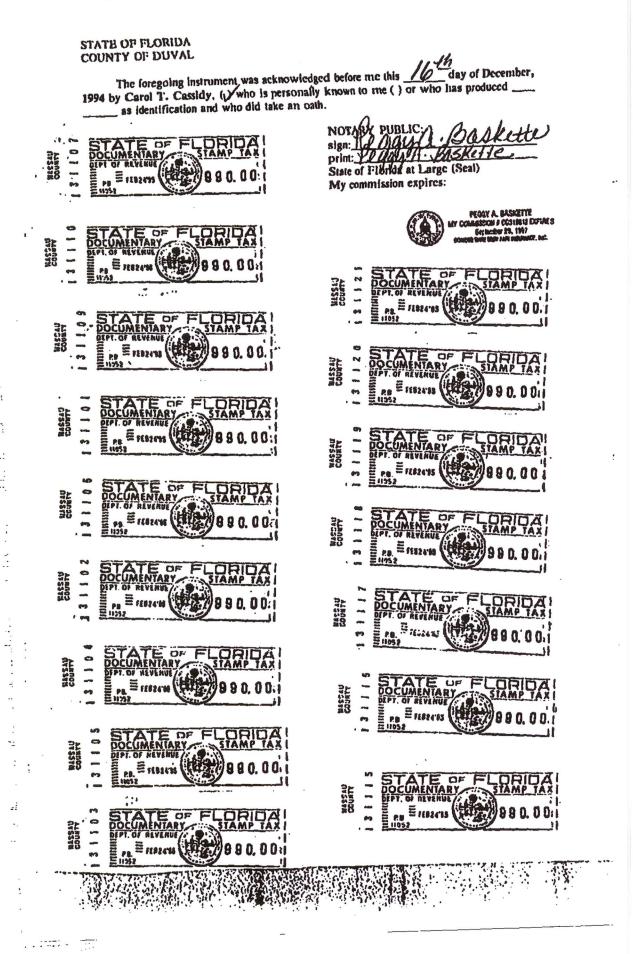
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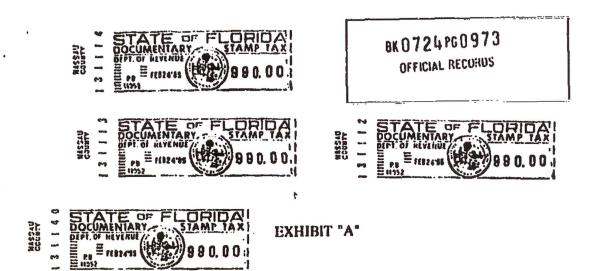


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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, incated in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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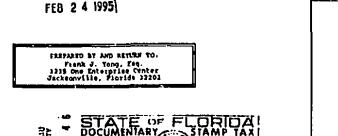
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Parcel ID/Number: 08-3N-24-2380-0165-0040

Short Legal (from Nassau County Property Appraiser): BLOCK 165 LOTS 4 5 & 6 TOWN OF HILLIARD

Legal Description: BEING LOTS 4-6, BLOCK 165 ACCORDING TO THE PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

ITEM-3



# FOR RECORDER

OFFICIAL RECORDS

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: <u>See Exhibit "B"</u>

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 Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantce shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

written.

Signed, sealed and delivered in the presence of:

J. Carsidy Carol T. Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210



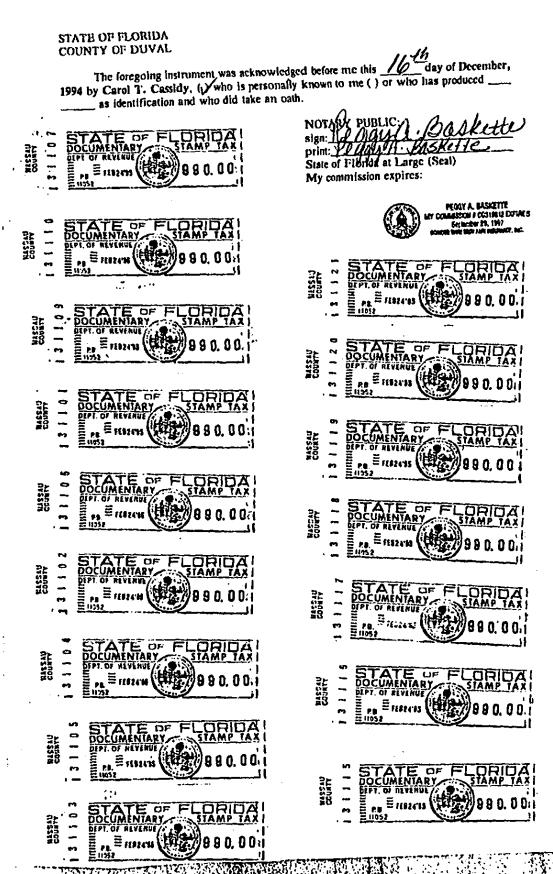
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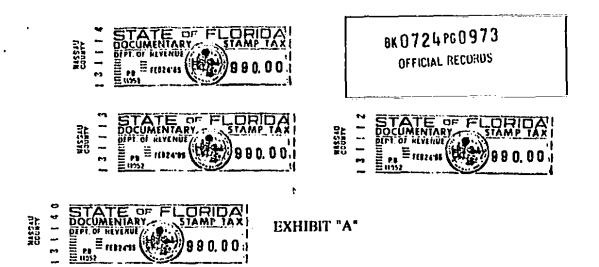
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, located in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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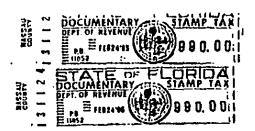
ITEM-3

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- TO: Planning and Zoning Board Public Hearing & Meeting Date: November 8, 2022 Regular Meeting
- FROM: Janis Fleet, AICP Land Use Administrator
- SUBJECT: Planning and Zoning Board approval to grant Variance No. 20220927-11 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0165-0010, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

**BACKGROUND:** Mr. Christopher Goodin of Coastland Group, LLC agent for CCRC Woodlands, LTD., has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet. The property Tax ID is 08-3N-24-2380-0165-0010, and is described as Block 165, Lots 1 through 3, located on County Road 108 between Wisconsin Street and Michigan Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

The property on the west of the subject property is developed. The property is a corner lot. West of the subject property, there are three vacant lots owned by the same property as the subject property.

Attached is the analysis of the requested variance.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

#### RECOMMENDATION

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs will allow the reduction in the lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0165-0010 does not meets the requirements of Section 62-183.



## AGENDA ITEM REPORT

## STAFF REPORT AND RECOMMENDATIONS FOR VARIANCE 20220927-11

 Owner / Applicant Information: Applicant – Christopher Goodin Coastland Group 200 First Street Neptune Beach, Florida 32266

Owner – CCRC Woodland, LTD. 4223 Lakeside Drive Jacksonville, Florida 32210

- Property Information
   Parcel ID: #08-3N-24-2380-0165-0010
   Location: County Road 108 between Wisconsin Street and Michigan Street
   Future Land Use Map Designation: Medium Density Residential (MDR)
   Current Zoning: R-2, Single Family district
   Acres: approximately 0.21 acres (9,148 s.f.)
- 3. Description: Mr. Christopher Goodin, on behalf of CCRC Woodland, LTD., property owner has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,583 square feet. The property Tax ID is 08-3N-24-2380-0159-0200, and is described as Block 165, Lots 1 through 3, County Road 108 between Wisconsin Street and Michigan Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

# Parcel Map

## 08-3N-24-2380-0165-0010





The property owner owns 6 lots in 2 parcels, each parcel with 3 lots, on the block. The applicant would like to build 1 dwelling unit on each parcel. A second variance has been applied for the second parcel. As individual parcels, without a variance, neither parcel could be developed. If the parcels were combined, one dwelling unit could be developed meeting the R-2 zoning requirements.

The requirements to grant a Variance is included in Section 62-183 of the Hilliard Town Code. Below is Section 62-183.

#### Section 62-183 of the Town Code - 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:
  - The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, 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; 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 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.

The Future Land Use Map (FLUM) designation for the property is Medium Density Residential (MDR), allowing 2 to 6 units per acre, or a minimum lot size of 7,250 s.f. Most of the platted lots in the Town are 25' x 125' or 3,125 s.f. A minimum of three of these sized lots are required to comply with the MDR FLUM category. The R-2 zoning district requires a minimum of 4 lots to build a single family dwelling unit. The Variance allow the property owner to construct 1 dwelling unit on the 3 lots.

#### **RECOMMENDATION:**

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs may allow the reduction in the number of lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0165-0010 does not meet the requirements of Section 62-183. Specifically:

 (a) (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section,

There are many locations throughout the Town that property owners do not have enough land to meet the current R-2 zoning. The subject property could be developed for one single family development if it was combined with the parcel to the west. The Planning and Zoning Board identified this as problem and made recommendation to the Town Council to change the lot size requirement with the updated LDRs in the R-2 zoning district.

- (5) The grant of the variance will:
  - 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.

The applicant would not be able to develop the property with a smaller lot size than allowed by Code, unless it was combined with the parcel to the west.

(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

The property owner could develop the property without the variance if the subject property was combined with the parcel on the west. The variance request is to allow the building 2 dwelling units on the block, instead of 1 if the parcels are combined on the block, a financial gain to the property owner.

	own of Hilliard ariance Application	FOR OFFICE USE ONLY File # Application Fee: Filing Date:	
Α.	PROJECT		
1.	Project Name: Single Lot 1		
2.	Address of Subject Property: None Assigned		
3.	Parcel ID Number(s) 08-3N-24-2380-0165-0010		
4.	Existing Use of Property: <b>Vacant platted Lot -</b>	3 lots 25' wide	
5.	Future Land Use Map Designation: Medium Density		
6.	R−2 Zoning Designation:		
7.	Acreage:0.22		
В.	APPLICANT		
1.	Applicant's Status   Owner (title holder)	Agent	
2.	Name of Applicant(s) or Contact Person(s):	Goodin	President`
	Company (if applicable): Coastland Group, LLC		
	Mailing address: 200 First Street		
	City: Neptune Beach	State: <b>FL</b>	_ZIP:32266
	Telephone: ()9-671-5825 FAX: ()	e-mail: <b>cgoodin@cc</b>	astlandgroup.com
3.	If the applicant is agent for the property owner*:		
	Name of Owner (title holder): CCRC Woodlands LTD		
	Company (if applicable):		
	Mailing address: 4223 Lakeside Drive		
	City: <b>Jacksonville</b>	State:	_ZIP:32210
	Telephone: () FAX: ()	e-mail:	
	* Must provide executed Property Owner Affidavit authorizing the a	agent to act on behalf of the prope	erty owner.

Town of Hilliard \$15859 C.R. 108 \$ Hilliard, FL 32046 \$ (904) 845-3555 Page 1 of 3

#### C. STATEMENT OF VARIANCE SOUGHT

- 1. Requested Variance: \_\_\_\_\_ Reduce minimum lot width
- 2. Section of Town Code under which the variance is sought Section 62-284 (c) (1)
- 3. Reason Variance is requested: To construct a home on 3 lots (75' wide)
- 4. Statement of Facts for Requested Variance (Use additional pages if necessary)

(PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY. THESE FACTS WILL BE USED BY THE STAFF TO MAKE A RECOMMENDATION AND THE PLANNING AND ZONING BOARD IN MAKING THEIR DECISION)

a. Extraordinary and Exceptional Conditions- What are the extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought, that do not generally apply to other land or structures in the same district?

