



**AGENDA
AIRPORT ADVISORY COMMISSION
REGULAR MEETING
MAY 13, 2021
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - 4.1 Review and Approval of Minutes - April 8, 2021 Regular AAC Minutes
- 5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA**
- 6. OLD BUSINESS**
 - 6.1 Monthly Financial Report
- 7. NEW BUSINESS**
 - 7.1 Review Request from Property Owner to Submit Release of FAA Restrictions
- 8. AIRPORT DIRECTOR AND STAFF REPORTS**
 - 8.1 Monthly Airport Director Report
- 9. COMMISSION MEMBER REPORTS/COMMENTS**
- 10. NEXT MEETING DATE**
- 11. ADJOURNMENT**

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 the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). 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 Airport Director.

1. **Call to Order:** Chairperson Geib called the meeting to order at 6:00 pm.
2. **Members Present:** Chuck Colcord, Don Edlin, Prudence Hostetter, Doug Geib, Dave Broughton, Tom Piscitello, Nathan Coyle (Staff Liaison), and Robert Kozakoff (Staff Liaison)

Members Absent: Frank Mayer

Others Present:, Commissioner Chip Ross and Brian Echard (Bent Wing Flight Services; via Zoom)

3. **Pledge of Allegiance**
4. **February 11, 2021 – Approval of Minutes:** The February 11, 2021 meeting minutes were presented for review of the AAC.

A motion was made by Member Hostetter, seconded by Member Edlin, to approve the February 11, 2021 AAC Regular Meeting Minutes. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

5. **Public Comment Regarding Items Not On The Agenda:** No public comment was provided.
6. **Old Business:**

6.1 Monthly Financial Review

The monthly financial report was presented by Airport Manager Coyle. Mr. Coyle stated that year-to-date revenue and expense were as anticipated. There was no discussion of the monthly financial report.

7. **New Business:**

7.1 Recommendation Request – Hangar Development Project

Airport Manager Coyle introduced a request for the AAC to review bid submittals received for construction of six new airport hangar units at the airport. Mr. Coyle presented the plans associated with the Base-Bid to construct six hangar units with hydraulic-swing doors on all units, and Bid Alternate A which would change three of the units to sliding doors, and also reduce the width of hangars. The saving from the Base-Bid to Bid Alternate A was \$49,000 as presented in the submittal by the low bidder, Scherer Construction of North Florida.

Mr. Coyle asked for a recommendation from the AAC on the award of the project and recommendation of selection of the Base-Bid or Bid Alternate A. Member Edlin asked for confirmation of where funding would come from for the match of the FDOT grant for this project and Mr. Coyle stated that all funding would come from the Airport Enterprise.

A motion was made by Member Colcord, seconded by Member Broughton to recommend award of City ITB 21-01 for the Base-Bid as submitted by Scherer Construction of North Florida. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

7.2 Discussion – Application for Ground Lease/Aeronautical Operation – World Skydiving Center

Airport Manager Coyle presented an application from World Skydive proposing a new skydiving operation at the airport. Mr. Coyle stated that he would be corresponding with the FAA to review this proposal, and that this agenda item was for discussion only at this time.

Members Hostetter and Edlin expressed concern related to the significant increase in skydiving activity indicated within the proposal and recommended proceeding with caution on review of the proposal. Member Colcord asked if the existing restrictions for Skydive Amelia written into its lease agreement should be included within the airport's rules and regulations. Mr. Coyle agreed that this would make sense.

Mr. Coyle stated that he plans to share the proposal with the FAA for feedback and will return to the AAC with more information for review and further discussion.

7.3 Recommendation Request – Bonhams & Butterfields Auctioneer Corp Annual Facility Use Agreement

Airport Manager Coyle introduced a facility use agreement proposed for use of the airport property by the Bonhams & Butterfields Auctioneer Corp to park vehicles attending the Bonhams Auction on City Golf Course property. The agreement proposed \$9,000 in payment for use of airport property.

A motion was made by Member Edlin, seconded by Member Colcord, to recommend that the City Commission approve the facility use agreement between Bonhams & Butterfields Auctioneer Corporation and the City of Fernandina Beach as presented. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

7.4 Recommendation Request – 1-107th Aviation REGT Annual Facility Use Agreement

Airport Manager Coyle presented a facility use agreement for provision of temporary air traffic control tower services by the 1-107th Aviation REGT, Tennessee Army National Guard, during upcoming Concours d'Elegance events in May of 2021. Member Edlin recommended providing local facility verbiage to the ground controllers for use when providing ground control services. Mr. Coyle mentioned that he would meet with the controllers prior to the meeting and will include this in that discussion. Mr. Coyle stated that Member Broughton had presented some questions on the letter of agreement with the FAA, and Mr. Coyle stated that he would work to answer those questions.

A motion was made by Member Hostetter, seconded by Member Broughton, to recommend that the City Commission approve the facility use agreement between the 1-107th Aviation REGT and the City of Fernandina Beach as presented. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

7.5 Recommendation Request – Concours d’Elegance Foundation, Inc Annual Facility Use Agreement

Airport Manager Coyle presented a facility use agreement for Concours d’Elegance for use of airport property during upcoming Concours d’Elegance events. Mr. Coyle asked that Concours representatives had inquired to see if there could be an accommodation or reduction of fees due to the impacts of COVID. The group agreed that Mr. Coyle should reach out and better understand the financial impacts expected by Concours before considering any accommodation of fees.

A motion was made by Member Edlin, seconded by Member Colcord, to recommend that the City Commission approve the facility use agreement between the Concours d’Elegance Foundation Inc and the City of Fernandina Beach following discussion and consideration of a fee accommodation by the Airport Manager. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

7.6 Recommendation Request – Amendment/Assignment of Southshore CRE Inc Ground Lease to FHB Aircraft Hangars LLC

Mr. Coyle presented an amendment and assignment of the ground lease with Southshore CRE Inc to FHB Aircraft Hangars LLC with an amendment to authorize establishing a condo association for sale of individual hangar units in the future if desired by the Lessee. There was no discussion of the group.

A motion was made by Member Colcord, seconded by Member Edlin, to recommend that the City Commission approve amendment and assignment of the ground lease with Southshore CRE Inc to FHB Aircraft hangars LLC as presented. A vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

8. Airport Manager and Staff Reports:

Airport Manager Coyle reviewed the monthly department report presented within the agenda packet.

Mr. Coyle also presented a letter that he recently provided to flight schools operating within the Jacksonville area. The letter outlined noise abatement guidelines for the airport. Mr. Coyle stated that he has also updated the airport’s AWOS broadcast with some of the noise abatement guidelines published by the airport. Member Geib recommended publishing the letter in the FBO flight planning room. Mr. Coyle stated that he had received concerns of aviation noise,

which appeared to be linked to flight instruction activity. Mr. Coyle stated that he would continue to keep the AAC updated on noise concerns.

9. Commission Member Reports and Comments:

Member Hostetter asked about the status and ownership of the Skydive Amelia facility, and requirements for upkeep. Mr. Coyle stated that the existing skydive operator owns the trailer on a ground lease and it is was/is the responsibility of the operator to maintain a facility in accordance with airport minimum standards.

10. Next Meeting Date: June 10, 2021

11. Adjournment: There being no further business to come before the Airport Advisory Commission, the meeting was adjourned at 7:22 p.m.

Secretary

Doug Geib, Chairperson

AIRPORT 420**AIRPORT
420**

	BUDGET 2020-2021	YTD	Percentage
REVENUES			
33120 FEMA GRANT	-	0.00	100.0%
33220 FAA GRANT	2,680,100	2,163,295.97	80.7%
33323 FDOT GRANT	1,042,073	151,521.61	14.5%
33420 FEMA STATE GRANT	-	0.00	0.0%
34704 RENTALS NON-TAXABLE	200	840.00	100.0%
34720 RENTALS	1,200	4,117.43	100.0%
34970 FUEL SALES	24,800	13,357.12	53.9%
34971 LEASE PAYMENTS - LAND LEASE	50,161	38,957.18	77.7%
34973 LAND LEASE - AMELIA RIVER	205,960	123,349.04	59.9%
34974 LAND LEASE PAYMENTS - NON-TAXABLE	42,295	24,931.71	58.9%
34975 RENT/LEASE PAYMENTS - City Built	310,000	163,573.57	52.8%
34976 8 FLAGS RENT (TAXABLE)	67,017	30,993.45	56.9%
34978 8 FLAGS RENT - NON-TAXABLE	50,266	35,761.88	
34979 TRANSIENT REVENUE	-	4,484.78	100.0%
36110 INTEREST		2,003.12	100.0%
36420 INSURANCE PROCEEDS		0.00	
36800 CAPITAL CONTRIBUTION		0.00	
38410 LOAN PROCEEDS		0.00	
36990 OTHER REVENUE	103,089	-6,940.73	-6.7%
36991 PARKING REVENUE	2,004	54.00	2.7%
36995 LATE FEES	-	1,529.48	0.0%
36992 GAIN ON SALE OF ASSETS		1,000.00	100.0%
38101 TRANSFERS IN GENERAL FUND		0.00	
38910 CASH BALANCE FORWARD	734,865	0.00	0.0%
Revenue Total	<u>5,314,030</u>	<u>2,752,829.61</u>	51.8%

AIRPORT 420

AIRPORT 420

	BUDGET 2020-2021	YTD	Percentage
PERSONNEL SERVICES			
51200 SALARIES	135,272	73,428.26	54.28%
51300 TEMPORARY	-	0.00	
51350 PART TIME	15,080	0.00	0.00%
51400 OVERTIME	-	0.00	
52100 FICA	11,502	5,134.06	44.64%
52200 RETIREMENT	29,138	15,816.41	54.28%
52300 HEALTH	28,906	16,667.28	57.66%
52301 LIFE	744	447.44	60.14%
52350 OPEB COSTS	1,756	1,168.00	66.51%
52400 WORKERS' COMP	1,341	888.00	66.22%
52500 UNEMPLOYMENT			
TOTAL	223,739	113,549.45	50.75%
OPERATING EXPENSES			
53100 PROFESSIONAL SERVICES	25,000	1,000.00	4.00%
53200 AUDIT	6,795	4,528.00	66.64%
53400 CONTRACTUAL	49,880	25,701.92	51.53%
53900 AUTO ALLOWANCE		0.00	
53910 HOUSING ALLOWANCE	-	0.00	
54000 TRAINING/TRAVEL	3,210	890.00	27.73%
54100 COMMUNICATIONS	2,388	1,155.54	48.39%
54101 COMMUNICATIONS - CELL	2,000	612.33	30.62%
54103 COMMUNICATIONS - INTERNET	5,750	1,298.50	22.58%
54200 POSTAGE	100	17.58	17.58%
54300 UTILITIES - ELECTRIC	42,000	12,121.86	28.86%
54310 UTILITIES - WATER & SEWER	13,400	4,777.97	35.66%
54500 INSURANCE	66,499	44,344.00	66.68%
54610 R/M GROUNDS	182,500	25,047.75	13.72%
54620 R/M EQUIPMENT	1,500	4,840.00	322.67%
54630 R/M VEHICLES-LABOR	7,000	1,807.50	25.82%
54640 R/M VEHICLES-MATERIALS	7,000	5,564.35	79.49%
54700 PRINTING	650	0.00	0.00%
54800 PROMOTIONAL	750	0.00	0.00%
54902 BAD DEBT EXPENSE		0.00	
54910 BILLING COST	7,300	4,864.00	66.63%
55100 OFFICE SUPPLIES	4,800	24.88	0.52%
55200 OPERATING SUPPLIES	1,940	1,474.54	76.01%
55210 UNIFORMS	400	43.00	10.75%
55230 FUEL	7,000	3,026.33	43.23%

AIRPORT 420

AIRPORT 420

	BUDGET 2020-2021	YTD	Percentage
55400 BOOKS/SUBS/DUES	525	605.00	115.24%
TOTAL	<u>438,387</u>	<u>143,745.05</u>	32.79%
CAPITAL OUTLAY			
56200 BUILDINGS	-	0.0	
56300 IMPROVEMENTS	4,350,967	2,381,395.9	54.73%
56400 MACH./EQUIP.	30,000	25,000.0	
56401 MACH./EQUIP. Non-CAP	1,000	0.0	0.00%
TOTAL	<u>4,381,967</u>	<u>2,406,395.9</u>	54.92%
57000 SETTLEMENT EXP		0.0	
57100 PRINCIPAL	82,000	0.0	
57200 INTEREST	33,322	16,660.9	
57300 FINANCING COSTS	-	0.0	
TOTAL	<u>115,322</u>	<u>16,660.9</u>	
Reserve	154,615		
Expense Total	<u><u>5,314,030</u></u>	<u><u>2,680,351.2</u></u>	50.44%

My name is James H. Cobb and I live at 10138 Whippoorwill Ln Jacksonville, FL
My business name is J. H. Cobb Properties, Inc.

I am asking the City of Fernandina Beach to request the FAA to remove a
Restricted Area on my property located on the corner of the Amelia Island
Parkway and Amelia Road. Parcel # 06-2N-28-0000-0001-0010)

This restriction was placed on my property when the Navy operated the
Fernandina Beach Airport as a training base during WW2. When the airport was
transferred back to the City the restriction moved with the deed. The City then
sold my parcel first to Amelia island Plantation. AIP then sold the parcel to
Summer Beach Realty and finally to J. H. Cobb Properties. Since the City received
the property with the Restricted Area they must request removal from the FAA.
The City has removed restrictions on other properties in the area for a golf course
and a housing area.

The restricted area was designed to create a clearway for traffic departing and
arriving on runway 4 and 22. I contacted Mr. Andrew Holesko with Passero
Associates who recently did the current airport survey. Mr. Holesko sent an email
to the City Attorney stating my parcel has no conflict with ALP or design standards
and is currently not in a restricted area.

J.H Cobb Properties has paid taxes on this property for over fifteen years.
(Purchased 3/2/2005) My property is currently under a sales contract with the
contingency that the Restriction is removed.

I respectfully ask for the City of Fernandina Beach to request the FAA to remove
the Restricted Area from my property and deed.



April 30, 2021

City Commissioners
204 Ash Street
Fernandina Beach FL 30234

Re: Property Restriction Release Request – Airport Staff Report

City Commissioners,

The purpose of this staff report is to provide background and technical information related Mr. Cobb's request for the City of Fernandina Beach to request release of restrictions associated with Parcel #06-2N-28-0000-0001-0010.

Following the end of WWII in July of 1947, the United States Government (U.S. Navy) returned airport property to the City of Fernandina Beach by instrument of a cancellation of lease and quitclaim, which ensured the future use of property as a public airport and restricted transfer of any airport property without prior approval of the Civil Aeronautics Administration (CAA). At the time, the airport consisted of approximately 1,116 acres as shown on the 1947 Fernandina Beach Municipal Airport property depiction at Attachment 1.

In 1954, the City of Fernandina Beach requested and received authorization from the CAA to release certain parcels of property for other uses serving the general-public. This release was authorized with restrictions and reservations. A specific restriction from this release states "That there shall not be erected or constructed on said land any structure within 750 feet of the centerline of any of the runways or within 750 feet of such center as extended for 1,000 feet." This restriction correlates to the area depicted on the survey of subject parcel found at Attachment 2. The release with restrictions from 1954 required that these restrictions carry forward with the deed of the subject parcel.

Airport staff was originally contacted by Mr. Cobb regarding this restriction and confirmed its presence and purpose as identified in the email response to Mr. Cobb at Attachment 3. Mr. Cobb and staff did recognize that this restriction, when compared to the 2015 Master Plan and Airport Layout Plan, does not appear to conflict with present safety or restricted zones or future planned development of the airport. Mr. Cobb subsequently reached out to the Federal Aviation Administration, Orlando Airport District Office, and requested feedback on the matter. Airport staff received a response from the FAA stating that consideration by the FAA, as requested by Mr. Cobb, would require submittal of a release of restrictions request from the City of Fernandina Beach. Staff is therefore requesting review and direction of this matter from the City Commission.



