



NASSAU COUNTY
DEPARTMENT OF PLANNING
AND ECONOMIC OPPORTUNITY
FLORIDA

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APPLICATION AND INSTRUCTIONS FOR MINOR DEVELOPMENT

Minor Development: Developments allowable in Open Rural (OR) zoned areas that provide for creation of lots or parcels, utilizing a sixty foot (60') easement or road and that provides for the creation of up to eight (8) 5-acre minimum lots or parcels. Minor Developments are exempt from the requirements of Section 4 and Section 5 of Chapter 29 of the Nassau County Code of Ordinances, except for Section 5.4. Minor Developments are subject to the requirements of Section 11.2.3 of Ordinance 2017-05. Lots contained in Minor Development cannot be further subdivided. Minor developments are not permitted on County maintained dirt roads.

-Chapter 29 Section 3 of the Nassau County Code of Ordinances describes the requirements for Minor Developments-

General Process:

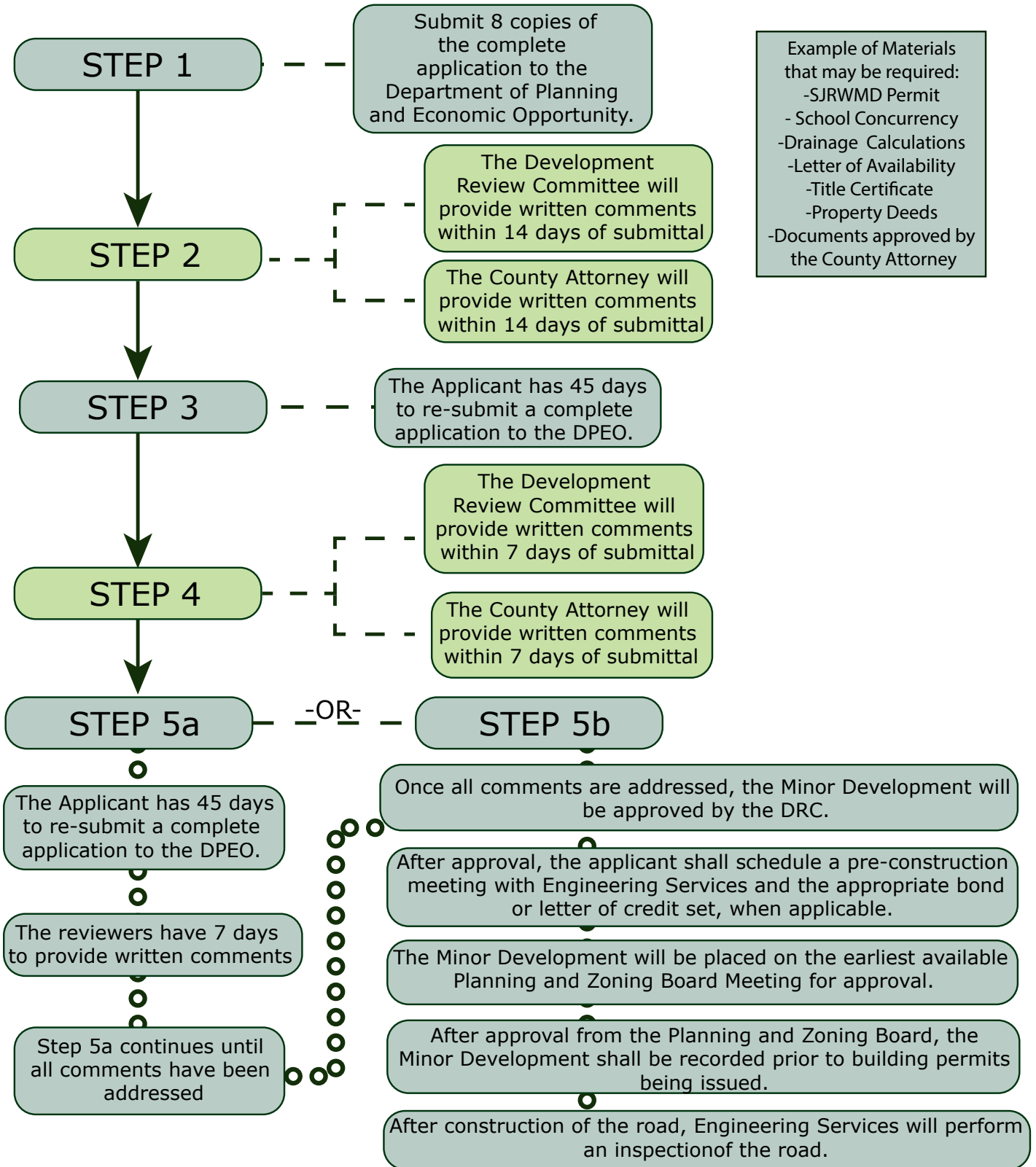
1. A complete package including the application and required materials shall be filed with the Department of Planning and Economic Opportunity. 8 copies of the full application must be submitted.
2. If the application is complete, the Department of Planning and Economic Opportunity will distribute the application to the Development Review Committee and the County Attorney for review. The Development Review Committee and County Attorney will review and provide comments to the applicant. If there are no comments, the application will be approved at the next Development Review Committee meeting. If there are comments, the applicant will have to re-submit. *The flow chart, Minor Development Process, on Page 2 describes this process.*
3. Once approved by the Development Review Committee, the applicant shall be schedule a pre-construction meeting with the Public Works Director and Nassau County Engineering Services shall be scheduled, and the appropriate bond or letter of credit established as necessary. Contact Engineering Services at (904) 530-6225 for more details.
4. The Minor Development will be placed on the earliest available Planning and Zoning Board Meeting for approval, the established bond or letter of credit, when applicable, must be submitted to Engineering Services at least 3 days prior to the Planning and Zoning Board Meeting.
5. Once roadway construction is complete, it will be inspected by Public Works Director or his designee to ensure the roadways are built to standards set forth by Ordinance 99-17, as amended (Section 29.3.1.4, Nassau County Code of Ordinances).
6. The Minor Development must be recorded with the Nassau County Clerk's office prior to any building permits being issued.

Note: If any inaccuracies exist between this application and the codified regulations, the codified regulations shall be followed.

March 17, 2017

Minor Development Process

A Minor Development allows parcels located in the in Open Rural (OR) Zoning District to subdivide into a maximum of eight (8) 5-acre minimum lots. These lots must have a maximum density of one (1) dwelling unit per 5-acres. All lots or parcels established in the minor development must have a minimum of one-half (0.5) acre of uplands or twenty-thousand (20,000) square feet of contiguous building area. Minor Developments are not permitted on County maintained dirt roads.



Property Location

Parcel Identification Number - _____

Location or Address - _____

Property Owner

Name: _____

Address: _____

Telephone #: _____

E-Mail: _____

Agent

Name: _____

Address: _____

Telephone #: _____

E-Mail: _____

(Owner Authorization Required, Separate Sheet)

Brief Description of the Proposed Project

1. Required Attachments (this is a general list, additional documents may be required – see Chapter 29 Section 3 for full requirements):

- a. Certified Boundary Survey showing 60' easement and roadway name, individual lots, all other easements, building setbacks, wetland inventory (NWI) and required buffers
- b. Legal description
- c. Road Construction Plan prepared by a licensed engineer
- d. Developer maintenance document, approved by the County Attorney
- e. Resident maintenance document, approved by the County Attorney
- f. Title Certificate
- g. Review Fee
- h. Deeds for all properties
- i. Indemnification agreement, when applicable
- j. Digital copy of the survey with all property lines show (State Plane/Digital Media NAD83)

2. Applicant must address review criteria. Responses attached/depicted.

Signature of Owner: _____

Signature of Applicant: _____

Signature of Agent: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

NOTE: If prepared or signed by an agent, a notarized Agent Authorization Form must be provided.

REQUIREMENTS FOR APPLYING FOR A MINOR DEVELOPMENT

It is essential that all the information provided is accurate. Incorrect information can delay or nullify the application process. Use the Department of Planning & Economic Opportunity forms that are available for download at www.nassaucountyfl.com under Departments, Planning & Economic Opportunity, Downloadable Application forms. Please attach additional sheets as needed, using 8½" x 11" size paper, typed or printed legibly and identifying each question on the application.