Additional lots are not available, and lot is unable to be built on without a variance.

b. Not Result of Action by Applicant- Why are the special circumstances not the result of the actions of the applicant?

Ver	cy ol	Ld :	pla	tted	lots	of :	record,	and	ne	eighbors	are	either	unwilling
to	sell	Lo	r I	have	not	bee	n able	to ge	et	in-touch	wit	h them.	•

c. No Special Privilege- Does the granting of the variance confer any special privilege on the applicant that is denied to other lands or structures in the same zone district?

No

d. Strict Application Deprives Use-Would the strict interpretation of the Town Code to this property effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship?

Yes, without the variance this lot is not buildable

Minimum Variance- Is the variance the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of the Town Code?
 Yes, I only requesting to build on a 75' wide lot and no less.

f. Not Detrimental-Is the granting of the variance detriment to the adjacent land, and the character of the zoning district in which the land is located?

Will meet all other zoning requirements.

- D. ATTACHMENTS (One hard copy or one copy in PDF format)
  - 1. Copy of Warranty Deed or other proof of ownership
  - 2. Legal description
  - 3. Survey of the property
  - 4. Site plan of the property indicating setbacks, proposed construction and requested variance.

#### F. FEE.

1111

Residential property - \$300 Non- residential - \$500

a. The Cost of postage, signs, advertisements, and outside consultants are in addition to the application fee.b. The applicant is responsible to pay the cost of the advertisement and signs.

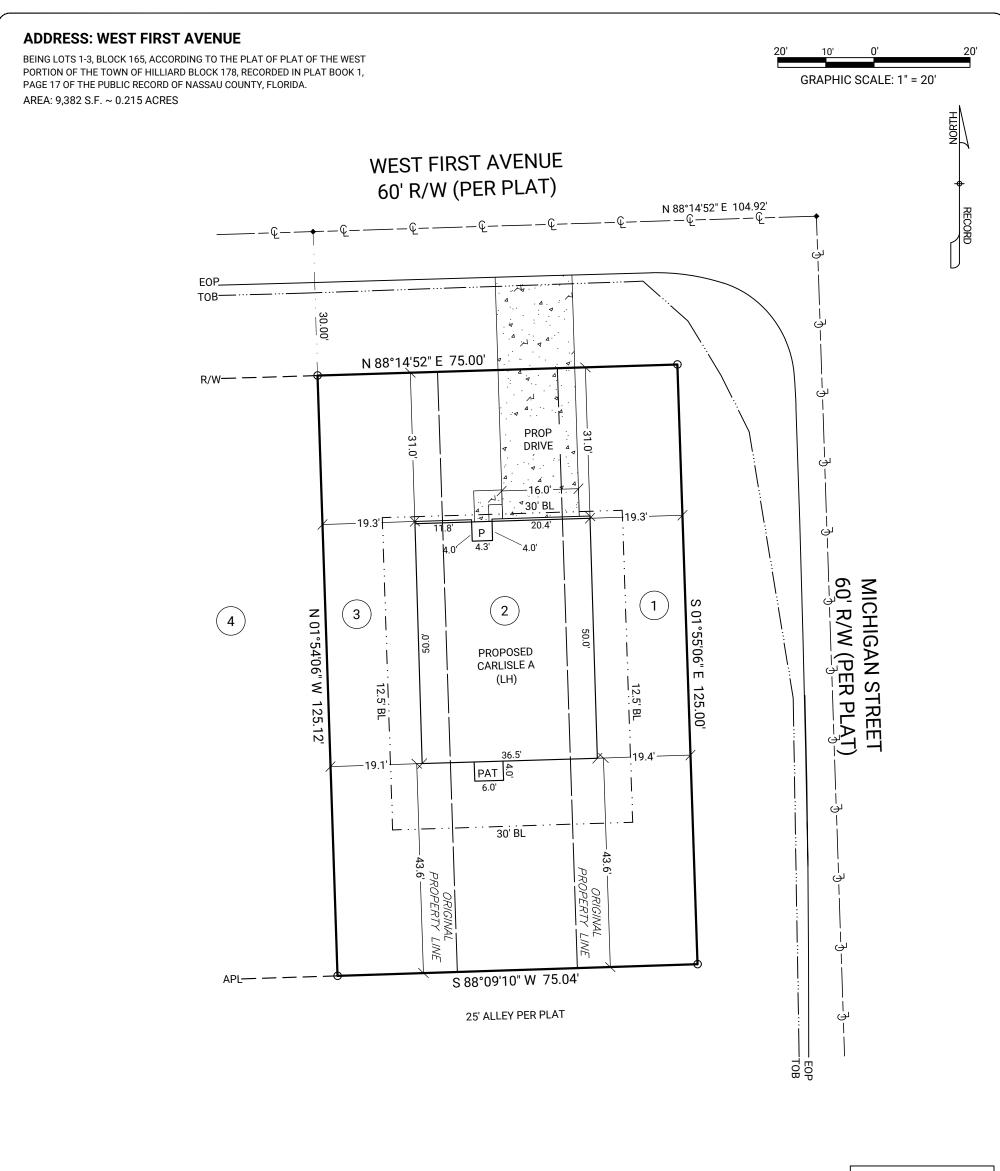
No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity.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

<u>All 4 attachments are required for a complete application.</u> 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:

CLOBOL	
Signature of Applicant	Signature of Co-applicant
Christopher Goodin, president Typed or printed name and title of applicant	Typed or printed name of co-applicant
Z/24/22 Date	Date
State of Florida County of	Duval
The foregoing application is acknowledged before me this 2	day of February, 2022, by christopher
. who is/are personally known to me or as identification.	who has/have produced
NOTARY SEAL	_l_
Signatu	re of Notary Public, State of Florida
Notary Public State of Floride Sarah A. Callaway My Commission GG 967948 Emission 06/46/0021	. 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555
Expires 06/13/2024 Down of Hilliard +15859 C.R.	Page 3 of 3

Revised 2/9/2022



GENERAL NOTES

BUILDING SETBACKS:

<ol> <li>Elevations shown hereon are based</li> <li>This property lies within flood zone</li> </ol>	on the plat provided to Carter and Clark. I on the construction plans provided to C "X" (UNSHADED) according to FEMA FIF osure and is found to be accurate within	RM # 12089C0135F, effective on 12/17/			(PER PLAT) Front: 30' Side: 12.5' Rear: 30'
PTPoint of TangencyPIPoint of IntersectionPCPoint of CurvatureA/CAir ConditioningCONCConcretePPorchPATPatio	CLBCenterline of BankFHFire HydrantWMWater MeterA/CAir ConditioningCONCConcretePPorchPATPatio	LANLanaiTOBTop of BankCPCovered PatioDEDrainage EasementUEUtility EasementPROPProposedFFEFinished Floor Elevation	TOFTop of FormBLBuilding LineR/WRight of WaySFSquare FeetAPLApproximate PropeABOCApproximate Back $- \mathcal{Q} -$ Center Line	of Curb -1/	Rebar to be set Set Rebar (LB#8075) Found Rebar () Found Mag Nail () Not To Scale Drainage Flow
SUB: HILLIARD SPOT LOTS LOTS: 1-3 BLOCK 165 Town of Hilliard, Nassau County, Florida		<b>R + CLARK</b>	237 Aucilla Road Monticello, FL 32344 www.carterandclark.com LICENSED BUSINESS # 8075	ense Nume LS7135	PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER WAYNE CLARK, FLORIDA CERTIFICATE NO. LS 7135
CENTURY Complete	Carter & Clark Land Surveyors is unab easements, and buffers that are illust additional easements or restrictions c of utilities within utility easements hav for location prior to construction (if ap be used to establish fences. This plat	of record. Adjoiners shown are per plat we not been field verified by surveyor. ( oplicable). Dimensions from house to p	berty may be subject to of record. The existence Contact utility contractor property lines should not	STATE OF CORIDA Surveyof Surveyof This item has been electronically	Christopher W Clark
FIELD WORK DATE: N/A PLAT DATE: 01/06/2022 20220100793 FC: N/A	risk. The field data upon which this plat and an angular error of 7 seconds per Equipment used: Leica Total Station- than the signing party or parties is pro parties.	at is based has a closure precision of o angle point and was adjusted using th 12. Additions or deletions to survey ma	one foot in 10,000+ feet ne compass rule. aps or reports by other	verified on any electronic copies. I HEREBY CERTIFY THAT THE B WAS CONDUCTED BY PERSONS	OUNDARY SURVEY DEPICTED HEREON UNDER MY DIRECT SUPERVISION AND DARDS OF PRACTICE ESTABLISHED BY

## **Property Ownership Affidavit**

Date: Tuesday, February 2, 2021

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

**Re: Zoning & Permitting of Multiple Parcels** 

Gentlemen:

I, John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest, hereby certify that I am an Owner/Representative of the property described in the attached legal description, in connection with re-zoning and filing applications for all applicable agencies to include but not limited to Town of Hilliard, Nassau County, SJRWMD, and ACOE/DEP.

Ed T. Cmy

Print: John T. Cassidy, Sr.

STATE OF <u>FLORIDA</u> COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this \_\_2nd\_ day of \_February\_, 2020, by

He/She (check one) (\_X\_) is personally known to me, or (\_\_\_\_) has produced a valid driver's license as identification

TSEAL) Notary Public, State of \_\_\_\_\_ and county aforesaid

Name: \_\_\_\_\_\_ and county aforesaid Name: \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_ My Commission Number is: \_\_\_\_\_



#### AGENT AUTHORIZATION

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

RE: AgentAuthorization for the sites located below:

RE #: 08-3N-24-2380-0178-0090; 08-3N-24-2380-0178-0180; 08-3N-24-2380-0178-0030; 08-3N-24-2380-0176-0070; 08-3N-24-2380-0159-0200; 08-3N-24-2380-0165-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0136-0130; 08-3N-24-2380-0136-0030; 08-3N-24-2380-0139-0010; 08-3N-24-2380-0139-0200

To Whom It May Concern:

You are hereby advised that the undersigned is the owner/representative of the referenced property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Coastland Group, LLC to act as agent to file application(s) for the above referenced site location/property address and in connection with such authorization to file such applications, papers, documents, request; and other matters necessary for such requested change.

John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest **Signature of Owner** 

\_John T. Cassidy, Sr.\_\_\_\_\_ Print Name

\_904-924-9624 EXT. 118\_\_\_\_\_ Telephone Number

STATE OF <u>FLORIDA</u> COUNTY OF <u>DUVAL</u>

The foregoing instrument was acknowledged before me this \_\_2nd\_\_\_\_ day of \_\_\_February\_\_\_, 2020,

by  $T_{h}$  Cassidy Sr He/She (check one) (X) is personally known to me, or (\_\_\_\_) has

produced a valid driver's license as identification.