Airport Staff Analysis

1. A development in accordance with zoning restrictions and FAR Part 77 height restrictions does not appear to conflict with any existing or proposed airport development or design standards associated with the Fernandina Beach Municipal Airport. A copy of the 2015 Airport Layout Plan can be found at Attachment 5 to this letter.
2. The current zoning of this parcel is General Commercial/C-1 which appears to provide compatible land uses adjacent to the airport.
3. In addition to any/all requirements for City of Fernandina Beach design review and permitting, any proposal for development on this parcel would require notification to the FAA for completion of an airspace and land-use review through use of an FAA Form 7460 submittal.
4. If the City Commission authorizes submittal of a request for release of restrictions to the FAA, staff recommends requiring execution of an Avigation Easement by the property owner as a contingency of such approval.

If you have any questions regarding the above information, please feel free to contact me.

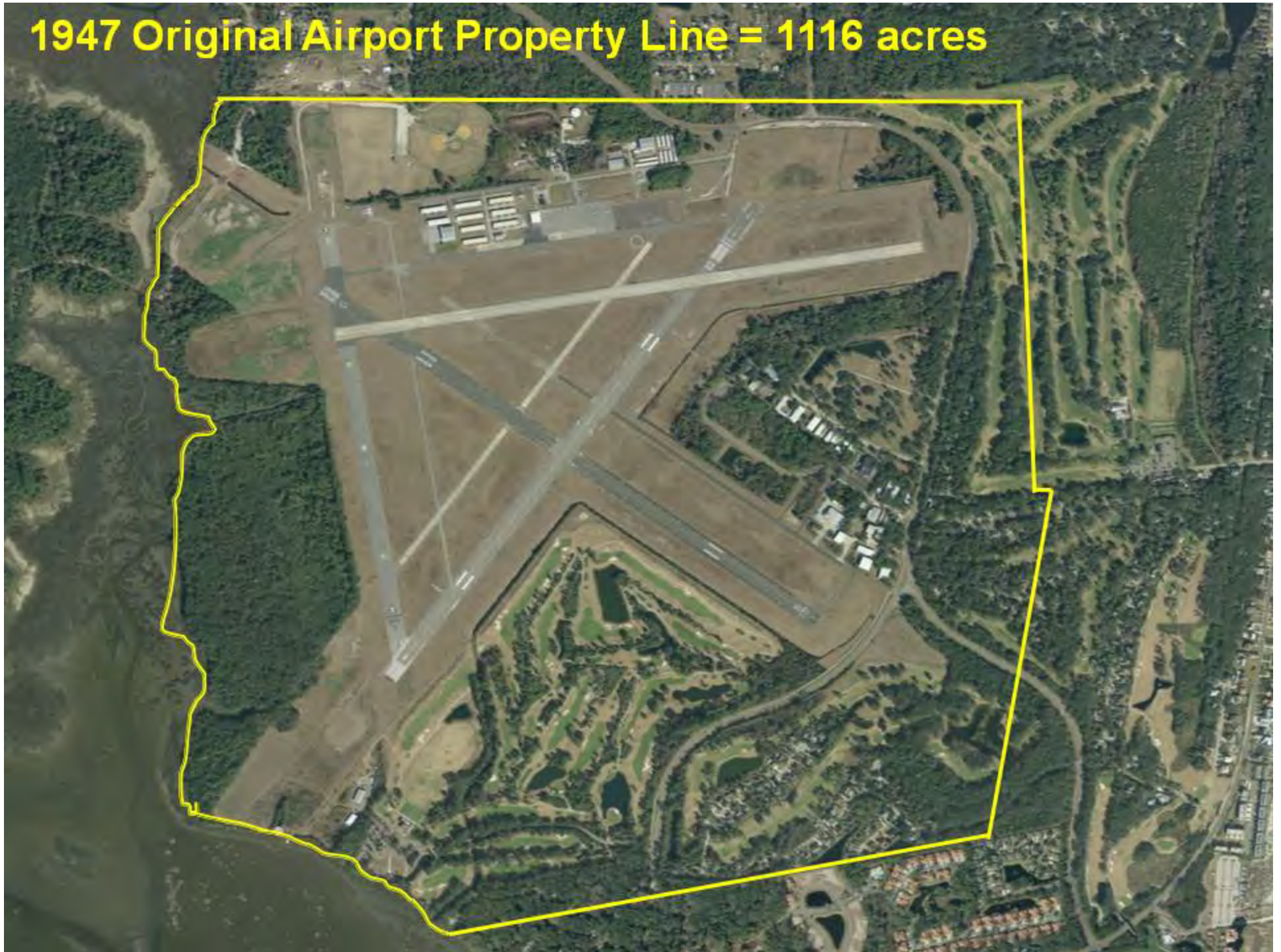
Respectfully,

Nathan Coyle, C.M., ACE
Airport Director

Attachments:

1. Airport Property Map (1947)
2. Parcel Survey with Restriction
3. Initial Response to Mr. Cobb – 12/9/2020
4. 2015 Airport Layout Plan
5. Parcel Map/Boundaries

1947 Original Airport Property Line = 1116 acres

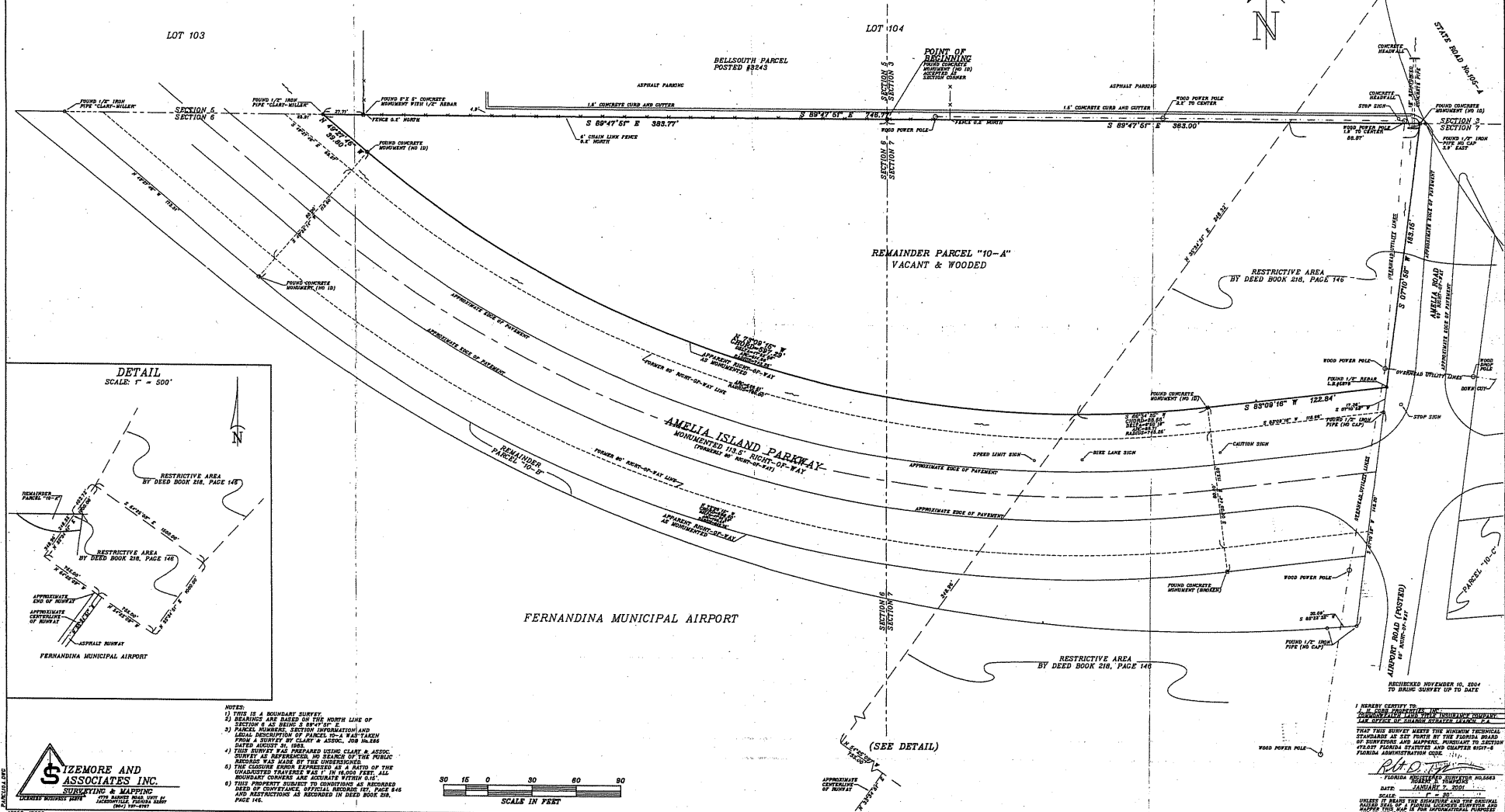


2012 Current Airport Property Line



OCEAN BREEZE FARMS
PLAT BOOK 2. PAGE 19

REMAINDER PLOT 6-4
 A PART OF SECTIONS 6 AND 7, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU
 COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE
 POINT OF BEGINNING COMMENCE AT THE CORNER COMMON TO THE SOUTHERLY
 7, SAID TOWNSHIP 2 NORTH, EAST; THENCE S 94°45' 00" E, ALONG THE
 WEST RIGHT-OF-WAY LINE OF AMELIA ROAD (AS NOW MONUMENTED); THENCE
 S 89°00' 00" E, ALONG THE SOUTHERLY LINE OF AMELIA ROAD (AS NOW
 MONUMENTED); THENCE S 89°00' 00" E, ALONG THE SOUTHERLY LINE OF
 FEET TO THE NORTHERLY NORTH-OF-WAY LINE OF AMELIA ISLAND PARKWAY (A
 MONUMENTED); THENCE S 89°00' 00" E, ALONG THE SOUTHERLY LINE OF
 AND NORTHERLY SAID ALONG SAID NORTHERLY LINE OF AMELIA ISLAND
 FOLLOWING THREE COURSES: COURSE (1) IS 89°00' 00" W, A DISTANCE OF 126.64
 FEET TO THE POINT OF TANGENCY OF SAID COURSE (1) AND SAID LINE OF
 THE RADIUS OF 743.25 FEET; COURSE (2) NORTHERLY 84.06 FEET ALONG THE
 RADIUS OF 743.25 FEET TO THE POINT OF TANGENCY OF SAID COURSE (2)
 OF 697.29 FEET TO THE POINT OF TANGENCY OF SAID COURSE (3) OF
 697.29 FEET TO THE POINT OF TANGENCY OF SAID COURSE (3) OF
 THE NORTHERLY LINE OF FORESAID SECTION 6; THENCE THE INTERSECTION WITH
 THE NORTHERLY LINE OF SECTION 6, A DISTANCE OF 353.77 FEET TO THE POINT



IZEMORE AND ASSOCIATES INC.
SURVEYING & MAPPING
LICENSED BUSINESS 12478
4770 MARKET ROAD, UNIT 24
JACKSONVILLE, FLORIDA 32207
(904) 729-8787

I HEREBY CERTIFY TO
 1. I AM A CORP. PROPRIETOR, INC.
 2. COMPANY NAME LAND TITLE INSURANCE COMPANY,
 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 8

From: [Nathan Coyle](#)
To: jhcobb3@icloud.com
Cc: [Tammi E. Bach](#); [Katie Newton](#)
Subject: Parcel Restriction Question Follow-up
Date: Wednesday, December 9, 2020 3:11:00 PM
Attachments: [Wheelhouse frontage parcel survey.pdf](#)

Mr. Cobb,

I hope this email finds you doing well. Thank you again for stopping in to see me this week. Following our visit, I called our City Attorney, Ms. Tammi Bach (copied to this email), and discussed the questions you posed for the City. I happened to have a survey from Mr. Asa Gillette which I believe was from an earlier conversation about this parcel and have attached it to this email. I believe your questions were:

1. Is there a deed restriction prohibiting development of structures on this parcel as depicted on the survey?
2. Would it affect the entire portion of the parcel or only the portion depicted on the survey?

After review of the parcel and earlier FAA release documents from 1954 when the property was released from the airport, we have concluded the following:

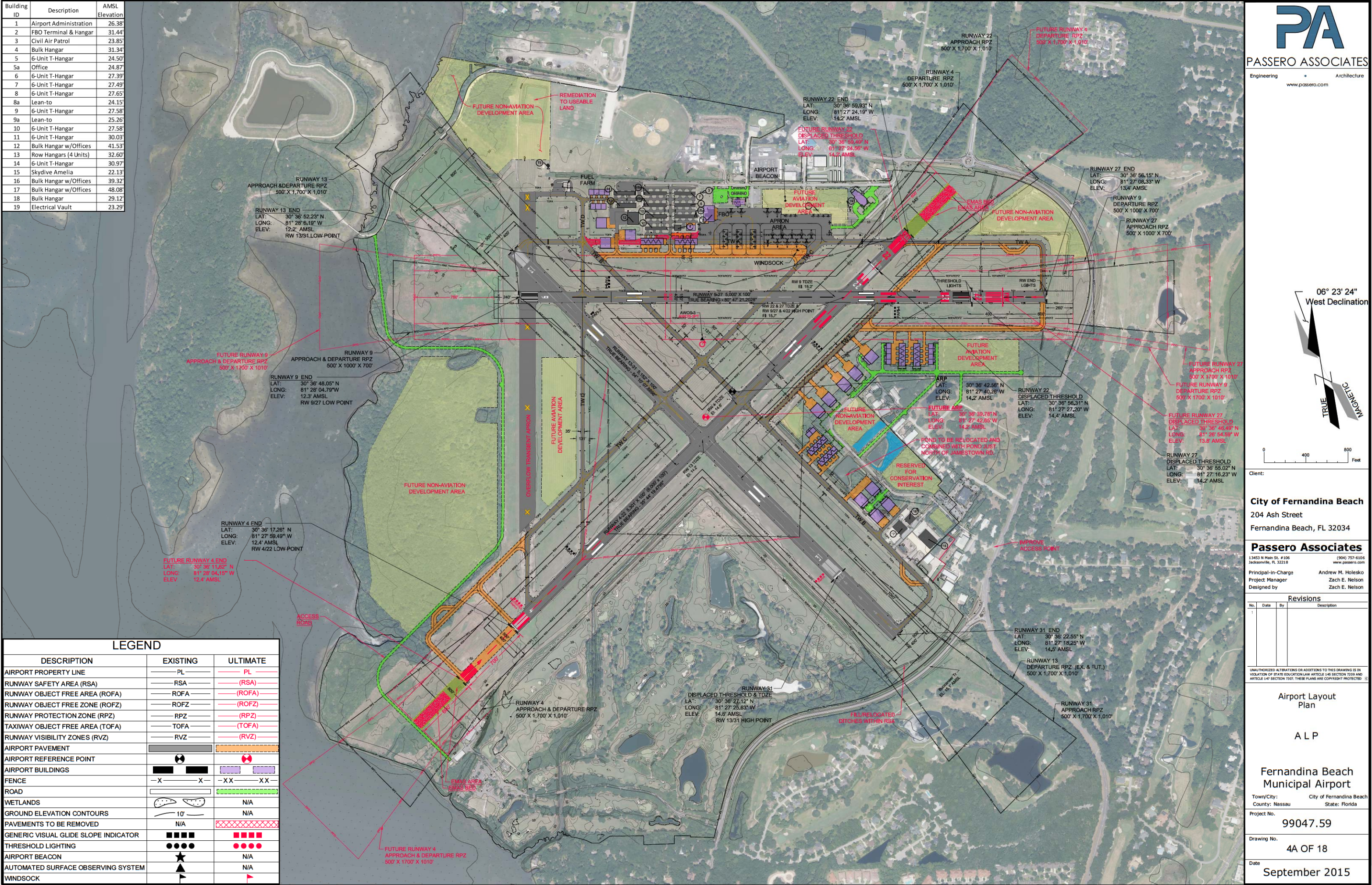
1. This deed restriction, as depicted on the survey, does apply to this parcel and prohibits erection or construction of any structures in the depicted area.
2. The restriction does not apply to the entire parcel, but only the area of the parcel noted on the parcel survey.

Please let us know if you have any other questions. Should you need it, Ms. Tammi Bach's office number is 904-310-3277.

