AGENDA
PLANNING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, NOVEMBER 9, 2016
5:00 P.M.
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. **CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**

2. **APPROVAL OF MEETING MINUTES**

2.1. **REVIEW AND APPROVAL OF SEPTEMBER 14, 2016 MEETING MINUTES**

Documents:

2016 09-14 PAB RM Minutes Draft.pdf

3. **NEW BUSINESS**

3.1. **PAB 2016-23 - FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR THE SURF PROPERTIES AT S. FLETCHER AVE AND HUTCHINS AVE.**

The property owner has requested that this application be withdrawn from the board's consideration.

Documents:

Surf Rezoning Application_Request to Withdraw.pdf

3.2. **PAB 2016-24: NASSAU COUNTY SCHOOL BOARD C/O BRENDA EZELL, PA, GUM STREET + CITRONA DRIVE**

PAB 2016-24 -VACATION OF PUBLIC ROW
Right of way abandonment request for approximately 1.04 acres; a 60FT platted right of way extending from Citrona Drive running east approximately 755 FT to the property line abutting Egans Creek Greenway.

3 Documents attached as back up material.

Documents:

PAB_2016-24_Gum Street_ ROW Staff Report.pdf
Letter of Intent 102716.pdf
PAB 2016-24_Nassau School Board_Gum St.PDF

4. **BOARD BUSINESS**

5. **STAFF REPORT**

6. **COMMENTS BY THE PUBLIC**

7. **ADJOURNMENT**

THE NEXT REGULAR PAB MEETING IS SCHEDULED FOR WEDNESDAY, DECEMBER 14, 2016 AT 5:00PM.

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact (904) 310-3115 or through the Florida Relay Services at 711 at least 24 hours in advance to request such accommodations.

All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Planning Department (904) 310-3135.

---

1. Call to Order - The meeting was called to order at 3:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Vice-Chair
Jamie Morrill
Chip Ross
David Beal
Chris Occhuizzo
Eric Lawrence

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney

Vice-Chair Bennett briefly explained the first part of the meeting would address items 3.1, 3.2 and 3.3 and then the board would take a brief recess for the 6:00 pm City Commission Special Meeting, and then the PAB would reconvene after that to finish the other items on the agenda. City Attorney Bach announced that item 5.2 regarding the Surf properties at South Fletcher and Hutchins was requested to be continued.

2. Approval of Meeting Minutes - Regular Meeting of August 10, 2016 – *The consensus of the board was to hear the Minutes when the board reconvenes after City Commission Special Meeting.*

A motion was made by Member Beal, seconded by Member Morrill, to seat Member Lawrence as a permanent member of the board. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

3. Old Business

3.1. PAB 2016-09 - Implementing the Comprehensive Plan Conservation and Coastal Management Element (CCME), including provisions for land uses within a Special Flood Hazard Area - Ordinance 2016-09 was originally reviewed by the PAB at its Regular Meeting on April 13,2016 and changes were forwarded to the City Commission for decision making. Staff requested that the item be pulled from 1st reading in order to consider modifications for land uses within a special flood hazard area. It was last considered by the PAB on August 10, 2016 and tabled to September 14, 2016. The subcommittee held a meeting on August 16th, August 25th, and August 29th to finalize details pertaining to the associated LDC text amendments which follow this item. This item is being presented in Ordinance form with the language provided in Exhibit A.

Member Ross reported his recusal from PAB 2016-09 (item 3.1) as he was advised to do on June 17, 2016 and August 2, 2016 due to his adverse interest in the matter of the Comprehensive Code amendments and Land Development Code (LDC) amendments concerning the use and storage of hazardous materials in the floodplain.

Vice-Chair Bennett noted there were changes from the subcommittee meeting of August 29, 2016. He reviewed the proposed changes with the board members. He referred to the suggested changes shown on page 5 in green based on industry comments. City Attorney Bach recommended the board consider including the specific references (numbers 4, 5, and 6) to the Florida Administrative Code, because these are the specific State laws that cover that. Vice-Chair Bennett suggested the board move forward with what was approved at the August 29th meeting and look at new staff recommendations of whether to add

them or not. The board continued its review of the proposed changes as contained in the agenda support documents. Vice-Chair Bennett expressed opposition to changing 3.2.6 (B)(1). Member Occhuizzo concurred as well as 3.2.6(B)(1)(b). Member Lawrence also agreed. Member Morrill questioned staff the reason for the change. Ms. Gibson explained when we first went into this process it was specific to the storage of hazardous material and hazardous waste not how we would regulate the use, generation, or operational aspect of an industrial site. There was some discussion about staff's recommendation under 3.2.6 (B)(1); 3.2.6(B)(1)(b); and 3.2.6(B)(1)(c), and the board disagreed with this recommendation.

Ms. Gibson explained her recommendation was to strike 3.2.6(B) 5 and 7-9, because this section of the code was speaking to specific uses being prohibited within an area of special flood hazard. After some discussion about this, *three members were against striking 7-9 and replacing it with staff's recommended language (7. "Bulk storage-solids or bulk storage-liquids of hazardous materials.")*

A motion was made by Member Occhuizzo, seconded by Member Lawrence, to accept with the changes made. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried (Member Ross recused himself from the vote.)

3.2. PAB 2016-20 - LDC Text Amendment Modifying Industrial Zoning Standards and Creating the Heavy Industrial (I-2) Zoning District - This item was previously considered by the PAB on August 10, 2016 and tabled to September 14, 2016. The subcommittee held a meeting on August 16th to finalize details pertaining to the associated LDC text amendments which follow this item. This item is presented in Ordinance form with the language contained in Exhibit A.

The board reviewed the additions to 2.01.13 and there were no concerns, and continued its review of the other changes in the document.

3.3. PAB 2016-19 - Map Changes New Zoning Categories for Heavy Industrial (I-2) and Switching Industrial Airport (I-A) and Industrial (I-1) - This item was previously considered by the PAB on August 10, 2016 and tabled to September 14, 2016. The subcommittee held a meeting on August 16th to finalize details pertaining to the associated LDC text amendments which follow this item. Materials have been provided in Ordinance form with Exhibits depicting the map changes.

The board had no questions or concerns about the map changes.

The public hearing was opened at this time.

Mr. Frank Santry, 1005 South 19th Street, stated he thought the appropriate thing to do is what the board has done, which was to take the product of the earlier meetings of the PAB and the subcommittee and stick with those items. He suggested if new issues are raised then that should require the whole matter to go back to the PAB for reconsideration. He referred to the changes with the 3.0 item related to the Florida Administrative Code additions and commented he was troubled with this coming up the day before the meeting with no opportunity for public input or comment. He stated with the City Attorney's assurances that these items can broaden the definition of what is a hazardous chemical or hazardous waste then the addition of those items would not be consequential to the board's consideration. City Attorney Bach pointed out Federal Law was already referenced, which was approved by the subcommittee. She stated there are specific references to State law and then the City has its own definition of hazardous material. She suggested the Federal Law regarding these definitions of hazardous materials the Federal government has not delegated its authority to the State of Florida to define these, and they are cumulative meaning they are additions, clarifications. She pointed out State law is going to preempt local law. She

explained the Florida Administrative Code is a rule book that explains more about the State code. She stated referencing them is not going to make any substantive change or change anything the subcommittee has recommended. She pointed out there would still be two public hearings if this Ordinance goes forward.

Mr. Colby Slaughter, Assistant General Counsel with Rayonier Advanced Materials, 10 Gum Street, reminded the board the impetuous for this was the issue of whether hazardous materials could be stored within a floodplain. He stated industry's comments reflect a joint effort on the part of WestRock and Rayonier Advanced Materials. He commented expanding the prohibition to not just storage of hazardous materials, but use, generation, and processing then puts industry in the position of going one step forward and about ten steps back. He explained there is a way to safety store these materials at a sufficient level above the floodplain, and their concern was in the event they have to repair or replace any of these storage facilities they would be prohibited from doing so in the absence of reasonable regulations that would allow them to continue to do business. He reminded the board of previous discussions of these regulations having the effect of putting an expiration date on industry in the City.

The public hearing was closed at this time.

A motion was made by Member Beal, seconded by Member Morrill, to approve item 3.2 (*PAB 2016-20 - LDC Text Amendment Modifying Industrial Zoning Standards and Creating the Heavy Industrial (I-2) Zoning District*) with any amendments approved tonight. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

A motion was made by Member Beal, seconded by Member Morrill, to approve item 3.3 *(PAB 2016-19 - Map Changes New Zoning Categories for Heavy Industrial (I-2) and Switching Industrial Airport (I-A) and Industrial (I-1))* as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

A motion was made by Member Beal, seconded by Member Occhuizzo, to open item 3.1 for reconsideration. Mr. Chip Ross, 210 North 3rd Street, pointed out in the amendment neither coal nor Liquefied Natural Gas (LNG) are considered hazardous materials. He stated if this language is adopted it eliminates the bulk storage of coal and bulk storage and transfer of LNG. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

A motion was made by Member Beal, seconded by Member Morrill, to approve item 3.1 *(PAB 2016-09 - Implementing the Comprehensive Plan Conservation and Coastal Management Element (CCME), including provisions for land uses within a Special Flood Hazard Area)* with amendments as discussed tonight.

The public hearing was opened at this time.

Member Beal inquired if Mr. Ross was referring to the line items 7, 8, and 9. Mr. Ross replied yes and noted City staff recommended lumping them together. Member Beal explained the board rejected that.

The public hearing was closed at this time. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried (Member Ross recused himself from the vote.)**

4. PAB Meeting break to convene the Special Meeting of the City Commission – A motion was made by Member Morrill, seconded by Member Beal, to adjourn temporarily. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

The meeting was temporarily adjourned at 5:54 pm and reconvened at 7:17 pm.

