

ORDINANCE NO. 2023 - 012

AN ORDINANCE OF BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING APPENDIX A – LAND DEVELOPMENT CODE; ARTICLE 3. -ADMINISTRATION; SPECIFICALLY AMENDING SECTION 3.05. -CONDITIONAL USE AND VARIANCE BOARD; AMENDING ESTABLISHMENT, COMPOSITION, TERMS, AND QUALIFICATIONS; PROVIDING FOR RESIDENCY REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (“Board”) has determined the citizens of Nassau County are best served by local residents in recommending or deciding local issues; and

WHEREAS, the Conditional Use and Variance Board serves as the body that reviews and makes approval determinations for conditional uses and variances from the terms of the Nassau County Land Development Code; and

WHEREAS, the Board finds it necessary to amend the establishment of the Conditional Use and Variance Board to provide for county residency requirements for appointees; and

WHEREAS, the Board of County Commissioners finds that the amendments set forth herein are in the best interest of the public health, safety and welfare of the residents of Nassau County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. Amending Appendix A – Land Development Code, Article 3. – Administration, Section 3.05. Conditional Use and Variance Board. Section 3.05. Conditional Use and Variance Board of the Nassau County Land Development Code is hereby amended to read as follows:

Sec. 3.05. Conditional Use and Variance Board.

The conditional use and variance board shall serve as the body that reviews and makes approval determinations on requests for conditional uses and variances from the terms of this ordinance for the board of county commissioners.

- (A) *Establishment of the ~~conditional-Conditional use-Use and variance-Variance board~~Board: The ~~board-Board~~ of ~~county-County commissioners-Commissioners~~ (“Board”) shall appoint the members of the ~~conditional-Conditional use-Use and variance-Variance~~ board (CUVB).*

1. **Composition.** The ~~conditional-Conditional use-Use~~ and ~~variance-Variance~~ board shall be composed of seven (7) members appointed by the Board.
2. **Terms of Office.** Each member shall serve a three (3) year staggered term whereby, the terms of three (3) members shall expire one (1) year, and the terms of three (3) members shall expire the following year and the term of one (1) member shall expire the next year.
3. **Qualifications.** Appointed members shall be full-time permanent residents of Nassau County as verified by a valid homestead exemption in his/her name maintained throughout the term in office One (1) member each from the five (5) county commission districts, when possible, and two (2) at-large members.

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SECTION 2. CODIFICATION

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbers or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

SECTION 3. CONFLICTING PROVISIONS

All ordinances, or parts of ordinances, in conflict with this provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY

It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

Adopted this 12th day of June, 2023 by the Board of County Commissioners of Nassau County, Florida.

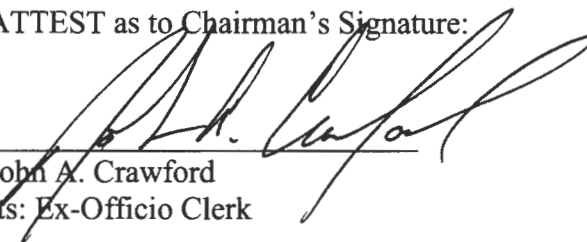
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



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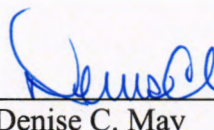
Its: Chair

ATTEST as to Chairman's Signature:



John A. Crawford
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



Denise C. May
County Attorney



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 16, 2023

Honorable John A. Crawford
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Attention: Heather Nazworth

Dear Honorable John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2023-012, which was filed in this office on June 16, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh