



**AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
JULY 18, 2018
5:00 PM
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 MARCH 21, 2018 MEETING MINUTES.**
 - 2.2 REVIEW AND APPROVAL OF APRIL 18, 2018 MEETING MINUTES.**
 - 2.3 REVIEW AND APPROVAL OF MAY 16, 2018 MEETING MINUTES.**
- 3. OLD BUSINESS**
- 4. NEW BUSINESS**
 - 4.1 ROBERT L. WIGGINS, SR. C/O ROGERS TOWERS, P.A. C/O JON C. LASSERRE, ESQ., S. FLETCHER AVENUE, LOT 5 BLOCK 10 (BOA 2018-11) VARIANCE from LDC Section 4.02.03 E to reduce the front yard setback to 15 feet. (*Quasi-Judicial*)**
 - 4.2 DOUGLAS KOHLMAN, 324 ELM STREET (BOA 2018-12) VARIANCE from LDC Section 1.03.05 A to restore three 25' x 100' underlying lots of record. (*Quasi-Judicial*)**
- 5. BOARD BUSINESS**
 - 5.1 APPOINTMENT OF BARRY HERTSLET TO VOTING MEMBER.**
 - 5.2 APPOINTMENT OF MIKE LEDNOVICH TO ALTERNATE 1.**
- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT**

NEXT BOA REGULAR MEETING IS SCHEDULED FOR AUGUST 15, 2018.

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 5:01 pm.

2. **Roll Call / Determination of a Quorum**

Board Members Present

Matt Miller – Chair
Charles Burns
Barry Hertslet (Alternate 1)

Marcy Mock – Vice Chair
Tisha Dadd

Board Members Absent

Lynn Williams (excused)

Others Present

Tammi Bach, City Attorney
Jacob Platt, City Planner
Samantha Rogic, Recording Secretary
Sylvie McCann, Recording Secretary

Chair Miller seated Member Hertslet as a voting member and asked the board if there were any ex parte communications to disclose. There were none. Recording Secretary Rogic administered the oath to those parties that were about to present testimony. City Attorney Bach briefly explained the voting process for variances and the quasi-judicial procedures. She then addressed the board in regards to their discussions and deliberations. She stated that in order for the decisions of the Board of Adjustments to be upheld, the decision must be based on Competent Substantial Evidence. She went on to explain that Mr. Platt lists 6 criteria that must be met in order for Staff to recommend approval of a variance. Attorney Bach now requests that if they wish to grant a variance even though Staff has recommended denial, each Board member must articulate during discussion why they think criteria has been met, even though Mr. Platt says they have not. Chair Miller voiced his support for this new practice. Chair Miller then asked Secretary McCann why there were no minutes to review. Ms. McCann stated that minutes would be provided at the next regular scheduled meeting.

3. **New Business**

- 3.1 **LEMI C. + DAVID M. OBERHOLTZER, 2842 FERDINAND COURT (BOA 2018-04) – VARIANCE** *from LDC Section 4.02.03(E) to allow construction of a covered rear screen room.*

Mr. Platt pointed out that this particular case is different because the Isle De Mai subdivision has specific setbacks called out on the plat. The subject property is zoned R1 which typically has a 25ft rear yard setback—in the Isle De Mai, it calls out a 15ft rear yard setback. He went on to present the Staff Report as written. He then reviewed the criteria for granting the variances as outlined in the staff report, and stated that the request was inconsistent with all 6 criteria and had to recommend denial. He welcomed questions by the Board.

Member Dadd inquired if this is a matter that should be addressed by the HOA. Mr. Platt stated that the City is not party to any HOA covenants and restrictions—it is the responsibility of the applicant to seek HOA approval if needed. Upon inquiry from Member Mock—Mr. Platt clarified that Isle De Mai is not a PUD but it is clear on the subdivision plat that it calls out a different standard. Member Dadd asked for clarification on the patio measurements. Mr. Platt stated that the existing rear patio is at 19ft—the applicant has 4 more feet that he can add onto without a variance. The proposal is a 12ft extension of the existing patio to encompass the rest of the paver

patio area. The request would reduce the rear yard setback to 7ft to accommodate the 12ft expansion of the rear covered patio. Member Mock noted that this is the first variance request of its kind in the Isle De Mai subdivision.

David Oberholtzer, 2842 Ferdinand Court, the applicant, stated that they seek the variance so that they may enjoy the residence to the max. He explained that the variance would allow more room for outdoor entertaining, and enclosing the area would provide noise containment as well as needed sun protection for medical reasons. He made it clear that he has not brought this matter before his HOA but has plans to do so.

Chair Miller encouraged the applicant to ask for a continuance tonight and to seek HOA approval before returning to the BOA. Mr. Oberholtzer stated that he would contact his HOA the following day, and asked the Board for a continuance.

A motion was made by Member Dadd, seconded by Member Hertslet, to continue BOA 2018-04 to April 18, 2018. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

3.2. **DAVID G. + LISA L. KERNS TRUSTEE C/O JON LASSERE, 2220 S. FLETCHER AVENUE, LOT 39 (BOA 2018-05) – VARIANCE from LDC Section 1.03.05(A) to restore the underlying lot of record which was unified with Lot 41 by the structure that was demolished in 2014.**

Mr. Platt prefaced the staff report by explaining that items 3.2 and 3.3 are after the fact variance requests. He stated that a property came in for a building permit and upon looking at the building permit submission, it was discovered that there was an existing structure on the property previously. The property appraiser website shows no structure on its most recent aerial imagery. In 2014 there was a demolition permit issued for a structure which was built over the underlying lots. He went on to present the staff report as written. He then reviewed the criteria for granting the variances as outlined in the staff report, and stated that the request met all 6 criteria and recommended approval. He welcomed questions by the Board.

Mr. Burns asked if the two cases could be combined. Mr. Platt explained that he kept them as two separate agenda items, so that a motion could be made for or against in each particular case, but pointed out that the staff report for BOA 2018-06 is exactly the same. Member Dadd asked if why when the lot was sold, wasn't it recorded as 2 separate deeded parcels. Mr. Platt stated that, going forward, when someone applies for a permit to demo a structure on a lot that has multiple underlying lots of record, a letter will be sent informing the applicant that you cannot subdivide lots without approval from the BOA. He went on to explain that there is no barrier between the City, the county Clerk of Court, and the property appraiser to prevent properties from being mapped and provided a parcel ID number. He reiterated the need for a letter to the applicant in these particular cases. Acknowledging that this issue will likely become more common, Chair Miller voiced his support for this new practice.

Member Hertslet inquired on the consequences of denying the variance. Mr. Platt explained that denying the variance would disallow both property owners from building on the lots.

Jon Lasserre, 960185 Gateway Blvd, agent for the applicants, provided a brief history of the subject lot. He stated that the property was originally acquired by one owner, which was an estate, who owned the property for several decades. It was understood at the time that it was two platted lots. He describes section 1.03.05 of the LDC, specifically a portion called Applicability in Chapter 1— as unclear and easily overlooked. If the code had been known and understood, his clients would have required the Variance be applied before they bought the property.

Chair Miller then opened the public hearing.

John Dodd, 2775 Rachel Ave, stated that the outcome of separating the lots would be very consistent with the entire pattern across the beach in terms of lot width, and generally what Fernandina Beach is striving for—smaller sized homes that don't straddle large ocean fronts lots. He believes that the request is consistent with what most of the community would like to see.

Public hearing was then closed.

The Board briefly discussed the case. Mr. Platt explained why this section of code would be better suited in a chapter more relevant to its purpose.

A motion was made by Member Burns, seconded by Member Mock, to approve BOA Case 2018-05; and that the Board of Adjustment make the following findings of fact: that Case 2018-05 as presented is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

- 3.3. **MONEY FOR NOTHIN LIVING TUST C/O JOHN DODD, 2240 S. FLETCHER AVENUE, LOT 41(BOA 2018-06)**—*VARIANCE from LDC Section 1.03.05(A) to restore the underlying lot of record which was unified with Lot 39 by the structure that was demolished in 2014.*

Mr. Platt stated that the staff report for BOA 2018-06 is the same as BOA 2018-05, and noting that this request also met all 6 criteria, he recommended approval.

Chair Miller, for record purposes, reiterated the fact that the staff reports for both cases are exactly the same. Mr. Platt added that the applicant name and information, and the agent for the applicants, are the only things that are different between the two.

The applicant did not wish to speak. There was no board discussion. Public hearing was opened and closed.

A motion was made by Member Burns, seconded by Member Mock, to approve BOA Case 2018-06; and that the Board of Adjustment make the following findings of fact: that Case 2018-06 as presented is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

4. **Comments by the public**

There were no requests from the audience to be heard.

5. **Board Business**

Mr. Platt stated that he recalled from a previous meeting a discussion regarding posting in the event of a continuance. He explained that the code clearly states that when postponed to a time certain date, advertisement is not necessary. Chair Miller expressed his support of re-advertising. Mr. Platt explained that if the Board agreed and approved re-advertising, a text amendment to the LDC would be required. Upon analyzing the language of the Code, Attorney Bach stated that a text amendment would not be required if re-advertising were done as a courtesy to the public—but would consider adding new language to the text after discussing the new practice with the other Boards. Member Burns stated that he is in favor of re-posting. The Board briefly discussed the extra expense that this new policy would bring onto the City. Mr. Platt suggested including a \$50 fee on the fee schedule to be paid by the applicant in the event their case is continued.

The Board and Staff went on to discuss the possibility of future boat variance requests and Mr. Platt explained the tree replacement and mitigation requirement.

Chip Ross, 210 N. 3rd Street— Commissioner Ross informed the Board that future meetings of the BOA will be video recorded and televised. He then invited any interested Board members to attend a commission meeting to be heard by the City council to discuss any issues or special projects concerning the BOA.

Chair Miller asked Secretary Rogic to review the way Board members are notified of an upcoming meeting, and to improve the method by which they notify Staff of their intended presence or absence.

6. **Staff Report**

7. **Adjournment** – the meeting adjourned at 6:27pm

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Board of Adjustment Minutes
Regular Meeting
March 21, 2018
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Samantha Rogic, Secretary

Matt Miller, Chair

1. **Call to Order** – The meeting was called to order at 5:01 pm.

2. **Roll Call / Determination of a Quorum**

Board Members Present

Matt Miller – Chair
Charles Burns
Tisha Dadd

Marcy Mock – Vice Chair
Mike Lednovich (Alt 2)
Barry Hertslet (Alt 1)

Board Members Absent

Lynn Williams

Others Present

Tammi Bach, City Attorney
Jacob Platt, City Planner
Samantha Rogic, Recording Secretary

In Member Williams absence, Chair Miller seated Member Hertslet as a voting member, and Member Lednovich as Alternate 1.

City Attorney Bach briefly explained the voting process for variances and quasi-judicial procedures. There were no ex parte communications to report.

3. **Approval of Minutes**

Member Hertslet pointed out that the January 17, 2018 and February 21, 2018 meeting minutes listed for approval, were already listed on the previous months agenda and approved. Attorney Bach stated that she would look into the issue and revisit later in the agenda.

Secretary Rogic administered the oath to parties about to give testimony.

4. **New Business**

- 4.1 **DAVID + DIANA PARKS, 816 S. 6TH STREET (BOA 2018-07) – VARIANCE from LDC Section 4.02.03(E)(2) – Each side yard setback shall be increased by one-half (1/2) foot for each one (1) foot, or fraction thereof, of building heights above twenty-five (25) feet. (Quasi-Judicial).**

Jacob Platt, City Planner, introduced the item and presented the staff report as written. He stated that the applicant appears to meet criteria 5 and 6 of the 'Required Findings for Granting of a Variance' but does not meet criteria 1, 2, 3 and 4, therefore staff has to recommend denial. He welcomed questions from the Board.

Chair Miller inquired if small lots with small side yard setbacks require review by the TRC and approval by the Fire Department. Mr. Platt explained that the City Plans Examiner would verify if code is met.

Diana Parks, 1103 Fir Street, the applicant, stated that other than increased roofline there is no encroachment. She explained that she wants to build the home on stilts as the property is in a flood area, while remaining

consistent to the shotgun style. She added that the home will be located across from the mill, and many neighbors agree that the home would enhance the neighborhood. She clarified that she is asking for additional height to allow for the pitch of the roof to make the home more esthetically proportionate.

Public hearing opened.

Tamera Malone, 827 S. 7th Street, home backs up to the subject property. She stated that her land is lower, and wonders if the construction of this home would cause water to drain and flood her property.

Mr. Platt explained that stem wall foundations and limited amounts of fill are beneficial and that single family homes have to provide a limited drainage plan to show where drainage will flow.

Board discussion commenced. Members considered the height of the proposed home, the challenges associated with building on small lots, and the overall positive impact the home would have on the neighborhood.

Ms. Bach reminded the Board that when making a motion, it is now necessary to explain why you believe a criteria that was denied by staff, has actually been met.

Mario Manganaro, 803 S. 6th Street, resides across the street from the subject property. Mr. Manganaro stated that when it rains, all the water drains to his property, turning it into what he describes as a sewer. He wonders if the drainage problem will be exacerbated if more homes are built on slabs, like his.

Mr. Platt explained that the Storm Water Manager looks forward to improving drainage in all areas of the City and that this concern is taken very seriously.

A motion was made by Member Dadd seconded by Member Hertslet, to approve BOA case number 2018-07; AND that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-07 as presented DOES meet the following criteria: #1-- there is a special condition because of the small lot size, #4-- based on the 25' lot size, the Applicant is requesting the minimum variance needed, #2-- the 25ft lot size creates a special privilege, and #3-- literal interpretation does deprive the Applicant of rights commonly enjoyed by other parties because of the small lot size; AND that BOA case 2018-07 is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Revisit Approval of Minutes from Item 3

Attorney Bach explained that the amended Agenda for the March 7, 2018 special meeting did include the January and February meeting minutes and that only the March 7, 2018 special meeting minutes need to be approved at this time. The April meeting agenda is not correct.

A motion was made by Member Hertslet seconded by Member Mock, to approve the March 7, 2018 meeting minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

4.2. FREDRICK E. JR. + DEBORAH LEWIS, 704 S. 12TH STREET (BOA 2018-08) – VARIANCE from LDC Section 1.03.05(A) to restore the underlying lots of record where one structure previously occupied multiple lots. (Quasi-Judicial).

Mr. Platt introduced the item and presented the staff report as written. He stated that the applicants request is consistent with all 6 criteria and recommends approval. He welcomed questions from the Board.

The Board agreed with Staff's analysis and recommendation for approval.

The Applicant did not wish to speak.

Public hearing was opened and closed.

A motion was made by Member Hertslet, seconded by Member Burns, to approve BOA case number 2018-08; AND that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-08 as presented, is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

4.3. **DEBORAH R. COARSEY C/O RICE ARCHITECT, 229 S. 5TH STREET (BOA 2018-09) —**
VARLANCE from LDC Section 5.01.04(3) to allow for an accessory dwelling in the side yard where the existing accessory structure is located. (Quasi-Judicial).

Mr. Platt introduced the item and presented the staff report as written. He stated that the applicants request was consistent with all 6 criteria and recommended approval. He welcomed questions from the Board.

Member Mock inquired if the address was on the other street, would a variance still be necessary.

Mr. Platt answered no. He stated that changing the address was briefly considered as an option, but he and Mr. Akins both agreed that that would not be wise from a public safety standpoint.

Mark Akins, Rice Architect, 961687 Gateway Blvd, agent for the applicant, introduced himself and passed the floor to Ms. Coarsey.

Debbie Coarsey, the applicant, stated that she spoke with many neighbors and all are hoping the Board will grant approval. She then thanked the Board for their consideration.

Mr. Akins described the proposed project. He stated that he respects the fact that the site is located directly across the street from the Historic District and made sure to design the structure appropriately.

A motion was made by Member Burns, seconded by Member Mock, to approve BOA case number 2018-09; AND that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-09 as presented, is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

4. **Comments by the public**

There were no requests from the audience to be heard.

5. **Board Business**

Member Dadd asked for clarification with the new motion rules.

Ms. Bach explained that new language will be added to guide Board Members through the new procedure.

6. **Staff Report**

7. **Adjournment** – the meeting adjourned at 6:47pm

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Board of Adjustment Minutes
Regular Meeting
April 18, 2018
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Samantha Rogic, Secretary

Matt Miller, Chair

1. **Call to Order** – The meeting was called to order at 5:03 pm.

Roll Call / Determination of a Quorum

Board Members Present

Matt Miller – Chair
Lynn Williams

Tisha Dadd
Barry Hertslet (Alt 1)

Board Members Absent

Marcy Mock – Vice Chair
Mike Lednovich (Alt 2)

Charles Burns

Others Present

Tammi Bach, City Attorney
Jacob Platt, City Planner
Samantha Rogic, Recording Secretary

Chair Miller seated Alternate Hertslet as a voting member. Secretary Rogic administered the oath to parties about to give testimony. City Attorney Bach explained quasi-judicial procedures, and explained in order to grant a variance a super majority is needed. Tonight all four members need to vote ‘yes’ to approve, only 3 need to vote ‘no’ to deny.

The applicant stated they wish to move forward with tonight’s hearing.

There were no ex parte communications to report.

2. **New Business**

- 2.1 **JAMES + DEBORAH PATRICK C/O RICE ARCHITECT, MARK ATKINS, 829 N. FLETCHER AVE (BOA 2018-10) – VARIANCE from LDC Section 4.02.03(E) Standards for Building Heights and Setbacks.**

Jake Platt, City Planner, introduced the item and presented the staff report as written. He explained why this would not qualify as a Context Sensitive Review. He then indicated that the request was consistent with criteria 1, 5, & 6 of the Required Findings for Granting a Variance, but inconsistent with criteria 2, 3, & 4, and recommended denial. He welcomed questions from the Board.

In response to Board questions, Mr. Platt stated that there is an existing porch that is covered, but the proposed deck will extend into the front yard setback and clarified that the roof is an allowable encroachment.

Mark Atkins, 961667 Gateway Blvd, agent to the applicant, stated they are proposing an uncovered deck so there will be no eave encroachment. He described the deck on a neighboring property, and offered that his clients house is surrounded by structures that encroach, adding that Mr. Patrick was not the original builder of the home, and he cannot use the space to its maximum potential as it can hardly fit a chair.

James Patrick, applicant, stated that his current porch is 4’ deep and two rocking chairs take up the entire space. He is asking for a variance to add a little depth to provide more access to his front door.

Public hearing was opened and closed.

Board discussion ensued at length. Points discussed included alternatives to the variance including extending the existing porch to the side or rear and why this case did not qualify for a Context Sensitive Review. Member Dadd indicated that she felt the neighborhood should be conforming to the LDC. Mr. Atkins explained that a side or rear extension would not be ideal as the primary function is for his client to be able to enjoy the ocean breeze, as well as get in/out of his house without having to slide furniture to access the front door. He also pointed out that a front extension would look better esthetically and fit in with the surrounding homes. Several Members agreed that a front extension would be more fitting to the neighborhood. Member Williams disagreed with Staff's literal interpretation of the Context Sensitive Review determination.

A motion was made by Member Williams, seconded by Member Hertslet, to approve BOA case number 2018-10; AND that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-10, as presented, is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time; and that BOA case number 2018-10 meets the following criteria for granting a variance: special conditions, special privilege, literal interpretations, minimum variance, general harmony, and public interest and the reasons for these findings are: that I agree with the applicants summation of criteria in keeping with board views and staffs.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

3. Board Business

There was no Board Business to report.

4. Staff Report

Mr. Platt and Member Dadd both reported that they would not be present for the June 20 regular meeting. Mr. Platt stated that he would reach out to the applicant about rescheduling the June 20 meeting to a date uncertain.

5. Public Comment

There were no requests from the audience to be heard.

6. Adjournment

The meeting adjourned at 6:16 pm.