The **Parcel Identification Number** is an eighteen (18) digit number defining your particular piece of property. This number is located in the top center of your property tax receipt or can be acquired from the Property Appraiser's Office or website at www.nassauflpa.com.

The legal description of the parcel of land upon which the Minor Development Easement is sought shall be as shown on the deed of the property, or as may be determined on a survey. Additionally, a deed should be submitted for all lots and easements within the Minor Development. Use the metes and bounds description as shown on the deed or survey. A reference to the Township, Range, or Deed Book will not be sufficient; **A .TXT file of the metes and bounds description of the boundaries of the property is required.**

Provide the name and address of the owner or owners of the property. Such owners' name should agree with the recorded deeds.

Chapter 29 Section 3.1.1:

A Minor Development allows properties in Open Rural (OR) Zoning to subdivide into a maximum of eight (8) 5-acre minimum lots. These lots must have a maximum density of one (1) dwelling unit per 5-acres. All lots or parcels established in the minor development must have a minimum of one-half (0.5) acre of uplands or twenty-thousand (20,000) square feet of contiguous building area. All lots created shall be conforming lots. A Minor Development must comply with the following criteria:

- i. Creation of a sixty-foot (60') easement, with the roadway within the easement being twenty-four feet (24') wide, connecting each lot to a county or state maintained road. This is not applicable if the parcel has access by means of county or state road frontage. The roadway, within the easement, must meet the requirements as set forth in the Roadway and Drainage standards, Article 11, Ordinance No. 99-17.
- ii. Deeds conveying parcels within a Minor Development must include the following disclaimer in bold, capital ten point type.
"THE PARCEL OF LAND DESCRIBED IN THIS DEED IS NOT A PART OF A PLATTED SUBDIVISION REVIEWED AND APPROVED BY NASSAU COUNTY. NO GOVERNMENTAL AGENCY, INCLUDING NASSAU COUNTY, SHALL EVER BE RESPONSIBLE FOR THE MAINTENANCE, UPKEEP OR IMPROVEMENT OF ANY PRIVATE DRIVES, ROADS, EASEMENTS OR RIGHTS-OF-WAY PROVIDING INGRESS AND EGRESS TO THE PROPERTY HEREIN CONVEYED. DEPENDING ON THE STATE OF MAINTENANCE OF ACCESSWAYS, EMERGENCY RESPONSE TIMES MAY BE ADVERSELY AFFECTED. FIRE HYDRANTS ARE NOT AVAILABLE FOR FIRE SUPPRESSION. MAINTENANCE OF THE PRIVATE DRIVES, ROADS, EASEMENTS OR RIGHTS-OF-WAY ARE THE RESPONSIBILITY OF THE LAND OWNERS WHOSE PROPERTY IS ACCESSED. THIS PROPERTY IS NOT A PART OF A DEVELOPMENT WITH AN APPROVED STORMWATER MANAGEMENT SYSTEM. NEITHER THE COUNTY OR ANY OTHER PUBLIC AGENCY IS RESPONSIBLE FOR PROVIDING STORMWATER MANAGEMENT OR FLOOD CONTROL."
- iii. The five-acre minimum lots or parcels shall not be further divided or split. No building permits shall be issued for any lots or parcels within the Minor Development that have been divided and/or conveyed within the original 5-acre minimum lots or parcels. Each deed referenced in (b) above, must also include contain language that indicates that the 5-acre minimum lots/parcels cannot be further divided or split.
- iv. Copies of each deed must be submitted to the Planning and Economic Opportunity Department and the Building Department. No building permit shall be issued without a copy of the recorded deed being presented to the department with language contained in (b) above.
- v. Dead end streets, easements, rights-of-way or roads are not permitted. All of the listed access ways shall terminate in cul-de-sac or other alternative approved by the Development Review Committee (DRC).