Have a great evening.

| Building ID | Description | AMSL Elevation |
|-------------|------------------------|----------------|
| 1 | Airport Administration | 26.38' |
| 2 | FBO Terminal & Hangar | 31.44' |
| 3 | Civil Air Patrol | 23.85' |
| 4 | Bulk Hangar | 31.34' |
| 5 | 6-Unit T-Hangar | 24.50' |
| 5a | Office | 24.87' |
| 6 | 6-Unit T-Hangar | 27.39' |
| 7 | 6-Unit T-Hangar | 27.49' |
| 8 | 6-Unit T-Hangar | 27.65' |
| 8a | Lean-to | 24.15' |
| 9 | 6-Unit T-Hangar | 27.58' |
| 9a | Lean-to | 25.26' |
| 10 | 6-Unit T-Hangar | 27.58' |
| 11 | 6-Unit T-Hangar | 30.03' |
| 12 | Bulk Hangar w/Offices | 41.53' |
| 13 | Row Hangars (4 Units) | 32.60' |
| 14 | 6-Unit T-Hangar | 30.97' |
| 15 | Skydive Amelia | 22.13' |
| 16 | Bulk Hangar w/Offices | 39.32' |
| 17 | Bulk Hangar w/Offices | 48.08' |
| 18 | Bulk Hangar | 29.12' |
| 19 | Electrical Vault | 23.29' |

| LEGEND | | |
|--------------------------------------|-----------|-------------|
| DESCRIPTION | EXISTING | ULTIMATE |
| AIRPORT PROPERTY LINE | — PL — | — PL — |
| RUNWAY SAFETY AREA (RSA) | — RSA — | — (RSA) — |
| RUNWAY OBJECT FREE AREA (ROFA) | — ROFA — | — (ROFA) — |
| RUNWAY OBJECT FREE ZONE (ROFZ) | — ROFZ — | — (ROFZ) — |
| RUNWAY PROTECTION ZONE (RPZ) | — RPZ — | — (RPZ) — |
| TAXIWAY OBJECT FREE AREA (TOFA) | — TOFA — | — (TOFA) — |
| RUNWAY VISIBILITY ZONES (RVZ) | — RVZ — | — (RVZ) — |
| AIRPORT PAVEMENT | | |
| AIRPORT REFERENCE POINT | | |
| AIRPORT BUILDINGS | | |
| FENCE | - X - X - | - XX - XX - |
| ROAD | | |
| WETLANDS | | N/A |
| GROUND ELEVATION CONTOURS | | N/A |
| PAVEMENTS TO BE REMOVED | N/A | |
| GENERIC VISUAL GLIDE SLOPE INDICATOR | | |
| THRESHOLD LIGHTING | | |
| AIRPORT BEACON | | N/A |
| AUTOMATED SURFACE OBSERVING SYSTEM | | N/A |
| WINDSOCK | | |



PASSERO ASSOCIATES
Engineering • Architecture
www.passero.com

06° 23' 24"
West Declination

0 400 800 Feet

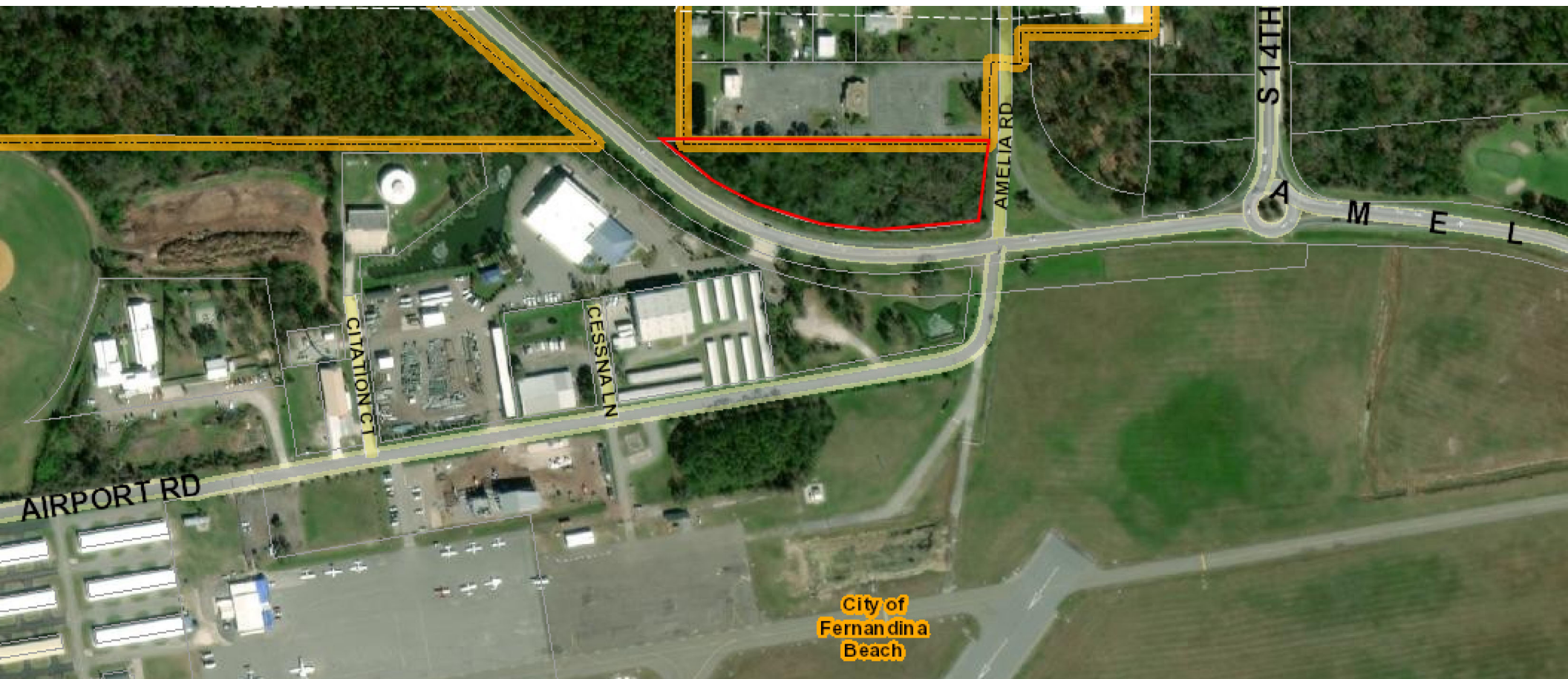
Client:
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

Passero Associates
13453 N Main St. #106 Jacksonville, FL 32218 (904) 757-6106 www.passero.com
Principal-in-Charge: Andrew M. Holesko
Project Manager: Zach E. Nelson
Designed by: Zach E. Nelson

| Revisions | | | |
|-----------|------|----|-------------|
| No. | Date | By | Description |
| 1 | | | |

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 146 SECTION 7209 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED.

Airport Layout Plan
A L P
Fernandina Beach Municipal Airport
Town/City: City of Fernandina Beach
County: Nassau State: Florida
Project No. 99047.59
Drawing No. 4A OF 18
Date: September 2015



06-2N-28-0000-0001-0010

2.62

2.63

VACANT COM

J H COBB PROPERTIES INC
10138 WHIPPOORWILL LANE
JACKSONVILLE, FL 32256

AMELIA ISLAND PKWY

GRANT OF PERPETUAL AVIGATION EASEMENT

This GRANT OF PERPETUAL EASEMENT is made this ____ day of _____, 2012, between: First Coast Moving and Storage Company, a Florida corporation whose address is 3428 Cessna Lane, Fernandina Beach, FL 32034 (hereinafter referred to as “**Grantor**”, includes successors and assigns), and the City of Fernandina Beach, a Florida municipal corporation as owner of the Fernandina Beach Municipal Airport, whose address is 204 Ash Street, Fernandina Beach, FL 32034-4230, (hereinafter referred to as “**Grantee**”).

The following recitals of fact are a material fact of this instrument:

A. The Grantor is the owner of a tract of land (hereinafter referred to as “the Property”) being more particularly described as:

SEE ATTACHED EXHIBIT “A”

B. The Grantee is the owner of a tract of land (hereinafter referred to as “Airport”) known as the Fernandina Beach Municipal Airport, located in Fernandina Beach, Nassau County, Florida.

C. The Grantor wishes to grant and the Grantee wishes to receive a perpetual easement over, above, across and through the Property (hereinafter referred to as the “Easement Premises”).

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, the following grants, agreements, and covenants and restrictions are made:

1. **GRANT OF PERPETUAL AVIGATION EASEMENT.** The Grantor for its heirs, administrators, executors, devisees, successors, and assigns, in perpetuity, hereby grants to the Grantee, its successors and assigns, as owner and operator of the Airport, as an easement appurtenant to the Airport, a perpetual, nonexclusive easement for the use and benefit of the public, an easement and right-of-way, appurtenant to the Airport for the unobstructed use and passage of all types of aircraft (as hereinafter defined), in and through the navigable airspace above, over and through the Grantor’s property, together with all of Grantor’s rights, title and interest in and to any and all streets, rights-of-way, drainage rights, privileges, rights of reverter, riparian rights, covenants, restrictions, agreements and other rights appurtenant to or benefitting such property. This perpetual easement is granted for any use by any aircraft, present or future, from or to the Airport and any other airport or facility which is or may be located at or near the site of said Airport, including any future change or increase in the boundaries of the Airport, the type or models of aircraft using any such Airport, relocation or expansion thereof, the volume or nature of operation of the Airport, or the aircraft using such facility or airspace in the vicinity of the Airport, or noise or pattern of air traffic thereof.

Said perpetual easement shall be appurtenant to and for the benefit of the real property now known as the Airport including any additions and improvements thereto wherever located, hereafter made by the City of Fernandina Beach or its successors and assigns, guests, and invitees, including any and all persons, firms, entities, or corporations operating aircraft to or from the Airport.

Said perpetual easement and burden, together with all things which may be alleged to be incident to or resulting from the use and enjoyment of said perpetual easement, including, but not limited to the right to cause in all airspace above or in the vicinity of the Property such noise, lighting, vibrations, fuel particles, fumes, dust or other particulate matter, and any and all other effects that may be alleged to be incident to or caused by or incidental to the operation of aircraft over or in the vicinity of the Property or in the landing at or taking off from, or operating at or on the Airport, is hereby granted by Grantor.

Grantor does hereby agree that Grantor, its successors, devisees, assigns, grantees, invitees and tenants, in perpetuity, fully waive, remise, and release any claim, administrative proceeding, lawsuit, demand, grievance or cause of action, including equitable relief, which it may have now or which it may have in the future against Grantee, its employees, elected officials, representatives, agents, attorneys, successors and assigns, due to noise, lighting, vibrations, fumes, fuel particles, dust, and all other effects that may be alleged to be incident to or caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on the Airport.

Grantor will not hereafter erect, permit the erection or growth of, or permit or suffer to remain on the Property any light or illumination which might mislead or otherwise affect the safe operation of all aircraft, any fuel handling and storage facilities, or smoke generating activities; and the Grantor, for itself, its heirs, administrators, executors, devisees, successors, and assigns, further agrees it will not permit upon the Property, churches or other places of worship, educational institutions of any kind or stadiums.

Grantor shall not hereafter use or permit or suffer the use of the Property in such a manner as to create electrical interference with radio communication between any installation upon said Airport and aircraft, or as to make it difficult for pilots to distinguish between airport lights and others, or to permit any use of the Property that causes a discharge of fumes, fuel particles, dust, smoke or other particulate matter so as to impair visibility in the vicinity of the Airport or as otherwise to endanger the landing, taking off or maneuvering of aircraft. Residential fireplaces, outdoor grills and the like are not restricted by this grant.

The Grantor shall incorporate insulation or other features into the design and construction of any residential walls and roofs that provides a level of noise insulation above that normally required for this purpose under applicable code requirement for the purpose of enhancing the reduction in decibel noise levels from the outside to the inside of air conditioned or heated structures. Compliance with this standard shall be based upon a certification from an acoustical engineer licensed in the State of Florida, submitted at the time of building permit issuance that the design and construction methods and materials to be used in the construction of the dwelling are such that the foregoing standard will be met.

As used herein "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include, but not limited to, jet aircraft, propeller driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters, ultra-light aircraft, and all other types of aircraft or vehicles now in existence or hereafter developed, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whomever owned or operated and whether publicly or privately owned.

The Grantor hereby grants to the Grantee the continuing right to prevent the erection or growth upon the Property of any building, structure, or other manmade improvement, and landscaping and trees, extending into the airspace over 50 feet from ground level, and to remove from said airspace, or at the sole option of the Grantee, as an alternative, to mark and light as obstructions to air navigation, at the sole cost and expense of Grantor, its successors and assigns, any such building, structure, or other manmade improvement, and landscaping and trees, extending into the airspace over 50 feet from ground level, now upon, or which in the future may be upon the Property, together with Grantor granting to Grantee the right of ingress to, egress from, and passage over, through and across the Property for the above purpose.

All of the uses provided for in this Perpetual Grant of Easement shall be without any liability of Grantee, or of any other person or entity entitled to the benefits of this easement granted hereunder, for emotional injury to persons, animals or any other living thing, or the diminution in value of any personal or real property, or discomfort or interference with the audio portion of television and/or radio by, from, or arising from, noise generated from the normal

operations of aircraft. This grant expressly does not exclude claims by the Grantor or those claiming under Grantor for physical or personal injury caused by any air traffic utilizing this easement, which does actual physical damage to the property or persons located therein.

The parties hereto agree and state that the Grantee's interest in the Easement Premises is as specified herein.

2. **RESERVATION OF RIGHTS OF GRANTOR.** The right to use the Property for any and all purposes not incompatible with the perpetual easement granted hereby is expressly reserved for the Grantor, including, without limitation, all purposes authorized by the applicable zoning classification and land use designations.

3. **RUNNING OF BENEFITS AND BURDENS.** All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and inure to the successors and assigns of the parties hereto, and the Property described above shall be the servient estate and the Airport shall be the dominant estate. This Perpetual Grant of Easement shall bind Grantor, its successors, assigns, devisees, grantees, invitees, and tenants and their respective successors and assigns, and all persons from time to time occupying or using the Property or any portion thereof. The acceptance by an person or entity of any right of use, deed, lease, mortgage or conveyance of any interest in or privilege pertaining to the Property, or any part thereof, whatsoever shall contain an express acknowledgement of the terms of this Perpetual Grant of Easement and agreement to be bound by all terms hereof. In addition, the Grantor hereby agrees to expressly identify this grant of avigation easement on any and all plats, including but not limited to a final recorded plat and any amendments thereto, for the Property.

4. **ENFORCEMENT: ATTORNEY'S FEES.** In the event of any default under this instrument, the non-defaulting party shall be entitled to any and all remedies available at law or in equity, including but not limited to an injunction or specific performance. Any party which prevails in any such litigation to enforce the provisions hereof shall recover as a part of his costs reasonable attorneys' fees at all trial and appellate levels, together with such other costs and expenses a court of competent jurisdiction deems appropriate.

5. **CONSTRUCTION.** The rule of strict construction does not apply to this Perpetual Grant of Easement. This Perpetual Grant of Easement shall be given a reasonable construction so that the intention of the parties to confer a commercially usable right of enjoyment on the Grantee is carried out.

6. **NOTICE.** The address of Grantor and Grantee is as set forth in the initial paragraph. Either party may give written notice of change of address with the other. All notices shall be sent by U.S. mail, certified mail and return receipt requested, to the addresses provided for in the initial paragraph above.

7. **ENTIRE AGREEMENT: AMENDMENT.** The parties hereto agree that the entire agreement between the parties with respect to the Property and the Airport is set forth in this instrument. This instrument may be amended only in writing and signed by the persons who are the then owners of the fee simple title to the Airport and the Property.

8. **WAIVER AND SEVERABILITY.** No waiver of any of the provisions hereto shall be effective unless it is in writing and signed by the party against whom the waiver is asserted. Any such written waiver shall be applicable only to the specific instance to which it relates and shall not be deemed to be a continuing waiver or waiver of any future matter. If any covenant, condition or provision contained in this document is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other covenant, condition or provision herein contained.

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals the day and year first written.

“GRANTOR”

By: _____
Print Name: _____
Title: _____

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,
by _____ as _____ of
FLORIDA PUBLIC UTILITIES COMPANY, who is personally known to me or has produced
_____ as identification.

(NOTARY SEAL)

Notary Signature

"GRANTEE"

City of Fernandina Beach, Florida

By _____,
Sarah L. Pelican, Mayor

Date _____

ATTEST:

Kimberly Elliott Briley, Deputy City Clerk

APPROVED AS TO FORM:

Tammi E. Bach, City Attorney

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this _____ day of _____, 2012,
by Sarah L. Pelican as Mayor of the CITY OF FERNANDINA BEACH, FLORIDA, who is personally known
to me or has produced _____ as identification.