Samantha Rogic, Secretary

Matt Miller, Chair



BOA 2018-11
South Fletcher Avenue
July 11, 2018

BOARD OF ADJUSTMENT STAFF REPORT

Case Number 2018-11

Meeting Date July 18, 2018

Owner/Applicant Robert L. Wiggins Sr. / Rogers Towers, P.A. C/O Jon Lasserre, Esq.

Property Location: South Fletcher Avenue, Lot 5 or Block 10 Ocean City Plat

Parcel Number: 00-00-31-1520-0010-0050

Requested action: VARIANCE from LDC Section 4.02.03(E) Standards for Building Heights and Setbacks

Current zoning: R-3

FLUM land use category: High Density Residential

Existing uses on the site: Vacant

All required application materials have been received. All fees have been paid. All required notices have been made.

I. SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant is seeking a variance to reduce the twenty-five foot front yard setback to fifteen feet from the property line. The site plan submitted with the application shows a 23'11" x 50' structure complying with the Land Development Code minimum setbacks.

The entire property is located seaward of the Coastal Construction Control Line (CCCL). Along this section of beach, the minimum requirement for the lowest horizontal structural member is 18.75' NAVD, eliminating the possibility for habitable space on the first floor. The rock revetment in this stretch of South Fletcher is closer to the road and encroaches farther west on these particular properties than it does to the north and the south, limiting the seaward construction.

The City's Context Sensitive Review (CSR) application was not a feasible option for this particular property because of the location on the block face. Two CSRs have been administratively processed just to the south of this property.



BOA 2018-11
South Fletcher Avenue
July 11, 2018

II. CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The following Comprehensive Plan statements are applicable in this case:

- Policy 1.02.07 – The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.
- Policy 1.02.10 – The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.

III. CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

Variance procedures and criteria are set forth in sections 10.02.01 through 10.02.04.

- Section 10.02.01(B) states that the BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay or the CRA Overlay, where requirements of Section 10.02.00 are met.
- Section 10.02.02(B) states that the applicant for a variance has the burden of proof of demonstrating that the variance application complies with each of the requirements of Section 10.02.02(A).
- Section 10.02.04 sets forth the application requirements. This application includes information necessary for the BOA to make the required findings.
- Section 10.02.01(C) sets forth the limitations on the grant of a variance:
 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
 2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
 3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
 4. A variance shall not change the requirements for concurrency.
 5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
 6. A variance shall not be granted if the evidence submitted by an applicant is a demonstration of financial hardship or economic considerations.
 7. A variance shall not be granted for procedure or process components of this Land Development Code.
 8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue.

Staff's review of this application finds it is not subject to any of these limitations and can therefore be considered by the Board.



In order for an application for a variance to be approved or approved with conditions, the BOA shall make a positive finding with regard to each of the following provisions:

**Consistent
with
Criteria?**

All questions must be answered in the affirmative in order for staff to recommend approval of a variance. Negative answers must be addressed in the findings.

☒ Yes ☐ No	1. <u>Special Conditions:</u> <i>Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.</i> Yes. Special conditions <u>do</u> exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Given the location of the rock revetment and the LDC setback requirements, this lot is left with a building envelope of 24' x 50'. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development cost.
☐ Yes ☒ No	2. <u>Special Privilege:</u> <i>Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.</i> No. Granting the variance <u>does confer</u> upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district. The administrative tool for reducing the front yard setback is not feasible because of the unusually long block face. The request is not out of "context" with the block face to the south.
☐ Yes ☒ No	3. <u>Literal Interpretation:</u> <i>Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.</i> No. Literal interpretation of the Land Development Code <u>would not</u> deprive the applicant of rights enjoyed by others properties in the same zoning district. A structure can be built on this lot with the literal interpretation of the LDC. However, there are limiting factors, such as the location of the rock revetment and minimum elevations for habitable space.
☐ Yes ☒ No	4. <u>Minimum Variance:</u> <i>The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.</i> No. The variance requested <u>is not</u> the minimum variance needed to make possible the reasonable use of the land, structure, or building. It would allow for 500 square feet of additional space per floor to be constructed on this site.



☒ Yes ☐ No	5. <u>General Harmony</u>: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan. Yes. Granting the variance <u>will</u> be in harmony with the general intent and purpose of Land Development Code and Comprehensive Plan. The LDC has an administrative tool for reducing front setback on blocks with nonconforming structures. Granting the variance will not be out of context with the surrounding properties on the east side of South Fletcher Avenue
☒ Yes ☐ No	6. <u>Public Interest</u>: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment. Yes. Granting of a variance <u>is</u> compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.

V. ANALYSIS:

The variance requested is consistent/inconsistent with the criteria for granting a variance as follows:

	Consistent	Inconsistent
1. Special Conditions	X	
2. Special Privilege		X
3. Literal Interpretations		X
4. Minimum Variance		X
5. General Harmony	X	
6. Public Interest	X	

The applicant appears to meet criteria 1, 5 and 6 but does not meet criteria 2, 3 and 4 for granting a variance, therefore staff has to recommend denial.

VI. MOTION TO CONSIDER:

I move to approve or deny BOA

case number 2018-11; AND I move that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-11, item, as presented, **is or is not** substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Jacob M. Platt, Planner II
Community Development Department

OFFICE USE ONLY

REC'D: 6/18/18 BY: ER
PAYMENT: \$ 650 TYPE: CH#23247
APPLICATION #: 2018-000960
CASE #: BOA 2018-11
BOARD MEETING DATE: 7/18/18

**APPLICATION FOR VARIANCE FROM THE LDC****APPLICANT INFORMATION**

Owner Name: Robert L. Wiggins, Sr.
Mailing Address: P.O. Box 798, Baxley, Georgia 31515
Telephone: (904) 962-4227 **Fax:** N/A
Email: toddbates1@yahoo.com

Agent Name: Rogers Towers, P.A. C/O Jon C. Lasserre, Esq.
Mailing Address: 960185 Gateway Blvd., Suite 203, Fernandina Beach, Florida 32034
Telephone: (904) 261-5618 **Fax:** (904) 396-0663
Email: JLasserre@RTLAW.com

PROPERTY INFORMATION

Street Address: U/A S. Fletcher Avenue, Fernandina Beach, Florida 32034
Parcel Identification Number(s): 00-00-31-1520-0010-0050
Lot Number: 5 **Block Number:** 10

PROJECT INFORMATION

Variance(s) requested from LDC Section(s): 4.02.03.D & 4.02.03.E

Brief description of work proposed (use additional sheets if necessary):

Owner is requesting a 15' reduction in the front yard setback, as has
been granted with other properties in the vicinity of this property,
due to the limited depth allowed as a result of the location of a dune
and rock revetment.

In order for an application for a variance to be approved or approved with conditions, the BOA or the HDC must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof of demonstrating that the application for a variance complies with each of the requirements. Please explain in detail how your case meets the following requirements:

1. **Special Conditions:** Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.

The location of a dune, as shown on the drawings by Gillette and Associates, along with a rock revetment, seriously limit the depth of allowable area in which to construct on this property. Further, respecting the depth of neighboring properties limits how far east that this property can be developed.

2. **Special Privilege:** Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.

Granting this variance would not confer upon the applicant a special privilege because similar properties within the vicinity of the subject property, having a similar limitation as to depth, have been granted variances allowing the same reduction in setback.

3. **Literal Interpretation:** Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

The literal interpretation of the provisions of the LDC would deprive the applicant of rights enjoyed by other properties in the vicinity and would also encroach into a dune and possibly limit the visibility of adjoining structures.

4. **Minimum Variance:** The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.

The variance requested is the minimum variance that will make possible the reasonable use of the land and is inline with other uses in the vicinity of the subject property. The subject property's limitations may be even greater than the others as it is located along a curve.

5. **General Harmony:** Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.

The variance will be inline with other uses in the vicinity and will is in harmony with the general intent and purpose of the LDC and Comprehensive Plan.

6. Public Interest: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment. Granting the variance is compatible with surrounding properties, the property to the north is a duplex and the property to the west is a triplex, and is in line with the building lines of other properties in the vicinity.

☐ If your property is located within the Historic Districts or the Community Redevelopment Area, please fill out responses to the supplemental variance criteria, attached as Appendix A, on a separate sheet of paper.

SIGNATURE/NOTARY

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

June 18, 2018

Date

[Signature]

Signature of Applicant

STATE OF FLORIDA

COUNTY OF NASSAU

ss }



Subscribed and sworn to before me this 18th day of June, 2018.

Jennifer T. Athavale

Notary Public: Signature

Jennifer T. Athavale

Printed Name

9-30-18

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I /WE Robert L. Wiggins
(print name of property owner(s))

hereby authorize: Rogers Towers, P.A., Jon C. Lasserre, Esq.
(print name of agent)

to represent me/us in processing an application for: Variance Application
(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.

Robert L. Wiggins
(Signature of owner)

(Signature of owner)

Robert L. Wiggins
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
ss }

Subscribed and sworn to before me this 18th day of June, 2018.

Kristina M. Alderson
Notary Public: Signature

Kristina M. Alderson
Printed Name



KRISTINA M. ALDERSON
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF180963
Expires 12/3/2018

12/3/18
My Commission Expires

Personally Known X OR Produced Identification _____ ID Produced: _____

PREPARED BY & RETURN TO:

Name: Wood & Smith, P.A.
Address: 303 Centre Street
Suite 100
Fernandina Beach, FL 32034
File No. 17-200002
Sales Price: \$590,000.00

Parcel No.: 00-00-31-1520-0010-0050

This **WARRANTY DEED**, made the **17th day of January, 2018**, by **James A. Hill, a married person, individually and as Trustee of the James Hill Amended and Restated Revocable Trust Agreement dated 9/10/97** (whether one or more, the "Grantor"), to **Robert L. Wiggins, a married man**, whose post office address is Post Office Box 798, Baxley, GA 31515 (whether one or more, the "Grantee"):

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in County of Nassau, State of Florida, viz:

Lot Five (5), Block Ten (10) OCEAN CITY, according to plat thereof recorded in Deed Book "U", Page 384; public records of Nassau County, Florida. The above described lands are intended to be the same lands described in Official Records Book 181, Page 458 and Deed Book 80, Page 101, Public Records of Nassau County, Florida.