Chapter 29 Section 3.1.2:

All land owners that do not have direct access to a public road must sign a hold harmless indemnification agreement with Nassau County acknowledging that access to said parcel is strictly a private legal matter between the land owner and the person or entity that sold said lot or parcel and the other lot/parcel owners within the development and that Nassau County does not assert any opinion as to the legal validity, usability or practical access to said parcel; further that the land owner shall indemnify and hold harmless Nassau County, its Board of County Commissioners (BOCC), officers, employees and agents from any and all legal causes of action, losses, damages or claims of any kind whatsoever arising out of the lack of access for emergency services, police protection or other public services to said parcel. This indemnification, hold harmless agreement shall be on a form approved by the Nassau County Attorney, and shall be recorded in the Official Public Records of Nassau County, shall run with the land and shall be binding on the land owner, his/her heirs, successors and assigns.

Chapter 29 Section 3.1.3:

The application for a Minor Development shall be filed with the Planning and Economic Opportunity Department. The DPEO will distribute the materials to the Development Review Committee (DRC). The DRC has 14 days to review the application and provide the applicant with comments, should there be any. The applicant will have 45 days to re-submit for DRC re-review. The re-review will be based on satisfaction of initial comments, however, new comments may be forthcoming if there are design changes that do not comply with the code. The DRC has 7 days to re-review the application. Once all comments have been addressed, the DRC will place the application on the agenda for approval. Upon approval by the Development Review Committee, it shall be placed on the earliest available Planning and Zoning Board for final approval.

When considering Minor Development requests, the Development Review Committee shall make a written finding that the minor development satisfies the criteria listed in Chapter 29, Section 3.1.3(a)(i-ix) – Minor Development of the Nassau County Zoning Ordinance. Questions i-ix refer to the review criteria. Please address the criteria as completely as possible.

Chapter 29 Section 3.1.4:

Upon completion of construction, the roadway within the easement, a Florida licensed engineer shall certify that the access roadway and cul-de-sac (if applicable) meets or exceeds the standards set forth in Section 11 of Ordinance No. 99-17, as amended. The Director of Public Works or his designee shall independently inspect and approve the road. No building permits shall be issued to lots/parcels within the development without a certification as to the road and approval by the Director of Public Works or his designee.

Minor Developments and Rural Subdivisions that connect to other Minor Developments or Rural Subdivisions shall trigger the upgrade of the road within the Minor Development and Rural Subdivision to the appropriate standard. The developer/owner that connects to a Minor Development or Rural Subdivision is responsible to upgrade the roads within the Minor Development or Rural Subdivision. The procedure to connect to a Minor Development requires Development Review Committee review and Planning and Zoning Board approval (reference Chapter 29 Section 5.4).

Minor Development Criteria (Section 3.1.3 (a)):

- i. A certified boundary survey of the proposed Minor Development completed by a surveyor registered in the State of Florida. This survey shall indicate the 60' easement, cul-de-sac (if applicable) and the individual lots/parcels within the property boundary. The survey shall also include State Plane Coordinates in a fully rotated digital format consistent with Section 4.6 in Chapter 29 of the Nassau County Code of Ordinances. See Appendix A, attached to this application, for additional information regarding Section 4.6.
- ii. A road construction plan, prepared by an engineer licensed in the State of Florida, that indicates that the roadway and cul-de-sac (if applicable) within the access easement will be constructed to standards as set forth in Section 11.1 (Ordinance No. 99-17, as amended).
 - a) The Plan must include a drainage system and drainage easement and utility easements, if necessary approved by the Development Review Committee (DRC).
 - b) Developers or sellers of the lots are responsible for maintenance of the road until the last Lot or Parcel is sold and shall provide a document indicating that the developers or sellers are responsible for maintenance of the road until the last Lot or Parcel is sold. They shall provide a document indicating that they (the developers or sellers) are responsible for maintenance of the road until the last Lot or Parcel is sold, and the said document shall be approved by the County Attorney prior to the sale of any lots or parcels and shall be recorded.
- iii. A document, approved by the County Attorney that indicates that the property owner or owners are responsible for the maintenance of the access easement and cul-de-sac (if applicable) and the standard required for the road.
 - a) The document must also indicate that the 60' right-of-way shall be upgraded to the appropriate standard by the developer/owner of the property that creates additional parcels that are connected to the road and/or easement. The document shall be recorded, and shall run with the land, prior to any single building permit being approved.
 - b) No additional parcels shall connect to the existing sixty foot (60') roadway without a recommendation of DRC and the approval of the Planning and Zoning Board. See also Section 5.3 and 5.4 of Chapter 29.
- iv. Title Certification as to confirmation of ownership of the parent property and easement shall be provided by a title company licensed in the State of Florida. The certification shall confirm that each lot owner owns to the center of the road/easement.
- v. The road, within sixty-foot (60') easement shall be named in accordance with Nassau County Ordinance 2003-13, as amended.
- vi. The minimum building setbacks and width required are those stipulated in the Open Rural (OR) district.
- vii. Depiction of National Wetlands Inventory (NWI) with twenty five (25') foot buffer, when applicable.
- viii. A review fee
- ix. A Minor Development is not required to meet the requirements of 5.07 of the Land Development Code.