(SEAD) Notary Public, State of

otary Public, state of \_\_\_\_\_ and county aforesaid

Name:

My Commission Expires: \_\_\_\_\_

My Commission Number is:



# **GENERAL AUTHORIZATION LETTER**

#### TO WHOM IT MAY CONCERN:

I hereby certify that I have Read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

## Please print:

Name of Owner(s): CCRC WOODLANDS, LTD. and The Carol T. Cassidy Trust by: John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

Address of Owner(s):

## \_4223 Lakeside Drive, Jacksonville, FL 32210\_

Telephone: \_904-924-9624 EXT 118\_\_\_\_

Name of Agent:

**Tocol Engineering** 

Address of Agent:

714 N Orange Ave. Green Cove Springs, FL 32043

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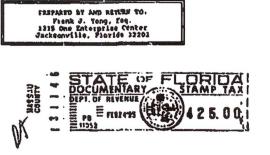
(Owner Signature) John T Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

(Agent Signature)

PLAT OF THE WEST PORTION OF THE TOWN OF	2.3.	
IN NASSAU COUNTY, FLORIDA, being park of Section 8, 13 N.R. 24 East. Jeen K. J.	COUNTY or MASSAU 3. ( U.U. Barry Port Section and Sect	yed for the server. te ad et slive
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#### FOR RECORDER

# BK 0724 PG 0971 OFFICIAL RECORDS

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: Seo Exhibit "B"

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 Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantee shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

Signed, scaled and delivered in the presence of:

written.

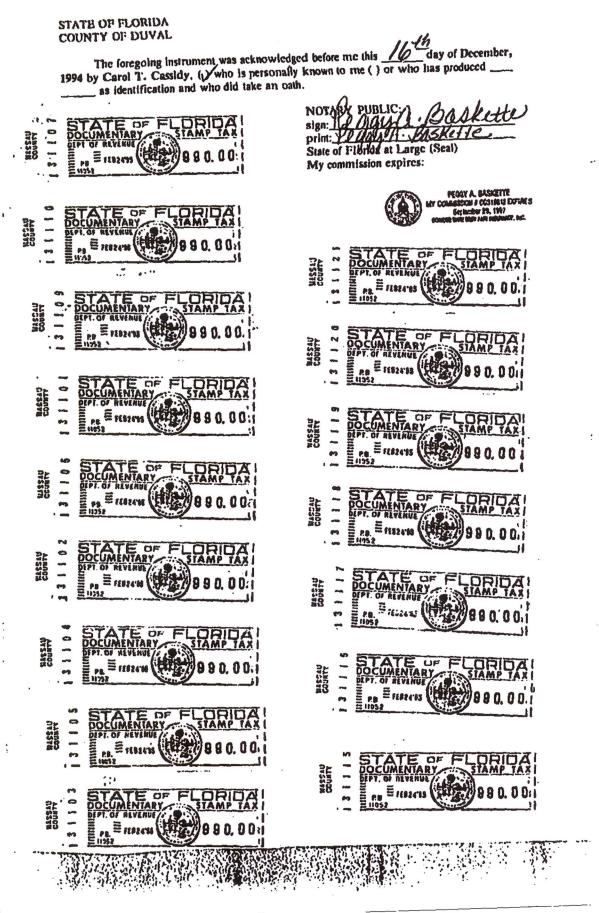
ORTNER

1. Causidy Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

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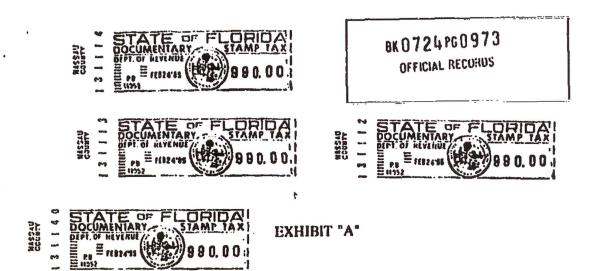
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, incated in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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08-3N-24-2020-0001-0000	05-21-24-2240-0308-0210	05-2N-24-2240-0333-0010	05-21-24-2240-0381-0010
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07-3N-24-2020-0003-0000 19-3N-24-2020-0007-0000	05-21-24-2240-0308-0010	05-21-24-2240-0335-0010	05-21-24-2240-0303-0010
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06-3N-24-2020-0003-0000	05-21-24-2240-0315-0010	05-21-24-2240-0342-0010	05-21-24-2240-0370-0010
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19-3N-24-2020-0036-0000	05-2N-24-2240-0018-0010	05-21-24-2240-0344-0010	05-21-24-2240-0372-0010
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5-21-24-2240-0445-0170	05-2N-24-2240-0418-0010	05-21-24-2240-0433-0010	05-2N-24-2240-0401-0010
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DOCUMENTARY DEFT. OF REVENUE B.B. E FEBRENS HISSO MACSAU COUNTY 3 1 1 2 STATE OF FLORIDA DOCUMENTARY FOR REVIAUL PRESERVING B FROZANO 131124 COUNTY COUNTY

# BK 0724PG 0975 OFFICIAL RECORDS

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WASSAU COUNTY . . . . COUNT 1180C3

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Parcel ID/Number: 08-3N-24-2380-0165-0010

Short Legal (from Nassau County Property Appraiser): BLOCK 165 LOTS 1 2 & 3 TOWN OF HILLIARD

Legal Description: BEING LOTS 1-3, BLOCK 165, ACCORDING TO THE PLAT OF THE WEST PORTION OF THE TOWN OF HILLIARD, RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

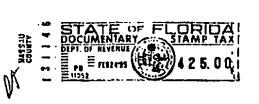
ITEM-4



FREPARTO BY AND RETURN TO, Frank J. Yong, 249. 1218 One Enterprise Center Fackgonville, Floride 32203

# FOR RECORDER

## BK 0724 PG 0971 OFFICIAL RECORDS



#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: <u>See Exhibit "B"</u>

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise apportaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

And the Grantor hereby covenants with Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantce shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

written.

Signed, sealed and delivered in the presence of:

J. Carsidy Carol T. Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210



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FLORIDAL STAMP TAX

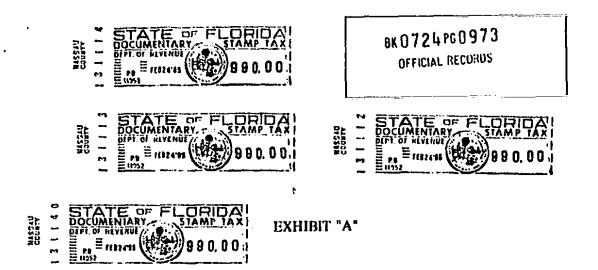
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STATE OF FLORIDA The foregoing instrument was acknowledged before me this \_\_\_\_\_\_ day of December, 1994 by Carol T. Cassidy, (1) who is personally known to me ( ) or who has produced \_\_\_\_\_\_ as identification and who did take an path as identification and who did take an oath. NOTARY PUBLIC: 11 STATE OF DOCUMENTARY DIFT OF REVENUE sign:\_i print: <u>PLUMANA - FASKer</u> State of Florida at Large (Seal) 3110 LINDOO NANDOO E IEBSCH (CAR 990.00:i My commission expires: PEOLY A. BASKETTE MY COMMISSION & COSTINUS DUTINES September 29, 1997 Southe ware they have underware, no. TE D OF F RI 3111 AND SAN NAS - REFERRE STATE OF DOCUMENTARY BIPT. OF REVENUE PA E FLORE US 990.004 1 1 2 Cressin Country 990.OD STATE D DOCUMENTARY DIPT. OF REVENUE LORIDA STAMP TAX OF F STATE OF DOCUMENTARY DIPT OF ALVIAUE 11.0 MASCAU COUNTY **COLUMN** Ennan 990.00 j FLORID • 3112 NASSAU COUNTY 990.00i STATE C DOCUMENTAR DIPT. OF NEVENUE PRE FREIZERS OF FLORIDA THASSAU COUNTY 3110 STATE OF FL DOCUMENTARY BEPT. OF REVENUE PR = F182615 E Riters (10 c, 880.00 FLORIDA WAS SAU COUNTY STATE OF FLORIDA 990.001 3110 CCURTY DASSAU STATE OF FLORIDA RASCAU COUNTY 3 | | E FEB22119 990.00 28. N STA pocur pocur TE OF LORID F 3110 115573 015573 STATE OF FLORIDAL DOCUMENTARY STAMP TAX DIPT. OF REVENUE PR. BIGGASE ≣ FEF24°H 990.00: E45540 3 - 1 -- STATE UP DOCUMENTARY MPT OF REVINUE TE OF FL 0 Country Country FLORIDA ≣ re#24\*₩ 990.00.i PASSAN DATE AND D 3111 ST BEVENUE 9 9 0, 0 0, 1 STATE DI DOCUMENTARY DIPT. OF HEVENUE MA = TIBLEBU LORIDA STAMP TAX c, DF 3 1 1 0 DI SSTA ≣nuus (192 890.00 i

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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, located in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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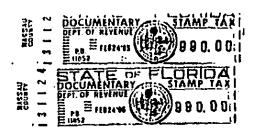
ITEM-4

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05-2N-24-2240-0489-0010	08-3N-24-2380-0039-0014		31-3N-24-2020-0001-0000
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	08-3N-24-2360-0051-0020	18-3N-24-0000-0009-0000	31-3N-24-2020-0051-0000
05-21-24-2240-0470-0010	08-3N-24-2360-0052-0022	16-3N-24-0000-0019-0000	31-4N-24-2020-0001-0000
05-2N-24-2240-0471-0010	08-3N-24-2360-0005-0010	18-31-24-0000-0020-0000	32-3N-24-0000-0001-000
05-21-24-2240-0471-0120	08-3N-24-2380-0105-0140	16-3N-24-2020-0010-0000	32-3N-24-2020-0005-000
05-21-24-2240-0472-0010	08-3N-24-2380-0118-0100	17-3N-23-0000-0001-0000	34-3N-23-2040-0003-0000
05-21-24-2240-0473-0010	08-311-24-2380-0128-0010	17-3N-23-0000-0003-0000	343N-23-2040-0009-0000
05-21-24-2240-0474-0010	08-3N-24-2390-0127-0010	17-31-24-0000-0003-0000	35-3N-23-0000-0001-0000
05-2N-24-2240-0475-0010	08-31-24-2360-0129-0040	17-3N-24-2020-0002-0000	30-3N-23-0000-0001-000
05-21-24-2240-0478-0010	08-3N-24-2360-0138-0010	17-3N-24-2080-0003-0010	05-2N-24-2240-0066-009
05-2N-24-2240-0478-0110	06-3N-24-2360-0136-0040	17-3N-24-2600-0004-0001	18-3N-23-2020-0005-000
05-21-24-2240-0477-0010	08-3N-24-2300-0139-0010	17-3N-24-2000-0031-0050	
05-2N-24-2240-0478-0010	08-3N-24-2380-0139-0200	17-3N-24-2080-0031-0100	
0G-2N-24-2240-0479-0010	08-3N-24-2330-0148-0010	17-3N-24-2680-0031-0150	
05-21-24-2240-0480-0010	08-3N-24-2380-0159-0200	17-3N-24-2680-0033-0010	
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- TO: Planning and Zoning Board Public Hearing & Meeting Date: November 8, 2022 Regular Meeting
- FROM: Janis Fleet, AICP Land Use Administrator
- SUBJECT: Planning and Zoning Board approval to grant Variance No. 20220927-12 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0148-0160, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

**BACKGROUND:** Mr. Christopher Goodin of Coastland Group, LLC agent for CCRC Woodlands, LTD., has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet. The property Tax ID is 08-3N-24-2380-0148-0160, and is described as Block 148, Lots 16 through 18, located on West Second Avenue between Iowa Street and Minnesota Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

The property on the west of the subject property is developed. The property is a corner lot. West of the subject property, there are three vacant lots owned by the same property as the subject property.

Attached is the analysis of the requested variance.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

## RECOMMENDATION

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs will allow the reduction in the lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0148-0160 does not meets the requirements of Section 62-183.



# AGENDA ITEM REPORT

# STAFF REPORT AND RECOMMENDATIONS FOR VARIANCE 20220927-12

 Owner / Applicant Information: Applicant – Christopher Goodin Coastland Group 200 First Street Neptune Beach, Florida 32266

Owner – CCRC Woodland, LTD. 4223 Lakeside Drive Jacksonville, Florida 32210

- Property Information
   Parcel ID: #08-3N-24-2380-0148-0160
   Location: West Second Avenue between Iowa Street and Minnesota Street
   Future Land Use Map Designation: Medium Density Residential (MDR)
   Current Zoning: R-2, Single Family district
   Acres: approximately 0.22 acres (9,583 s.f.)
- 3. Description: Mr. Christopher Goodin, on behalf of CCRC Woodland, LTD., property owner has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,583 square feet. The property Tax ID is 08-3N-24-2380-0148-0160, and is described as Block 148, Lots 16 through 18, on West Second Avenue between Iowa Street and Minnesota Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

# Parcel Map

# 08-3N-24-2380-0148-0160





The property owner owns 6 lots in 2 parcels, each parcel with 3 lots, on the block and would like to build 1 dwelling unit on each parcel. A second variance has been applied for the second parcel. As individual parcels, without a variance, neither parcel could be developed. If the parcels were combined, one dwelling unit could be developed meeting the R-2 zoning requirements.

The requirements to grant a Variance is included in Section 62-183 of the Hilliard Town Code. Below is Section 62-183.

### Section 62-183 of the Town Code - 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:
  - The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, 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; 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 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.

The Future Land Use Map (FLUM) designation for the property is Medium Density Residential (MDR), allowing 2 to 6 units per acre, or a minimum lot size of 7,250 s.f. Most of the platted lots in the Town are 25' x 125' or 3,125 s.f. A minimum of three of these sized lots are required to comply with the MDR FLUM category. The R-2 zoning district requires a minimum of 4 lots to build a single family dwelling unit. The Variance allow the property owner to construct 1 dwelling unit on the 3 lots.

### **RECOMMENDATION:**

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs may allow the reduction in the number of lots. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0148-0160 does not meets the requirements of Section 62-183. Specifically:

 (a) (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section,

There are many locations throughout the Town that property owners do not have enough land to meet the current R-2 zoning. The subject property could be developed for one single family development if it was combined with the parcel to the west. The Planning and Zoning Board identified this as problem and made recommendation to the Town Council to change the lot size requirement with the updated LDRs in the R-2 zoning district.

- (5) The grant of the variance will:
  - 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.

The applicant would not be able to develop the property with a smaller lot size than allowed by Code unless it was combined with the parcel to the west.

(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

The property owner could develop the property without the variance if the subject property was combined with the parcel on the west. The variance request is to allow the building 2 dwelling units on the block, instead of 1 if the parcels are combined on the block, a financial gain to the property owner.

	own of Hilliard ariance Application	FOR OFFICE USE ONLY File # Application Fee:A	
Α.	PROJECT		
1.	Project Name: Single Lot 1		
2.	Address of Subject Property: None Assigned		
3.	Parcel ID Number(s) 08-3N-24-2380-0148-0160		
4.	Existing Use of Property: <b>Vacant platted Lot -</b>	3 lots 25' wide	
5.	Future Land Use Map Designation:		
6.	Zoning Designation:		
7.	Acreage:0.22		
В.	APPLICANT		
1.	Applicant's Status   Owner (title holder)	🗹 Agent	
2.	Name of Applicant(s) or Contact Person(s): <b>Christopher</b>	Goodin	President`
	Company (if applicable): Coastland Group, LLC		
	Mailing address: 200 First Street		
	City: Neptune Beach	State: FL Z	IP: 32266
	Telephone: ( 91)9-671-5825 FAX: ( )	e-mail: <b>cgoodin@coa</b>	stlandgroup.com
3.	If the applicant is agent for the property owner*:		
	Name of Owner (title holder): CCRC Woodlands LTD		
	Company (if applicable):		
	Mailing address: 4223 Lakeside Drive		
	City: Jacksonville	State: <b>FL</b> Z	IP: 32210
	Telephone: () FAX: ()	e-mail:	
	* Must provide executed Property Owner Affidavit authorizing the a	agent to act on behalf of the propert	y owner.

Town of Hilliard \$15859 C.R. 108 \$ Hilliard, FL 32046 \$ (904) 845-3555 Page 1 of 3

#### C. STATEMENT OF VARIANCE SOUGHT

- 1. Requested Variance: \_\_\_\_\_ Reduce minimum lot width
- 2. Section of Town Code under which the variance is sought Section 62-284 (c) (1)
- 3. Reason Variance is requested: To construct a home on 3 lots (75' wide)
- 4. Statement of Facts for Requested Variance (Use additional pages if necessary)

(PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY. THESE FACTS WILL BE USED BY THE STAFF TO MAKE A RECOMMENDATION AND THE PLANNING AND ZONING BOARD IN MAKING THEIR DECISION)

a. Extraordinary and Exceptional Conditions- What are the extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought, that do not generally apply to other land or structures in the same district?

Additional lots are not available, and lot is unable to be built on without a variance.

b. Not Result of Action by Applicant- Why are the special circumstances not the result of the actions of the applicant?

Ver	cy ol	Ld :	pla	tted	lots	of :	record,	and	ne	eighbors	are	either	unwilling
to	sell	Lo	r I	have	not	bee	n able	to ge	et	in-touch	wit	h them.	•

c. No Special Privilege- Does the granting of the variance confer any special privilege on the applicant that is denied to other lands or structures in the same zone district?

No

d. Strict Application Deprives Use-Would the strict interpretation of the Town Code to this property effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship?

Yes, without the variance this lot is not buildable

Minimum Variance- Is the variance the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of the Town Code?
 Yes, I only requesting to build on a 75' wide lot and no less.

f. Not Detrimental-Is the granting of the variance detriment to the adjacent land, and the character of the zoning district in which the land is located?

Will meet all other zoning requirements.

- D. ATTACHMENTS (One hard copy or one copy in PDF format)
  - 1. Copy of Warranty Deed or other proof of ownership
  - 2. Legal description
  - 3. Survey of the property
  - 4. Site plan of the property indicating setbacks, proposed construction and requested variance.

### F. FEE.

1111

Residential property - \$300 Non- residential - \$500

a. The Cost of postage, signs, advertisements, and outside consultants are in addition to the application fee.b. The applicant is responsible to pay the cost of the advertisement and signs.

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary 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.

<u>All 4 attachments are required for a complete application.</u> 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:

CLOBOL	
Signature of Applicant	Signature of Co-applicant
Christopher Goodin, president Typed or printed name and title of applicant	Typed or printed name of co-applicant
Z/24/22 Date	Date
State of Florida County of	Duval
The foregoing application is acknowledged before me this 2	day of February, 2022, by christopher
. who is/are personally known to me or as identification.	who has/have produced
NOTARY SEAL	_l_
Signatu	re of Notary Public, State of Florida
Notary Public State of Floride Sarah A. Callaway My Commission GG 967948 Emission 06/46/0021	. 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555
Expires 06/13/2024 Down of Hilliard +15859 C.R.	Page 3 of 3

Revised 2/9/2022

## ADDRESS: WEST SECOND AVENUE

BEING LOTS 16-18, BLOCK 148, ACCORDING TO THE PLAT OF TOWN OF HILLARD, RECORDED IN PLAT BOOK 1, PAGE 23 THE PUBLIC RECORD OF NASSAU COUNTY, FLORIDA.

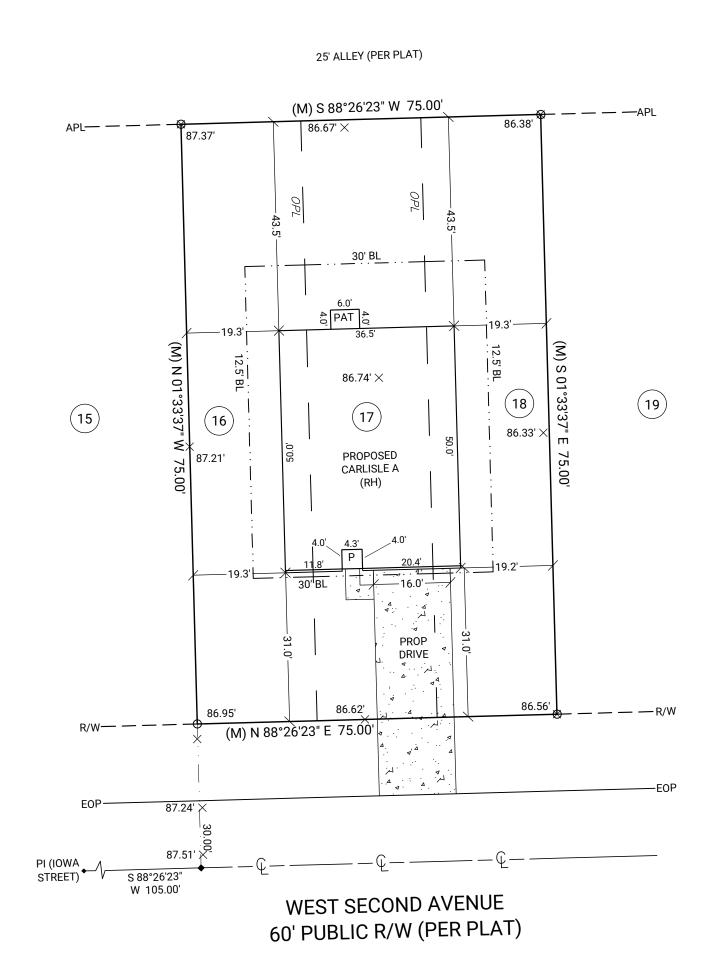
AREA: 9,375.00 S.F. ~ 0.215 ACRES



NORTH

ASSUMED

GRAPHIC SCALE: 1" = 20'



1. Bearings shown hereon are based Florida State Plane West Zone (0902) derived from static GPS observations recorded on (01/16/2022).

- 2. Elevations shown hereon are based on NAVD 88 GEOID-12A derived from static GPS observations recorded on (01/16/2022).
- This property lies within flood zone X according to FEMA FIRM #: 12089C0135F, effective on 12/17/2010. (NAVD 88)
   This plat has been calculated for closure and is found to be accurate within one foot in 10,000+ feet.

