



NASSAU COUNTY
Planning Department
FLORIDA

March 4, 2025

NASSAU COUNTY PLANNING AND ZONING BOARD

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FH24-004

Perry
Family
Hardship

Request:

Approval of Family Hardship Development

Applicants:

Michael and Donna Perry

Location: 95373 Barnwell Road

Parcel Size: 1.6 acres

Commission District: 1

FH24-004

Perry
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Hardship



Location

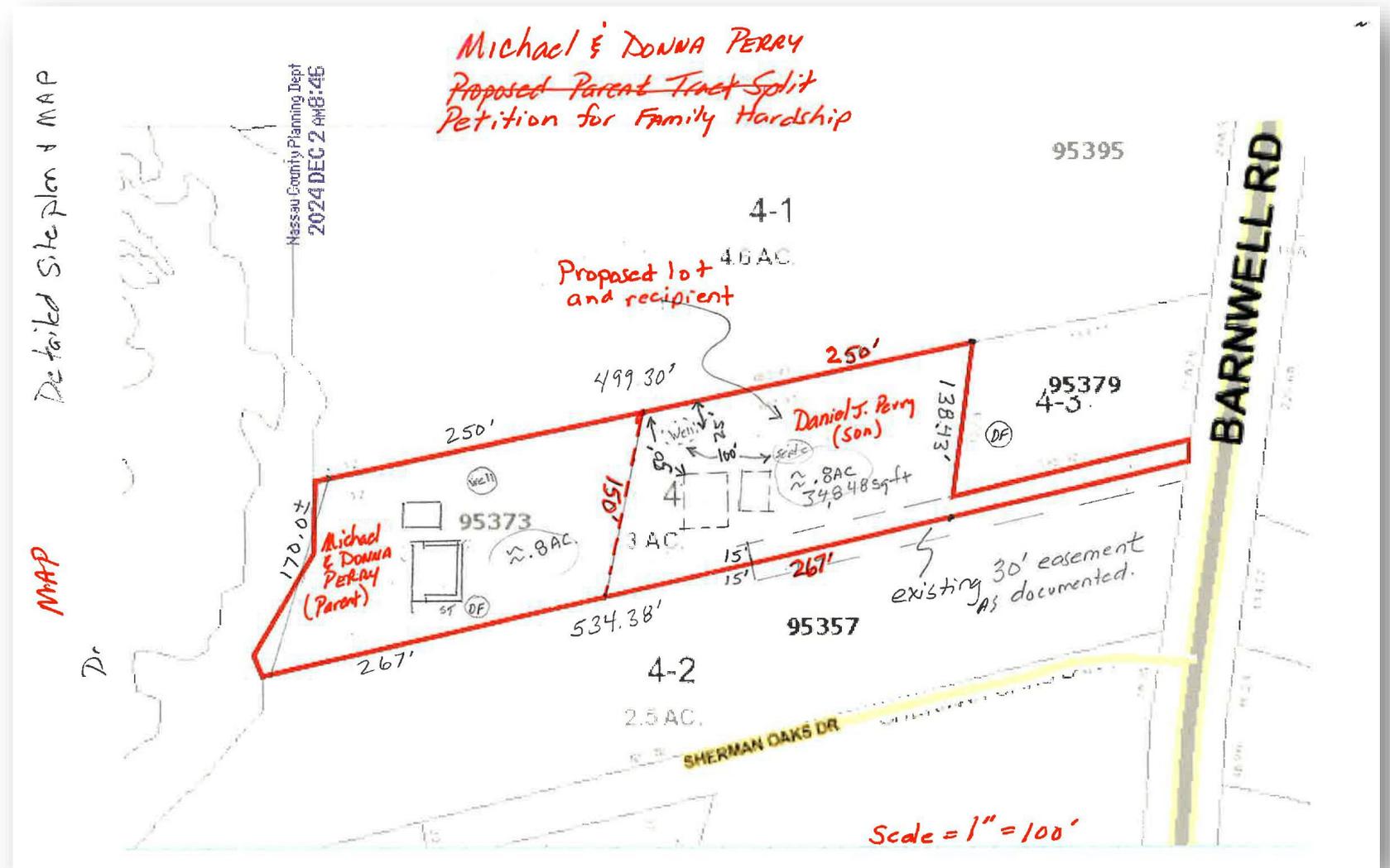
95373 Barnwell Road

Approximately 1.8 miles
north of State Road 200

West side of Barnwell Rd

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Applicant proposes to divide 1.6-acre parcel into two 0.8-acre parcels. The new parcel at the front of their property will be transferred to their son, Daniel Perry, for the purpose of establishing a homestead.

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Pursuant to LDC Article 32, Definitions, a parent tract may be divided once without complying with subdivision regulations (paving, drainage, etc.) provided:

- it meets minimum lot and yard requirements of the zoning district;
- does not exceed comprehensive plan residential density limitations; and
- meets minimum lot frontage requirements.
- **Any further division of a parent tract shall be deemed to be a subdivision and must comply with the subdivision regulations.**

Chapter 29, Section 29-3(2), Exemptions, Family Hardship
Criteria for Consideration

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- 1) Lots must meet minimum lot size requirement of zoning district. Property is zoned Residential Single Family 1 (RS-1) requiring a minimum lot size of 0.25 acre. Land use designation is Low Density Residential (LDR) requiring a max density of 2 dwelling units per acre. Both new lots are greater than 0.25 acre in size and are consistent with RS-1 and LDR districts.
- 2) Lots must have a minimum 60' access easement. Both parcels will be accessed by an existing 30' easement for ingress, egress, and utilities. The easement shall be extended to the rear lot.
- 3) Deed of conveyance including required language must be executed and presented at building permit. The proposed deed meets requirements and will be submitted upon application of building permit.

Chapter 29, Section 29-3(2), Exemptions, Family Hardship
Criteria for Consideration

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- 4) Person applying for hardship and each new property owner must sign hold harmless indemnification agreements with Nassau County.
Hold harmless agreements have been submitted and signed.
- 5) All lots must be transferred to an immediate family member.
The proposed new lot owner (child) has completed the required Family Member Affidavit for Family Hardship.
- 6) Covenants must be prepared and recorded to include provision that property is a family hardship development for conveyance to family members only and lots cannot be further subdivided.
Proposed covenants meet requirements and are included on the deed for the new parcel.

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Conclusion and Recommendation

The request is consistent with Nassau County Codes of Ordinances:

- Chapter 29, Section 29-3(2), Family Hardship
- LDC Article 9, RS-1 Zoning District
- Comprehensive Plan Policy FL.01.02(B) LDR Land Use

Staff recommends APPROVAL of FH24-004.