(NOTARY SEAL)

Notary Signature

2/13
RELEASE WITH RESTRICTIONS AND RESERVATIONS recorded
in Deed Book 218, page 146, public records of Nassau
County, Florida.

Release With Restrictions And Reservations

State of Texas)
County of Tarrant)

This Agreement, made this 24th day of November 1954, by and between the United States of America, acting by and through the Administrator of Civil Aeronautics, under and pursuant to the powers and authority contained in the provisions of Public Law 311, 81st Congress (63 Stat. 700), party of the first part, and the City of Fernandina Beach, Florida, a Municipal Corporation existing under the laws of the State of Florida, party of the second part:

WITNESSETH THAT:

WHEREAS, under date of July 9, 1947 the United States of America, acting by and through the War Assets Administrator, under and pursuant to Executive Order 9689, dated January 31, 1946 and the powers and authority contained in the provisions of the Surplus Property Act of 1944, as amended, and applicable rules, regulations and orders, did convey to the City of Fernandina, Florida (now the City of Fernandina Beach, Florida) by instrument entitled "Cancellation of Lease and Quitclaim" certain lands described as:

"All those certain lots, tracts or parcels of land situate, lying and being on Amelia Island in Nassau County, Florida known and described as follows:

"All of Section 11, save and except the East 22 chains of said Section, which said 22 chains run parallel with the eastern boundary line of said Section 11; the West half ($W\frac{1}{2}$) of Section 8; and also all of Lots numbered 1, 2, 3, 4, of Section 6, and all of Section 7; all of which being in Township 2N, Range 28 E, and consisting of 1116 acres, more or less; and identified as City of Fernandina Beach Municipal Airport; and

WHEREAS, under said instrument entitled "Cancellation of Lease and

Quitclaim" the said City of Fernandina Beach, Florida, for itself its successors and assigns, assumed certain obligations and agreed to certain reservations and restrictions all as more particularly set forth in said instrument, which obligations, reservations and restrictions the said City of Fernandina Beach, Florida further agreed constitute covenants running with the land and are otherwise imposed on the land as therein set forth; and

WHEREAS, the City of Fernandina Beach, Florida desires to sell a portion of the land that was the subject of the above entitled instrument, which said portion consists of five (5) areas containing approximately 400 Acres of land as hereinafter referenced; and

WHEREAS, the City of Fernandina Beach, Florida has made application to the Administrator of Civil Aeronautics for the removal of certain of the aforesaid reservations and restrictions from said portion of the land referred to above and for a release of certain obligations concerned therewith; and

WHEREAS, the Administrator of Civil Aeronautics, pursuant to Public Law 311, 81st Congress, has been granted authority to execute releases pertaining to said property; and

WHEREAS, the Administrator of Civil Aeronautics has determined that the aforementioned five (5) areas, comprising approximately 400 acres, will no longer serve, the purpose for which the Government's interest in such areas was transferred, provided the conditions set forth below are complied with;

NOW, THEREFORE, for the consideration above expressed, party of the first part and party of the second part do hereby agree as follows:

(1) That except as hereinafter provided, all reservations, restrictions, covenants and conditions set forth in the aforesaid instrument relating to the airport and airport property shall be and the same are hereby removed from the following described land, to-wit:

Those five (5) areas or tracts of land identified on the attached Layout and Property Map dated June 18, 1954, Drawing No. FB-154, designated as Communications, Research and Development; Residential Area; Marine and Sea-plane Base; Aircraft Service and Modifications; and Light Industry, comprising a total of approximately 400 acres situate at the Fernandina Beach Municipal Airport, Nassau County, Florida.

This release is predicated on and subject to the following conditions:

(1) That any deed or instrument conveying title or otherwise disposing of any interest in the land involved as hereinabove described shall contain the following restrictions and reservations running with the land:

- (a) The City will dedicate and reserve for the use and benefit of the public an unrestricted right of flight in and through the airspace over and across said land.
- (b) That the land will not be used in any manner (including the construction, erection, alteration or growth of any structure or other object thereon) which will create a hazard to the landing, taking off, or maneuvering of aircraft at the Fernandina Beach Municipal Airport or interfere with the use, operation or maintenance of the airport.
- (c) That there shall not be erected or constructed on said land any structure within 750 feet of the centerline of any of the runways or within 750 feet of such center as extended for 1,000 feet.
- (d) That there shall not be erected or constructed on said land any structure on any of the land which lies within the approach areas of the runways of the airport, which said approach areas to airport runways for the purpose of the release authorized herein are described as follows.

They shall begin 1,000 feet from the end of the runway and extend outward for a distance of 10,000 feet. The width of the approach area at its beginning, i. e., 1,000 feet from the end of the runways is 1,500 feet (750 feet on each side of the center line of the runway as extended) and flares uniformly to a total width of 4,000 feet (2,000 feet on each side of the center line of runway as extended) at a distance of 11,000 feet from the end of the runway. The angles of flare are $07^{\circ} - 07' - 30''$, at the end of each runway there is a clear zone of 1,000 feet in length and 1,500 feet in width.

- (e) In order that the restriction against the construction or erection of structures as herein provided is effective as against subsequent purchasers or assigns, any and all conveyances shall accurately describe by metes and bounds in the deed of conveyance or other instrument of transfer the land within 750 feet of the center line of any of the runways and within 750 feet of each center as extended for 1,000 feet

and the land that lies within the approach areas of
airport runways as above described.

In witness whereof, the parties hereto have caused these presents
to be executed in their names and on their behalf as of the day
an year first above written.

Witnesses:

Samuel W. Hawkins
Charles E. Hanst

United States of America,
Acting by and Through
The Administrators of Civil
Aeronautics.

By, L. C. Elliott
Regional Administrator, Region II

Signed, Sealed and delivered in the presence of:

June S. Holland
Jeanette I. Wesley

City of Fernandina Beach, Florida,

(Corporate Seal)

BY, W. H. Melton
Mayor-Commissioner of the City of
Fernandina Beach,
ATTEST: J. Floyd Glisson.
City Auditor and Clerk

Approved as to Form and Correctness:

Herbert Wm. Fishler
City Attorney.

ORDINANCE NO. 2003-33

A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A CHANGE OF THE ZONING DESIGNATION ON A 2.93 ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF AMELIA ISLAND PARKWAY AND AMELIA ROAD FROM A SINGLE-FAMILY RESIDENTIAL DISTRICT (R1-A) TO A COMMERCIAL, PROFESSIONAL AND OFFICES DISTRICT (CPO); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Summer Beach, Ltd. is the owner of property located at the northwest corner of the intersection of Amelia Island Parkway and Amelia Road, Fernandina Beach, Florida

WHEREAS, The applicant, Summer Beach, Ltd., is requesting a zoning change from City of Fernandina Beach R1-A: Single-Family Residential District to City of Fernandina Beach C-1: Community Commercial District [Application CZ 2003-06]; and

WHEREAS, a public hearing was held by the Planning Advisory Board on August 13, 2003, in which the Board voted six to one to recommend denial of accepting a zoning change application to C-1; and

WHEREAS, The Planning Advisory Board recommended that the subject property be designated as CPO: Commercial, Professional and Offices District, subject to non-access onto Amelia Island Parkway; and

WHEREAS, the current Comprehensive Plan Future Land Use Map (FLUM) designation is Low Density Residential, although the applicant has requested a change in FLUM (Application LU 2003-05) to Medium Intensity Commercial (MIC).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA THAT,

SECTION 1. PROPERTY INVOLVED. The subject property is a 2.93-acre parcel located at the northwest corner of the intersection of Amelia Island Parkway and Amelia Road, Fernandina Beach, Florida, Parcel identification Number 07-2N-28-0000-0001-0020.

SECTION 2. FINDING. The City Commission finds that the rezoning is in the best interest of the health, safety, and welfare of the City and is consistent with the Comprehensive Plan and that C-1 is an appropriate zoning district for the property.

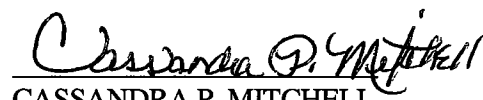
SECTION 3. ZONING CHANGE. For the subject property, the zoning classification is changed from a R1-A: Single-Family Residential to a CPO: Commercial, Professional and Offices District.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this Ordinance shall take effect immediately upon the effective date of said ordinance.

ADOPTED this 18TH day of, November 2003.

ATTEST:


CASSANDRA P. MITCHELL
City Clerk

CITY OF FERNANDINA BEACH

JOE GERRITY
Commissioner-Mayor

| | |
|---|-------------------|
| Date of First Reading: | October 21, 2003 |
| Date of Publication: | November 5, 2003 |
| Date of Public Hearing &
Second Reading: | November 18, 2003 |
| Date of Adoption: | November 21, 2003 |



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: ORDINANCE 2003-33, CZ 2003-06: SUMMER BEACH, LTD.

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT

ATTACHMENTS: X Ordinance Resolution
 Support Documents Other

SUMMARY: The applicant, Summer Beach, Ltd. has applied for a Zoning Amendment changing the zoning classification from an R1-A: Single-Family Residence to an C-1: Community Commercial District on a 2.93 acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road. Application CZ 2003-06 was reviewed by the Planning Advisory Board at its August 13, 2003 regular meeting and after consideration of the staff analysis and the applicant's testimony, the Planning Advisory Board voted six to one to recommend denial of Community Commercial District, but recommended that City Commission assign a less intense zoning district, particularly that the land be zoned CPO: Commercial, Professional and Offices District; and if approved as CPO subject to non-access onto Amelia Island Parkway.

RECOMMENDED ACTION: Approve Ordinance 2003-33

DEPARTMENT HEAD Submitted by Anne Catinna Date: 08/26/2003
Requested Agenda Date: 09/16/2003

FINANCE DEPARTMENT Budgeted Yes No N/A Date:

CITY ATTORNEY Approved for Form and Correctness Date: 10/13/03

CITY MANAGER Approved Agenda Item for Date: 10/21/03

COMMISSION ACTION: Approved As Recommended Disapproved
 Approved With Modification Tabled To Time Certain
 Other

DISTRIBUTION: CA CC CM PL BD FIN FD GC HR MD PD PRD PWD

ORDINANCE NO. 2003-33

A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A CHANGE OF THE ZONING DESIGNATION ON A 2.93 ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF AMELIA ISLAND PARKWAY AND AMELIA ROAD FROM A SINGLE-FAMILY RESIDENTIAL DISTRICT (R1-A) TO COMMUNITY COMMERCIAL DISTRICT (C-1); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Summer Beach, Ltd. is the owner of property located at the northwest corner of the intersection of Amelia Island Parkway and Amelia Road, Fernandina Beach, Florida

WHEREAS, The applicant, Summer Beach, Ltd., is requesting a zoning change from City of Fernandina Beach R1-A: Single-Family Residential District to City of Fernandina Beach C-1: Community Commercial District [Application CZ 2003-06]; and

WHEREAS, a public hearing was held by the Planning Advisory Board on August 13, 2003, in which the Board voted six to one to recommend denial of accepting a zoning change application to C-1; and

WHEREAS, The Planning Advisory Board recommended that the subject property be designated as CPO: Commercial, Professional and Offices District, ~~subject to non-access onto Amelia Island Parkway; and~~

WHEREAS, the current Comprehensive Plan Future Land Use Map (FLUM) designation is Low Density Residential, although the applicant has requested a change in FLUM (Application LU 2003-05) to Medium Intensity Commercial (MIC).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA THAT,

SECTION 1. PROPERTY INVOLVED. The subject property is a 2.93-acre parcel located at the northwest corner of the intersection of Amelia Island Parkway and Amelia Road, Fernandina Beach, Florida, Parcel identification Number 07-2N-28-0000-0001-0020.

SECTION 2. FINDING. The City Commission finds that the rezoning is in the best interest of the health, safety, and welfare of the City and is consistent with the Comprehensive Plan and that C-1 is an appropriate zoning district for the property.

SECTION 3. ZONING CHANGE. For the subject property, the zoning classification is changed from a R1-A: Single-Family Residential to a ~~C-1 Community Commercial District~~ CPO.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this Ordinance shall take effect immediately upon the effective date of said ordinance.

ADOPTED this _____ day of, _____ 2003.

CITY OF FERNANDINA BEACH

JOE GERRITY
Commissioner-Mayor

ATTEST:

CASSANDRA P. MITCHELL
City Clerk

Date of 1st reading:
Date of Publication:
Date of 2nd reading &
Public Hearing:
Date of Final Adoption:

STAFF REPORT
Request for Change in Zoning Classification
CZ 2003-06
3-Acre Amelia Parkway Parcel



APPLICATION DATA:

I. General Information

Applicant/Owner(s): Summer Beach, Ltd.
5456 First Coast Highway,
Amelia Island, FL 32304

Agent Names: James U. Sands, President
Summer Beach, Ltd.
5456 First Coast Highway,
Amelia Island, FL 32304

Howard M. Landers, AICP,
Urban Planning Consultant
326 Settlers Lane,
Charlotte, NC 28202

Requested Action: Change of Zoning from R1-A, Single Family
Residential to **C-1, Community Commercial
District**

Applicable Regulations: Chapter 98- Administration
Article III - Administration and Enforcement
Chapter 126 - Zoning, Article III - Districts
Division 9. C-1, Community Commercial District

II. Site Information

Legal: Parcel "10-A" Attached as exhibit "A"

Lot Size: 2.93 Acres

Property Identification Number: 07-2N-28-0000-0001-0020

Existing Land use: Low Density Residential

Surrounding Land Uses:

| | |
|---------|------------------------------------|
| North - | Bell South Service Facility |
| South - | Fernandina Beach Municipal Airport |
| East - | vacant land |
| West - | Fernandina Beach Municipal Airport |

Zoning Classification: R1-A, Single Family Residential

Surrounding Zoning:

| | |
|---------|--------------------------------------|
| North - | Commercial Intensive (Nassau County) |
| South - | Industrial - Light Warehousing |
| East - | Recreation |
| West - | Industrial- Light Warehousing |

| | |
|-------------------|--|
| Existing FLUM: | Low Density Residential |
| Surrounding FLUM: | North - C-1 Commercial Intensive (Nassau) |
| | South - ILW - Industrial - Light Warehousing |
| | East - REC recreation |
| | West - ILW - Industrial - Light Warehousing |

III. Analysis

This is a small tract, less than three acres. The site is a very flat, wedge-shaped parcel bounded on the south and west by a sweeping curve of Amelia Island Parkway, on the east by Amelia Road and on the north by the Bell South Service facility property line. The northern boundary of the site is 773 feet approximately in length, the eastern boundary approximately 200 feet in length and the Amelia Island Parkway edge is a curve of approximately 800 feet in length. The site is covered with small trees and scrub-like vegetation.

The configuration of the site and its location at the corner of a major arterial street and a minor arterial street renders it very difficult to develop in single-family housing, adjacency to the airport making it virtually unmarketable.

The R1-A zoning classification would allow a maximum of 17 units based on 7,500 sq. ft. per site. City streets would have to be built to serve the homes. The seventeen potential homes would generate a potential for 170 trips per day (Trip Generation Manual indicates 10 trips per single family residence).

The site is large enough for a small commercial venture with access limited to the northern portion of the eastern boundary. Because of the posted speed and the limited sight distance along Amelia Island Parkway, access should be prohibited.

Division 9 C-1 Community Commercial District

b. Application.

a. The provisions of this division shall apply to all C-1 community commercial districts.

b. Within any C-1 commercial district, no building, structure, land or water shall be used except for one or more of the following uses.

Permitted uses:

- 1) Art, antique, gift, china, jewelry and luggage shops.
- 2) Bakeries, retail.
- 3) Beauty shops and barbershops.
- 4) Book and stationery stores, and newsstands.
- 5) business offices such as real estate broker, insurance agent, stockbroker and manufacturer's agent offices, and similar uses.
- 6) commercial amusements conducted within a building, including theaters, but no drive-in theaters, billiard parlors, game rooms, skating rinks or bowling alleys.
- 7) Drugstores and confectionery, sundries and tobacco shops.
- 8) Grocery, vegetable, fruit and meat markets, and delicatessens.
- 9) Laundry and dry cleaning pickup stations, where no work is done on the premises, and self-service laundries.