The land described herein is not the homestead of the Trustee, and neither the Trustee nor any spouse of the Trustee, nor anyone for whose support the Trustee is responsible, resides on or adjacent to said land.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

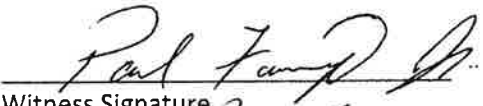
SUBJECT TO TAXES FOR THE YEAR 2018 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

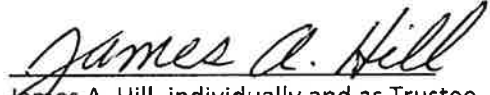
TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that the Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever. Grantor further warrants that said land is free of all encumbrances, except as noted herein and except taxes accruing subsequent to December 31, 2017.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, as of the day and year first above written.

Signed, sealed and delivered in the presence of:


 Witness Signature
 Printed Name: Paul Farnsworth Jr.

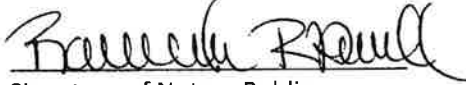

 James A. Hill, individually and as Trustee
 of the James Hill Amended and Restated
 Revocable Trust Agreement dated
 9/10/97


 Witness Signature
 Printed Name: Reggie Gross

Address:
 2852 BELLWIND Circle
 Rockledge, FL 32955

STATE OF Florida
 COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 16 day of January, 2018, by James A. Hill, individually and as Trustee of the James Hill Amended and Restated Revocable Trust Agreement dated September 10, 1997, who is personally known to me or who produced a FID as identification.


 Signature of Notary Public
 Print, Type/Stamp Name of Notary

Personally known: _____
 OR Produced Identification: ✓

Type of Identification Produced: FID





Jon C. Lasserre

JLasserre@rtlaw.com

960185 Gateway Boulevard • Suite 203
Amelia Island, Florida 32034

904 . 261 . 5618 Main
904 . 261 . 9159 Fax
www.rtlaw.com

June 18, 2018

Mr. Jacob Platt
Planner II
City of Fernandina Beach
Community Development Dept.
204 Ash Street
Fernandina Beach, Florida 32034

**RE: BOARD OF ADJUSTMENT APPLICATION FOR VARIANCE
U/A SOUTH FLETCHER AVENUE, FERNANDINA BEACH, FLORIDA
(THE "PROPERTY")**

REVISED 07/09/2018

Dear Mr. Platt:

Our firm represents Robert L. Wiggins (the "Applicant") in the matter involving the enclosed application for variances from the front yard setback for the vacant lot located at the Northeast Corner of Alabama Avenue and South Fletcher Avenue, Fernandina Beach, Florida (the "Application"). Included with the Application is a check for the \$650.00 application fee.

As you are also aware, the adjacent oceanfront properties are narrow in comparison to many of the properties along S. Fletcher and are subject to a rock revetment that was installed by the Army Corps of Engineers. The location of the revetment creates a burdensome hardship to constructing a home on these particular properties in that it limits the depth in which the structure can be located. This is evident by viewing the aerial photograph shown within the application; many of the other oceanfront structures within the vicinity already cross the front yard setback as is proposed by the Applicant and some go even further into the setback area.

The Applicant also seeks to minimize impacts to nearby properties by lining up the easterly edge of their structure so that it does not extend beyond their projections and remains in line with their leading edges. Further, the Applicant desires to minimize impact on the existing sand dune that has developed as a result of the installation of the revetment mentioned above. Further impact into the dune would require additional permitting by the DEP which may not be allowed. By allowing the variance, they are able to reasonably utilize their property without these further impacts.

Mr. Jacob Platt
March 18, 2018
Page 2

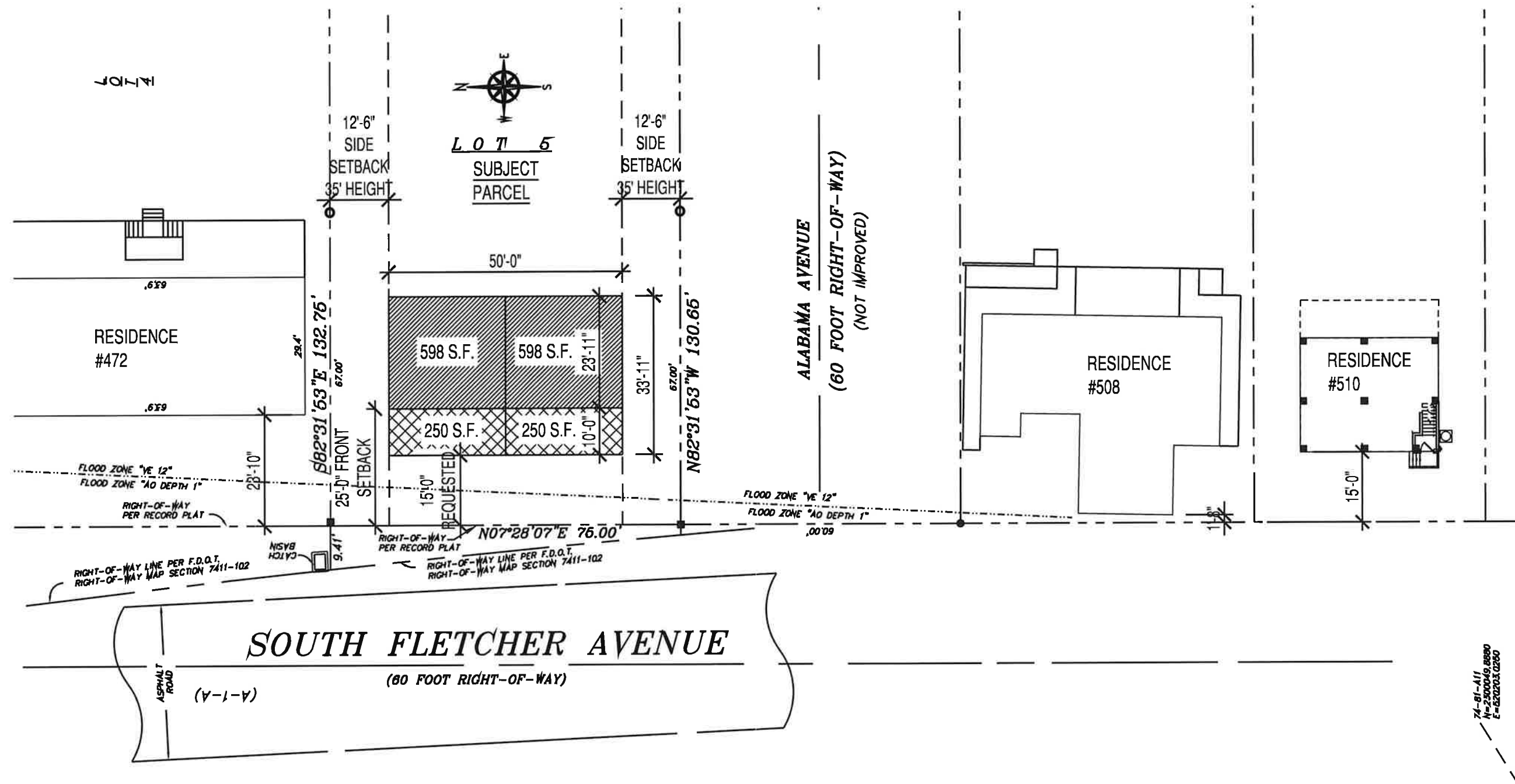
On behalf of the Applicant, I hope that your review of the Application will be viewed favorably, and look forward to presenting the Application to the Board of Adjustment on July 18, 2018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon C. Lasserre", with a long horizontal flourish extending to the right.

Jon C. Lasserre, Esq.

Cc: Client



DEPARTMENT OF NATURAL RESOURCES
COASTAL CONSTRUCTION CONTROL LINE
FILED APRIL 6, 1983 IN SET BACK
LINES BOOK PAGES 10-16.

OWNER: WIGGINS, ROBERT 5-5-18

SITE PLAN
1" = 30'

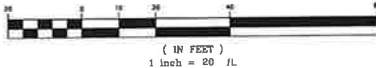
MAP OF BOUNDARY & TOPOGRAPHIC SURVEY
LOT 5, BLOCK 10, OCEAN CITY

AS RECORDED IN DEED BOOK "U", PAGE 384 OF THE
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

THE ABOVE DESCRIBED LANDS ARE INTENDED
TO BE THE SAME LANDS DESCRIBED IN
OFFICIAL RECORDS BOOK 181, PAGE 458 AND
DEED BOOK 80, PAGE 101, OF THE PUBLIC
RECORDS OF NASSAU COUNTY, FLORIDA.

CERTIFIED TO:
JAMES HILL

GRAPHIC SCALE



ATLANTIC OCEAN

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	75.34'	3859.83'	1'07'06"	N1°59'54"E	75.34'

LEGEND

○ = CENTERLINE
□ = WOOD PLATFORM
F.D.G.T. = FLORIDA DEPARTMENT OF TRANSPORTATION

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) Lands shown hereon were not abstracted by this office for assessments, rights-of-way, sewerage or other instruments of record.
- 4) Bearings and coordinates shown hereon are based on the State Plane Coordinate System, East Zone, State of Florida, North American Datum of 1983 (NAD '83).
- 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 "A0" DEPTH 1", "A1" 12" as per F.E.M.A. Flood Insurance Rate Map, Panel 120295-0241G, Dated 08/02/2012. Flood Zone information listed 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 51-17, Florida Administrative Code, pursuant to Section 472.037, Florida Statutes.
- 7) Site Benchmark is as shown hereon.
- 8) Elevations shown hereon refer to North American Vertical Datum of 1988. (N.A.V.D. '88) and were GPS derived.
- 9) The Reference Benchmark is a Brass Disk Stamped R24 Found in Driveway of Residence #425 South Fletcher Avenue. (Elevation = 81.7' M.A.S.L. 88).
- 10) 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.
- 11) Ownership of the strip of land lying between the easterly right-of-way line of South Fletcher Avenue (60' in width per F.D.G.T. Map Section 7411-102) and the westerly line of Lot 5 has not been determined.