Approval of Meeting Minutes - Regular Meeting of August 10, 2016 – After a review of the Minutes, **a motion was made by Member Morrill, seconded by Member Beal, to approve the Minutes. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

5. NEW BUSINESS

5.1. PAB 2016-21 - Final Plat Approval for Cottages at Coastal Oaks (11 Townhouse Units) - FINAL PLAT APPROVAL - Properties between Nectarine Street and Coastal Oaks Drive (parcel # 00-00-31-1611-000G-0000).

Ms. Gibson explained the request was for a final plat for 11 townhomes, and this would be considered a replat of Coastal Oaks tract G. She stated Coastal Oaks subdivision was approved in 2015 and was currently under construction. She provided further details of this request for final plat as contained in the agenda support documents.

Member Ross inquired if there were any controversies and questioned if this was just part of the process. City Attorney Bach replied right. Ms. Gibson pointed out infrastructure has been installed tied to this particular development plan. She stated it was through two public hearing processes prior to this point.

The applicant was available to answer questions.

The public hearing was opened at this time and there being no comments from the floor, the public hearing was closed. **A motion was made by Member Lawrence, seconded by Member Occhuizzo, to recommend approval of PAB 2016-21 to the City Commission requesting final plat/replat of Coastal Oaks tract G creating the Cottages at Coastal Oaks be approved; and that PAB case 2016-21 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

5.2. PAB 2016-23 - FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR THE SURF PROPERTIES AT S. FLETCHER AVE AND HUTCHINS AVE. - FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE - Properties between S. Fletcher Avenue, Hutchins Avenue, and First Avenue (parcels # 00-00-31-1720-0004-0016, 00-00-31-173W-0007-0000).

A motion was made by Member Morrill, seconded by member Occhuizzo, to continue PAB 2016-23. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

It was noted an applicant can ask for one continuance and the board makes a motion to table it to the next available meeting. Ms. Gibson commented the applicant wanted more time to work with the community and to talk about specific concerns that were raised via social media. She pointed out the board received letters from Ms. Prince and Mr. Smith about concerns regarding the case, and the applicant was advised of concerns raised on social media (Facebook). Vice-Chair Bennett commented he thought that property was commercial and was changed to R-3. Ms. Gibson explained that was the Surf Properties where you

have the townhomes, but not for the restaurant piece. Member Ross stated he spoke with Mr. Lasserre and he said it was both of those parcels that were changed from commercial to residential.

5.3. PAB 2016-22 - VOLUNTARY ANNEXATION, LARGE-SCALE FUTURE LAND USE MAP AMENDMENTS, ZONING CHANGES, AND VACATION OF RIGHT-OF-WAY FOR PROPERTY LOCATED AT LIME STREET AND S, 14TH STREET - VOLUNTARY ANNEXATION, LARGE-SCALE FUTURE LAND USE MAP AMENDMENT, ZONING CHANGES, AND VACATION OF RIGHT-OF WAY - Properties located at Lime Street + S. 14th Street (parcels # 00-00-31-1800-0197-000, 00-00-31-1800-0235-0040, 00-00-31-1800-0211-0000, 00-00-31-1800-0235-0010).

Ms. Gibson explained this was a series of requests for consideration: voluntary annexation; large-scale land use assignment of both General Commercial and High Density Residential land us; a zoning change request for General Commercial C-2 and High Density Residential R-3 zoning with a PUD overlay applied to it in order to construct in a way outside of the standard zoning requirements; and a vacation of public right-of-way for a portion of South 12th Street totaling 800 linear feet. She reminded the board that the applicant appeared before the PAB earlier this year seeking to modify the City's net density definition to remove wetlands and wetland transitional areas so that it could be included in the overall calculation for net density. She stated when that went to the City Commission the definition was modified to have a footnote that only allowed for that to occur when those properties contained cross jurisdictional or multi-jurisdictional wetlands. She pointed out this property is allowed to take advantage of that given the change that occurred before the City Commission to both the Comprehensive Plan definition and LDC definition for net density. She explained the applicant was seeking to construct 224 market rate apartment rental units in ten buildings. She stated they were looking to create a recreational center and to develop and outparcel located at the corner of South 14th Street and Lime Street. She pointed out the applicant was seeking a Planned Unit Development (PUD) to provide for flexibility in land use and design to allow for the better diversification and integration of the uses and structures throughout the site as well as to better protect wetlands. She provided further details of this request including the history of the variance that was litigated as an administrative appeal before the special magistrate and that the request meets the intent for a PUD with its variety of uses.

Member Beal disclosed that he would be recusing himself from this case.

Member Ross referred to vacation of the right-of-way and questioned if staff had a signed statement from the other owners that abut this right-of-way. He read that all owners of property abutting the requested vacation shall approve the vacation in writing. Ms. Gibson replied she only had a statement from the applicant. Member Ross questioned the positive benefit to the City. Ms. Gibson replied the reduced impact to wetlands. She pointed out Buccaneer Associates Limited was the owner of the property on the other side.

Mr. Spurgeon Richardson, agent for First National Bank South, 18 Harrison Creek, pointed out 60% of the property was in the City of Fernandina Beach and 40% was in the County. He explained the County property they want to rezone from Commercial Intense (County zoning) to C-2 and R-3 (City zoning). He commented the site plan they are submitting was basically the same as they've had before. He presented further details from his PowerPoint presentation including that they were trying to take that commercial portion of the property and define it tonight. The presentation also included a conceptual site plan as well as a slide showing that the target market already works on the island. Mr. Richardson referred to the Florida Department of Transportation (FDOT) letter and pointed out the current zoning compared to what was being proposed there is a drop of almost 7,000 daily trips. He explained the

request was less intense from the current zoning, approval will allow the development of needed housing, the application is consistent with the Comprehensive Plan, and approval is the first step of the board and the applicant of creating something rather than prolonging it.

The public hearing was opened at this time.

Ms. Joann Bean, 141 North 15th Street, questioned how many units would be in each of the ten buildings. Mr. Richardson replied it varies, but the average was 22 per building for the 224 units. He stated there is a mix of one, two, and three bedroom units. Ms. Bean inquired if the wetlands are being taken care of. Mr. Richardson replied yes. It was noted a one bedroom would cost a little less than $1,000 and that was in line with Courtney Isles and the Reserve. Ms. Bean explained she was for the wetlands and preserving what we have.

Ms. Julie Ferreira, 501 Date Street, commented she had not seen the addendum the City Attorney was working on related to the wetland policy. City Attorney Bach explained Ms. Gibson and she worked on that. Ms. Ferreira explained she would say something that is affordable would having housing units set aside for specific income levels, but that is not what is happening. She stated this was just building apartments. She inquired how many acres this site was. Ms. Gibson replied 24.4 acres. Ms. Ferreira inquired what 8 units per acre was. Member Morrill replied about 190. Ms. Ferreira commented this would be new housing open to new residents, and pointed out there was no guarantee this will capture people traveling for work. She questioned what we really need in this community that won't impact residents. She expressed her opinion that this wasn't a good project to go forward with. City Attorney Bach read into the record the note which said "properties with cross jurisdictional wetlands pursuant to 373.4141C Florida Statutes may calculate wetland and wetland transitional areas as part of the net buildable land area." She explained that means this particular change is going to apply to properties containing cross jurisdictional or multi-jurisdictional wetlands.

The public hearing was closed at this time.

Member Ross commented he was opposed to the vacation of right-of-way, because he saw no public benefit to doing that. He referred to the proposed plan that says potential wetland saved and stated he didn't know what that meant. He expressed his concern with the proposed density with 2 more units per acre, because they want R-3 which is 10 units per acre. He noted the County portion was not all residential, because they had 2 acres set aside. He expressed his opinion the City shouldn't be giving away a right-of-way, and them asking for increased density where they already have increased density was inappropriate. Member Occhuizzo commented his understanding was the right-of-way saves more wetlands and the tradeoff is a couple more apartments. There was some discussion about this.

Mr. Clinch Kavanaugh, 102 North 6th Street, stated there is a difference between fee simple and right-of-way. He explained the bank owns the fee under the right-of-way, and if it dead ends then the City ought to vacate it because it serves no purpose. He suggested making it contingent upon them complying with Florida law pertaining to right-of-way. It was noted this was a 60 foot right-of-way. There was some discussion about this platted right-of-way noting the City would have to go through the vacation of right-of-way process.

Ms. Ferreira inquired if the PUD overlay was saying they could build in wetlands because they have the PUD. Vice-Chair Bennett stated no one can build in the wetlands. Mr. Kavanaugh pointed out this property was multi-jurisdictional and it was covered by St. Johns River Water Management District and they have permits to do it. He stated the developer was trying to save as much as they can. City Attorney

Bach explained the City did not go further into court to test that statute and make the City's arguments. She stated the City respectfully disagrees, but she didn't think that was an issue here because the applicant was good enough to try to work around that.

Member Ross referred to the letter dated August 15th and noted they were asking to do what they want. Mr. Richardson stated they are not asking for anything they haven't asked for in the past. He pointed out they did get rid of a few buildings, but the density is the same. He explained they would stay in general conformance with this site plan, and it is the same plan the board saw back in April or May. Member Lawrence questioned if the annexation and PUD were being done as one vote. City Attorney Bach replied yes for the PAB's purposes and when it gets to the City Commission level there would be a Resolution approving the annexation agreement, an Ordinance approving a zoning change, an Ordinance approving the Future Land Use Map amendment, and an Ordinance for the vacation of right-of-way. There was some discussion about the PAB recommendation on these requests. ***A motion was made by Member Ross, seconded by Member Lawrence, to vote on each one separately.*** After a brief discussion, ***vote upon passage of the motion was taken by ayes and nays and was as follows:***

Member Occhuizzo:	***Nay***
Member Ross:	***Aye***
Member Morrill:	***Nay***
Member Lawrence:	***Aye***
Vice-Chair Bennett:	***Nay***
Member Beal:	***Recused from the vote.***

Motion failed.

A motion was made by Member Ross to deny PAB 2016-22 to the City Commission requesting that a voluntary annexation into the City limits be approved, assigning High Density Residential and General Commercial land use with R-3 and C-2 zoning categories with a PUD overlay, and requesting a vacation of right-of-way for portion of South 12th Street as described; and that PAB 2016-22 as presented is not sufficiently compliant with the applicable Florida Statutes, Comprehensive Plan, and Land Development Code to be approved at this time. Motion fails for lack of second.

A motion was made by Member Morrill, seconded by Member Occhuizzo, to recommend approval of PAB 2016-22 to the City Commission requesting that a voluntary annexation into the City limits be approved, assigning High Density Residential and General Commercial land use designations and R-3 and C-2 zoning categories with a PUD overlay, and requesting a vacation of right-of-way for portion of South 12th Street as described; and that PAB 2016-22 as presented is sufficiently compliant with the applicable Florida Statutes, Comprehensive Plan, and Land Development Code to be approved at this time. Member Occhuizzo commented what the board was looking at was probably the best compromise. **Vote upon passage of the motion was taken by ayes and nays and was as follows:**

Member Occhuizzo:	**Aye**
Member Ross:	**Nay**
Member Morrill:	**Aye**
Member Lawrence:	**Aye**
Vice-Chair Bennett:	**Aye**
Member Beal:	**Recused from the vote.**

Motion carried.

6. Board Business – Member Ross referred to the meeting with regard to the Comprehensive Plan for the Port and commented he believed the board agreed with sending that on to the Port Commissioners for their comment and then it would be brought back. Vice-Chair Bennett inquired if staff heard anything from the Port. Ms. Gibson replied it had not been forwarded to them yet, and asked if the City Attorney could forward it to the Port's attorney. There was a brief discussion about this.

Member Ross inquired about the PAB being dissolved. City Attorney Bach explained she prepared a Land Development Code change for the section dealing with membership and terms of office (9.02.02). She stated today she submitted the Ordinance draft for the City Commission agenda, and as written there are blanks in the body for the City Commission to decide upon. Member Ross questioned how the sitting members would be terminated. City Attorney Bach replied she had not formulated that. Vice-Chair Bennett pointed out Member Beal and he are up for reappointment in October. There was a brief discussion about this noting the PAB members would receive an email from the City Attorney of the options presented to the City Commission. It was noted there was no meeting scheduled for the PAB in October. Concerns were raised with the board being called dysfunctional in public. After some discussion about this, Member Beal inquired if Vice-Chair Bennett and he should send an email stating they would like to be reappointed. City Attorney Bach replied yes. It was noted the board members were still subject to the Sunshine Law.

7. Staff Report – Ms. Gibson reported there was no meeting scheduled for October so the next regular meeting would be November 9, 2016. She explained there would be an Arbor Day planting Friday, September 16th on 3rd Street at the railyard.

8. Comments by the public – There were no comments from the public at this time.

9. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 8:36 pm.

_____ _____

Secretary **Mark Bennett, Vice-Chair**

From: Lorie L. Chism
To: Kelly Gibson
Subject: Surf Rezoning Application
Date: Thursday, November 03, 2016 12:32:55 PM

Kelly

Thank you for the response. As attorney for Thomas and Patti Flannery and Flansouth, LLC, the new owners of 3199 South Fletcher Avenue, please accept this notice of withdrawal of the rezoning application.

Respectfully,
Lorie Chism

Lorie L. Chism | Attorney
AMELIA LAW GROUP, PLLC

960194 Gateway Boulevard, Suite 101 | Amelia Island, Florida 32034
T: 904-310-9501 | **F:** 904-310-9538
E-mail | Website | Bio

Super Lawyers | **LinkedIn**

STAFF REPORT
PAB 2016-24 Gum Street Vacation of ROW
Planning Advisory Board Hearing
November 9, 2016

APPLICATION FOR VACATION OF ROW

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Nassau County School Board				
AGENT:	Brenda Ezell, P.A.				
REQUESTED ACTION:	Vacation of ROW				
LOCATION:	Gum Street and Citrona Drive (PIN# 00-00-31-1180-0017-0000)				
CURRENT ZONING:	R-1				
CURRENT LAND USE:	Low Density Residential				
EXISTING USES ON SITE:	Vacant Land				
PROPERTY SIZE:	ROW Abandonment request totals 1.04 Acres (a 60 foot platted right of way extending from Citrona Drive running east approximately 755 feet to the property line abutting Egans Creek Greenway)				
ADJACENT PROPERTIES:	Direction	Existing Use(s)	Year Built	Zoning	FLUM
	North	Vacant Land	N/A	R-1	Low Density Residential
	South	Shell Cove Subdivision	2016	R-2 with PUD	Medium Density Residential
	East	Egans Creek Greenway	N/A	CON	Conservation
	West	Fernandina Beach Middle and High Schools		PI-1	Public and Institutional

**** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website, the City Clerk's Office and at the Community Development Department Office. ****

SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant is requesting abandonment of approximately 1.04 acres of the Gum Street Right-of-Way (ROW) (roughly 755 feet in length and 60 feet in width) which terminates within the eastern portion of the applicant's property at the Egan's Creek Greenway. The applicant anticipates the sale of the property to a developer with an intention of developing a new single family subdivision, as consistent with the underlying Future Land Use Map Category of Low Density Residential and R-1 zoning. The segment of Gum Street requested for abandonment was originally platted as part of the 1857 City of Fernandina Beach Plat. The ROW has never been used for access, has not been improved, and bisects the applicant's property roughly in half.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

APPLICABLE POLICY REFERENCES: 2.04.04 AND 2.04.05

Due to the characteristics of the site with respect to existing floodplains and wetlands, the existing ROW bisects the developable uplands associated with property. The ROW, as originally platted, impacts the ability to develop the property as a single family residential neighborhood. Staff finds that the applicant has demonstrated consistency with the Comprehensive Plan policies as demonstrated through their application's amended description of the request dated on October 27, 2016.

STAFF REPORT
PAB 2016-24 Gum Street Vacation of ROW
Planning Advisory Board Hearing
November 9, 2016

CONSISTENCY WITH THE LAND DEVELOPMENT CODE:
APPLICABLE REFERENCE: 11.02.01 (NOTICE REQUIREMENTS)

The City has followed all required notice requirements for the applicant's request which included posted sign, posted agenda, mailed and published notice.

CONCLUSION:
Through the development of a single family subdivision, an appropriate location for ingress and egress will be established to provide required access as consistent with City Standards. Abandonment of the Gum Street ROW segment provides flexibility in design of the entire site and allows for the developer to better account for the environmental constrains contained on the property. The location in context of the property itself creates a hardship for the development of the property as it continues through the entire site. LDC Section 4.04.02 requires a minimum of 2 points of ingress and egress. Further an opportunity exists to connect to the unimproved Hickory Street ROW for access to the Egans Creek Greenway. As, such Staff finds the applicant's request for a Vacation of ROW of a portion of Gum Street to be consistent with the City's Comprehensive Plan and the Land Development Code.

MOTION(S) TO CONSIDER:
I move to recommend **(approval or denial)** of PAB case number 2016-24 to the City Commission requesting a Vacation of ROW for a portion of Gum Street be approved and that PAB case 2016-24 as presented, **(is or is not)** sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time

Submitted by:

Kelly N. Gibson, AICP
Senior Planner

STAFF REPORT
PAB 2016-24 Gum Street Vacation of ROW
Planning Advisory Board Hearing
November 9, 2016

EXHIBIT A - Location Map

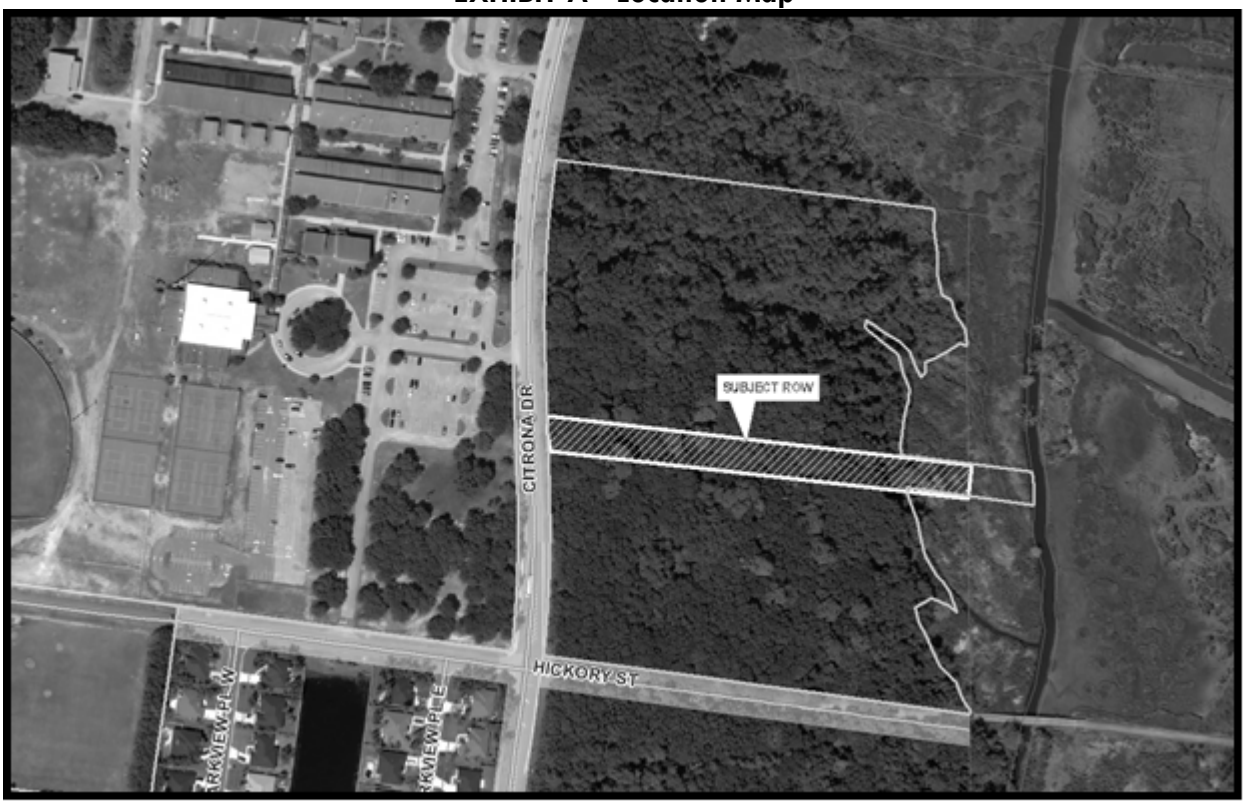
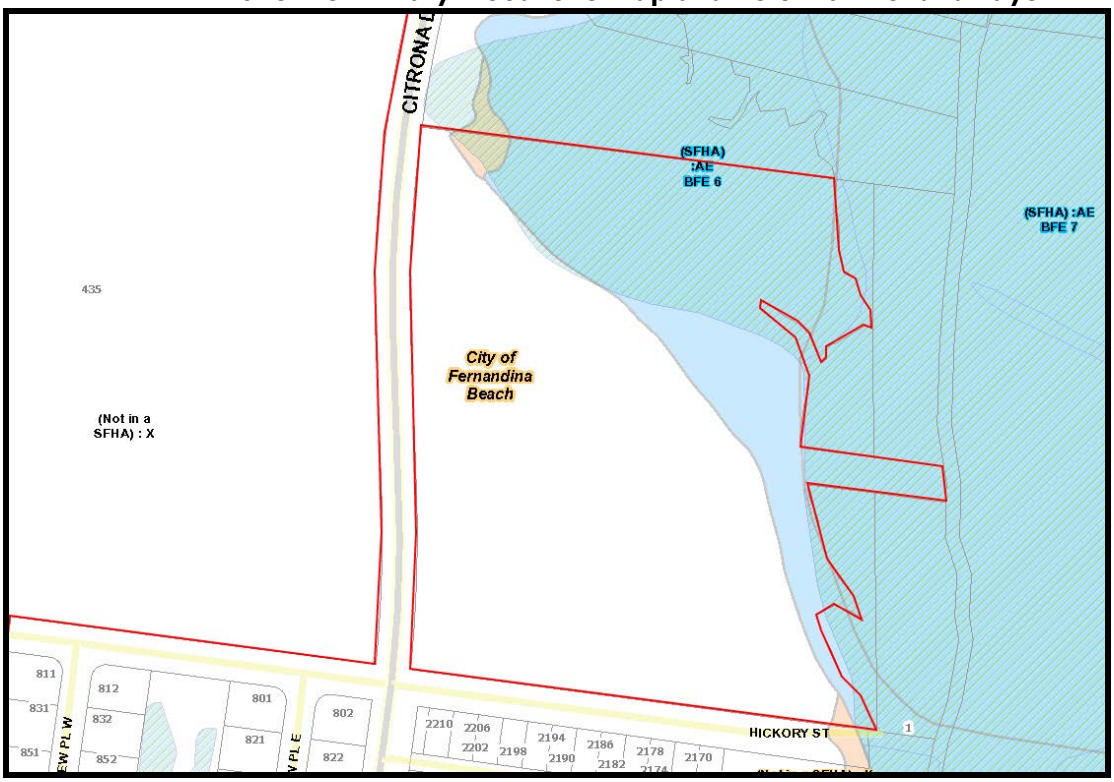


EXHIBIT B - 2016 Preliminary Floodzone Map and Potential Wetland Layer



LETTER OF INTENT

Applicant seeks to vacate the public-right-of way commonly known as Gum Street. While it is generally the policy of the City that such public rights-of-way be preserved for the public benefit, the subject right-of-way has existed since the Official Plat for the City of Fernandina was recorded in 1857 and has never been constructed, or open for public use. Further, said right-of-way is not shown on the City's GIS map within the boundaries of the property within which it lies ("Property"), which is currently under contract for sale.

The subject right-of-way is currently located wholly within the boundaries of the Property which is currently vacant. The Gum Street right-of-way has never been used for access to the Property nor will it be necessary for access to the property after it is redeveloped.

The applicant believes that all criteria set forth in City of Fernandina Beach Ordinance Code Section Sec. 70-40 (Vacation of public rights-of-way), have been met as follows:

1. The requested vacation is consistent with the Mulitmodal Transportation Element of the City's comprehensive plan, particularly, the following Policies:

Policy 2.04.04. The City shall not abandon any existing rights-of-way instead encourage dedication, preservation, and protection of existing and proposed rights-of-way during the development review process.

In this instance, the right-of-way has never been constructed, open for public use or necessary for the access to any other property than the property being developed.

Policy 2.04.05. When requesting abandonment of the existing rights-of-way is unavoidable, the applicant shall demonstrate the following for any proposed vacation of a City right of-way:

a. The right-of-way is no longer required for public use and could not reasonably be utilized as a through street, sidewalk, bicycle lane or any other public function such as parking, stormwater management, utility location or open space;

This right-of-way has never been used by the public, and has never been constructed, and therefore cannot be used as a through street, sidewalk, bicycle lane or any other public function.

b. The proposed vacation is in the public interest;

The proposed vacation will allow the development of property that is currently not being used for any purpose and therefore, vacation will allow the highest and best use of this land and provide a property tax revenue stream that does not currently exist.

c. The proposed vacation would preserve or protect an environmental, historical or cultural feature of the City; and

There is no environmental, historical or cultural feature of the City being impacted by this vacation.

d. The proposed vacation will be offset by at least one public access through street connection.

The property within which this unopened right-of-way lies is served on its southerly and westerly boundaries by public streets. The Gum Street right-of-way being proposed for vacation runs lies wholly within the boundaries of the property, and therefore public access need not be offset in any way.

2. Adequate, legal access to all properties shall be maintained. The remaining access to any property shall not be by easement.

The subject right-of-way is located within the boundaries of the land to be sold and developed. There is adequate legal access to the subject property and all properties surrounding the subject property. No easements will be necessary for access to any parcel adjacent to this right-of-way.

3. The vacation would not jeopardize the current or future location of any utility.

No utilities are currently located in the requested vacation area, therefore no easements for utility purposes will be necessary.

4. The proposed vacation is not detrimental to the public interest and provides a positive benefit to the city.

The closure of this unopened, unconstructed right-of-way will not be detrimental to the public interest. Additionally, closure of the subject right-of-way will facilitate the sale of the property within which the right-of-way lies, providing for improvements to be constructed that will generate additional ad valorem revenue for the City.

5. All owners of property abutting the requested vacation shall approve of the vacation in writing, except in cases where the city is the applicant.

The applicant owns the property surrounding and within which the subject right-of-way lies. Therefore, no other approvals are needed.

9/27/16

850 TYPE: CK 236

PROJECT INFORMATION

Total Number of Lots/Parcels: One (1)

Less than One (1) acre Sq. Footage: _____ One (1) Acre or Greater: 15.55

Existing Zoning Classification: R-1

Existing Future Land Use Classification: Conservation

Previous Planning/Zoning Approvals: N/A

Description of Request:

We request vacation of the 60-foot right-of-way commonly known as Gum Street, which right-of-way is not currently in use, and apparently has never been constructed for use by the public. This property is currently for sale and the abandonment requested will allow for future development.

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

Ezell Law Firm, P.A.

September 22, 2016 — By: _____

Date — Signature of Applicant

STATE OF FLORIDA
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 22 day of September, 2016.

Marian Carroll — Marian Carroll — 8-24-20

Notary Public: Signature — Printed Name — My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____

MARIAN CARROLL
MY COMMISSION # GG 011067
EXPIRES: August 24, 2020
Bonded Thru Notary Public Underwriters

OWNER'S AUTHORIZATION
FOR AGENT REPRESENTATION

I /WE Nassau County School Board
(print name of property owner(s))

hereby authorize: Ezell Law Firm, P.A., c/o Brenda B. Ezell
(print name of agent)

to represent me/us in processing an application for: Vacation of Right-of-Way
(type of application)

on our behalf. In authorizing the agent to represent me/us, I/we, as owner/owners, attest that the application is made in good faith and that any information contained in the application is accurate and complete.

NASSAU COUNTY SCHOOL BOARD

By: John L. Ruis
(Signature of owner)

John L. Ruis
(Print name of owner)

Title: Superintendent

(Signature of owner)

(Print name of owner)

STATE OF FLORIDA
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 9 day of September, 2016.

ROBIN JONES
MY COMMISSION # FF 214794
EXPIRES: July 27, 2019
Bonded Thru Notary Public Underwriters

Robin Jones
Notary Public: Signature

Robin Jones
Printed Name

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____

EZELL
LAW FIRM
3560 CARDINAL POINT DRIVE, SUITE 101
JACKSONVILLE, FLORIDA 32257
TEL 904.432.3200
FAX 904.432.3201

'16 SEP 27 PM2:50

September 22, 2016

City of Fernandina Beach
Community Development Department
204 Ash Street
Fernandina Beach, Florida 32034

Re: Application for Vacation of Right-of-Way – Unopened portion of Gum Street

Ladies and Gentlemen:

We are pleased to act as agent of the Nassau County School Board in its efforts to close an unopened, unused right-of-way in the City of Fernandina Beach currently known as Gum Street.

Enclosed please find the completed application for vacation of the subject right-of-way, along with a check in the amount of $850.00 for the application fee. We are hopeful that this application is in line to be heard at the Planning Advisory Board Committee meeting to be held on November 9, 2016.

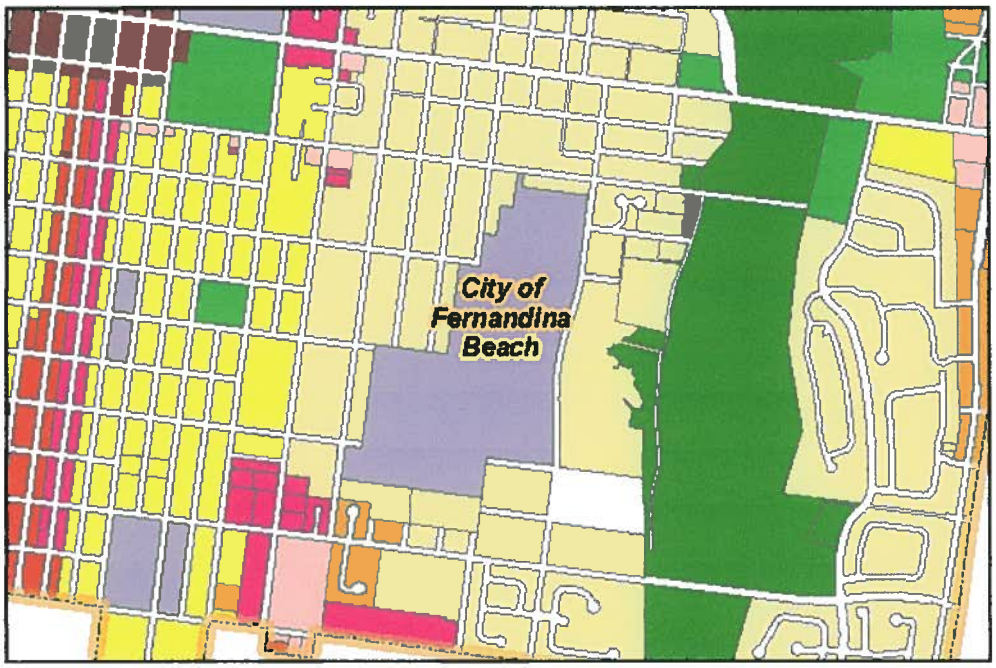
Please feel free to contact me if you have any questions. Additionally, please let me know if I need to come in to meet with a planner prior to the application deadline, which I am happy to do if need be.

Sincerely,

Brenda B. Ezell

904-491-7300 www.NassauFLPA.com

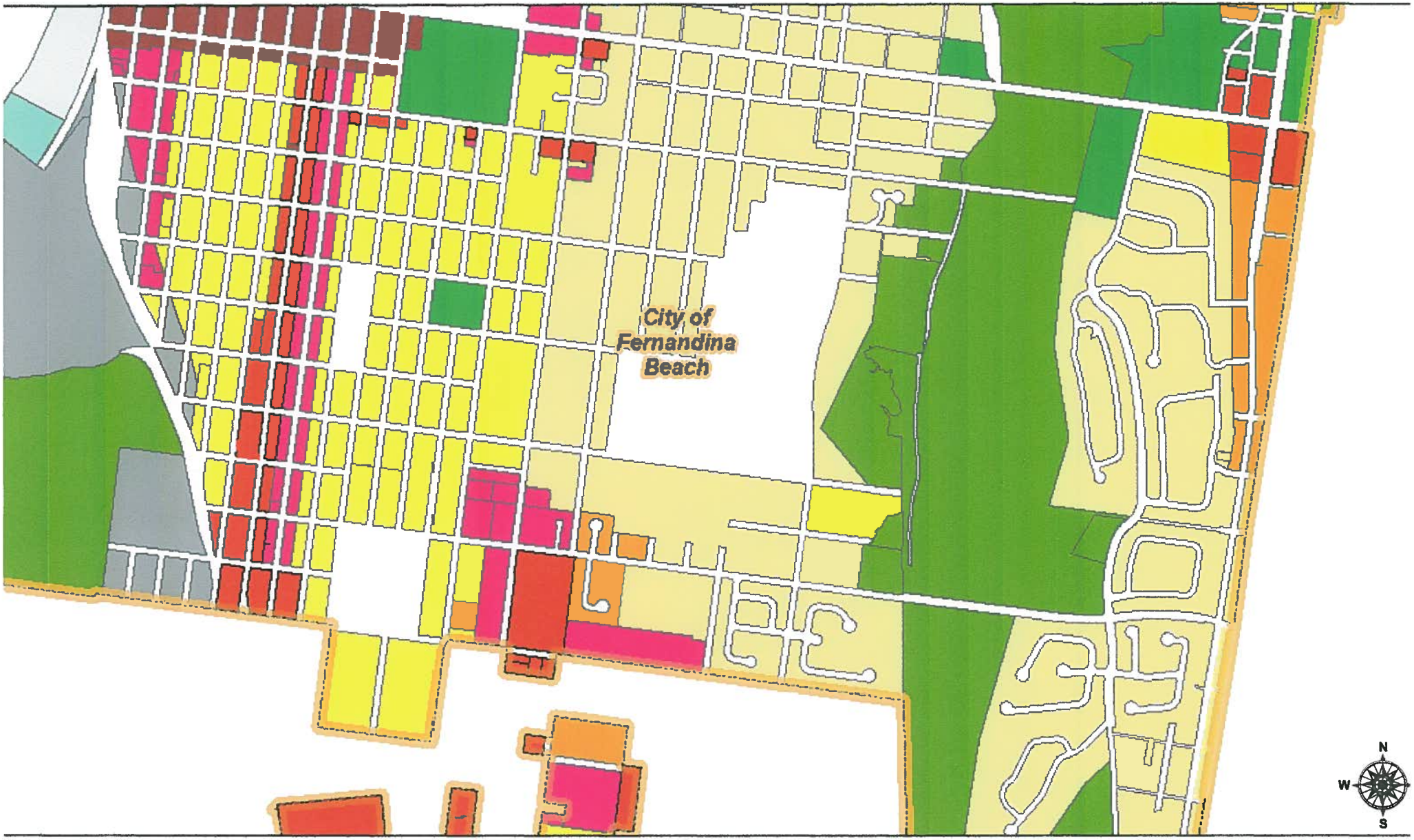
A. Michael Hickox
Nassau County Property Appraiser



Land Use Report	Results	
Zoning	R-1	Note: (Must be verified with Municipality)
Future Land Use	CONSERVATION	Note: (Must be verified with Municipality)
Community Development District	No	
Community Redevelopment Area	No	Note: (Must be verified with City of Fernandina Beach)
Historic District	No	Note: (Must be verified with City of Fernandina Beach)
Municipal Service Benefit Unit (MSBU)	No	
Mobility Fee Zone	Zone 1	

GoMaps

'16 SEP 27 PM2:51



igust 31, 2016

1:16,523

0 0.125 0.25 0.5 mi

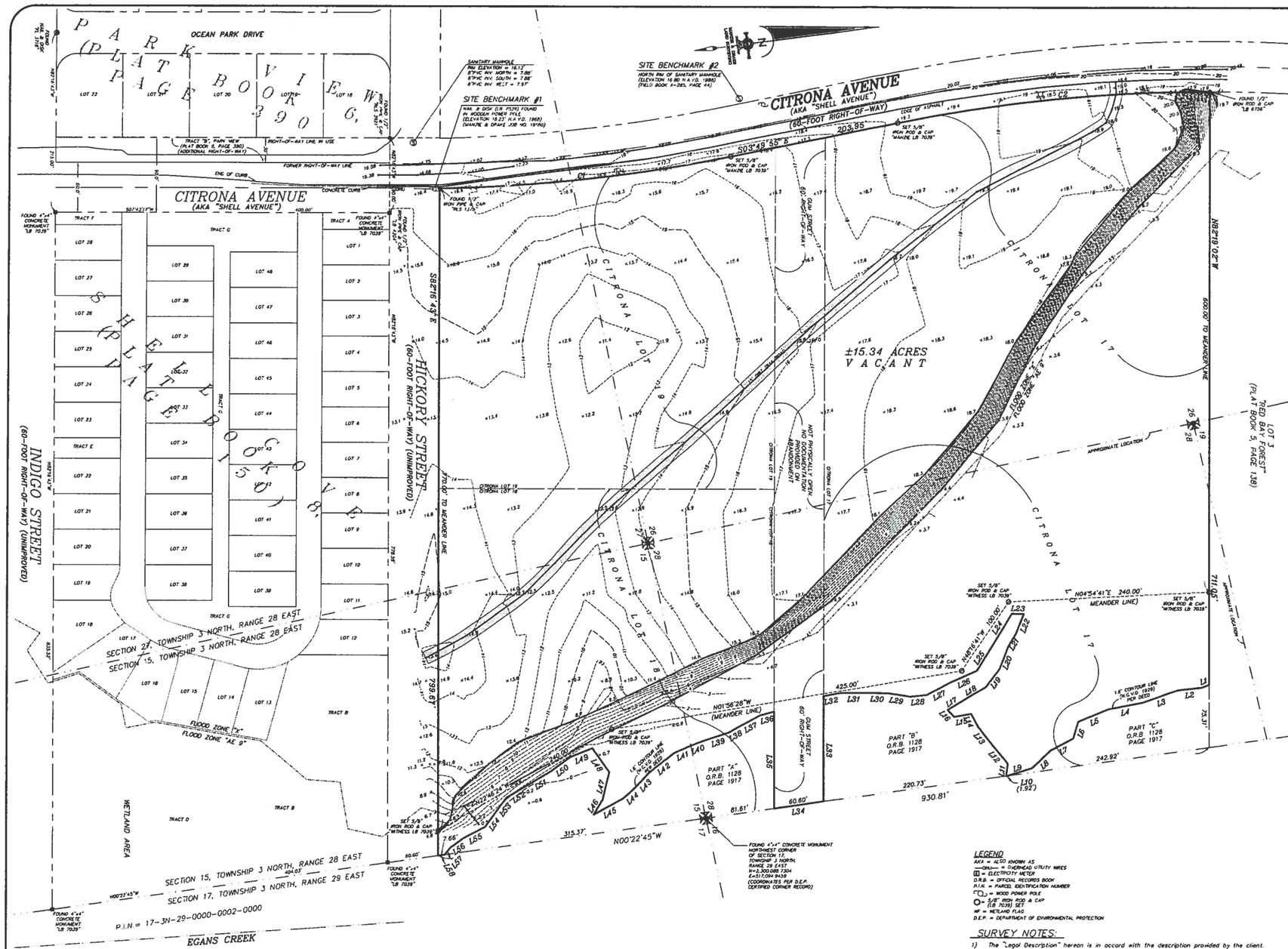
0 0.225 0.45 0.9 km

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRC/
Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia
OpenStreetMap contributors, and the GIS User Community

MAP OF BOUNDARY & TOPOGRAPHIC SURVEY

A PORTION OF CITRONA LOTS 17, 18, 19 AND GUM STREET, THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), NASSAU COUNTY, FLORIDA, AS SHOWN ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEGIN AT THE INTERSECTION OF THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, WITH THE NORTHERLY RIGHT-OF-WAY LINE OF HICKORY STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 7.66 FEET TO ITS INTERSECTION WITH THE 1.6 FOOT ELEVATION CONTOUR LINE, REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 1929) AS FIELD LOCATED BY L.D. BRADLEY LAND SURVEYORS IN AUGUST OF 2001; THENCE DEPARTING SAID RANGE LINE AND ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING TWENTY-TWO (22) COURSES AND DISTANCES; (1) NORTH 42°45'29" WEST A DISTANCE OF 11.18 FEET; (2) NORTH 27°59'12" WEST A DISTANCE OF 18.73 FEET; (3) NORTH 20°37'26" WEST A DISTANCE OF 29.62 FEET; (4) NORTH 45°57'20" WEST A DISTANCE OF 21.70 FEET; (5) NORTH 44°53'52" WEST A DISTANCE OF 22.09 FEET; (6) NORTH 23°01'54" WEST A DISTANCE OF 28.69 FEET; (7) NORTH 23°08'33" WEST A DISTANCE OF 30.99 FEET; (8) NORTH 29°02'32" WEST A DISTANCE OF 29.42 FEET; (9) NORTH 14°26'03" WEST A DISTANCE OF 28.71 FEET; (10) NORTH 62°19'29" EAST A DISTANCE OF 34.96 FEET; (11) SOUTH 68°51'50" EAST; A DISTANCE OF 33.95 FEET; (12) SOUTH 51°26'44" EAST A DISTANCE OF 20.70 FEET; (13) NORTH 20°48'20" WEST A DISTANCE OF 40.14 FEET; (14) NORTH 35°07'06" WEST A DISTANCE OF 20.13 FEET; (15) NORTH 39°44'13" WEST, A DISTANCE OF 22.86 FEET; (16) NORTH 30°49'27" WEST A DISTANCE OF 38.63 FEET; (17) NORTH 16°30'11" WEST A DISTANCE OF 19.23 FEET; (18) NORTH 12°55'15" WEST A DISTANCE OF 23.23 FEET; (19) NORTH 10°42'03" WEST A DISTANCE OF 28.07 FEET; (20) NORTH 22°29'59" WEST A DISTANCE OF 13.37 FEET; (21) NORTH 21°34'41" WEST A DISTANCE OF 28.79 FEET; (22) NORTH 06°54'18" WEST A DISTANCE OF 17.30 FEET TO INTERSECT THE SOUTHERLY RIGHT-OF-WAY LINE OF GUM STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE SOUTH 82°17'13" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GUM STREET, A DISTANCE OF 116.05 FEET TO INTERSECT THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 60.60 FEET; THENCE NORTH 82°17'13" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GUM STREET, A DISTANCE OF 126.16 FEET TO INTERSECT SAID 1.6 FOOT CONTOUR; THENCE ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING TWENTY-TWO (22) COURSES AND DISTANCES: (1) NORTH 03°29'28" WEST A DISTANCE OF 19.58 FEET; (2) NORTH 07°00'33" EAST A DISTANCE OF 36.21 FEET; (3) NORTH 08°58'10" EAST A DISTANCE OF 21.34 FEET; (4) NORTH 18°34'47" EAST A DISTANCE OF 27.18 FEET; (5) NORTH 01°19'30" EAST, A DISTANCE OF 20.13 FEET; (6) NORTH 21°05'17" WEST A DISTANCE OF 30.49 FEET; (7) NORTH 16°05'36" WEST A DISTANCE OF 36.06 FEET; (8) NORTH 50°52'57" WEST A DISTANCE OF 31.17 FEET; (9) NORTH 50°51'35" WEST A DISTANCE OF 49.25 FEET; (10) NORTH 09°09'39" EAST A DISTANCE OF 14.02 FEET; (11) SOUTH 61°17'22" EAST A DISTANCE OF 24.86 FEET; (12) SOUTH 51°51'35" EAST A DISTANCE OF 19.13 FEET; (13) SOUTH 80°55'19" EAST A DISTANCE OF 28.29 FEET; (14) SOUTH 45°21'52" EAST A DISTANCE OF 27.37 FEET; (15) SOUTH 23°07'52" EAST A DISTANCE OF 29.63 FEET; (16) SOUTH 23°27'38" EAST A DISTANCE OF 23.60 FEET; (17) NORTH 34°47'07" EAST A DISTANCE OF 11.40 FEET; (18) NORTH 02°02'34" WEST A DISTANCE OF 21.04 FEET; (19) NORTH 70°00'14" EAST A DISTANCE OF 18.60 FEET; (20) NORTH 59°43'18" EAST A DISTANCE OF 26.78 FEET; (21) NORTH 57°42'29" EAST A DISTANCE OF 28.89 FEET; (22) SOUTH 74°40'51" EAST A DISTANCE OF 14.75 FEET TO INTERSECT THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 1.92 FEET TO INTERSECT SAID 1.6 FOOT CONTOUR; THENCE ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING NINE (9) COURSES AND DISTANCES; (1) NORTH 09°53'34" WEST, A DISTANCE OF 30.18 FEET; (2) NORTH 35°20'45" WEST A DISTANCE OF 31.42 FEET; (3) NORTH 20°16'27" WEST A DISTANCE OF 30.31 FEET; (4) NORTH 65°32'41" WEST A DISTANCE OF 20.95 FEET; (5) NORTH 14°54'27" WEST A DISTANCE OF 39.02 FEET; (6) NORTH 03°19'30" WEST A DISTANCE OF 41.10 FEET; (7) NORTH 11°57'47" WEST A DISTANCE OF 45.15 FEET; (8) NORTH 01°17'05" EAST A DISTANCE OF 28.48 FEET; (9) NORTH 13°17'42" WEST A DISTANCE OF 9.19 FEET TO INTERSECT THE SOUTHERLY LINE OF LOT 3, "RED BAY FOREST"; ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 138, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 82°19'02" WEST, DEPARTING SAID 1.6 FOOT CONTOUR AND ALONG THE SOUTHERLY LINE OF SAID LOT 3, A DISTANCE OF 711.05 FEET TO INTERSECT THE EASTERLY RIGHT-OF-WAY LINE OF CITRONA AVENUE, A 60.00 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED AND A POINT ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1,879.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 11°28'44"; AN ARC DISTANCE OF 376.62 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 01°54'22" WEST A DISTANCE OF 375.99 FEET; THENCE SOUTH 03°49'55" EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 203.95 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1,939.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 10°19'51"; AN ARC DISTANCE OF 349.77 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 01°20'01" WEST A DISTANCE OF 349.30 FEET TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF HICKORY STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE SOUTH 82°16'43" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HICKORY STREET, A DISTANCE OF 799.67 FEET TO THE POINT OF BEGINNING.



LEGEND

AKA = ALSO KNOWN AS
—OH— = OVERHEAD UTILITY WIRES
(M) = ELECTRICITY METER
O.R.B. = OFFICIAL RECORDS BOOK
P.I.N. = PARCEL IDENTIFICATION NUMBER
= WOOD POWER POLE
= 5/8" IRON ROD & CAP (LB 7039) SET
WF = WETLAND FLAG
D.E.P. = DEPARTMENT OF ENVIRONMENTAL PROTECTION

SURVEY NOTES:

1) The "Legal Description" hereon is in accord with the description provided by the client.
2) Underground improvements were not located or shown.
3) Commitment for Title Insurance by Chicago Title Insurance Company (Order No. 5787742, dated May 05, 2016) was referenced during the preparation of this survey.
4) Bearings and coordinates shown hereon are based on the Florida State Plane Coordinate System, East Zone, North American Datum 1983/1990.
5) *Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid.*
6) The property shown hereon lies within flood zone "X & AE 9" as per F.E.M.A. Flood Insurance Rate Map, Panel 12089C 0237 F, Dated 12/17/2010. Flood Zone information above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
7) Site Benchmarks are as shown hereon.
8) Elevations shown hereon refer to North American Vertical Datum of 1988. (N.A.V.D. '88)
9) This survey is protected by copyright and is certified only to the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. Use of this survey in any subsequent transactions is expressly prohibited and is not authorized. The surveyor expressly disclaims any certification to any parties in future transactions. No entity other than those listed should rely upon this survey.

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	349.77'	1939.86'	10°19'51"	S1°20'01"W	349.30'
C2	376.62'	1879.86'	11°28'44"	S1°54'22"W	375.99'

LINE TABLE																				
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N11°31'42"W	9.39'	L11	S74°40'51"E	14.75'	L11	S74°40'51"E	14.75'	L21	S51°51'35"E	19.13'	L31	N7°00'33"E	36.21'	L41	N16°30'11"W	19.23'	L51	N23°08'33"W	30.99'
L2	N11°17'05"E	28.48'	L12	N57°42'29"E	28.89'	L12	N57°42'29"E	28.89'	L22	S61°17'22"E	24.86'	L32	N3°29'28"W	19.58'	L42	N30°49'27"W	38.63'	L52	N23°01'54"W	28.69'
L3	N11°57'47"W	45.15'	L13	N59°43'18"E	26.78'	L13	N59°43'18"E	26.78'	L23	N9°09'39"E	14.02'	L33	N82°17'13"W	126.16'	L43	N39°44'13"W	22.86'	L53	N44°53'52"W	22.09'
L4	N3°19'30"W	41.10'	L14	N70°00'14"E	18.60'	L14	N70°00'14"E	18.60'	L24	N50°51'35"W	49.25'	L34	N0°22'45"W	60.60'	L44	N35°07'06"W	20.13'	L54	N45°57'20"W	21.70'
L5	N14°54'27"W	39.02'	L15	N2°02'34"W	21.04'	L15	N2°02'34"W	21.04'	L25	N50°52'57"W	31.17'	L35	S82°17'13"E	116.05'	L45	N20°48'20"W	40.14'	L55	N20°27'26"W	29.62'
L6	N65°32'41"W	20.95'	L16	N54°47'07"E	11.40'	L16	N54°47'07"E	11.40'	L26	N16°05'50"W	36.06'	L36	N6°54'18"W	17.30'	L46	S51°26'44"E	20.70'	L56	N27°59'12"W	18.73'
L7	N20°16'27"W	30.31'	L17	S23°27'38"E	23.60'	L17	S23°27'38"E	23.60'	L27	N21°05'17"W	30.49'	L37	N21°04'41"W	28.79'	L47	S68°51'50"E	33.95'	L57	N42°45'29"W	11.18'
L8	N35°20'45"W	31.42'	L18	S23°07'52"E	29.63'	L18	S23°07'52"E	29.63'	L28	N11°19'30"E	20.13'	L38	N22°29'59"W	13.37'	L48	N62°19'29"E	34.96'	L58	N00°22'45"W	7.66'
L9	N9°53'34"W	30.18'	L19	S45°21'52"E	27.37'	L19	S45°21'52"E	27.37'	L29	N16°34'43"E	27.18'	L39	N10°42'03"W	28.07'	L49	N14°26'03"W	28.71'			
L10	N00°22'45"E	1.92'	L20	S80°55'19"E	28.29'	L20	S80°55'19"E	28.29'	L30	N8°58'10"E	21.34'	L40	N12°55'15"W	23.23'	L50	N29°02'32"W	29.42'			

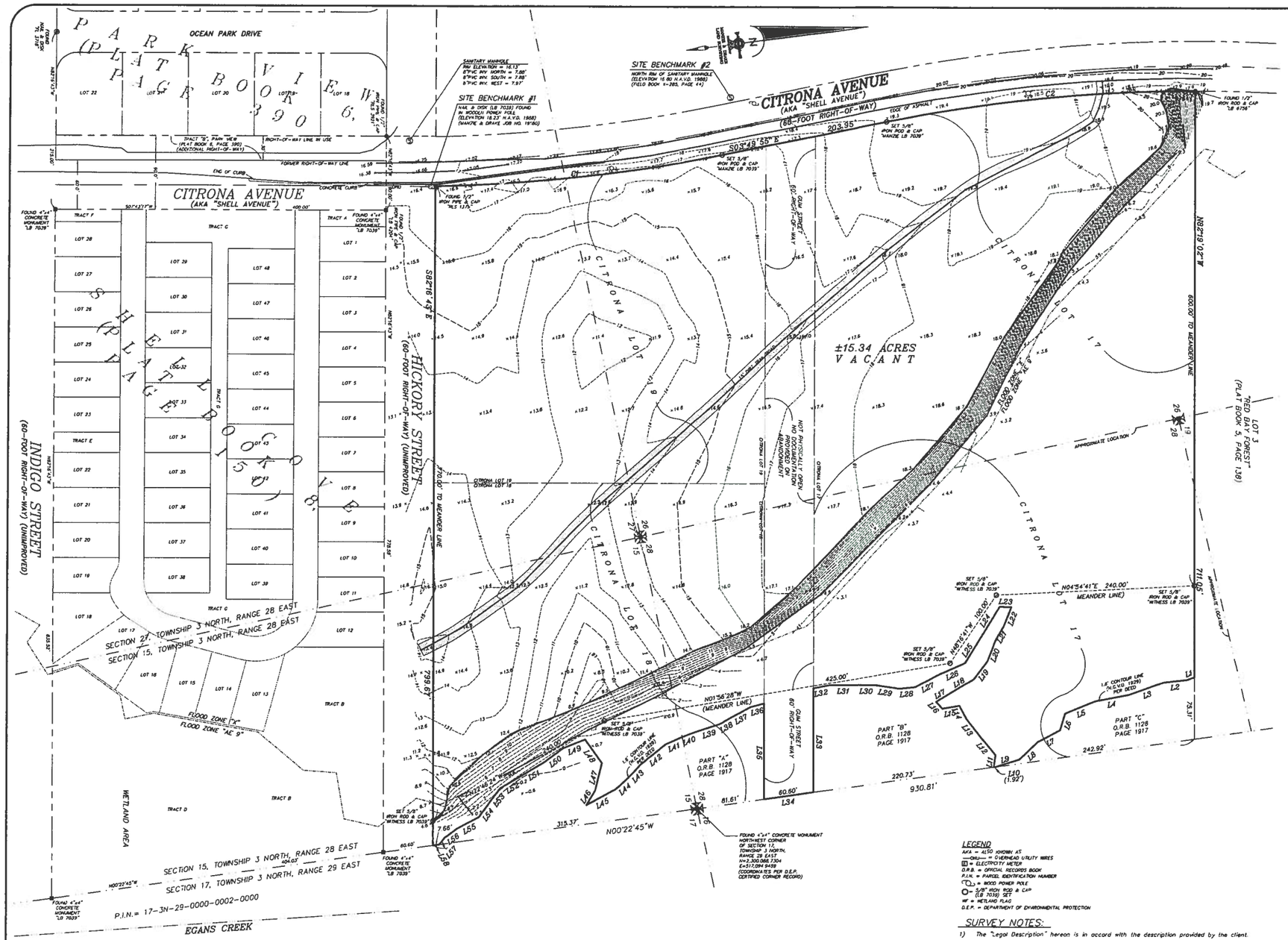
THE INFORMATION SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

☐ MICHAEL A. MANZIE, P.L.S. 4069
☐ WILLIAM D. PINKSTON, P.S.M. 6793

MANZIE & DRAKE LAND SURVEYING
117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 FAX (904) 491-5777
Certificate of Authorization Number "LB 7039"
"OUR *SIGHTS* ARE ON THE FUTURE, SET YOUR *SITES* ON US."