- 10) Music, art or dancing schools, music and record shops, and preschools and day care center.
- 11) Photographic supplies and studios, and artists' supplies.
- 12) Private clubs and lodges, including those operating on a semi-commercial basis.
- 13) Professional offices such as accountant, architect, attorney, engineer, land surveyor, optometrist, medical, chiropractic and dental offices (but not a clinic, massage parlor or hospital), and similar uses.
- 14) Retail stores for the servicing of the surrounding neighborhood with convenience items, such as dry goods, household items, electrical appliances and home furnishings; variety stores; shoe stores; hardware, paint and garden stores; jewelry repair stores; and apparel stores.
- 15) Shoe repair, hat cleaning, and dressmaking and tailor shops.

d. All sales, services and commercial activities enumerated in subsection (b) of this section must be conducted within a structure, and no outdoor display of merchandise or products will be permitted in connection with any of such uses.

IV. Findings

The applicant's requested change in the Zoning District classification RA-1, Single Family Residential to C-1, Community Commercial District appears to be inconsistent with **Sec. 126-201 "Intent."**

a. Intent:

(1) The C-1 district is intended to provide retail sales and services for more than one neighborhood. Its location should be primarily oriented to intersections of arteries or major collector streets as designated in the comprehensive plan. This district is not intended to be suitable for outdoor sales activities or to encourage extension of strip commercial areas. New districts should be adequately separated from existing or projected single-family residential districts by adequate depth of lower intensity zoning or by a suitable buffer.

(2) The following criteria shall be considered in evaluating designation of this district:

a. Convenient and direct access at minor/major arterial intersections or collector/arterial intersections if minimal access is necessary on the collector street.

Access should be prohibited on Amelia Island Parkway and only one drive entrance at the northernmost portion of the eastern boundary along Amelia Road.

b. Accessibility to or the ability to provide essential public services consistent with chapter 106.

This proposal meets this criteria.

c. Pattern of development, considering accessibility, compatibility and clustering, with priority at locations exhibiting proximity to other types of nonresidential uses, including employment centers and marketing centers.

One commercial facility is located just to the north of this property. It has a small workforce and very limited traffic generation. Their driveway is on the southern limit of the eastern boundary of this site, adjacent to the proposed new access point for the subject property.

d. Compatibility between commercial and surrounding land uses, including traffic circulation, pedestrian access, hours of operation, visual impacts and landscape design.

The surrounding uses have low intensity use, this proposal is for medium intensity use and is inconsistent with this criteria.

The areas to the north of this site, located on both sides of Amelia Road, are low density residential in character and are currently located within Nassau County jurisdiction.

In addition, the change is requested jointly with an application for a City of Fernandina Beach Future Land Use Map (FLUM) classification change.

V. Staff Recommendation

Staff has determined that C-1 zoning contains numerous uses that would be inappropriate for this site because of intensity of use, generation of traffic, limited sight lines, posted speed limit, curvature of the road, previous accidents within the proximity of the site and limited depth (200 feet) along the minor collector, Amelia Road for the only reasonable access point.

For the above sited reasons, **staff recommends that the PAB recommend approval of a zoning change to CPO** which will limit the unwanted uses and lower the level of intensity to low, which is compatible with the surrounding uses and more appropriate to a limited site.

VI. Attachments

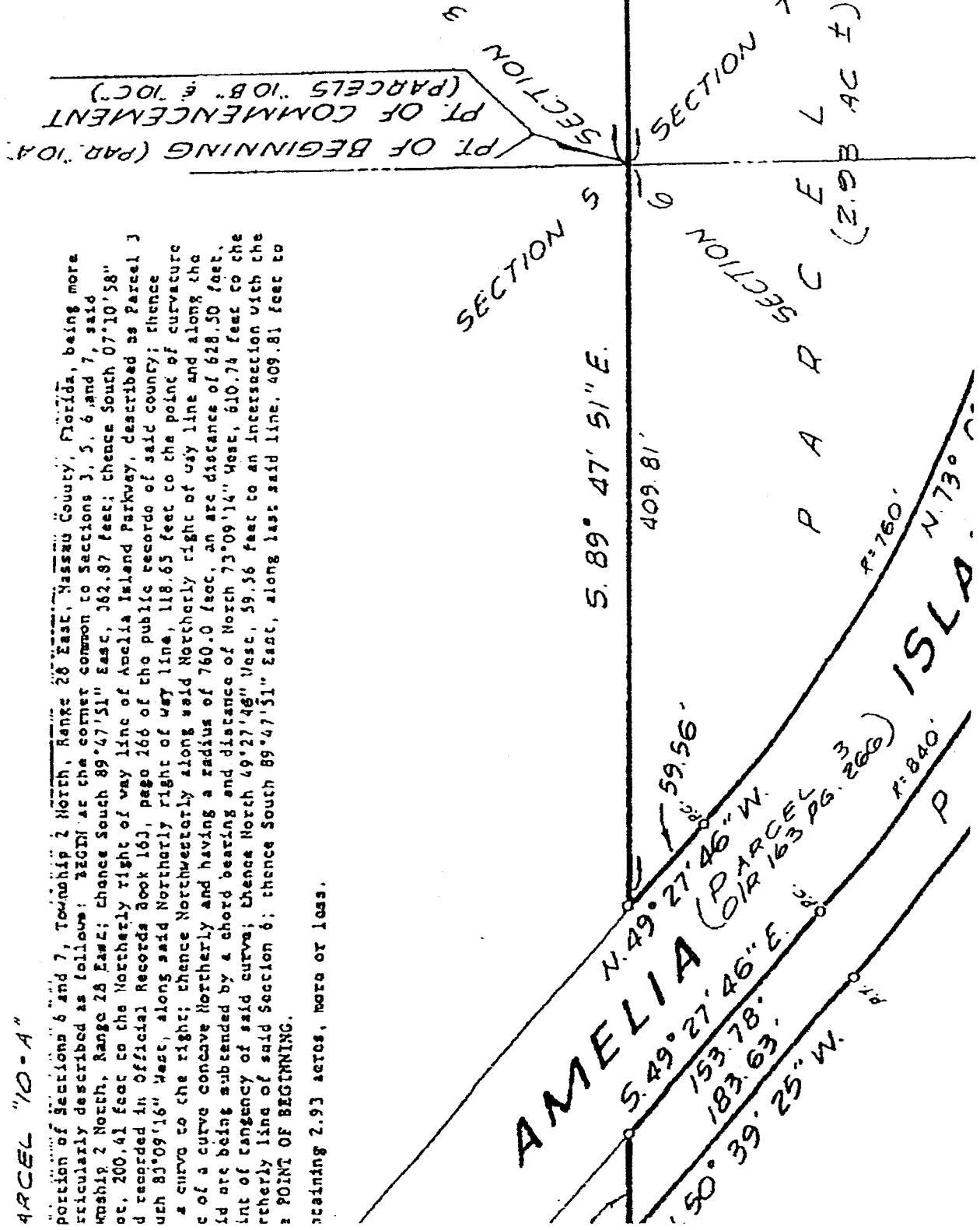
Application
Future Land Use Map
Zoning Map
Tax Map
List of Adjacent Property Owners
Proof of Ownership
Copy of Legal Advertisement
Site Plan

PARCEL "10-A"

portion of Sections 6 and 7, Township 2 North, Range 28 East, Nassau County, Florida, being more particularly described as follows: BEGIN at the corner common to Sections 3, 5, 6 and 7, said Township 2 North, Range 28 East; thence South 89°47'51" East, 362.87 feet; thence South 07°10'58" East, 200.41 feet to the Northerly right of way line of Amelia Island Parkway, described as Parcel 3 and recorded in Official Records Book 163, page 166 of the public records of said county; thence South 83°09'16" West, along said Northerly right of way line, 118.65 feet to the point of curvature of a curve concave Northerly and having a radius of 760.0 feet, an arc distance of 628.50 feet, said arc being subtended by a chord bearing and distance of North 73°09'14" West, 610.74 feet to the point of tangency of said curve; thence North 49°27'46" East, 59.36 feet to an intersection with the Northerly line of said Section 6; thence South 89°47'51" East, along last said line, 409.81 feet to a POINT OF BEGINNING.

Containing 2.93 acres, more or less.

bea
Con



RECEIVED

JUL 11 2003 *W*

PLANNING & ZONING
FERNANDINA BEACH, FLORIDA

**APPLICATION FOR ZONING AMENDMENT
PLANNING ADVISORY BOARD
CITY OF FERNANDINA BEACH, FLORIDA**

APPLICATION NO.: C2-2003-05
FEE PAID: 424.-
DATE RECEIVED: 7/11/03
RECEIVED BY: 1-14-03
*Accepted MCOO
FOR PROCESSING*

1. APPLICANT'S INFORMATION

Applicant(s): Summer Beach, Ltd.

Address: 5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624

Fax: 904-261-8411

E-mail: sbjsands@bellsouth.net

2. OWNER'S INFORMATION

Owner(s): Summer Beach, Ltd.

Address: 5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624

Fax: 904-261-8411

E-mail: sbjsands@bellsouth.net

3. APPLICANT'S CO-AGENTS

Name: James U. Sands, President

Address: Summer Beach, Ltd.

5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624

Fax: 904-261-8411

E-mail: sbjsands@bellsouth.net

Name: Howard M. Landers, AICP, Urban Planning Consultant

Address: 326 Settlers Lane, Charlotte, NC 28202

Telephone: 704-370-6278

Fax: 704-370-6278

E-mail: hml326@bellsouth.net

4. APPLICANT'S REGISTERED LAND SURVEYOR/ENGINEER

Name: Not applicable - Applicant is not prepared to pursue final design on the site at this time.

PROPERTY INFORMATION: The property consists of a 2.93 acre parcel located in the northwest corner of the intersection of Amelia Island Parkway and Amelia Road. See supporting information that is attached to this application for further details on the property.

5. Project Name: 3-Acre Parkway Parcel - SBDGL

6. Street Address: Northwest corner of the intersection of Amelia Island Parkway and Amelia Road. Since there is no structure on the property, a street address has not been assigned.

7. Lot Number: NA Block Number: NA Subdivision: NA

8. Sections: 6 & 7 Township: 2 North Range: 28 East Nearest Street Intersection: Northwest corner of Amelia Island Parkway and Amelia Road.

9. Parcel Identification Number(s): 07-2N-28-0000-0001-0020

10. Area: 2.93 Acres Number of Lots/Parcels: One parcel

11. Existing Future Land use Map Classification: Low Density Residential

12. Proposed Future Land Use Classification: Commercial - Medium Intensity

13. Existing Zoning Classification: R-1A

14. Proposed Zoning Classification: C-1 Community Commercial District

15. Existing Land Use: Vacant

16. Proposed Land Use: Commercial use consistent with C-1 - Community Commercial District.

17. Address of the applicant or agent, where correspondence may be sent.

Howard M. Landers, AICP, Urban Planning Consultant, 326 Settlers Lane, Charlotte, NC 28202

Telephone number: 704-370-6278

Date of Submittal: July 10, 2003

18. The undersigned having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

I (we) also understand that the application fee does not include the fees associated with engineering review and/or construction inspection. Fees for engineering review and/or construction inspection are the direct responsibility of the applicant payable directly to the engineering firm(s) specified by the City of Fernandina Beach for the services, inspections, reports, and the like required by the City of Fernandina Beach. I certify that no land clearing, excavation and/or filling has occurred on this property, and that no clearing, excavation and/or filling will commence prior to the issuance of a Land Clearing Permit. I do hereby agree to perform any authorized land clearing, excavation and/or filling in accordance with the approved site plan and the City of Fernandina Beach Land Development Regulations.

Date 7/7/03


Signature of Owner(s) or Agent

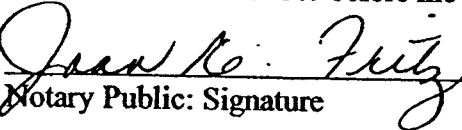
Howard M. Landers, Co-Agent

Printed Name of Owner(s) or Agent

STATE OF NORTH
CAROLINA
COUNTY OF
MECKLENBURG

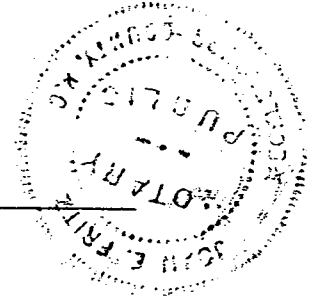
ss

Subscribed and sworn to before me this 7th day of July, 2003.


Notary Public: Signature

JOAN E. FRITZ
Printed Name

My Commission Expires: 3-25-05



Application Fee: \$424.00 Based on \$300.00 Application; \$14.00 for 14 property owners; and \$110.00 for Legal Advertising

Attachments:

- A. Owner's Authorizations for Agency - 2
- B. List of adjacent property owners as prepared by Nassau County Property Appraiser
- C. Proof of Ownership
- D. Findings of Fact Form
- E. Letter of Intent
- F. Statement on Relationship to Planning Advisory Board
- G. Survey and Legal Description of Site
- H. Most Recent Tax Map

....continued

Attachments -- continued:

- I. Aerial Photograph
- J. Location Map
- K. Nassau County Future Land Use Map and Letter
- L. Photographs of Site and Surrounding Area
- M. Soils Map
- N. Topographic Map
- O. Flood Insurance Rate Map
- P. Copy of Check for Application Fee

+++++

Owner's Authorization for Agent City of Fernandina Beach, Florida

AS James U. Sands am hereby authorized TO ACT

(Name of Agent)

AGENT ON BEHALF OF Summer Beach, Ltd., Owner(s)

(Name(s) of Owner(s))

of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required in applying to the City of Fernandina Beach, Florida, Community Development for an application related to a Development Permit or other action pursuant to a:

- | | |
|---|---|
| ☐ Zoning Amendment | ☐ Sign Permit |
| ☒ Zoning Variance | ☐ Special Use Permit |
| ☐ Appeal | ☐ Conditional Use Permit |
| ☐ Building Permit | ☐ Subdivision Review |
| ☐ Tree Permit | ☐ Site Plan Review |
| ☐ Annexation | ☐ Certificate of Appropriateness |
| ☐ Grade/Excavation Permit | ☐ Other |

James H. Winston
Signature of Owner

James H. Winston
Print Name

Signature of Owner

Print Name

(904) 358-7269
Telephone Number

State of Florida

Nassau County

} ss

Signed and sworn before me on this 7th day of July, 2003

By James H. Winston

Identification verified: Personally Known

Oath sworn: _____ Yes _____ No

Marcella Crawford
Notary Signature

My Commission expires: _____

MARCELLA CRAWFORD
Notary Public, State of Florida
My comm. exp. Oct. 14, 2006
Comm. No. DD 158232

Owner's Authorization for Agent
City of Fernandina Beach, Florida

Attachment A

I, Howard M. Landers am hereby authorized TO ACT
AS _____

(Name of Agent)

AGENT ON BEHALF OF Summer Beach, Ltd., Owner(s)
(Name(s) of Owner(s))

of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required in applying to the City of Fernandina Beach, Florida, Community Development for an application related to a Development Permit or other action pursuant to a:

- | | |
|--|---|
| ☒ Zoning Amendment | ☐ Sign Permit |
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| ☐ Tree Permit | ☐ Site Plan Review |
| ☐ Annexation | ☐ Certificate of Appropriateness |
| ☐ Grade/Excavation Permit | ☐ Other |

BY: James H. Winston
Signature of Owner

JAMES H. WINSTON
Print Name

Signature of Owner

Print Name

(904) 358-7269
Telephone Number

State of Florida }
Nassau County } ss

Signed and sworn before me on this 7th day of July, 2003
by James H. Winston

Identification verified: Personally Known

Oath sworn: _____ Yes _____ No

Marcella Crawford
Notary Signature

My Commission expires: _____

MARCELLA CRAWFORD
Notary Public, State of Florida
My comm. exp. Oct. 14, 2006
Comm. No. DD 158232

NOTICE OF AD VALOREM TAXES & NON-AD VALOREM ASSESSMENTS

BILL # R 1902100 PARCEL # 07-2N-28-0000-0001-0020
 2002 REAL ESTATE REMINDER NOTICE NASSAU

| | | |
|-----------|----------|---------------|
| REPAID IN | APR 3-18 | APR 19 MAY 16 |
| TOTAL DUE | 1,934.03 | 1,935.71 |

DELINQUENT TAX FOR PRIOR YEARS

| Taxing Authority | Millage Rate | Tax Amount |
|------------------|--------------|------------|
| COUNTY | .00738210 | 620.10 |
| SCHOOL RLE | .00546300 | 458.89 |
| SCHOOL DISC | .00263800 | 221.59 |
| FERNANDINA BEAC. | .00621850 | 522.35 |
| ST JOHNS WTR MG. | .00046200 | 38.81 |
| AMELIA ISL. MOS. | .00019000 | 15.96 |

PT OF OR 400 PG 475 4.00 AC

SUMMER BEACH LTD
 5456 FIRST COAST HIGHWAY
 FERNANDINA BEACH, FL 32034

TOTAL AD-VALOREM: 1,877.70

| Levying Authority | Rate/Basis | Amount |
|----------------------------|------------|--------|
| NON-AD VALOREM ASSESSMENTS | | |

VALUE 84,000 DIST: 0002
 ASSESS 84,000
 TAXABLE VALUE EXEMPT VALUE
 CO 84,000 CO

ESCROW 0041 DELINQUENT TAXES

MAKE CHECK PAYABLE IN U.S. FUNDS TO:
 GWENDOLYN M. MILLER, C.F.C.
 P. O. BOX 708
 FERNANDINA BEACH 32035

TOTAL NON-AD VALOREM:

COMBINED TAXES & ASMTS: 1,877.70

*SEE REVERSE SIDE FOR INSTRUCTIONS

IF THE TAXES FOR THE YEAR 2002 ON YOUR PROPERTY ARE NOT PAID, A CERTIFICATE WILL BE SOLD FOR THESE TAXES AND YOUR PROPERTY MAY BE SOLD AT A FUTURE DATE. CONTACT THE TAX COLLECTORS OFFICE AT CNCE.