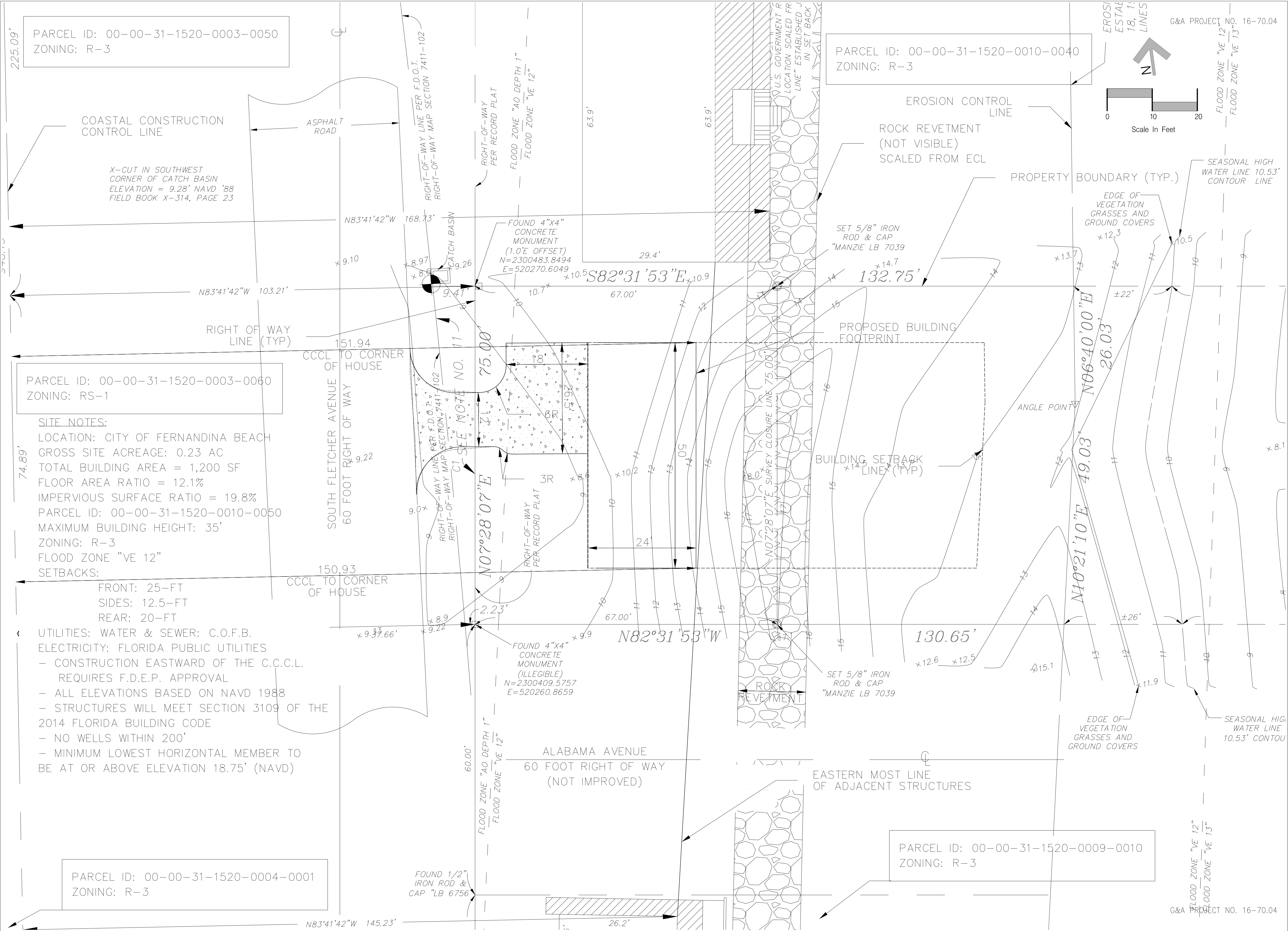
THE INFORMATION SHOWN HEREON MEETS THE
STANDARDS OF PRACTICE SET FORTH BY THE
FLORIDA BOARD OF PROFESSIONAL SURVEYORS
AND MAPPERS IN CHAPTER 51-17, FLORIDA
ADMINISTRATIVE CODE, PURSUANT TO SECTION
472.027, FLORIDA STATUTES.

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."

□ MICHAEL A. MANZIE, P.L.S. 4069
□ GUY L. MELVIN, P.L.S. 4329

SCALE: 1"=20' JOB NO: 20094 DATE: 09/19/17 CADD: BH
F.B. NO: X-314 PAGE NO: 23 FIELD CREW: CB FILE NO: C-827



PARCEL ID: 00-00-31-1520-0003-0050
ZONING: R-3

PARCEL ID: 00-00-31-1520-0010-0040
ZONING: R-3

PARCEL ID: 00-00-31-1520-0003-0060
ZONING: RS-1

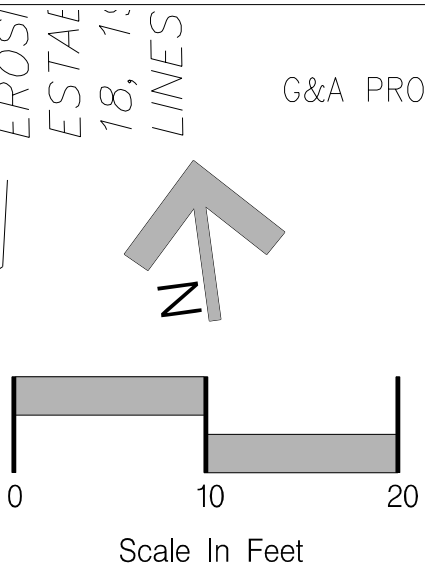
SITE NOTES:
LOCATION: CITY OF FERNANDINA BEACH
GROSS SITE ACREAGE: 0.23 AC
TOTAL BUILDING AREA = 1,200 SF
FLOOR AREA RATIO = 12.1%
IMPERVIOUS SURFACE RATIO = 19.8%
PARCEL ID: 00-00-31-1520-0010-0050
MAXIMUM BUILDING HEIGHT: 35'
ZONING: R-3
FLOOD ZONE "VE 12"
SETBACKS:

FRONT: 25-FT
SIDES: 12.5-FT
REAR: 20-FT

UTILITIES: WATER & SEWER: C.O.F.B.
ELECTRICITY: FLORIDA PUBLIC UTILITIES
- CONSTRUCTION EASTWARD OF THE C.C.C.L.
REQUIRES F.D.E.P. APPROVAL
- ALL ELEVATIONS BASED ON NAVD 1988
- STRUCTURES WILL MEET SECTION 3109 OF THE 2014 FLORIDA BUILDING CODE
- NO WELLS WITHIN 200'
- MINIMUM LOWEST HORIZONTAL MEMBER TO BE AT OR ABOVE ELEVATION 18.75' (NAVD)

PARCEL ID: 00-00-31-1520-0004-0001
ZONING: R-3

PARCEL ID: 00-00-31-1520-0009-0010
ZONING: R-3



NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.

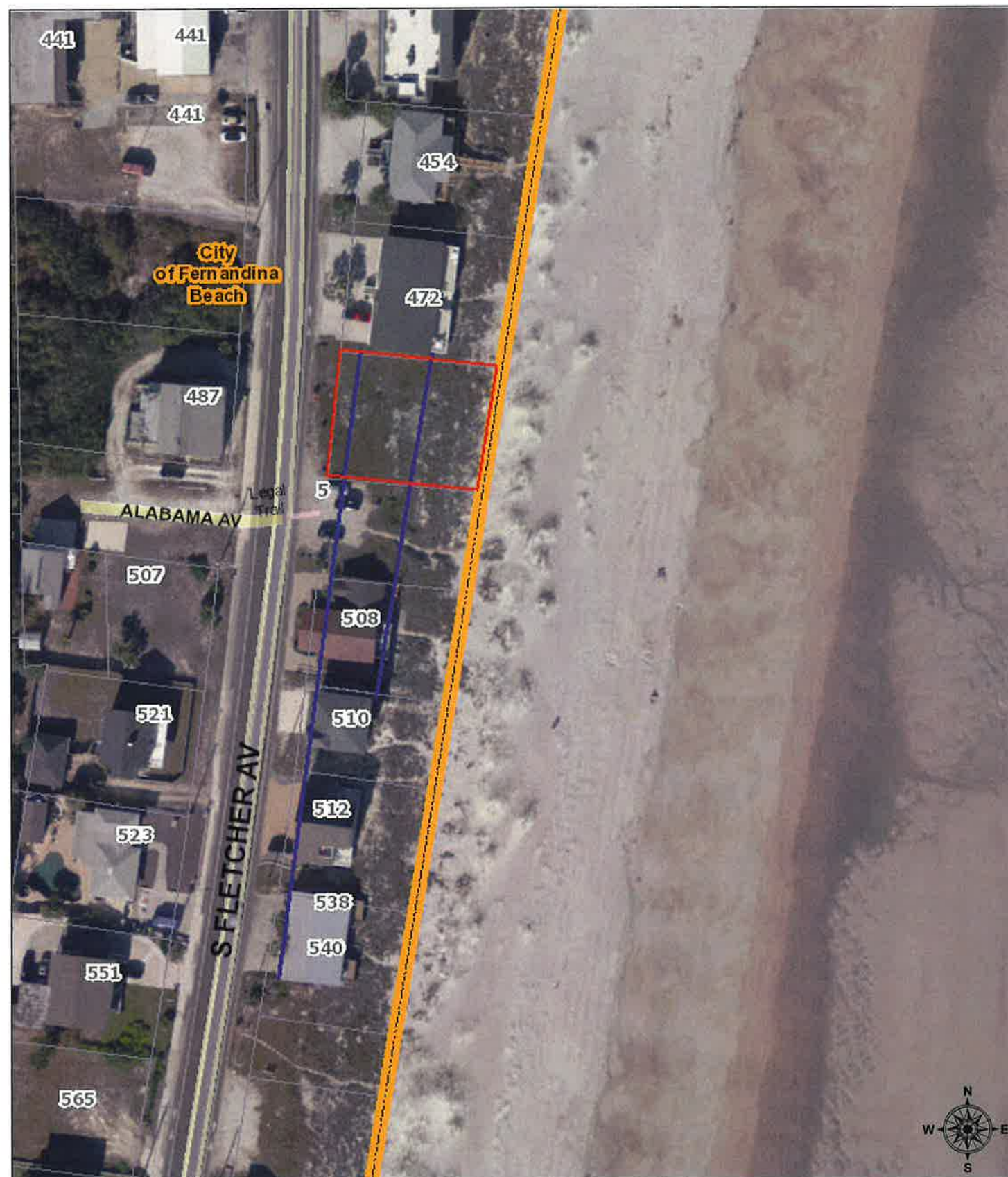
REGISTERED DESIGN PROFESSIONAL
ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 56177