PTPoint of TangencyPIPoint of IntersectionPCPoint of CurvatureA/CAir ConditioningCONCConcretePPorchPATPatio	TBMTemporary BenchmarkPPPower PoleCRCommunity RiserOPLOriginal Property Line-X-FenceTPEDTelephone PedestalSSStop Sign	LAN Lanai ABOC Approximate Back of Curb CP Covered Patio DE Drainage Easement UE Utility Easement PROP Proposed FFE Finished Floor Elevation	TOF Top of Form BL Building Line R/W Right of Way SF Square Feet APL Approximate Prope EOP Edge of Pavemen -€- Center Line	erty Line ↓ Set ● Fou A Found t ↓ Not	ar to be set 1/2" Rebar (LB#8075) nd Rebar nd Mag Nail To Scale inage Flow	
SUB: Town of Hillard LOTS: 16-18 BLOCK: 148 Section 8, Township 3 North, Range 24 East City of Cape Coral, Nassau County,Florida		<b>R + CLARK</b>	237 Aucilla Road Monticello, FL 32344 www.carterandclark.com LICENSED BUSINESS # 8075	LS7135	PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER WAYNE CLARK, FLORIDA CERTIFICATE NO. LS 7135	
PLOT PLAN FOR: CENTURY COMPLETE	Carter & Clark Land Surveyors is unabl that are illustrated on the subdivision restrictions of record. Adjoiners show easements have not been field verified construction (if applicable). Dimension	plat. This property may be subject to a n are per plat of record. The existence d by surveyor. Contact utility contracto	dditional easements or of utilities within utility r for location prior to	Surveyor and internet	Christopher W Clark Brite de la construction de la	
FIELD WORK DATE: 01/16/2022 PLAT DATE: 01/28/2022 20220106440 CC JAX FC: S.D.	construction (if applicable). Dimensions from house to property lines should not be used to establish fences. This plat is for exclusive use by client. Use by third parties is at their own risk. The field data upon which this plat is based has a closure precision of one foot in 10,000+ feet and an angular error of 7 seconds per angle point and was adjusted using the compass rule. Equipment used: Leica Total Station- 12. Additions or deletions to survey maps or reports by other than the signing party or parties. I HEREBY CERTIFY THAT THE BOUNDARY SURVEY DEPICTED HEREON WAS CONDUCTED BY PERSONS UNDER MY DIRECT SUPERVISION AND MEETS OR EXCEEDS THE STANDARDS OF PRACTICE ESTABLISHED BY THE STATE OF FLORIDA AS OUTLINED IN 5J-17 FAC.					

# **Property Ownership Affidavit**

Date: Tuesday, February 2, 2021

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

**Re: Zoning & Permitting of Multiple Parcels** 

Gentlemen:

I, John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest, hereby certify that I am an Owner/Representative of the property described in the attached legal description, in connection with re-zoning and filing applications for all applicable agencies to include but not limited to Town of Hilliard, Nassau County, SJRWMD, and ACOE/DEP.

Ed T. Cmy

Print: John T. Cassidy, Sr.

STATE OF <u>FLORIDA</u> COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this \_\_2nd\_ day of \_February\_, 2020, by

He/She (check one) (\_X\_) is personally known to me, or (\_\_\_\_) has produced a valid driver's license as identification

TSEAL) Notary Public, State of \_\_\_\_\_ and county aforesaid

Name: \_\_\_\_\_\_ and county aforesaid Name: \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_ My Commission Number is: \_\_\_\_\_



## AGENT AUTHORIZATION

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

RE: AgentAuthorization for the sites located below:

RE #: 08-3N-24-2380-0178-0090; 08-3N-24-2380-0178-0180; 08-3N-24-2380-0178-0030; 08-3N-24-2380-0176-0070; 08-3N-24-2380-0159-0200; 08-3N-24-2380-0165-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0136-0130; 08-3N-24-2380-0136-0030; 08-3N-24-2380-0139-0010; 08-3N-24-2380-0139-0200

To Whom It May Concern:

You are hereby advised that the undersigned is the owner/representative of the referenced property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Coastland Group, LLC to act as agent to file application(s) for the above referenced site location/property address and in connection with such authorization to file such applications, papers, documents, request; and other matters necessary for such requested change.

John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest **Signature of Owner** 

\_John T. Cassidy, Sr.\_\_\_\_\_ Print Name

\_904-924-9624 EXT. 118\_\_\_\_\_ Telephone Number

STATE OF <u>FLORIDA</u> COUNTY OF <u>DUVAL</u>

The foregoing instrument was acknowledged before me this \_\_2nd\_\_\_\_ day of \_\_\_February\_\_\_, 2020,

by  $T_{h}$  Cassidy Sr He/She (check one) (X) is personally known to me, or (\_\_\_\_) has

produced a valid driver's license as identification.

(SEAD) Notary Public, State of

otary Public, state of \_\_\_\_\_ and county aforesaid

Name:

My Commission Expires: \_\_\_\_\_

My Commission Number is:



# **GENERAL AUTHORIZATION LETTER**

### TO WHOM IT MAY CONCERN:

I hereby certify that I have Read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

# Please print:

Name of Owner(s): CCRC WOODLANDS, LTD. and The Carol T. Cassidy Trust by: John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

Address of Owner(s):

# \_4223 Lakeside Drive, Jacksonville, FL 32210\_

Telephone: \_904-924-9624 EXT 118\_\_\_\_

Name of Agent:

**Tocol Engineering** 

Address of Agent:

714 N Orange Ave. Green Cove Springs, FL 32043

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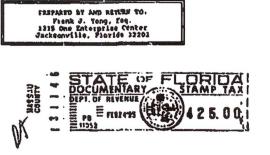
(Owner Signature) John T Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

(Agent Signature)

PLAT OF THE WEST PORTION OF THE TOWN OF	2.3.	
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## FOR RECORDER

# BK 0724 PG 0971 OFFICIAL RECORDS

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: Seo Exhibit "B"

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 Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantee shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

Signed, scaled and delivered in the presence of:

written.

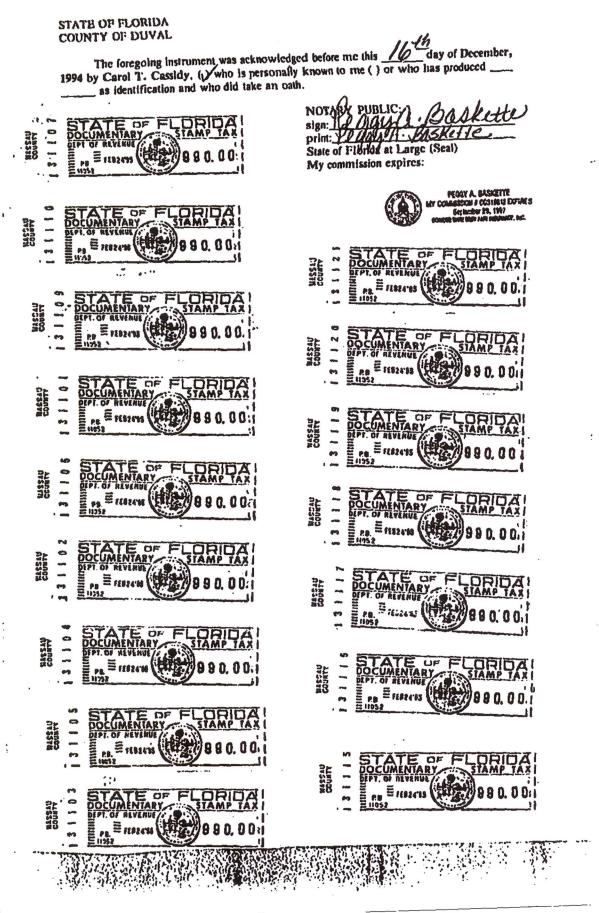
ORTNER

1. Causidy Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

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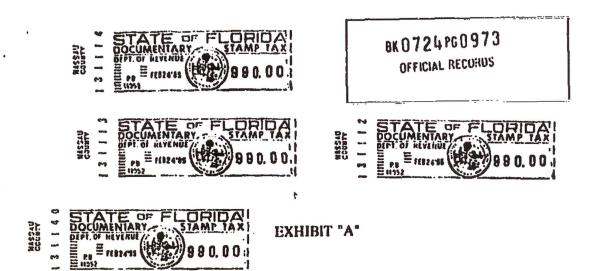
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, incated in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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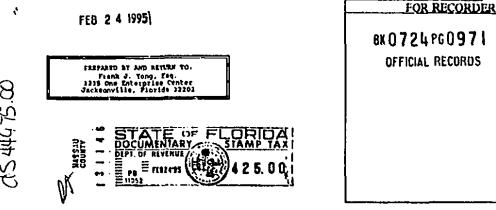
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Parcel ID/Number: 08-3N-24-2380-0148-0160

Short Legal (from Nassau County Property Appraiser): BLOCK 148 LOTS 16 17 & 18 TOWN OF HILLIARD

Legal Description: BEING LOTS 16-18, BLOCK 148, ACCORDING TO THE PLAT OF THE TOWN OF HILLIARD, RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

ITEM-5



#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: See Exhibit "B"

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise apportaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

And the Grantor hereby covenants with Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantce shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

written.

Signed, scaled and delivered in the presence of:

J. Carsidy Carol T. Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

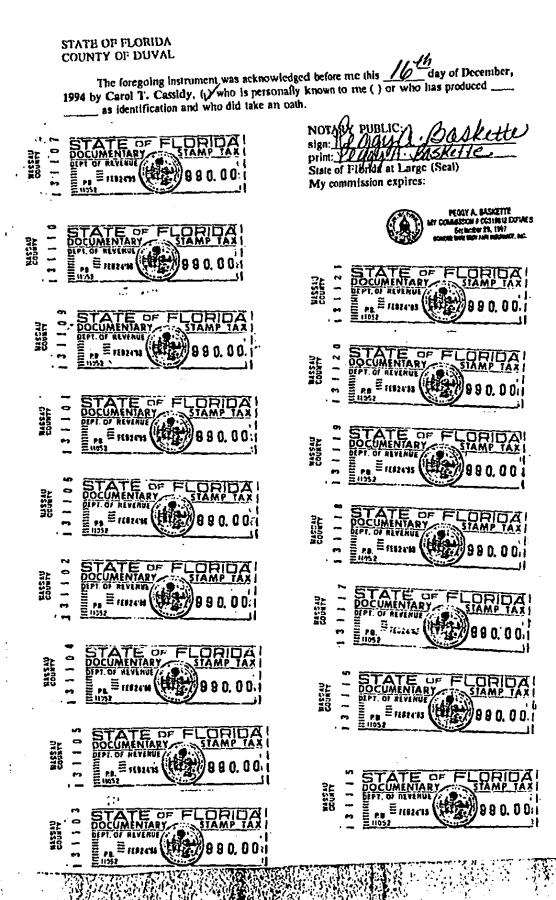


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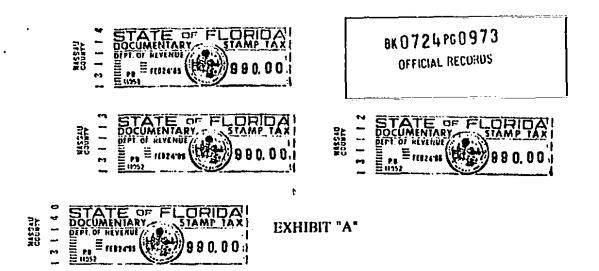
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, located in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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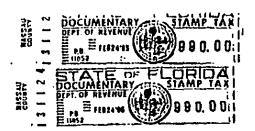
ITEM-5

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05-2N-24-2240-0442-0030	05-21-24-2240-0412-0010	05-21-24-2240-0430-0010	05-2N-24-2240-0397-0010 05-2N-24-2240-0397-0010
05-2N-24-2240-0443-0010 05-2N-24-2240-0444-0010	05-21-24-2240-0413-0010	35-21-24-2240-0430-0220 05-21-24-2240-0431-0010	05-21-24-2240-0398-0010
05-2N-24-2240-0445-0010	05-21-24-2240-0414-0010	05-21-24-2240-0432-0020	05-2N-24-2240-0400-0010
15-211-24-2240-0445-0170	05-21-24-2240-0418-0010	05-21-24-2240-0433-0010	05-2N-24-2240-0401-0010
05-2N-24-2240-0440-0010	05-21-24 2240-0417-0010	05-21-24-2240-0434-0010	05-2N-24-2240-0402-0020
05 2N-24-2240-0447-0010	05-2N-24-2240-0418-0010	05-21-24-2240-0405-0010	05-2N-24-2240-0403-0010
5-2N-24-2240-0448-0010	05-21-24-2240-0419-0010	05-21-24-2240-0438-0010	05-21-24-2240-0404-0010
75-2N-24-2240-0449-0010 75-2N-24-2240-060-0010	05-2N-24-2240-0420-0010	05-21-24-2240 0438-0130	05-21-24-2240-0404-0170
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# BK 0'724PG 0975 OFFICIAL RECORDS