REMOVE

NOT

DO

CITY OF FERNANDINA BEACH, FLORIDA
PLANNING ADVISORY BOARD

TO: Fernandina Beach City Commission
Fernandina Beach, FL 32034

RE: REPORT ON APPLICATION FOR ZONING CLASSIFICATION CHANGE
No. CZ 2003-06

On August 13, 2003 the Planning Advisory Board reviewed and considered Change in Zoning Application No. CZ 2003-06.

- a. Applicant: SUMMER BEACH. LTD.
b. Request: An amendment of the zoning map
classification from an R1-A: Single Family
Residential District to an C-1: Community
Commercial District.

Having reviewed and considered the Application and attachments thereto and the testimony from those present at the public hearing as well as the City Staff Report on this Application, the Board considered the following factors in Objective 1.02 of the Comprehensive Plan, as well as the general criteria in the Comprehensive Plan attached hereto, in evaluating this proposed land use change:

- a. SURROUNDING USES: No: Bell Smith Service Facility;
So: FB Municipal Airport; East: Vacant Land;
West: FB Municipal Airport
- b. SURROUNDING ZONING: No: Commercial Intensive (County).
So: Industrial, Light Warehousing; East: Recreation;
West: Industrial, Light Warehousing
- c. ACREAGE: 2.93
- d. SOILS AND TOPOGRAPHY:
- e. DESCRIPTION OF SITE. Flat, wedge shaped parcel
bounded on the south & west by a sweeping
curve of Amelia Island Parkway.
- f. FLOOD ZONE:

g. IMPACT ON ADOPTED LEVELS OF SERVICE: _____

AFTER DISCUSSION, motion was made by Board Member Candi,
seconded by Board Member Edward to recommend that this
Zoning Classification Change Application No. CZ 2003-06 be:

____ Approved as presented.

☒ Disapproved for the following reasons:

as a C-1 but recommended
being a CPO

The Motion [passed] [failed] by a vote of 6 YES 1 NO.

The Planning Advisory Board respectfully recommends to the
City Commission that Zoning Classification Change Application
No. CZ 2003-02 be:

[APPROVED] [DISAPPROVED].

[Signature]
Chairman

9-5-03
Date

| | |
|------------------------|-----|
| Board Member Clark: | Aye |
| Board Member Condit: | Aye |
| Board Member Bennett: | Aye |
| Board Member Bradford: | Nay |
| Board Member Howat: | Aye |
| Board Member Wilking: | Nay |
| Chairman Conger: | Aye |

Motion carried.

CZ 2003-02: WILLIAMSON PROPERTY

Zoning Amendment changing the classification from a Rec: Recreational District to an R-3: Multifamily Dwelling District on a 1.0 acre parcel, located on the northwest corner of Dolphin and Tarpon Avenues.

A motion was made by Board Member Condit, seconded by Board Member Howat, to send to the City Commission a recommendation to deny CZ 2003-02 a request to change the zoning map from Parks and Recreation District to an R-3 multi-family dwelling district. Vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Bradford: | Nay |
| Board Member Wilking: | Nay |
| Board Member Howat: | Aye |
| Board Member Clark: | Aye |
| Board Member Bennett: | Aye |
| Board Member Condit: | Aye |
| Chairman Conger: | Aye |

Motion carried.

LU 2003-05: SUMMER BEACH, LTD.

Future Land Use Map (FLUM) Amendment changing the classification from Low Density Residential to Commercial Medium Intensity on a 2.93 acre parcel, located on the northwest corner of Amelia Island Parkway and Amelia Road.

All Board members disclosed that they drove by the property.

Ms. Mary O'Donnell referred to the agenda support documents and gave an overview of her recommendation that the request appeared to be inconsistent with intent of the Comprehensive Plan.

→ **CZ 2003-06: SUMMER BEACH, LTD.**

Zoning Amendment changing the classification from R1-A, Single Family Residential to C-1, Community Commercial District, on a 2.93 acre parcel, located on the northwest corner of Amelia Island Parkway and Amelia Road.

Ms. O'Donnell gave an overview of staff's recommendation as contained in the staff report.

Mr. Howard Landers, 326 Settler's Lane Charlotte North Carolina, explained that the requests were based on a number of conditions that apply to this site. He presented a letter from the County showing the zoning certification for a part of the property to the north of this site, which is commercial and was approximately 90 acres. He stated that there is an inconsistency between the County's Future Land Use Map and their Zoning Map. He noted that the zoning map depicts the property north of the site as Commercial Intensive. He provided some further details about the surrounding properties and presented an aerial photograph. He stated that the applicant was willing to commit to a limitation of two access points as far north on Amelia Road as possible. He commented that in regard to traffic Amelia Island Parkway was operating at level of service standard "B" and Amelia Road was operating at level of service standard "A". He explained that the Commercial Medium Intensity that was being requested was tame compared to Commercial Intensive in the County and provided some examples of potential commercial activities. He requested the change to Commercial Medium Intensity land use and C-1 zoning. Board Member Howat inquired what was being proposed for this property if the applicant gets the zoning requested. Mr. Landers explained that the intent of Summer Beach Limited was to sell this property. Board Member Bradford questioned how Mr. Landers felt about the recommendation of CPO zoning. Mr. Landers stated that it provides strictly for office type of uses and there are some commercial uses that are very compatible with this piece of property in the City's C-1 zoning. He expressed his opinion that the only onerous use in C-1 is theater and this property is too small to accommodate any type of theater. Board Member Goldsmith inquired who owns the property that buffers. Mr. Landers replied that Summer Beach does not own buffers in that immediate area. Board Member Goldsmith commented that he thought there were uses in CPO zoning that would be attractive. He explained that his concern was that the requested change would open the door for stripping commercial along the parkway. There was some discussion about the adjacent property and actions that the Board could take.

Board Member Clark inquired what the distance on Amelia Road was that a driveway could be placed from the intersection. Ms. O'Donnell replied 200 feet and explained that it was a limit of the site. Board Member Clark inquired if the Board could make a condition that there is no access onto Amelia Island Parkway. Ms. O'Donnell stated that she would recommend that the Board would. Chairman Conger commented that the parkway is supposed to be a thing of beauty and not littered with not only a gas station, but four to seven store strip mall. There was some further discussion about the request.

Ms. Melinda Dannel, 726 Kenneth Court, explained that she was tired of seeing the land chewed up. She commented that if something small like a lawyer's office was going to be put in there wonderful, but if not she didn't think it should be C-1. She expressed her opinion that then it should be just as little as could be done with it.

Board Member (Condit?) inquired about some examples of what is allowed under CPO. Ms. O'Donnell provided some examples as contained in (the Code?). A motion was made by Board Member Howat, seconded by Board Member Wilking, to close the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. City Attorney Braga stated that the Board had substantial competent evidence based on the testimony of the staff, the applicant, members of the public, as well as the information in the packet. A motion was made by Board Member Howat, seconded by Board Member Bradford, to deny LU 2003-05 based on staff recommendation at the requested Medium Intensity Commercial level, but to recommend to the City Commission that it be passed as Commercial Low Intensity designation. City Attorney Braga explained that this could be done as two motions with one to deny as Medium Intensity and the other motion would be to pass it as a Low Intensity Commercial. She further explained that one combined motion would be to deny LU 2003-05 based on staff recommendation at the requested Medium Intensity Commercial level, but recommend to the City Commission that it be passed as a Low Intensity Commercial designation. Board Member Howat agreed with the attorney's suggested motion. Vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Howat: | Aye |
| Board Member Wilking: | Aye |
| Board Member Bradford: | Aye |
| Board Member Bennett: | Aye |
| Board Member Clark: | Aye |
| Board Member Condit: | Aye |
| Chairman Conger: | Nay |

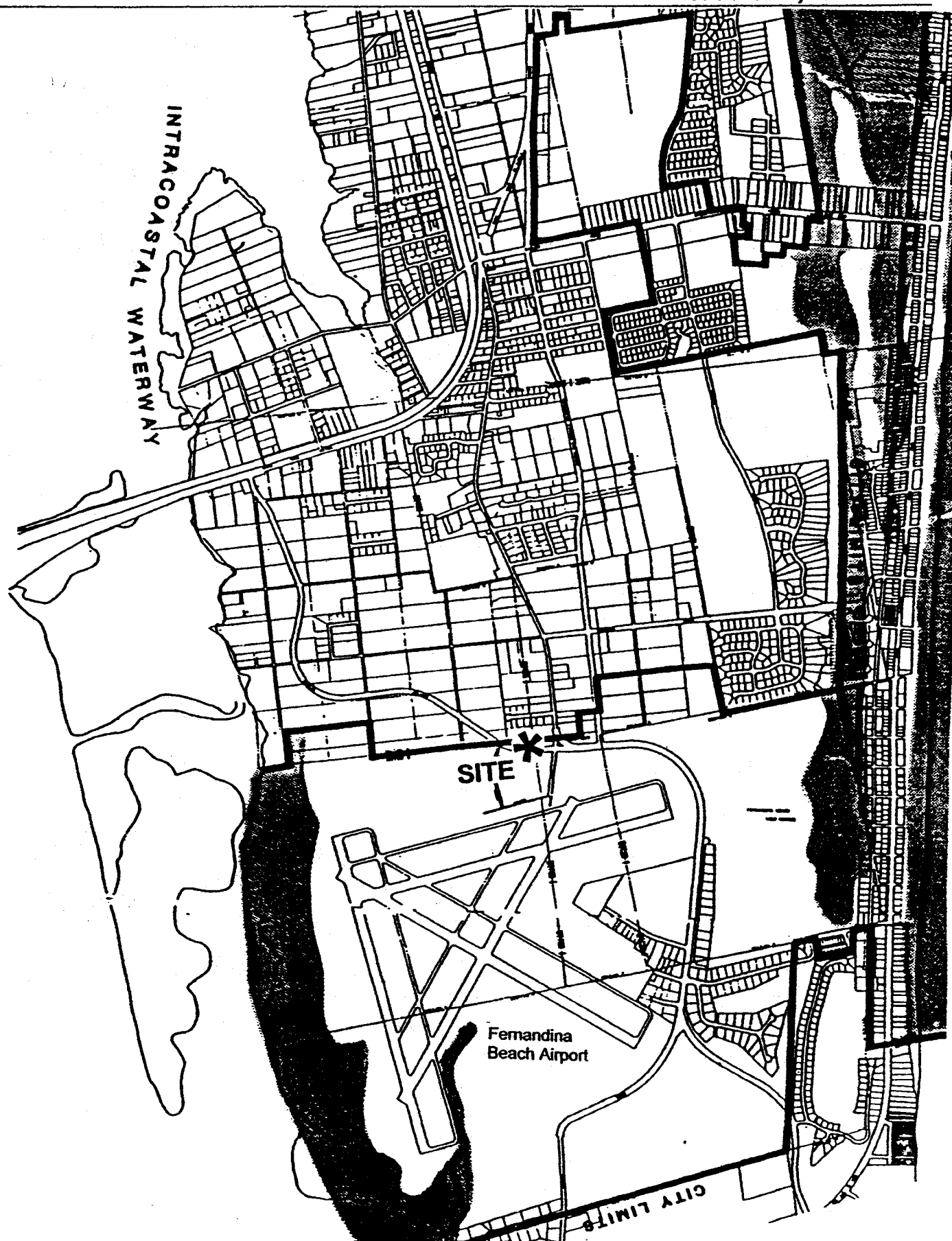
Motion carried.

A motion was made by Board Member Condit, seconded by Board Member Howat, to recommend denial to the City Commission of CZ 2003-06 for Community Commercial District, but recommend that they accept an augmentation that this be accepted as CPO; and if it were approved as CPO that there be no ingress or egress onto Amelia Island Parkway. Board Member Clark inquired if the motion should be amended to include that if it were approved as CPO that there be no ingress or egress onto Amelia Island Parkway. Board Member Condit accepted this language. After some discussion about whether to allow only a right out onto the parkway, vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Bradford: | Aye |
| Board Member Condit: | Aye |
| Board Member Bennett: | Aye |
| Board Member Clark: | Aye |
| Board Member Howat: | Aye |
| Board Member Wilking: | Aye |
| Chairman Conger: | Nay |

Motion carried.

APPLICATION FOR ZONING AMENDMENT
3-Acre Parkway Parcel - SBDGL



APPLICATION FOR ZONING AMENDMENT
3-Acre Parkway Parcel - SBDGL

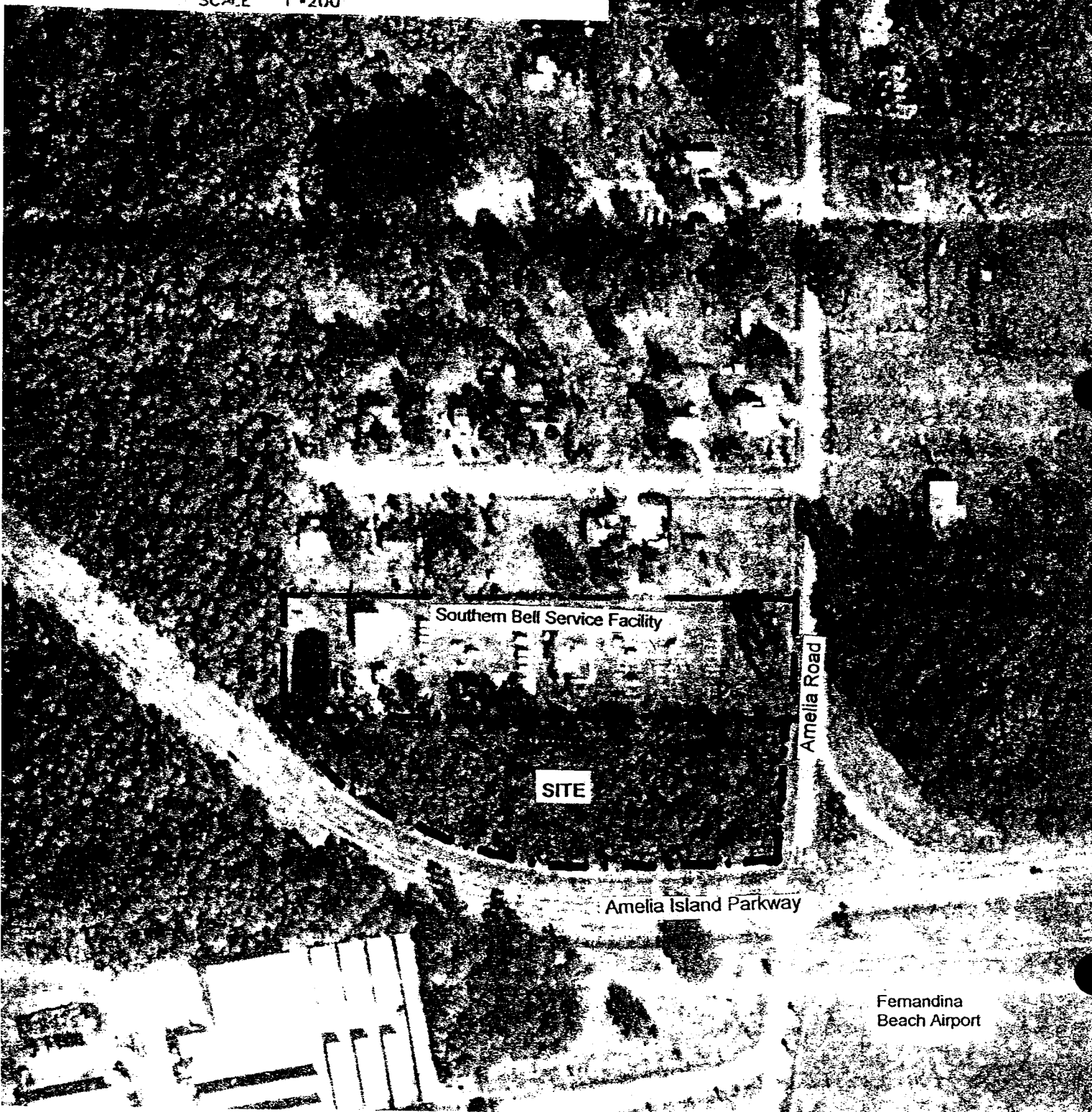
| | | | | | |
|-----------------|-----------|---------|-------|--------|-----------|
| SCALE | 1" = 200' | SECTION | TWP. | RANGE | SHEET NO. |
| DATE COMPLETED | 2-26-02 | | T 2 N | R 28 E | 186 A |
| PHOTO PROJ. NO. | PD-1285 | | | | |