REV	DATE	ITEM
A	10/26/17	DEVELOPMENT / CLIENT REVIEW

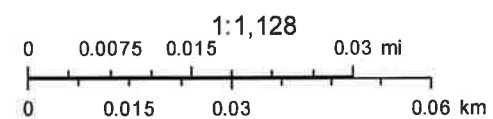
GILLETTE & ASSOCIATES, INC.
CIVIL, ENVIRONMENTAL, MECHANICAL, & STRUCTURAL ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL. PE. NO. 56177
20 S. 4th STREET * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819

BATES FEASIBILITY
LOT 5 SOUTH FLETCHER AVENUE
FERNANDINA BEACH, FLORIDA

DATE: 10-25-17
FEASIBILITY
SITE PLAN
North / Elev Key/Sheet
Page 1 of 1



June 18, 2018





BOA 2018-11
324 Elm Street
April 11, 2018

BOARD OF ADJUSTMENT STAFF REPORT

Case Number 2018-11
Meeting Date July 18, 2018
Owner/Applicant Douglas S. Kohlman
Property Location: 324 Elm Street
Parcel Number: 00-00-31-1800-0279-0110 & 00-00-31-1800-0279-0101

Requested action: VARIANCE from LDC Sections 1.03.05(A) A. In order to maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, wherever there may exist a single-family residence, a two-family building or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvement which was heretofore constructed on property containing one or more platted lots or portions thereof (excluding walls or fences), such lots shall thereafter constitute one building site and shall be considered the "lot of record", and no permit shall be issued for the construction of more than one residence or two-family building on the site. All construction on the building site must comply with all existing zoning and density requirements

Current zoning: MU-1 (lots 15, 16, 17 & 18 R-2?)
Researching the conflicting Zoning and FLUM Maps at this time
FLUM land use category: Mixed Use/Medium Density Residential
Existing uses on the site: Single family House and 6 undeveloped 25' x 100' lots

All required application materials have been received. All fees have been paid. All required notices have been made.

I. SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant owns nine 25 x 100 foot lots of record that front Elm Street between South 3rd and South 4th Street; 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 1901¹.

Three of those lots of record were combined when the existing single family home was constructed, which according to the Property Appraiser's website was in 1940.

The applicant is seeking a variance to restore those three lots of record which could allow for a more flexible redevelopment of the entire property.

¹ The 1901 Florida Town Improvement Company Plat



BOA 2018-11
324 Elm Street
April 11, 2018

II. CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The following Comprehensive Plan statements are applicable in this case:

- Policy 1.02.07 – The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.
- Policy 1.02.10 – The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.
- Objective 1.04 - The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties.
- Policy 1.05.04 - Existing platted lots of record located in Central Business District, Mixed Use, and Low, Medium, or High Density Residential land use districts shall not be prohibited from the construction of one (1) residential unit due to a nonconforming lot size.
- Objective 1.06 Community Character - Community character is reflected in lot sizes, house sizes, site placement, height, architectural features and existing vegetation. The City shall strive to stabilize and preserve neighborhoods and establish urban design standards which protect and promote quality of life, in order to prevent teardowns, encourage re-use, infill and new development.
- Policy 1.06.04 - The City shall, through appropriate land development regulations, allow and encourage a range of housing patterns.

III. CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

Variance procedures and criteria are set forth in Sections 10.02.01 through 10.02.04.

- Section 10.02.01(B) states that the BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay or the CRA Overlay, where requirements of Section 10.02.00 are met.
- Section 10.02.02(B) states that the applicant for a variance has the burden of proof of demonstrating that the variance application complies with each of the requirements of Section 10.02.02(A).
- Section 10.02.04 sets forth the application requirements. This application includes information necessary for the BOA to make the required findings.
- Section 10.02.01(C) sets forth the limitations on the grant of a variance:
 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
 2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
 3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
 4. A variance shall not change the requirements for concurrency.
 5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.



BOA 2018-11
324 Elm Street
April 11, 2018

6. A variance shall not be granted if the evidence submitted by an applicant is a demonstration of financial hardship or economic considerations.
7. A variance shall not be granted for procedure or process components of this Land Development Code.
8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue.

Staff's review of this application finds it is not subject to any of these limitations and can therefore be considered by the Board.

I. SECTION 10.02.02(A) – REQUIRED FINDINGS FOR GRANTING OF A VARIANCE

In order for an application for a variance to be approved or approved with conditions, the BOA shall make a positive finding with regard to each of the following provisions:

**Consistent
with
Criteria?**

All questions must be answered in the affirmative in order for staff to recommend approval of a variance. Negative answers must be addressed in the findings.

☐ Yes ☒ No	1. <u>Special Conditions</u>: Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs. No. Special conditions <u>do not</u> exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. The three lots are the “lot of record” as established by the existing structure. Although granting the variance could allow for a housing type in keeping with the platted lots.
☐ Yes ☒ No	2. <u>Special Privilege</u>: Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district. No. Granting the variance <u>does confer</u> upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district. This section of code applies to all residentially zoned lots of record to preserve neighborhood character. However, Lot sizes vary in the area and the block to the south is undeveloped with the exception of one house which appears to be on two lots of record.
☐ Yes ☒ No	3. <u>Literal Interpretation</u>: Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. No. Literal interpretation of the Land Development Code <u>would not</u> deprive the applicant of rights enjoyed by others properties. The property owner could still redevelop the parcels including the undeveloped 25' x 100' lots of record.



BOA 2018-11
324 Elm Street
April 11, 2018

☒ Yes ☐ No	4. <u>Minimum Variance</u>: The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building. Yes. The variance requested <u>is</u> the minimum variance needed to make possible the reasonable use of the land and allow for flexible redevelopment of the parcels as encouraged by Comp. Plan Objective 1.04.
☒ Yes ☐ No	5. <u>General Harmony</u>: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan. Yes. Granting the variance <u>will</u> be in harmony with the general intent and purpose of Land Development Code and Comprehensive Plan. The LDC and Comp. Plan speak to honoring underlying lots of record as well as encouraging redevelopment with varying housing types in already urbanized areas.
☒ Yes ☐ No	6. <u>Public Interest</u>: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment. Yes. Granting of a variance <u>is</u> compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.

V. ANALYSIS:

The variance requested is consistent/inconsistent with the criteria for granting a variance as follows:

	Consistent	Inconsistent
1. Special Conditions		X
2. Special Privilege		X
3. Literal Interpretations		X
4. Minimum Variance	X	
5. General Harmony	X	
6. Public Interest	X	

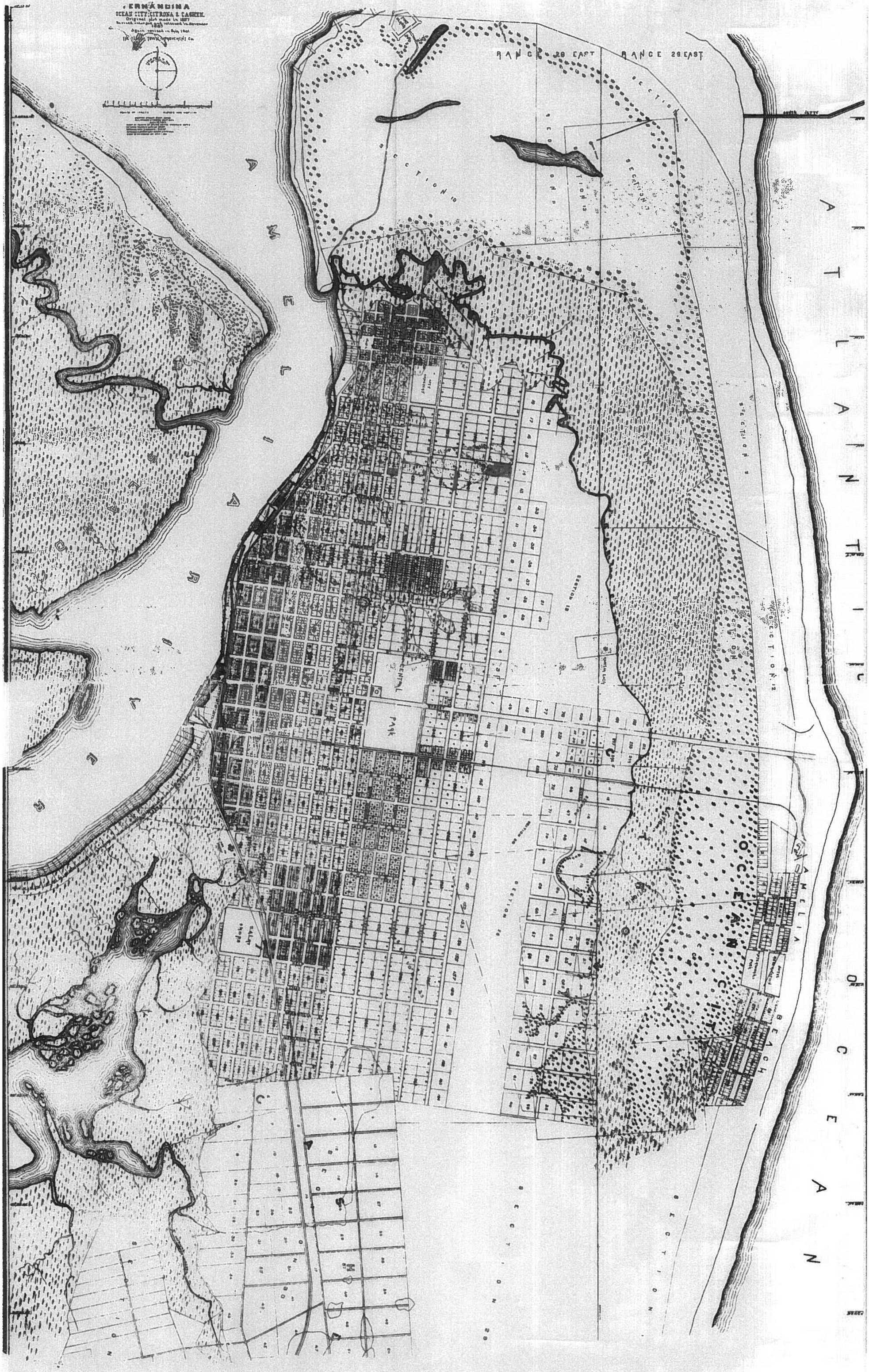
The applicant appears to meet criteria 4, 5 and 6, but does not meet 1, 2 and 3, for granting a variance, therefore, staff has to recommend denial.