SCALE: 1"=60' JOB NO: 19580 DATE: 5/26/16 CADD: WKD
F.B. NO: X-285 PAGE NO: 43 FIELD CREW: GS FILE NO: C-735

'16 SEP 27 PM2:50



MAP OF BOUNDARY & TOPOGRAPHIC SURVEY

A PORTION OF CITRONA LOTS 17, 18, 19 AND GUM STREET, THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), NASSAU COUNTY, FLORIDA, AS SHOWN ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEGIN AT THE INTERSECTION OF THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, WITH THE NORTHERLY RIGHT-OF-WAY LINE OF HICKORY STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 7.66 FEET TO ITS INTERSECTION WITH THE 1.6 FOOT ELEVATION CONTOUR LINE, REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 1929) AS FIELD LOCATED BY L.D. BRADLEY LAND SURVEYORS IN AUGUST OF 2001; THENCE DEPARTING SAID RANGE LINE AND ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING TWENTY-TWO (22) COURSES AND DISTANCES; (1) NORTH 42°45'29" WEST A DISTANCE OF 11.18 FEET; (2) NORTH 27°59'12" WEST A DISTANCE OF 18.73 FEET; (3) NORTH 20°27'26" WEST A DISTANCE OF 29.62 FEET; (4) NORTH 45°57'20" WEST A DISTANCE OF 21.70 FEET; (5) NORTH 44°53'52" WEST A DISTANCE OF 22.09 FEET; (6) NORTH 23°01'54" WEST A DISTANCE OF 28.69 FEET; (7) NORTH 23°08'33" WEST A DISTANCE OF 30.99 FEET; (8) NORTH 29°02'32" WEST A DISTANCE OF 29.42 FEET; (9) NORTH 14°26'03" WEST A DISTANCE OF 28.71 FEET; (10) NORTH 62°19'29" EAST A DISTANCE OF 34.96 FEET; (11) SOUTH 68°51'50" EAST; A DISTANCE OF 33.95 FEET; (12) SOUTH 51°26'44" EAST A DISTANCE OF 20.70 FEET; (13) NORTH 20°48'20" WEST A DISTANCE OF 40.14 FEET; (14) NORTH 35°07'06" WEST A DISTANCE OF 20.13 FEET; (15) NORTH 39°44'13" WEST; A DISTANCE OF 22.86 FEET; (16) NORTH 30°49'27" WEST A DISTANCE OF 38.63 FEET; (17) NORTH 16°30'11" WEST A DISTANCE OF 19.23 FEET; (18) NORTH 12°55'15" WEST A DISTANCE OF 23.23 FEET; (19) NORTH 10°42'03" WEST A DISTANCE OF 28.07 FEET; (20) NORTH 22°29'59" WEST A DISTANCE OF 13.37 FEET; (21) NORTH 21°04'41" WEST A DISTANCE OF 28.79 FEET; (22) NORTH 06°54'18" WEST A DISTANCE OF 17.30 FEET TO INTERSECT THE SOUTHERLY RIGHT-OF-WAY LINE OF GUM STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE SOUTH 82°17'13" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GUM STREET, A DISTANCE OF 116.05 FEET TO INTERSECT THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 60.60 FEET; THENCE NORTH 82°17'13" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GUM STREET, A DISTANCE OF 126.16 FEET TO INTERSECT SAID 1.6 FOOT CONTOUR; THENCE ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING TWENTY-TWO (22) COURSES AND DISTANCES: (1) NORTH 03°29'28" WEST A DISTANCE OF 19.58 FEET; (2) NORTH 07°00'33" EAST A DISTANCE OF 36.21 FEET; (3) NORTH 08°36'10" EAST A DISTANCE OF 21.34 FEET; (4) NORTH 16°34'43" EAST A DISTANCE OF 27.18 FEET; (5) NORTH 01°19'30" EAST, A DISTANCE OF 20.13 FEET; (6) NORTH 21°05'17" WEST A DISTANCE OF 30.49 FEET; (7) NORTH 16°05'50" WEST A DISTANCE OF 36.06 FEET; (8) NORTH 50°52'57" WEST A DISTANCE OF 31.17 FEET; (9) NORTH 50°51'35" WEST A DISTANCE OF 49.25 FEET; (10) NORTH 09°09'39" EAST A DISTANCE OF 14.02 FEET; (11) SOUTH 61°17'22" EAST A DISTANCE OF 24.86 FEET; (12) SOUTH 51°51'35" EAST A DISTANCE OF 19.13 FEET; (13) SOUTH 60°55'19" EAST A DISTANCE OF 28.29 FEET; (14) SOUTH 45°21'52" EAST A DISTANCE OF 27.37 FEET; (15) SOUTH 23°07'52" EAST A DISTANCE OF 29.63 FEET; (16) SOUTH 23°27'38" EAST A DISTANCE OF 23.60 FEET; (17) NORTH 54°47'07" EAST A DISTANCE OF 11.40 FEET; (18) NORTH 02°02'34" WEST A DISTANCE OF 21.04 FEET; (19) NORTH 20°06'14" EAST A DISTANCE OF 18.60 FEET; (20) NORTH 59°43'18" EAST A DISTANCE OF 26.78 FEET; (21) NORTH 57°42'29" EAST A DISTANCE OF 28.89 FEET; (22) SOUTH 74°40'51" EAST A DISTANCE OF 14.75 FEET TO INTERSECT THE EAST LINE OF TOWNSHIP 3 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA; THENCE NORTH 00°22'45" WEST, ALONG SAID RANGE LINE, A DISTANCE OF 1.92 FEET TO INTERSECT SAID 1.6 FOOT CONTOUR; THENCE ALONG SAID 1.6 FOOT CONTOUR THE FOLLOWING NINE (9) COURSES AND DISTANCES; (1) NORTH 09°53'34" WEST, A DISTANCE OF 30.18 FEET; (2) NORTH 35°20'45" WEST A DISTANCE OF 31.42 FEET; (3) NORTH 20°16'27" WEST A DISTANCE OF 30.31 FEET; (4) NORTH 65°32'41" WEST A DISTANCE OF 20.95 FEET; (5) NORTH 14°54'27" WEST A DISTANCE OF 39.02 FEET; (6) NORTH 03°19'30" WEST A DISTANCE OF 41.10 FEET; (7) NORTH 11°57'47" WEST A DISTANCE OF 45.15 FEET; (8) NORTH 01°17'05" EAST A DISTANCE OF 28.48 FEET; (9) NORTH 13°17'42" WEST A DISTANCE OF 8.39 FEET TO INTERSECT THE SOUTHERLY LINE OF LOT 3, "RED BAY FOREST", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 138, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA; THENCE NORTH 82°19'02" WEST, DEPARTING SAID 1.6 FOOT CONTOUR AND ALONG THE SOUTHERLY LINE OF SAID LOT 3, A DISTANCE OF 711.05 FEET TO INTERSECT THE EASTERLY RIGHT-OF-WAY LINE OF CITRONA AVENUE, A 60.00 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED AND A POINT ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1,879.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 11°28'44", AN ARC DISTANCE OF 376.62 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 01°54'27" WEST A DISTANCE OF 375.99 FEET; THENCE SOUTH 03°49'55" EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 203.95 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 1,939.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 10°19'51", AN ARC DISTANCE OF 349.77 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 01°20'01" WEST A DISTANCE OF 349.30 FEET TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF HICKORY STREET (A 60.00 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF FERNANDINA); THENCE SOUTH 82°16'43" EAST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HICKORY STREET, A DISTANCE OF 799.67 FEET TO THE POINT OF BEGINNING.

LEGEND

A/K/A = ALSO KNOWN AS
—OHU— = OVERHEAD UTILITY WIRES
E = ELECTRICITY METER
O.R.B. = OFFICIAL RECORDS BOOK
P.I.N. = PARCEL IDENTIFICATION NUMBER
= WOOD POWER POLE
= 5/8" IRON ROD & CAP (LB 7039) SET
WF = WETLAND FLAG
D.E.P. = DEPARTMENT OF ENVIRONMENTAL PROTECTION

SURVEY NOTES:

1) The "Legal Description" hereon is in accord with the description provided by the client.
2) Underground improvements were not located or shown.
3) Commitment for Title Insurance by Chicago Title Insurance Company (Order No. 5787742, dated May 05, 2016) was referenced during the preparation of this survey.
4) Bearings and coordinates shown hereon are based on the Florida State Plane Coordinate System, East Zone, North American Datum 1983/1990.
5) Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid.
6) The property shown hereon lies within flood zone "X & AE 9" as per F.E.M.A. Flood Insurance Rate Map, Panel 12089C 0237 F, Dated 12/17/2010. Flood Zone information above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
7) Site Benchmarks are as shown hereon.
8) Elevations shown hereon refer to North American Vertical Datum of 1988. (N.A.V.D. '88)
9) This survey is protected by copyright and is certified only to the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. Use of this survey in any subsequent transactions is expressly prohibited and is not authorized. The surveyor expressly disclaims any certification to any parties in future transactions. No entity other than those listed should rely upon this survey.

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N13°17'42"W	9.39'	L11	S74°40'51"E	14.75'	L11	S74°40'51"E	14.75'	L21	S51°51'35"E	19.13'	L31	N7°00'33"E	36.21'	L41	N16°30'11"W	19.23'	L51	N23°08'33"W	30.99'
L2	N13°17'05"E	28.48'	L12	N57°42'29"E	28.89'	L12	N57°42'29"E	28.89'	L22	S61°17'22"E	24.86'	L32	N3°29'28"W	19.58'	L42	N30°49'27"W	38.63'	L52	N23°01'54"W	28.69'
L3	N11°57'47"W	45.15'	L13	N56°43'18"E	26.78'	L13	N59°43'18"E	26.78'	L23	N9°09'39"E	14.02'	L33	N82°17'13"W	126.16'	L43	N39°44'13"W	22.86'	L53	N44°53'52"W	22.09'
L4	N3°19'30"W	41.10'	L14	N70°00'14"E	18.60'	L14	N70°00'14"E	18.60'	L24	N50°51'35"W	49.25'	L34	N0°22'45"W	60.60'	L44	N35°07'06"W	20.13'	L54	N45°57'20"W	21.70'
L5	N14°54'27"W	39.02'	L15	N2°02'34"W	21.04'	L15	N2°02'34"W	21.04'	L25	N50°52'57"W	31.17'	L35	S82°17'13"E	116.05'	L45	N20°48'20"W	40.14'	L55	N20°27'26"W	29.62'
L6	N65°32'41"W	20.95'	L16	N54°47'07"E	11.40'	L16	N54°47'07"E	11.40'	L26	N16°05'50"W	36.06'	L36	N6°54'18"W	17.30'	L46	S51°26'44"E	20.70'	L56	N27°59'12"W	18.73'
L7	N20°16'27"W	30.31'	L17	S23°27'38"E	23.60'	L17	S23°27'38"E	23.60'	L27	N21°05'17"W	30.49'	L37	N21°04'41"W	28.79'	L47	S68°51'50"E	33.95'	L57	N42°45'29"W	11.18'
L8	N35°20'45"W	31.42'	L18	S23°07'52"E	29.63'	L18	S23°07'52"E	29.63'	L28	N11°19'30"E	20.13'	L38	N22°29'59"W	13.37'	L48	N62°19'29"E	34.96'	L58	N00°22'45"W	7.66'
L9	N9°53'34"W	30.18'	L19	S45°21'52"E	27.37'	L19	S45°21'52"E	27.37'	L29	N16°34'43"E	27.18'	L39	N10°42'03"W	28.07'	L49	N14°26'03"W	28.71'			
L10	N00°22'45"E	1.92'	L20	S60°55'19"E	28.29'	L20	S60°55'19"E	28.29'	L30	N8°58'10"E	21.34'	L40	N12°55'15"W	23.23'	L50	N29°02'32"W	29.42'			

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	349.77'	1939.86'	10°19'51"	S1°20'01"W	349.30'
C2	376.62'	1879.86'	11°28'44"	S1°54'27"W	375.99'

THE INFORMATION SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

☐ MICHAEL A. MANZIE, P.L.S. 4069
☐ WILLIAM D. PINKSTON, P.S.M. 6793

MANZIE & DRAKE LAND SURVEYING
117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 FAX (904) 491-5777
Certificate of Authorization Number "LB 7039"
"OUR *SIGHTS* ARE ON THE FUTURE, SET YOUR *SITES* ON US."

SCALE: 1"=60' JOB NO: 19580 DATE: 5/26/16 CADD: WKD
F.B. NO: X-285 PAGE NO: 43 FIELD CREW: GS FILE NO: C-735