NASSAU COUNTY FLORIDA

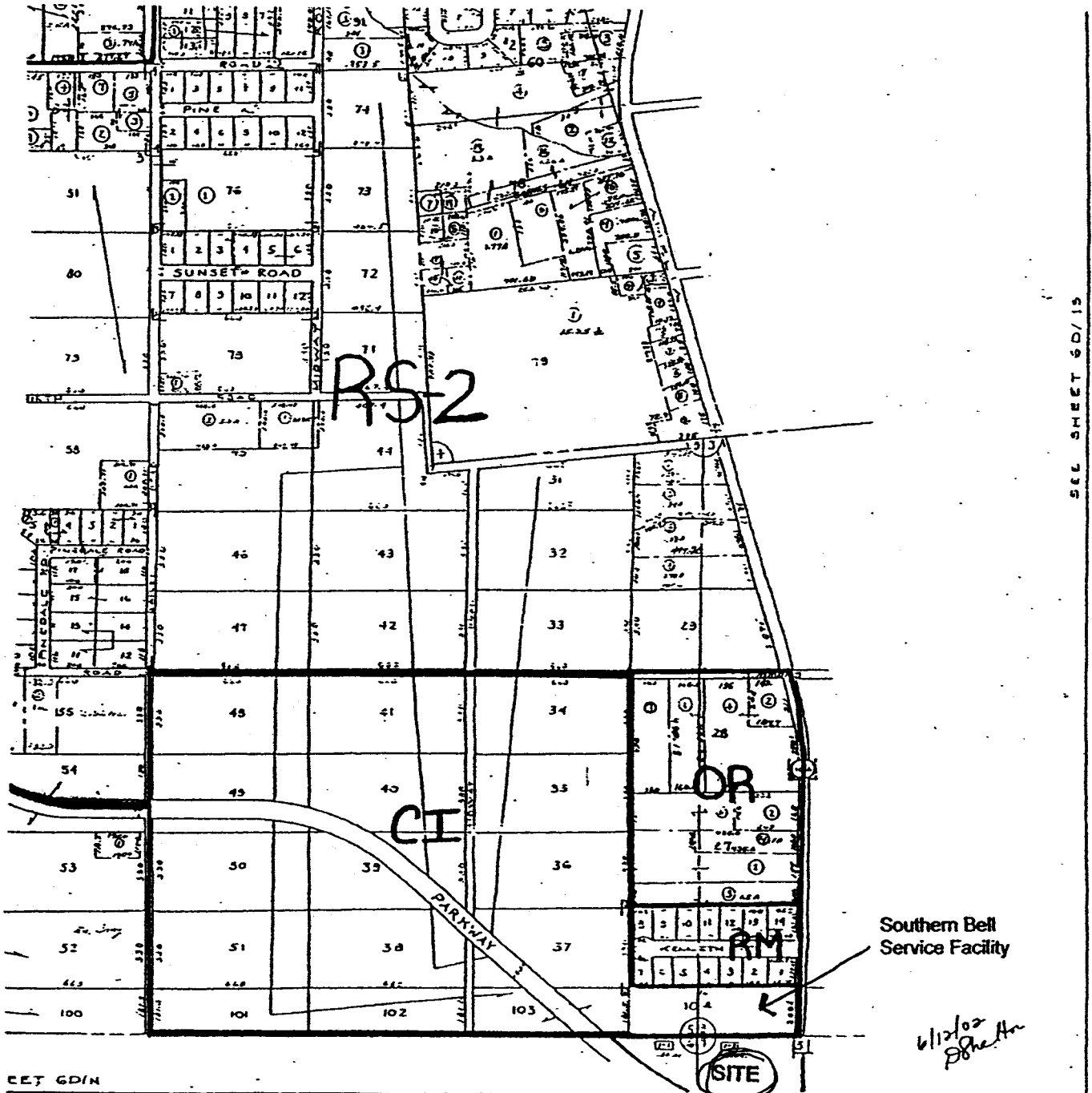
200 400 600 800

SCALE 1"=200'



Attachment K
Nassau County Zoning Map and Letter
APPLICATION FOR ZONING AMENDMENT
3-Acre Parkway Parcel - SBDGL

Page 1 of 3



SEE SHEET 6D/19

SEE 6D/19

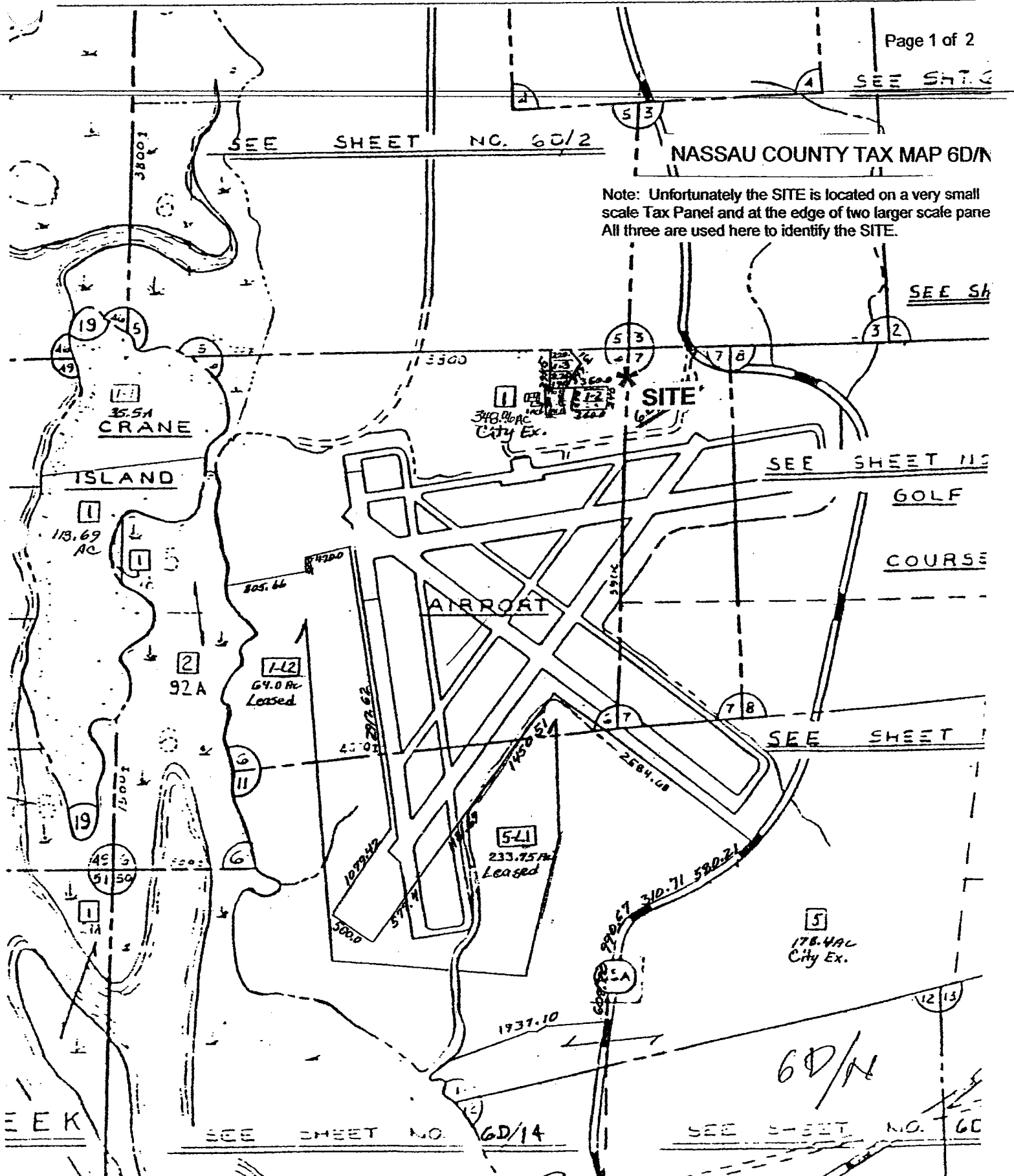
| SUBDIVISION INDEX | | | | ASSESSMENT MAP
NASSAU COUNTY,
FLORIDA
COMPILED & DRAWN BY
FURRUGUIT & ASSOCIATES, INC.
ST. PETERSBURG, FLORIDA | SECTION 5, PART OF 3.4
TOWNSHIP 2 N
RANGE 28 E
COMPILED & DRAWN, JANUARY, 1994
REVISION DATES
TRACING PRINT | SHEET
NUMBER
6D/19
2 |
|-------------------|-------------------------------------|---------|------|---|--|-------------------------------|
| SC. No. | NAME | SC. NO. | PAGE | | | |
| 0000 11 | GROVE PARK | 0020 4 | 52 |  | | |
| 0020 12 | GROVE PARK SUB. REPLAT | 4 | 81 | | | |
| 0020 13 | RIVER OAKS OF ANCHIA 0560-5 | 107 | | | | |
| 0000 14 | RIVER OAKS OF ANCHIA Unit 2, 0560-6 | 111 | | | | |
| 0031A | | | | | | |
| 034C | | | | | | |

2A-89



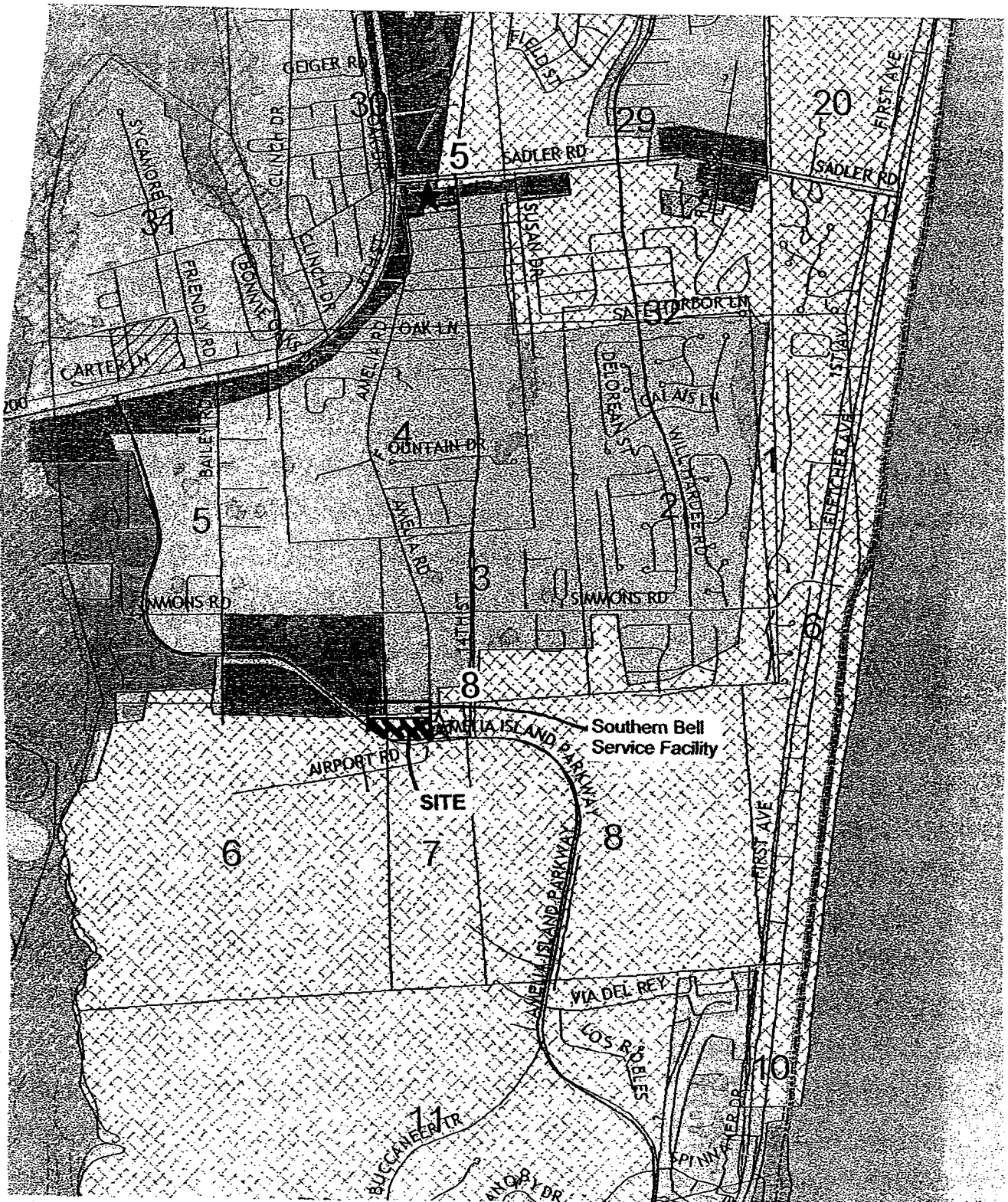
Attachment H
Most Recent Tax Map
APPLICATION FOR FUTURE LAND USE MAP AMENDMENT
3-Acre Parkway Parcel - SBDGL

Page 1 of 2



Note: Unfortunately the SITE is located on a very small scale Tax Panel and at the edge of two larger scale pane All three are used here to identify the SITE.

6D/H



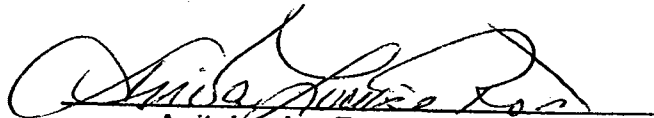
AFFIDAVIT OF MAILING

State of Florida
County of Nassau

I, AnitaLouise Ross, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Community Development Department; and
2. That part of my duties includes processing applications of all types; and
3. That one of the requirements for processing applications is that notice shall be sent by regular U.S. mail to each property owner within a 300 foot area; and
4. That on August 1, 2003, I mailed the letter attached hereto as Exhibit 1 to each of the property owners shown on the list in Exhibit 2, by regular U.S. mail; and
5. That for CZ 2003-06, the list of the adjacent property owners from the Nassau County Property Appraisers Office is attached hereto as Exhibit 2.
6. That the Affidavit of Publication of the Notice is a separate document, provided by the News Leader.

FURTHER AFFIANT SAYETH NAUGHT.


AnitaLouise Ross

Subscribed and sworn to before me, a notary public in and for the State of Florida this 1st day of August, 2003.

(Seal)



Pamular D Bell
My Commission DD041598
Expires July 11 2005



*Notarizing signature only.