05-21-24-2240-0461-0010	05-21-24-2240-0481-0010	08-3N-24-2380-0183-0010	18-3N-24-2020-0001-0000
05-211-24-2240-0462-0010	05-2N-24-2240-0482-0010	06-3N-24-2300-0176-0020	19-3N-24-2020-0002-0000
05-2N-24-2240-0463-0010	05-2N-24-2240-0483-0010	08-3N-24-2380-0176-0080	19-3N-24-2020-0017-0000
05-2N-24-2240-0464-0010	05-211-24-2240-0484-0010	08-3N-24-2380-0178-0080	20-3N-24-0000-0008-0000
05-2N-24-2240-0455-0010	05-21-24-2240-0485-0010	08-3N-24-2360-0178-0010	20-3N-24-2020-0001-0000
05-2N-24-2240-0458-0010	05-2N-24-2240-0433-0010	06-3N-24-2300-0182-0220	22-3N-24-0000-0002-0000
05-21-24-2240-0457-0010	05-2N-24-2240-0487-0020	08-311-24-2380-0184-0050	22-3N-24-2320-0001-0000
05-2N-24-2240-0457-0130	05-2N-24-2240-0488-0010	08-3N-24-2380-0202-0150	23-3N-23-2020-0024-0000
05-2N-24-2240-0458-0010	05-3N-24-0000-0024-0000	06-31-24-2380-0211-0180	23-4N-23-0000-0009-0000
05-2N-24-2240-0459-0010	05-3N-24-2020-0005-0000	09-31-24-0000-0015-0000	23-EN-23-0000-0010-0000
05-2N-24-2240-0430-0020	03-2N-24-2020-0001-0000	09-3N-24-0000-0023-0000	24-3N-23-2020-0002-0000
05-2N-24-2240-0481-0010	08-2N-24-2020-0028-0000	12-3N-23-0000-0001-0000	25-3N-23-2020-0010-0000
05-2N-24-2240-0402-0010	08-3N-24-0000-0001-0000	12-3N-23-2020-0033-0000	27-3N-24-2020-00-40-0020
05-2N-24-2240-0403-0010	00-3N-24-2020-0002-0000	12-3N-23-2020-0037-0000	29-3N-24-2020-0017-0000
05-21-24-2240-0404-0010	07-3N-24-2020-0001-0000	13-3N-23-2020-0001-0000	30-3N-24-2020-0000-0000
05-2N-24-2240-0496-0010	07-3N-24-2020-0014-0000	14-3N-23-2020-0008-0000	30-3N-24-2020-0013-0000
05-2N-24-2240-0408-0010	06-3N-24-2300-0011-0023	15-31-23-2020-0001-0000	30-3N-24-2020-0024-0000
05-2N-24-2240-0467-0010	08-311-24-2380-0022-0012	18-3N-23-2020-0006-0000	31-3N-24-0000-0001-0000
05-2N-24-2240-0468-0010	08-3N-24-2380-0022-0022	16-3N-23-2020-0017-0000	31-3N-24-2020-0001-0000
05-2N-24-2240-0469-0010	08-3N-24-2380-0039-0014	16-3N-23-2020-0048-0000	31-3N-24-2020-0033-0000
05-21-24-2240-0/69-0240	08-3N-24-2380-0051-0020	18-3N-24-0000-0009-0000	31-3N-24-2020-0051-0000
05-21-24-2240-0170-0010	08-3N-24-2360-0052-0022	16-3N-24-0000-0019-0000	31-41-24-2020-0001-0000
05-21-24-2240-0471-0010	08-3N-24-2380-0005-0010	18-31-24-0000-0020-0000	32-3N-24-0000-0001-0000
05-2N-24-2240-0471-0120	08-3N-24-2380-0105-0140	18-3N-24-2020-0010-0000	32-3N-24-2020-0005-0000
05-21-24-2240-0472-0010	08-3N-24-2380-0118-0100	17-3N-23-0000-0001-0000	343N-23-2040-0003-0000
05-2N-24-2240-0473-0010	08-311-24-2380-0128-0010	17-3N-23-0000-0003-0000	
05-21-24-2240-0474-0010	08-3N-24-2380-0127-0010	17-3N-24-0000-0003-0000	343N-23-2040-0009-0000
05-2N-24-2240-0475-0010	08-3N-24-2360-0129-0040	17-3N-24-2020-0002-0000	35-3N-23-0000-0001-0000
05-21-24-2240-0478-0010	08-3N-24-2360-0138-0010	17-3N-24-2080-0003-0010	30-3N-23-0000-0001-0000
05-21-24-2240-0478-0110	08-3N-24-2360-0136-0040	17-3N-24-2600-0004-0001	05-2N-24-2240-0366-0090
05-21-24-2240-0477-0010	08-3N-24-2300-0139-0010	17-3N-24-2000-0031-0050	18-3N-23-2020-0005-0000
05-21-24-2240-0478-0010	08-3N-24-2380-0139-0200	17-3N-24-2080-0031-0100	
06-21-24-2240-0479-0010	06-3N-24-2330-0146-0010	17-3N-24-2680-0031-0150	
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ITEM-5

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- TO: Planning and Zoning Board Public Hearing & Meeting Date: November 8, 2022 Regular Meeting
- FROM: Janis Fleet, AICP Land Use Administrator
- SUBJECT: Planning and Zoning Board approval to grant Variance No. 20220927-12 to Reduce the Minimum Lot Width and Minimum Lot Area for Parcel ID No. 08-3N-24-2380-0148-0130, for Christopher Goodin/Coastland Land Group, LLC, applicant and CCRC Woodlands, property owner.

**BACKGROUND:** Mr. Christopher Goodin of Coastland Group, LLC agent for CCRC Woodlands, LTD., has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet. The property Tax ID is 08-3N-24-2380-0148-0130, and is described as Block 148, Lots 13 through 15, located on West Second Avenue between Iowa Street and Minnesota Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

The property on the west of the subject property is developed. The property is a corner lot. West of the subject property, there are three vacant lots owned by the same property as the subject property.

Attached is the analysis of the requested variance.

**FINANCIAL IMPACT:** None, the applicant is required to pay all application, advertising, and review fees.

## RECOMMENDATION

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs will allow the reduction in the lot. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0148-0130 does not meets the requirements of Section 62-183.



# AGENDA ITEM REPORT

# STAFF REPORT AND RECOMMENDATIONS FOR VARIANCE 20220927-13

 Owner / Applicant Information: Applicant – Christopher Goodin Coastland Group 200 First Street Neptune Beach, Florida 32266

Owner – CCRC Woodland, LTD. 4223 Lakeside Drive Jacksonville, Florida 32210

- Property Information
   Parcel ID: #08-3N-24-2380-0148-0130
   Location: West Second Avenue at Iowa Street
   Future Land Use Map Designation: Medium Density Residential (MDR)
   Current Zoning: R-2, Single Family district
   Acres: approximately 0.22 acres (9,583 s.f.)
- 3. Description: Mr. Christopher Goodin, on behalf of CCRC Woodland, LTD., property owner has applied for a Variance to reduce the minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,583 square feet. The property Tax ID is 08-3N-24-2380-0148-0130, and is described as Block 148, Lots 13 through 15, on West Second Avenue between Iowa Street and Minnesota Street. The property is zoned R-2 Single Family, which requires a minimum lot width of 90 foot and a minimum lot area of 10,000 square feet to construct a single-family dwelling on the parcel lot.

# Parcel Map

# 08-3N-24-2380-0148-0130





The property owner owns 6 lots in 2 parcels, each parcel with 3 lots, on the block and would like to build 1 dwelling unit on each parcel. A second variance has been applied for the second parcel. As individual parcels, without a variance, neither parcel could be developed. If the parcels were combined, one dwelling unit could be developed meeting the R-2 zoning requirements.

The requirements to grant a Variance is included in Section 62-183 of the Hilliard Town Code. Below is Section 62-183.

### Section 62-183 of the Town Code - 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:
  - The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, 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; 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 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.

The Future Land Use Map (FLUM) designation for the property is Medium Density Residential (MDR), allowing 2 to 6 units per acre, or a minimum lot size of 7,250 s.f. Most of the platted lots in the Town are 25' x 125' or 3,125 s.f. A minimum of three of these sized lots are required to comply with the MDR FLUM category. The R-2 zoning district requires a minimum of 4 lots to build a single family dwelling unit. The Variance allow the property owner to construct 1 dwelling unit on the 3 lots.

### **RECOMMENDATION:**

The reduction of the lot size is being proposed in the proposed Land Development Regulations (LDRS). The updated LDRs may allow the reduction in the number of lots. Staff feels that the Variance request to reduce minimum lot width from 90 feet to 75 feet and the minimum lot area from 10,000 square feet to 9,375 square feet for the property with the Parcel ID No. 08-3N-24-2380-0148-0160 does not meets the requirements of Section 62-183. Specifically:

 (a) (1) The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section,

There are many locations throughout the Town that property owners do not have enough land to meet the current R-2 zoning. The subject property could be developed for one single family development if it was combined with the parcel to the west. The Planning and Zoning Board identified this as problem and made recommendation to the Town Council to change the lot size requirement with the updated LDRs in the R-2 zoning district.

- (5) The grant of the variance will:
  - 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.

The applicant would not be able to develop the property with a smaller lot size than allowed by Code unless it was combined with the parcel to the east.

(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

The property owner could develop the property without the variance if the subject property was combined with the parcel on the east. The variance request is to allow the building 2 dwelling units on the block, instead of 1 if the parcels are combined on the block, a financial gain to the property owner.

	own of Hilliard ariance Application	FOR OFFICE USE ONLY File # Application Fee:A	
Α.	PROJECT		
1.	Project Name: Single Lot 1		
2.	Address of Subject Property: None Assigned		
3.	Parcel ID Number(s) 08-3N-24-2380-0148-0130		
4.	Existing Use of Property: <b>Vacant platted Lot -</b>	3 lots 25' wide	
5.	Future Land Use Map Designation:		
6.	Zoning Designation:		
7.	Acreage:0.22		
В.	APPLICANT		
1.	Applicant's Status   Owner (title holder)	🗹 Agent	
2.	Name of Applicant(s) or Contact Person(s): <b>Christopher</b>	GoodinTitle:	President`
	Company (if applicable): Coastland Group, LLC		
	Mailing address: 200 First Street		
	City: Neptune Beach	State: FL Z	IP: 32266
	Telephone: ( 91)9-671-5825 FAX: ( )	e-mail: <b>cgoodin@coa</b>	stlandgroup.com
3.	If the applicant is agent for the property owner*:		
	Name of Owner (title holder): CCRC Woodlands LTD		
	Company (if applicable):		
	Mailing address: 4223 Lakeside Drive		
	City: Jacksonville	State: <b>FL</b> Z	IP: 32210
	Telephone: () FAX: ()	e-mail:	
	* Must provide executed Property Owner Affidavit authorizing the a	agent to act on behalf of the propert	y owner.

Town of Hilliard \$15859 C.R. 108 \$ Hilliard, FL 32046 \$ (904) 845-3555 Page 1 of 3

#### C. STATEMENT OF VARIANCE SOUGHT

- 1. Requested Variance: \_\_\_\_\_ Reduce minimum lot width
- 2. Section of Town Code under which the variance is sought Section 62-284 (c) (1)
- 3. Reason Variance is requested: To construct a home on 3 lots (75' wide)
- 4. Statement of Facts for Requested Variance (Use additional pages if necessary)

(PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR ABILITY. THESE FACTS WILL BE USED BY THE STAFF TO MAKE A RECOMMENDATION AND THE PLANNING AND ZONING BOARD IN MAKING THEIR DECISION)

a. Extraordinary and Exceptional Conditions- What are the extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of a parcel of land) pertaining to the particular piece of land for which the variance is sought, that do not generally apply to other land or structures in the same district?

Additional lots are not available, and lot is unable to be built on without a variance.

b. Not Result of Action by Applicant- Why are the special circumstances not the result of the actions of the applicant?

Ver	cy ol	Ld :	pla	tted	lots	of :	record,	and	ne	eighbors	are	either	unwilling
to	sel:	Lo	r I	have	not	bee	n able	to ge	et	in-touch	wit	h them.	•

c. No Special Privilege- Does the granting of the variance confer any special privilege on the applicant that is denied to other lands or structures in the same zone district?

No

d. Strict Application Deprives Use-Would the strict interpretation of the Town Code to this property effectively prohibit or unreasonably restrict the utilization of the land and result in unnecessary and undue hardship?

Yes, without the variance this lot is not buildable

Minimum Variance- Is the variance the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest, and which would carry out the spirit of the Town Code?
 Yes, I only requesting to build on a 75' wide lot and no less.

f. Not Detrimental-Is the granting of the variance detriment to the adjacent land, and the character of the zoning district in which the land is located?

Will meet all other zoning requirements.

- D. ATTACHMENTS (One hard copy or one copy in PDF format)
  - 1. Copy of Warranty Deed or other proof of ownership
  - 2. Legal description
  - 3. Survey of the property
  - 4. Site plan of the property indicating setbacks, proposed construction and requested variance.

### F. FEE.

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Residential property - \$300 Non- residential - \$500

a. The Cost of postage, signs, advertisements, and outside consultants are in addition to the application fee.b. The applicant is responsible to pay the cost of the advertisement and signs.

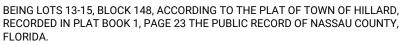
No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity.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

<u>All 4 attachments are required for a complete application.</u> 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.

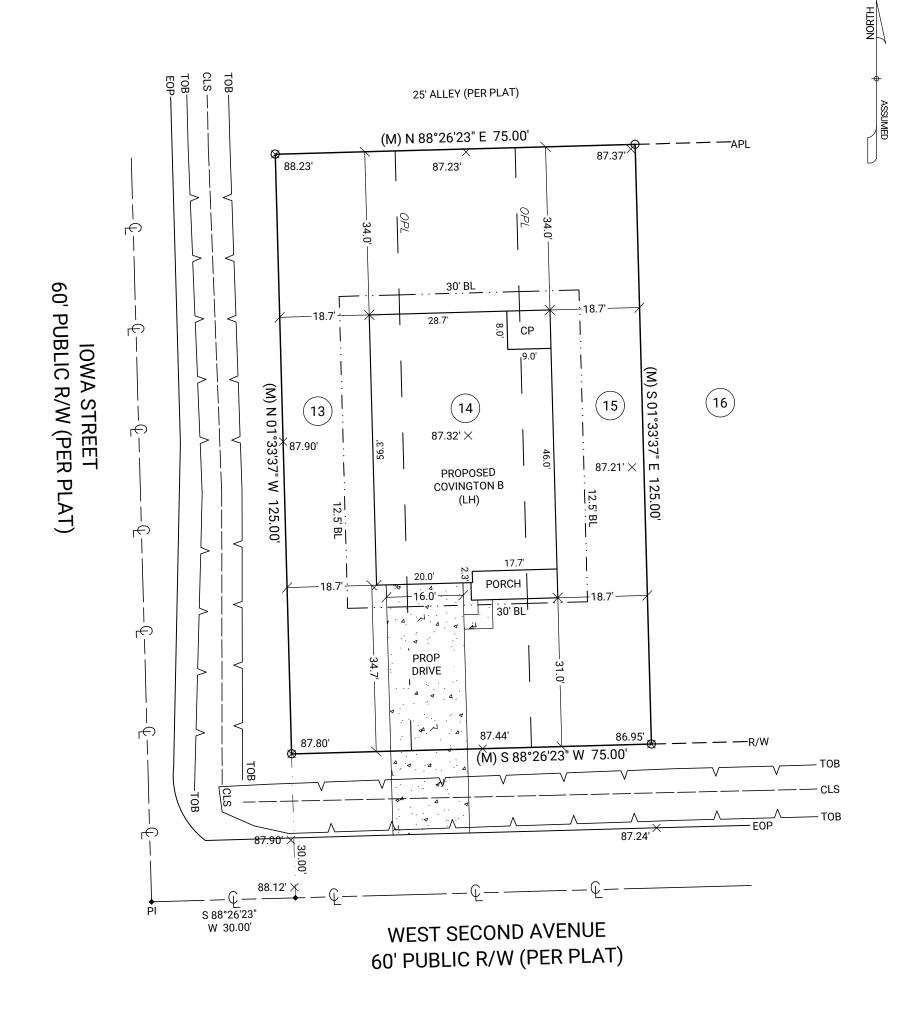
I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

CLOBOL	
Signature of Applicant	Signature of Co-applicant
<u>Christopher</u> <u>Goodin</u> , product Typed or printed name and title of applicant	Typed or printed name of co-applicant
Z/24/22 Date	Date
State of Florida County of	Duval
The foregoing application is acknowledged before me this 21	day of February , 2022, by christopher
. , who is/are personally known to me or as identification.	who has/have produced
NOTARY SEAL	L
Signatur	re of Notary Public, State ofd 。
Notary Public State of Floride Sarah A. Callaway My Commission GG 987948 Expires 08/13/2024	108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555
	Page 3 of 3

## ADDRESS: WEST SECOND AVENUE



AREA: 9,375.00 S.F. ~ 0.215 ACRES



20'

10'

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GRAPHIC SCALE: 1" = 20'

20'

GENERAL NOTES

1. Bearings shown hereon are based Florida State Plane West Zone (0902) derived from static GPS observations recorded on (01/16/2022).

- 2. Elevations shown hereon are based on NAVD 88 GEOID-12A derived from static GPS observations recorded on (01/16/2022).
- 3. This property lies within flood zone X according to FEMA FIRM #: 12089C0135F, effective on 12/17/2010. (NAVD 88)

4. This plat has been calculated for closure and is found to be accurate within one foot in 10,000+ feet.

PTPoint of TangencyPIPoint of IntersectionPCPoint of CurvatureA/CAir ConditioningCONCConcretePPorchPATPatio	TBM Temporary Benchmark PP Power Pole CR Community Riser OPL Original Property Line -X- Fence TPED Telephone Pedestal SS Stop Sign	LAN Lanai ABOC Approximate Back of Curb CP Covered Patio DE Drainage Easement UE Utility Easement PROP Proposed FFE Finished Floor Elevation	TOFTop of FormBLBuilding LineR/WRight of WaySFSquare FeetAPLApproximate PropeEOPEdge of Pavemen $-\mathcal{Q}$ Center Line	erty Line t → N	ebar to be set et 1/2" Rebar (LB#8075) bund Rebar bund Mag Nail ot To Scale rainage Flow
SUB: Town of Hillard LOTS: 13-15 BLOCK: 148 Section 8, Township 3 North, Range 24 East City of Cape Coral, Nassau County,Florida		<b>R + CLARK</b>	237 Aucilla Road Monticello, FL 32344 www.carterandclark.com LICENSED BUSINESS # 8075	LS7135	PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE CHRISTOPHER WAYNE CLARK, FLORIDA CERTIFICATE NO. LS 7135
PLOT PLAN FOR: CENTURY COMPLETE	Carter & Clark Land Surveyors is unabl that are illustrated on the subdivision restrictions of record. Adjoiners show easements have not been field verified construction (if applicable). Dimension	This item has been electronically sign	christopher W Clark enderstand with the second second second by Christopher Clark,		
FIELD WORK DATE: 01/16/2022 PLAT DATE: 01/28/2022 20220106438 CC JAX FC: S.D.	fences. This plat is for exclusive use b upon which this plat is based has a clo of 7 seconds per angle point and was Station- 12. Additions or deletions to s is prohibited without the written conse	PSM on 01/28/2022 using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies. I HEREBY CERTIFY THAT THE BOUNDARY SURVEY DEPICTED HEREON WAS CONDUCTED BY PERSONS UNDER MY DIRECT SUPERVISION AND MEETS OR EXCEEDS THE STANDARDS OF PRACTICE ESTABLISHED BY THE STATE OF FLORIDA AS OUTLINED IN 5J-17 FAC.			

# **Property Ownership Affidavit**

Date: Tuesday, February 2, 2021

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

**Re: Zoning & Permitting of Multiple Parcels** 

Gentlemen:

I, John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest, hereby certify that I am an Owner/Representative of the property described in the attached legal description, in connection with re-zoning and filing applications for all applicable agencies to include but not limited to Town of Hilliard, Nassau County, SJRWMD, and ACOE/DEP.

Ed T. Cmy

Print: John T. Cassidy, Sr.

STATE OF <u>FLORIDA</u> COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this \_\_2nd\_ day of \_February\_, 2020, by

He/She (check one) (\_X\_) is personally known to me, or (\_\_\_\_) has produced a valid driver's license as identification

TSEAL) Notary Public, State of \_\_\_\_\_ and county aforesaid

Name: \_\_\_\_\_\_ and county aforesaid Name: \_\_\_\_\_\_ My Commission Expires: \_\_\_\_\_\_ My Commission Number is: \_\_\_\_\_



# AGENT AUTHORIZATION

Town of Hilliard 15859 C.R. 108 Hilliard, FL 32046

RE: AgentAuthorization for the sites located below:

RE #: 08-3N-24-2380-0178-0090; 08-3N-24-2380-0178-0180; 08-3N-24-2380-0178-0030; 08-3N-24-2380-0176-0070; 08-3N-24-2380-0159-0200; 08-3N-24-2380-0165-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0148-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0127-0010; 08-3N-24-2380-0136-0130; 08-3N-24-2380-0136-0030; 08-3N-24-2380-0139-0010; 08-3N-24-2380-0139-0200

To Whom It May Concern:

You are hereby advised that the undersigned is the owner/representative of the referenced property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Coastland Group, LLC to act as agent to file application(s) for the above referenced site location/property address and in connection with such authorization to file such applications, papers, documents, request; and other matters necessary for such requested change.

John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest **Signature of Owner** 

\_John T. Cassidy, Sr.\_\_\_\_\_ Print Name

\_904-924-9624 EXT. 118\_\_\_\_\_ Telephone Number

STATE OF <u>FLORIDA</u> COUNTY OF <u>DUVAL</u>

The foregoing instrument was acknowledged before me this \_\_2nd\_\_\_\_ day of \_\_\_February\_\_\_, 2020,

by  $T_{h}$  Cassidy Sr He/She (check one) (X) is personally known to me, or (\_\_\_\_) has

produced a valid driver's license as identification.

(SEAD) Notary Public, State of

otary Public, state of \_\_\_\_\_ and county aforesaid

Name:

My Commission Expires: \_\_\_\_\_

My Commission Number is:



# **GENERAL AUTHORIZATION LETTER**

## TO WHOM IT MAY CONCERN:

I hereby certify that I have Read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

# Please print:

Name of Owner(s): CCRC WOODLANDS, LTD. and The Carol T. Cassidy Trust by: John T. Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

Address of Owner(s):

# \_4223 Lakeside Drive, Jacksonville, FL 32210\_

Telephone: \_904-924-9624 EXT 118\_\_\_\_

Name of Agent:

**Tocol Engineering** 

Address of Agent:

714 N Orange Ave. Green Cove Springs, FL 32043

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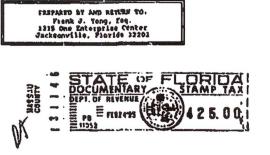
(Owner Signature) John T Cassidy, Sr., as Managing Member of CCRC Woodlands, LTD., as to an undivided 2/3 interest and John T. Cassidy, Sr., as Executor of The Carol T. Cassidy Trust, as to an undivided 1/3 interest

(Agent Signature)

PLAT OF THE WEST PORTION OF THE TOWN OF	STATE of FLORIDA .)
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# FOR RECORDER

# BK 0724 PG 0971 OFFICIAL RECORDS

#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: Seo Exhibit "B"

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 Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantee shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

Signed, scaled and delivered in the presence of:

written.

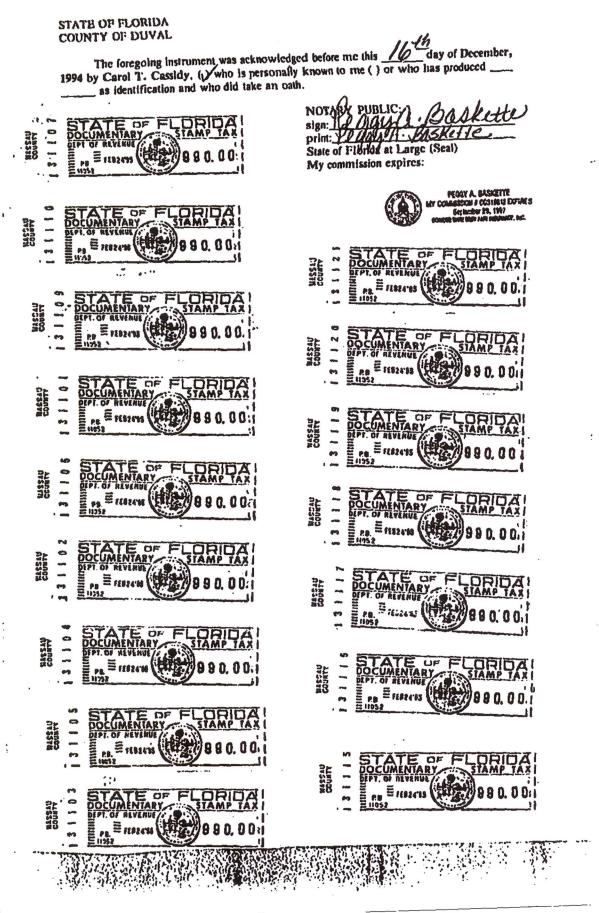
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1. Causidy Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

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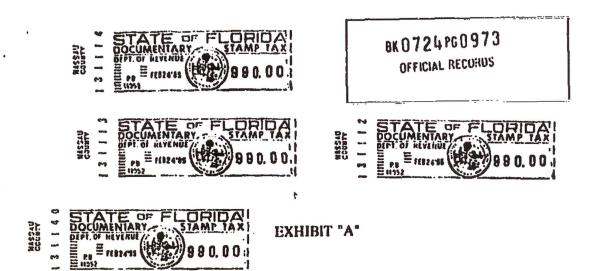
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, incated in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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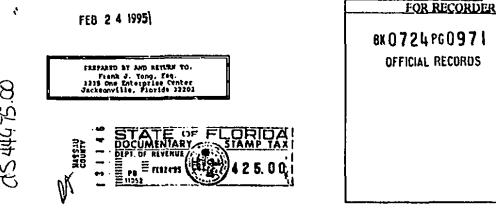
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Parcel ID/Number: 08-3N-24-2380-0148-0130

Short Legal (from Nassau County Property Appraiser): BLOCK 148 LOTS 13 14 & 15 TOWN OF HILLIARD

Legal Description: BEING LOTS 13-15, BLOCK 148, ACCORDING TO THE PLAT OF THE TOWN OF HILLIARD, RECORDED IN PLAT BOOK 1, PAGE 23 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

ITEM-6



#### WARRANTY DEED

THIS WARRANTY DEED made as of the \_\_\_\_\_\_ day of December, 1994, by Carol T. Cassidy, whose address is 4646 Algonquin Avenue, Jacksonville, Florida 32210, hercinafter called the Grantor, to CCRC WOODLANDS, LTD., a Florida limited partnership, whose address is, 6870 Phillips Highway, Jacksonville, Florida 32216-6036, and whose taxpayer identification number is applied for, hereinafter called the Grantee.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of 'I'en Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all that certain real property situate in Nassau County, Florida, described as follows:

See Exhibit "A" Attached

Parcel Identification Number: \_See Exhibit "B"

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise apportaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

And the Grantor hereby covenants with Grantee that, except as set forth below, Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to sell and convey said property; that said property is free from all encumbrances; that Grantce shall have peaceable and quiet possession thereof; and that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WIIEREOF, this deed has been executed as of the date first above

written.

Signed, scaled and delivered in the presence of:

J. Carsidy Carol T. Cassidy

4646 Algonquin Avenue Jacksonville, Florida 32210

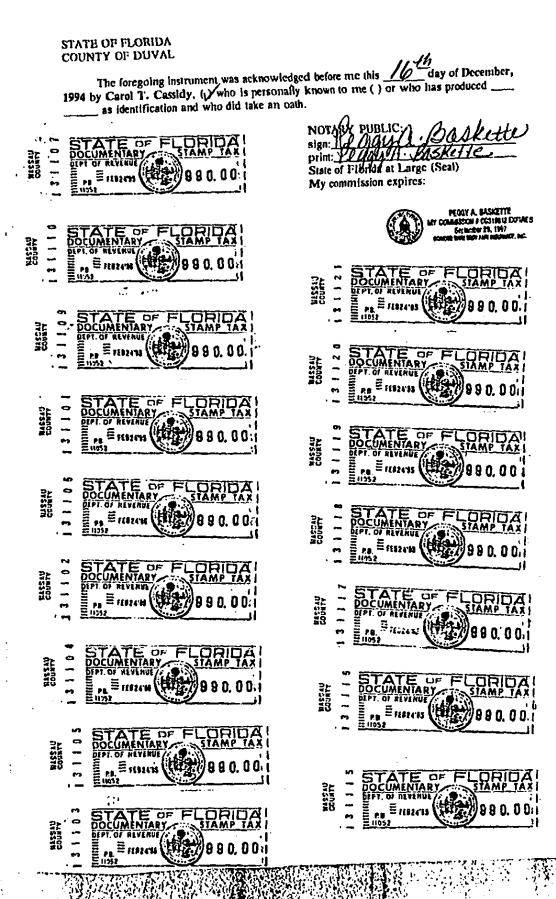


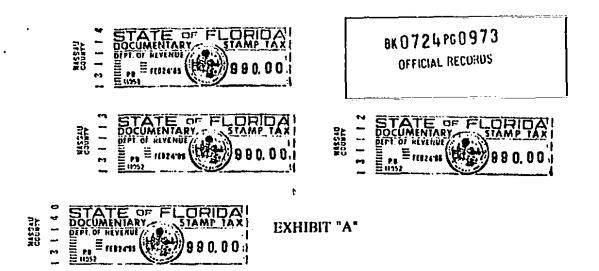
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All of the Grantor's undivided 2/3rds interest in and to all the real property in which Grantor owns an undivided 2/3rds interest located in Nassau County, Florida which includes the parcel identification numbers without limitation as listed in Exhibit "B" and consists of an undivided 2/3rds interest in approximately 12,625.62 acres LESS AND EXCEPT:

The West one-half (1/2) of Lots 63 and 64, CORNWALL SURVEY, located in Section 18, Township 3 North, Range 23 East, Nassau County, Florida.



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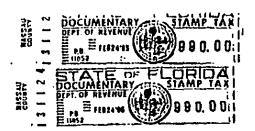
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ITEM-6

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# 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**

Harold "Skip" Frey, Chair Wendy Prather, Vice Chair Charles A. Reed, Board Member Josetta Lawson, Board Member Lee Anne Wollitz, Board Member ADMINISTRATIVE STAFF

Janis Fleet, AICP Land Use Administrator

PLANNING AND ZONING ATTORNEY Mary Norberg

# MINUTES

# TUESDAY, OCTOBER 11, 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 Harold "Skip" Frey Planning and Zoning Board Member Josetta Lawson Planning and Zoning Board Member Lee Anne Wollitz

#### ABSENT

Vice Chair Wendy Prather Planning and Zoning Board Member Charles A. Reed

# CHAIR To call on members of the audience wishing to address the Board on matters not on the Agenda.

## **REGULAR MEETING**

ITEM-1 Additions/Deletions to Agenda

**Planning and Zoning Board Member Lee Anne Wollitz** asks if she needs to add a discussion to the agenda regarding the Board receiving an application packet from Developer Marcus Holley.

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Land Use Administrator Janis Fleet states she will bring that up at the end of the meeting with Planning and Zoning Board Attorney, Mary Norberg, and explain.

No additions or deletions to the agenda.

ITEM-2 Planning and Zoning Board approval of the Minutes from the September 13, 2022, Public Hearing and Regular Meeting.

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

Voting Yea: Chair Frey, Planning and Zoning Board Member Lawson, Planning and Zoning Board Member Wollitz

## **ADDITIONAL COMMENTS**

# PUBLIC

No public wish to address the Board.

#### **BOARD MEMBERS**

No comment from Board members.

#### LAND USE ADMINISTRATOR

Land Use Administrator Janis Fleets asks Planning and Zoning Attorney Mary Norberg to explain that items that will be on the agenda need to be reviewed by staff before being presented to the Planning and Zoning Board. After being reviewed by staff and uploaded to the Town's website via the agenda packet, the information needs to be presented to all Board Members and to the public at the same time. Land Use Administrator Janis Fleet further states that it is a violation of Sunshine Law that the Board Members accepted the packet before she was allowed to review the items.

# PLANNING AND ZONING ATTORNEY

**Planning and Zoning Attorney Mary Norberg** states that according to Chapter 62-33, Powers and Duties of the Land Use Administrator's Office, Janis Fleet is correct and that all applications should go through the Land Use Administrator and not be given directly to the Planning and Zoning Board Members.

**Jared Wollitz, 37255 Ingham Road, Hilliard,** states that it is not a violation of Sunshine Law for the Board to receive a packet from an applicant, but rather a Disclosure of Ex-Parte Communication.

# ADJOURNMENT

Motion to adjourn at 7:18 p.m.

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

Voting Yea: Chair Frey, Planning and Zoning Board Member Lawson, Planning and Zoning Board Member Wollitz

Approved this 8<sup>th</sup> day of November 2022, by the Hilliard Planning & Zoning Board, Hilliard, Florida.

Skip Frey, Chair Hilliard Planning & Zoning Board