VI. MOTION TO CONSIDER:

I move to **approve or deny** BOA case number 2018-12; AND I move that the BOA make the following findings of fact and conclusions of law part of the record: That BOA case 2018-12, item, as presented, **is or is not** substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time.

Jacob M. Platt, Planner II
Community Development Department

HERNANDEZ
OCEAN CITY, TEXAS & CARRIERS
Original plat made in 1897
Revised and enlarged in 1910
Section 12
Plat made in July 1901
The Standard Map Company



OFFICE USE ONLY

REC'D: 5/21/18 BY: HD
 PAYMENT: \$ 650- TYPE: CK 1020
 APPLICATION #: 2018-001048
 CASE #: BOA 2018-12
 BOARD MEETING DATE: July 18, 2018



APPLICATION FOR VARIANCE FROM THE LDC

APPLICANT INFORMATION

Owner Name: DOUGLAS KOHLMAN
 Mailing Address: 324 ELM ST. Fernandina Beach FL 32034
 Telephone: 904 556 2988 Fax: _____
 Email: KOHLMAN@ME.COM

Agent Name: SAME AS ABOVE
 Mailing Address: _____
 Telephone: _____ Fax: _____
 Email: _____

PROPERTY INFORMATION

Street Address: 324 ELM ST. FERNANDINA BEACH FL. 32034
 Parcel Identification Number(s): ~~10000000~~ 00-00-31-1800-0219-0110
 Lot Number: ~~12, 13, 14~~ Block Number: 279

PROJECT INFORMATION

Variance(s) requested from LDC Section(s): Lot restoration 1.03.05 A

Brief description of work proposed (use additional sheets if necessary):

A house currently sits across Lots 12, 13, 14 at this address. The applicant would like to restore these three lots as planned for the future potential development of the home so that each lot can enjoy the use intended under the current

Zone MU-1
 In order for an application for a variance to be approved or approved with conditions, the BOA or the HDC must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof of demonstrating that the application for a variance complies with each of the requirements. Please explain in detail how your case meets the following requirements:

1. **Special Conditions:** Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.

The lots are currently zoned MV-1 which is ~~uncommon~~
has changed ~~since the home was built before this zoning~~

2. **Special Privilege:** Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.

Such Lot restorations have been granted

3. **Literal Interpretation:** Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

Other properties within the same zoning district
have been granted a variance of a similar kind

4. **Minimum Variance:** The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.

This variance is simply to restore the original
platted lots

5. **General Harmony:** Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.

The granting of this variance will allow the
development of this property to adhere to the
Land Development Code and Comprehensive Plan ideas
for the current designation of MV-1 zoning

6. **Public Interest:** Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.

Granting the variance is compatible with the adjacent properties going south on 3rd St. Development will fall within the parameters of the MUV-1 designation and will in no way be detrimental

☐ If your property is located within the Historic Districts or the Community Redevelopment Area, please fill out responses to the supplemental variance criteria, attached as Appendix A, on a separate sheet of paper.

SIGNATURE/NOTARY

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

5/21/18
Date

[Signature]
Signature of Applicant

STATE OF FLORIDA }
COUNTY OF NASSAU } ss



Subscribed and sworn to before me this 21 day of May, 2018

Harriet Davis
Notary Public: Signature

Harriet Davis
Printed Name

3/22/21
My Commission Expires

Personally Known ☒ OR Produced Identification _____ ID Produced: _____

Rec: 1,736.00
Stamps 1,736.00

OTTC-04-1013

Return to: (enclose self-addressed stamped envelope)
Name: **Olde Towne Title Company**

Address: **21 North 3rd Street
Fernandina Beach, Florida 32034**

This Instrument Prepared by:

Address: **Olde Towne Title Company
21 North 3rd Street
Fernandina Beach, Florida 32034**

Property Appraisers Parcel Identification (Folio) Number(s):
00-00-31-1800-0279-0110

Grantee(s) S.S. #(s):

INSTR # 200506991
OR BK 01297 PGS 0439-0441
RECORDED 02/23/2005 12:42:05 PM
JOHN A. CRAWFORD
CLERK OF CIRCUIT COURT
NASSAU COUNTY, FLORIDA
DOC TAX PD (F.S. 201.02) 1,736.00
RECORDING FEES 27.00

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

Warranty Deed

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Made this **31st** day of **January 2005**, BETWEEN
Daphne Lovell Cryder a single person

whose post office address is: **4127 River Marsh Drive, Fernandina Beach**

of the County of **Nassau**, State of **Florida**, grantor, and
Douglas Scott Kohlman an unmarried

whose post office address is: **324 Elm Street, Fernandina Beach**

of the County of **Nassau**, State of **Florida**, grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of **Ten and no/100** Dollars,
and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is
hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and
assigns forever, the following described land, situate, lying and being in **Nassau** County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of
all persons whomsoever.

EXHIBIT "A"

ALL OF LOTS 13, 14, 15, 16, 17, 18 AND A PORTION OF LOTS 11 AND 12, ALL IN BLOCK 279, LYING AND BEING IN THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA, AND FURTHER KNOWN AND DESCRIBED 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) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 18, BLOCK 279, SAID POINT BEING AT A POINT WHERE THE NORTHERLY RIGHT OF WAY OF ELM STREET INTERSECTS THE WESTERLY RIGHT OF WAY OF SOUTH 4TH STREET (BOTH STREETS HAVING A 60 FOOT RIGHT OF WAY); THENCE NORTH 82 DEGREES 45 MINUTES 50 SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF ELM STREET, A DISTANCE OF 154.13 FEET TO A POINT; THENCE NORTH 17 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 110.69 FEET TO THE NORTHWEST CORNER OF LOT 11, BLOCK 279, AFOREMENTIONED; THENCE SOUTH 82 DEGREES 38 MINUTES 32 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOTS 11, 12, 13, 14, 15, 16, 17 AND 18, BLOCK 279, A DISTANCE OF 201.21 FEET TO THE NORTHEAST CORNER OF LOT 18, BLOCK 279, AFOREMENTIONED (SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH 4TH STREET, AFOREMENTIONED; THENCE SOUTH 07 DEGREES 32 MINUTES 00 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

Legal - SP-04-1013 Kohman

JOHN M. DREW, CFC
NASSAU COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	TAX YEAR	TYPE	ALT KEY	MILLAGE CODE	ESCROW
00-00-31-1800-0279-0110	2017	REAL ESTATE	13337	002	CL-0010578

KOHLMAN DOUGLAS SCOTT
324 ELM ST
FERNANDINA BEACH, FL 32034

324 ELM

BLOCK 279 LOTS 11 12 13 14
E OF SAL RR &
ALL OF LOTS 15 THRU 18
IN Q

2017 Paid Real Estate

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
BOARD OF COUNTY COMMISSIONERS					
GENERAL FUND	5.9768	111,040	50,000	61,040	364.82
TRANSPORTATION	0.5902	111,040	50,000	61,040	36.03
AI BEACH RENOURISHMENT MSTU	0.1021	111,040	50,000	61,040	6.23
SCHOOL BOARD					
BASIC DISCRETIONARY	0.7480	111,040	25,000	86,040	64.36
CAPITAL OUTLAY	1.5000	111,040	25,000	86,040	129.06
SCHOOL BOARD LOCAL EFFORT	4.3500	111,040	25,000	86,040	374.27
ST JOHNS RIVER MGMT DIST	0.2724	111,040	50,000	61,040	16.63
FL INLAND NAVIGATION DIST	0.0320	111,040	50,000	61,040	1.95
MOSQUITO CONTROL DISTRICT	0.1495	111,040	50,000	61,040	9.13
CITY OF FERNANDINA BEACH					
FERNANDINA BEACH	6.0000	111,040	50,000	61,040	366.24
VOTER APPROVED DEBT	0.2097	111,040	50,000	61,040	12.80
TOTAL MILLAGE		19.9307	AD VALOREM TAXES		\$1,381.52

NON-AD VALOREM ASSESSMENTS					
LEVYING AUTHORITY		RATE			AMOUNT
NON-AD VALOREM ASSESSMENTS					\$0.00
COMBINED TAXES AND ASSESSMENTS		\$1,381.52			
If Paid By Please Pay	Nov 30, 2017 \$0.00				

JOHN M. DREW, CFC
NASSAU COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	TAX YEAR	TYPE	ALT KEY	MILLAGE CODE	ESCROW
00-00-31-1800-0279-0110	2017	REAL ESTATE	13337	002	CL-0010578