CONSENT FOR INSPECTION

I, _____, the owner or authorized agent for the owner of the premises located at _____ do hereby consent to the inspection of said premises by any employee of Nassau County, Florida, in conjunction with application _____, without further notice.

Dated this _____ day of _____, 20__.

Signature of Owner or Authorized Agent

Telephone Number

Email Address

STATE OF FLORIDA:

COUNTY OF NASSAU:

The foregoing instrument was acknowledged before me the _____ day of _____, 20__, by _____ who is personally known to me or who has produced _____ as identification.

Notary Public Signature

Name (typed or printed)

F. (Seal)

OWNERS AUTHORIZATION FOR AGENT

_____ is hereby authorized TO ACT ON BEHALF OF

_____, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Nassau County, Florida, for an application related to Development Permit or other action pursuant to a:

- | | |
|-----------------------|-------------------------------|
| Rezoning/Modification | Conditional Use |
| Variance | Preliminary Binding Site Plan |
| Appeal | Final Engineering Plan |
| Concurrency | Plat |
| Minor Development | Rural Subdivision |

BY: _____
Signature of Owner

Print Name

Signature of Owner

Print Name

Telephone Number

Email Address

State of Florida
County of _____

Signed and sworn before me on this _____ day of _____, 20_____.

By _____

Identification verified: _____

Oath sworn: _____ Yes _____ No

Notary Signature

My Commission expires: _____

**ORDINANCE 2000-40
APPENDIX "A"**

Minimum Plat Requirements for Surveying Accuracy

Datums:

Horizontal Datum: NAD 83 (1990 ADJUSTMENT) (Note: All coordinates to be State Plane, Florida East, U S Survey Feet and in Northing and Easting Format)

Vertical Datum: NAVD 88 or NGVD 1929 in U S Survey Feet with the Datum Shift Noted (88-29=???)

Horizontal Point:

Establish a permanent point and azimuth mark, using survey standard monumentation, visible from each other and a minimum of 1500' to a maximum of 3000' apart. The accuracy of said points will meet one of the following criteria:

1. Surveying by conventional means between two or more established Control Points (State Plane FLE) the new permanent point and azimuth mark will meet a Second Order Class II (1:20,000) closure.
2. Surveying by Global Positioning System, between a minimum of three established GPS Control Points all in the same adjustment, the new point and azimuth mark will meet a positional tolerance.

Constant	Proportional	#Occupations
Error(m)	Error	of each PT.
0.030	1/50000	2

Vertical Point:

Establish a permanent benchmark on the permanent point, using survey standard monumentation
The accuracy of the Bench Level Run will be Third Order and meet the following criteria:

* Required Accuracy of Level Lines – in miles
(0.05' X Square Root of Miles)

(Note: If the base point is not part of the boundary a point on the boundary must meet this same horizontal and vertical criteria)

Submittal – Construction and Plat Drawings:

All information on plat and construction drawings are to be submitted on a CD ROM in AUTO CAD format (.dxf) 13 or later, or in ARC/INFO coverage. All data files should be documented on data source, methodology and standard date information, i.e. read-me file.

All information on base point and azimuth point, including ties to points, will be provided on separate data sheets.