RETURN WITH
PAYMENT

KOHLMAN DOUGLAS SCOTT
324 ELM ST
FERNANDINA BEACH, FL 32034

324 ELM

BLOCK 279 LOTS 11 12 13 14
E OF SAL RR &
ALL OF LOTS 15 THRU 18
IN Q

2017 Paid Real Estate

PLEASE PAY IN U.S. FUNDS TO JOHN M. DREW, CFC TAX COLLECTOR -86130 LICENSE ROAD, FERNANDINA BEACH FL 32034 , OR ONLINE AT WWW.NASSAUTAXES.COM

If Paid By	Nov 30, 2017				
Please Pay	\$0.00				

Paid 11/29/2017

Receipt # EEX-17-00029002

\$1.326.26

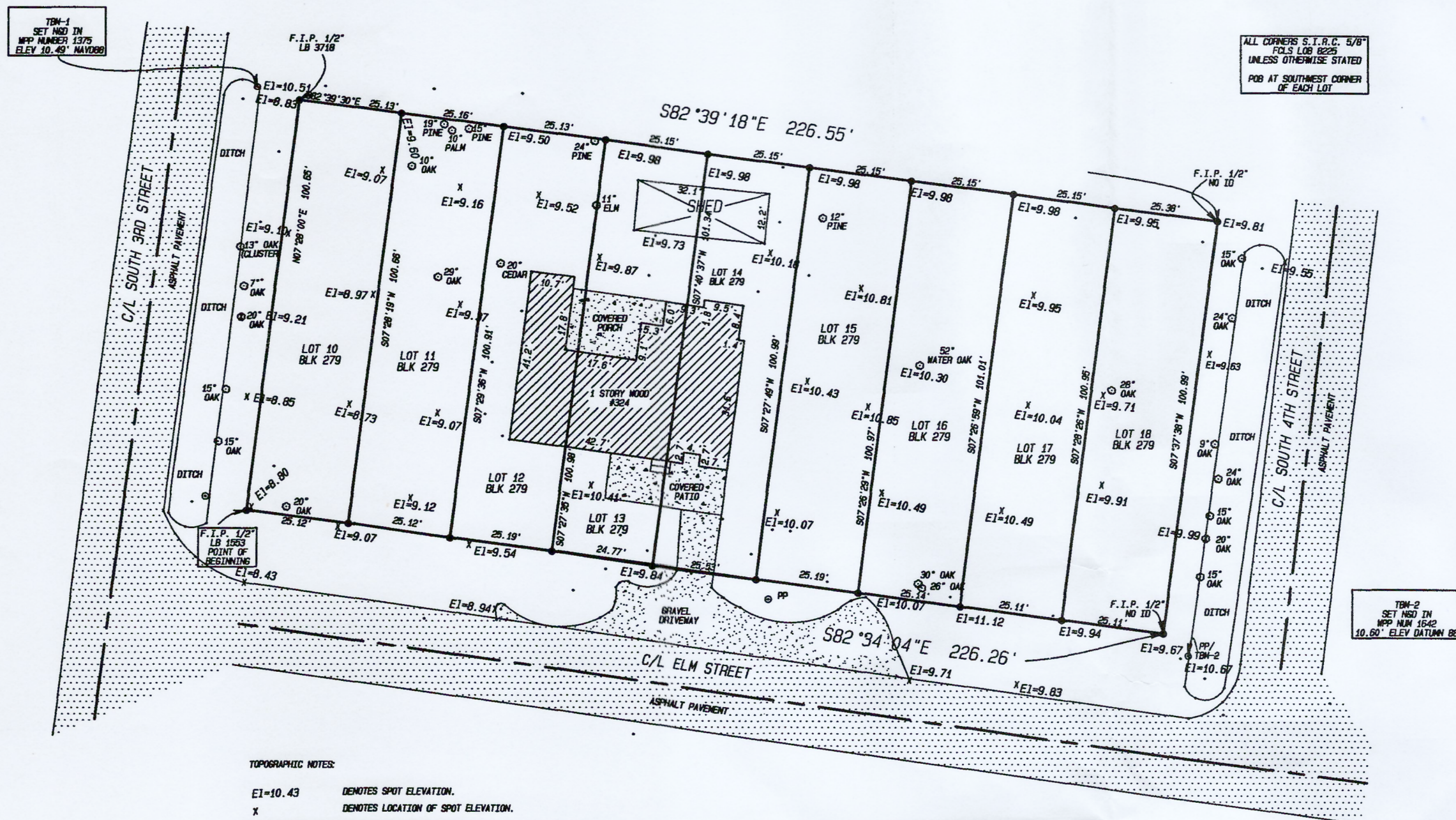
Paid By CORELOGIC



MAP OF BOUNDARY/TOPOGRAPHIC/ TREE SURVEY

DESCRIPTION:

PROPOSED LEGAL DESCRIPTION
ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA, AND FURTHER KNOWN AND DESCRIBED ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1887 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901) AS: ALL OF LOTS 10 THROUGH 18, BLOCK 279, CITY FERNANDINA BEACH, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 279 AND RUN NORTH 07° 28' 00" EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SOUTH THIRD STREET (A 60 FOOT R/W), A DISTANCE OF 100.64 FEET; THENCE RUN SOUTH 82° 39' 18" EAST, A DISTANCE OF 226.55'; THENCE RUN SOUTH 07° 37' 38" WEST, A DISTANCE OF 100.96 FEET; THENCE RUN SOUTH 82° 34' 04" EAST, FOR A DISTANCE OF 226.26 FEET TO THE POINT OF BEGINNING.



TOPOGRAPHIC NOTES:

E1-10.43 DENOTES SPOT ELEVATION.
X DENOTES LOCATION OF SPOT ELEVATION.

ELEVATIONS WERE SURVEYED FROM MGS BENCHMARK SHOWN AS 820150 ON H&S DATA SHEET ALSO KNOWN AS TIDAL BENCHMARK WM 649 HAVING A PUBLISHED ELEVATION OF 12.36 FEET, NAVD 83

CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

STREET ADDRESS:
ELM STREET

REF 00-00-31-1800-0279-0110
REF 00-00-31-1800-0279-0101

SURVEY NOTES:

- #1 BEARINGS ARE BASED ON PLAT WITH THE SOUTH LINE OF LOT 25, BEING S89°38'00"W.
- #2 UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED BY THIS SURVEY.
- #3 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM MAP PANEL NO. 12031C 0506 H, EFFECTIVE 06/03/2013, THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN ZONE "X".
- #4 THIS SURVEY PERFORMED WITHOUT BENEFIT OF AN ABSTRACT, TITLE SEARCH, TITLE OPINION OR TITLE INSURANCE.
- #5 DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF AND ARE PLAT AND MEASURED UNLESS SHOWN OTHERWISE.
- #6 ALL EASEMENTS ARE PER PLAT UNLESS SHOWN OTHERWISE.
- #7 THERE MAY BE ADDITIONAL RESTRICTIONS THAT APPLY WHICH ARE NOT SHOWN ON THIS SURVEY WHICH CAN BE FOUND IN PUBLIC RECORDS OF SAID COUNTY.
- #8 THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.
- #9 TEMPORARY, NON-PERMANENT IMPROVEMENTS AND/OR MAN-MADE ITEMS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING MATERIAL, STORAGE PODS, PAVEMENT BLOCKS, RUBBERMAID OR PLASTIC UTILITY BUILDINGS NOT ON FOUNDATIONS, VEHICLES ON BLOCKS MAY BE ON THIS PROPERTY BUT NOT LOCATED OR SHOWN.
- #10 LEGAL DESCRIPTION PROVIDED BY CLIENT.

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

THESE DOCUMENTS AND THEIR CONTENTS ARE THE PROPERTY OF FIRST COAST LAND SURVEYING, INC. AND ARE ISSUED ONLY FOR THE SPECIFIC PROJECT NOTED ON THESE DRAWINGS.

DRAWING

FIRST COAST LAND SURVEYORS, INC.

LAND SURVEYORS AND MAPPERS
LICENSED BUSINESS NO. 8225

3161-4 ST. JOHNS BLUFF ROAD S, JACKSONVILLE, FL., 32246
TELEPHONE (904) 779-2062 FAX (904) 779-7784
WWW.FIRSTCOASTLANDSURVEYING.COM

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

[Signature]
CLYDE D. VAN KLEECK
FL. REGISTERED SURVEYOR & MAPPER NO. 2546

BOUNDARY SURVEY ELM STREET

SHEET 1
OF 1

ABBREVIATIONS

FCM - FOUND CONCRETE MONUMENT	P.B. - PLAT BOOK	EB - ELECTRIC BOX
SCM - SET CONCRETE MONUMENT	D.B. - DEED BOOK	CB - CABLE BOX
F.I.R.C. - FOUND IRON ROD AND CAP	O.R. - OFFICIAL RECORDS	PB - PHONE BOX
BK - BOOK	PG - PAGE	F/H - FIRE HYDRANT
SET IRON ROD	SECTION	LB - LICENSED BUSINESS
S.I.R.C. - SET IRON ROD AND CAP	TWP - TOWNSHIP	EL - ELEVATION
P.O.C. - POINT OF COMMENCEMENT	RNG - RANGE	MH - MANHOLE
P.O.B. - POINT OF BEGINNING	COR - CORNER	CMP - CORRUGATED METAL PIPE
F.P. - FOUND PIPE	N - NORTH	RCP - REINFORCED CONCRETE PIPE
F.NSD - FOUND NAIL AND DISK	S - SOUTH	WES - WETTERED END SECTION
FND - FOUND	E - EAST	WV - WATER VALVE
(M) - FIELD MEASUREMENT	W - WEST	PP - POWER POLE
(C) - CALCULATED MEASUREMENT	R/W - RIGHT OF WAY	PRM - PERMANENT REFERENCE MONUMENT
(P) - CURVE	C/L - CENTERLINE	LP - LIGHT POLE
D - DEED	R - RADIUS	6" W.F. - 6" WETTERED END SECTION
		4" C.L.F. - 4" C.L. F.

Order No.	FIELD DATE:	REVISION	DATE
28625	03/01/2018		
Scale 1" = 30'		1	
Section		2	
Township South	REVIEWED BY: VAN	3	
Range East	DRAWN BY: HF	4	
	CHECKED BY: HF	5	