Exhibit 1

City of Fernandina Beach

COMMUNITY DEVELOPMENT DEPARTMENT

July 31, 2003

Dear Property Owner:

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD CITY OF FERNANDINA BEACH

A Public Hearing will be held by the Planning Advisory Board Wednesday, August 13, 2003 at 6:00 PM in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider the following applications:

1) Marilyn Williamson: Future Land Use Map Amendment from Recreation to High Density Residential, and a Zoning Amendment from Recreation District to an R-3: Multifamily Dwelling District of a 1.0 acre parcel, located on the northwest corner of Dolphin and Tarpon; 2) Summer Beach, Ltd.: Future Land Use Amendment from Low Density Residential to Medium Intensity Commercial, and a Zoning Amendment from an R1A Single Family Residential to an C-1 Community Commercial District for a 3-acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road; and 3) Ocean Breeze Subdivision: Future Land Use Map Amendment from Nassau County Medium Residential to City Low Density Residential; and a Zoning Amendment from Nassau County RS2: Single Family Residential to City R-3: Multifamily Dwelling District a 70.93 acre parcel located at the northeast corner of Simmons Road and Bailey Road.

Copies of the applications may be inspected in the office of the Community Development Department, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. For information on the application, please contact the Staff of the Planning Department at 277-7325.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 277-7305, TTY 277-7399, (TTY number for all City offices) or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

If any person decides to appeal any decision made by the Board with respect to any matter considered at such hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Very truly yours,

Anne Catinna
Planning Director

SUBJECT

06-2N-28-0000-0001-0010

07-2N-28-0000-0001-0020

SUMMER BEACH LTD

5456 FIRST COAST HIGHWAY

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0001-0000

00-00-30-0320-0002-0000

00-00-30-0320-0003-0000

MUSIC CAROLYN

P O BOX 617

FERNANDINA BEACH FL Zip 32035 0617

00-00-30-0320-0004-0000

MCCRANIE DANIEL I & DANIELLE S

1225 GERBING ROAD

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0005-0000

VONNAH LEURA MAE

744 KENNETH COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0006-0000

DOKEY WARREN RUSSELL

752 KENNETH CT

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0007-0000

TESTON BETTY

726 KENNETH COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-044A-0006-0022

DUNMAN JAMES R

3210 AMELIA ROAD

FERNANDINA BEACH FL Zip 32034

00-00-30-044A-0006-0023

07-2N-28-0000-0002-0000

LANE DOUGLAS W & MELLANY R

1124-A NATURES WALK COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-044B-0104-0000

SOUTHERN BELL TEL & TEL CO

10 BELLSOUTH TELECOMM TAX

2ND FLOOR

1155 PEACHTREE ST NE

ATLANTA GA Zip 30309 3610

00-00-30-044B-0105-0002

HOGGATT KATHLEEN

C/O NANCY HORNBuckle

243 PINE STREET

NEW HOPE AL Zip 35760

00-00-30-044B-0105-0010

08-2N-28-0000-0001-0000

07-2N-28-0000-0001-0000

06-2N-28-0000-0001-0000

06-2N-28-0000-0001-0000

CITY OF FERNANDINA BEACH

204 ASH STREET

FERNANDINA BEACH FL Zip 32034

06-2N-28-0000-0001-0020

FIRST COAST MOVING & STORAGE CO

PO BOX 6062

FERNANDINA BEACH FL Zip 32035 6062

07-2N-28-0000-0001-0020

SUMMER BEACH LTD

5456 FIRST COAST HIGHWAY

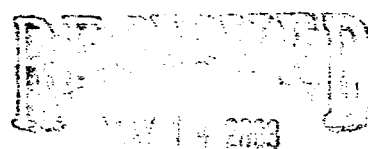
FERNANDINA BEACH FL Zip 32034

00-00-30-044B-0031-0000

AMELIA HOLDINGS LLC

4400 NORTH HWY A1A SUITE 302

FORT PIERCE FL Zip 34949



PROPERTY APPRAISER
OF NASSAU COUNTY

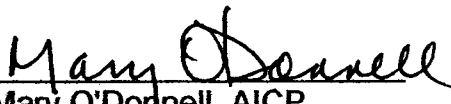
AFFIDAVIT OF POSTING

State of Florida
County of Nassau

I, Mary O'Donnell, being first duly sworn, depose and state as follows:

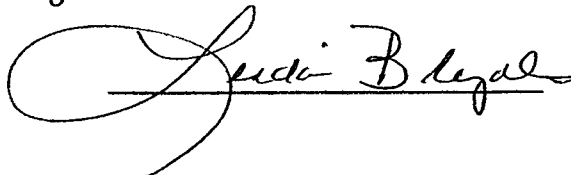
1. That I am an employee of the City of Fernandina Beach, Community Development Department; and
2. That part of my duties includes processing applications of all types; and
3. That one of the requirements for processing applications is that the notice be posted on the property; and
4. That for CZ 2003-06, I posted the property on July 31, 2003 with the notice of the application and hearing. A copy of said notice is attached hereto as Exhibit 1.

FURTHER AFFIANT SAYETH NAUGHT.


Mary O'Donnell, AICP
Planner II

Subscribed and sworn to before me, a notary public in and for the State of Florida this 4th day of August, 2003.

(Seal)  Linda B Ryals
My Commission DD104949
Expires April 01, 2006



NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Michael B. Hankins
who on oath says that he is the Advertising Director
of The Fernandina Beach *News-Leader*, a weekly
newspaper published at Fernandina Beach in Nassau
County, Florida; that the attached copy of
advertisement, being a Legal Notice
in the matter of

NOTICE OF PUBLIC HEARING Planning Advisory Board City of Fernandina Beach Aug. 13, 2003

was published in said newspaper in the issues of
07-30-2003

ref. No. 2837

Affiant further says that the said Fernandina Beach
News-Leader is a newspaper published at Fernandina
Beach, in said Nassau County, Florida, and that the
said newspaper has heretofore been continuously
published in said Nassau County, Florida, each week
and has been entered as second class mail matter at
the post office in Fernandina Beach in said Nassau
County, Florida, for a period of one year next
preceding the first publication of the attached copy
of advertisement; and affiant further says that he has
neither paid nor promised any person, firm or
corporation any discount, rebate, commission or
refund for the purpose of securing this advertisement
for publication in the said newspaper.

Michael Hankins

Sworn to and subscribed before me
this 30th day of July, A.D. 2003.

Robert O. Fiege
Robert O. Fiege, Notary Public



ROBERT O. FIEGE,
Notary Public, State of Florida
My comm. expires May 31, 2004
Comm. No. CC 940897

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD CITY OF FERNANDINA BEACH

A Public Hearing will be
held by the Planning Advisory
Board Wednesday, August 13,
2003 at 6:00 PM in the City
Commission Chambers, 204
Ash Street, Fernandina Beach,
Florida to consider the fol-
lowing applications:

1) Marilyn Williamson:
Future Land Use Map
Amendment from Recreation
to High Density Residential,
and a Zoning Amendment
from Recreation District to an
R-3: Multifamily Dwelling
District of a 1.0 acre parcel,
located on the northwest cor-
ner of Dolphin and Tarport; 2)
Summer Beach, Ltd.: Future
Land Use Amendment from
Low Density Residential to
Medium Intensity
Commercial, and a Zoning
Amendment from an R1A
Single Family Residential to
an C-1 Community
Commercial District for a 3-
acre parcel located at the
northwest corner of Amelia
Island Parkway and Amelia
Road; and 3) Ocean Breeze
Subdivision: Future Land Use
Map Amendment from
Nassau County Medium
Residential to City Low Density
Residential; and a Zoning
Amendment from Nassau
County RS2: Single Family
Residential to City R-3:

Multifamily Dwelling District a
0.93 acre parcel located at
the northeast corner of
Simmons Road and Bailey
Road.

Copies of the applications
may be inspected in the
office of the Community
Development Department,
City Hall, 204 Ash Street,
between the hours of 8:00 AM
5:00 PM, Monday through
Friday. For information on the
application, please contact
the Staff of the Planning
Department at 277-7325.

Interested parties may
appear at said hearing and
be heard as to the advisabi-
lity of any action, which may
be considered. Any persons
with disabilities requiring
accommodations in order to
participate in this program or
activity should contact 277-
7305, TTY 277-7399, (TTY num-
ber for all City offices) or
through the Florida Relay
Service at 1-800-955-8771 at
least 24 hours in advance to
request such accommoda-
tion.

If any person decides to
appeal any decision made
by the Board with respect to
any matter considered at
such hearing, s/he will need
to ensure that a verbatim
record of the proceedings is
made, which record includes
the testimony and evidence
upon which the appeal is to
be based.

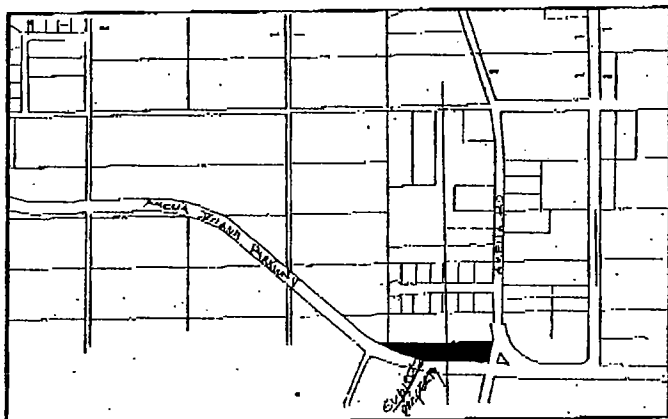
At 07-30-2003
2837

NOTICE OF A CHANGE OF ZONING DESIGNATION

The City Commission of the City of Fernandina Beach, Florida, proposes to adopt the following Ordinance #2003-33 entitled, "A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A CHANGE OF THE ZONING DESIGNATION ON A 2.93 ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF AMELIA ISLAND PARKWAY AND AMELIA ROAD FROM A SINGLE-FAMILY RESIDENTIAL DISTRICT (R1-A) TO A COMMERCIAL, PROFESSIONAL AND OFFICES DISTRICT (CPO); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

A public hearing on the ordinance will be held Tuesday, November 18, 2003 at 6:00 p.m. in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida. A map of the area covered by the proposed ordinance is shown below.

By: Cassandra P. Mitchell
Its: City Clerk



A copy of said proposed ordinance may be inspected by the public at the office of the undersigned at 204 Ash Street, Fernandina Beach, Florida. Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered with respect to such ordinance.

ALL MEMBERS OF THE PUBLIC ARE INVITED TO BE PRESENT AND BE HEARD. IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WITH DISABILITIES REQUIRING ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROGRAM OR ACTIVITY SHOULD CONTACT 277-7305 OR TDD 277-7399 OR FLORIDA RELAY SERVICE 1-800-955-8771, AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATION.

FLORIDA'S OLDEST WEEKLY NEWSPAPER

NEWS LEADER

Published Weekly
511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034



STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Robert O. Fiege

Who on oath says that he is the Production Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a LEGAL DISPLAY ADVERTISEMENT in the matter of

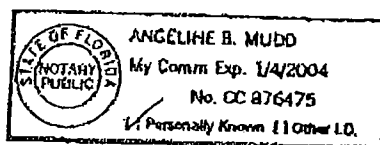
CITY OF FERNANDINA BEACH
Notice of a Change of Zoning Designation
Ordinance 2003-33

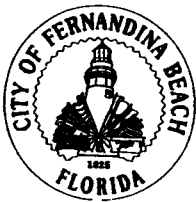
Was published in said newspaper in the issues of 11/05/03

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
This 13th day of November, A.D. 2003.

Angelina B. Mudd, Notary Public





CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Ordinance 2003-33, Rezoning CZ 2003-05 Summer Beach, Ltd.

DEPARTMENT: Planning Department

ATTACHMENTS: ☒ Ordinance ☐ Resolution
☒ Support Documents ☐ Other

SUMMARY: The applicants, Summer Beach, Ltd. has applied for a Zoning Amendment changing the zoning classification from an R1-A: Single-Family Residence to an C-1: Community Commercial District on a 2.93 acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road. Application CZ 2003-06 was reviewed by the Planning Advisory Board at its August 13, 2003 regular meeting and after consideration of the staff analysis and all the testimony presented at the hearing, the Planning Advisory Board voted six to one to recommend denial of Community Commercial District, but recommended that City Commission assign a less intense zoning district, particularly that the land be zoned CPO: Commercial, Professional and Offices District; and if approved as CPO subject to non-access onto Amelia Island Parkway.

At the October 21, 2003, the City Commission voted 4-1 to rezone the parcel from R1-A to CPO. This is second reading, public hearing and final adoption of Ordinance 2003-33.

RECOMMENDED ACTION: Approve Ordinance 2003- 33

DEPARTMENT HEAD Submitted by Anne Catinna Date: 11/12/2003
Requested Agenda Date: 11/18/2003

FINANCE DEPARTMENT Budgeted __Yes __No ☒ N/A Date: N/A

CITY ATTORNEY Approved for Form and Correctness Date: *DAB/30*

CITY MANAGER Approved Agenda Item for *[Signature]* Date: 11/18/2003

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: __CA __CC __CM __PL __BD __FIN __FD __GC __HR __MD __PD __PR __UD

procedures or commenting on the weight and credibility of the evidence before the Commission. City Attorney Braga stated that she believed she made absolutely no comment on any of the weight of the evidence. She explained that she said that there was substantial competent evidence based on all the testimony including everything that the Commission has heard.

A motion was made by Commissioner Roland, seconded by Commissioner Roberts, to approve Resolution #2003-156. Commissioner Crow explained that he personally knew Mr. Flick and expressed his belief that Mr. Flick has absolutely dotted every "i" and crossed every "t" every time he was asked. He emphasized the fact that Mr. Flick does follow the rules to the letter of the law. Mayor Gerrity stated that he didn't think Mr. Flick's integrity was in question here. After a brief discussion about this, Commissioner Roland stated that based on the evidence presented by the City staff and others there is evidence to reject this application, which was what this Resolution urges. He explained that based on the City's Comprehensive Plan there was enough there to reject it and based on the PAB's recommendation of denial. He urged the Commission to vote in support of this Resolution. Mayor Gerrity noted for clarification this was a Resolution to deny the permit. He read into the record permitted uses in the C-1 district. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

RESOLUTION #2003-157 SPECIAL USE TO ALLOW THE CONSTRUCTION OF A TWENTY-FOUR (24) ROOM HOTEL IN THE C-1, COMMUNITY COMMERCIAL ZONING DISTRICT ON AN 1.80 ACRE PARCEL [QUASI-JUDICIAL]: This item was not heard because the previous companion item was denied.

LAND USE AMENDMENT ORDINANCE #2003-32 FIRST READING AND PUBLIC HEARING: Mayor Gerrity read the synopsis of this item as contained in the agenda support documents. A motion was made by Commissioner Roberts, seconded by Vice-Mayor Lamb, to open the public hearing. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Mr. Howard Landers, 326 Settler's Lane Charlotte North Carolina, authorized agent for Summer Beach Limited, explained that the request before the Commission was a request by Summer Beach Limited for a change from a residential use to a commercial low intensity use. He commented that the PAB and staff were in agreement that the property was not appropriately classified as residential and both recommended a commercial low intensity use for the property. He explained that the parallel zoning request was for C-1 and the PAB recommendation was for Commercial Professional Office (CPO). He presented illustrations from the application and explained that the property was located on the northwest corner of Amelia Island Parkway immediately north of Fernandina Beach Airport. He stated that there was a large area of land to the north and northwest of this property that does lie within Nassau County and was classified on Nassau County's Future Land Use Map (FLUM) as commercial and zoned as commercial intensive. He referred to the staff report and noted that staff acknowledged that commercial use would have minimal impact on the adopted level of services. He pointed out the differences between the County classification of commercial

Put in
my agenda
book for
tomorrow.



intensive and the City classification for C-1 commercial. He noted that the area across Amelia Island Parkway was zoned as Industrial Light Warehousing and was on the FLUM as industrial. He commented that he wouldn't classify the Fernandina Beach Airport as a low intensity use given the activity of various aircraft at the Airport. He explained that the property to the east was presently vacant and partially open space. He stated that the County recently approved a portion of the property to the east as commercial neighborhood, which is fairly similar to City C-1. He commented that given the large area to the north and the rest in their opinion has a very strong bearing on what can happen in this area and would suggest that this was not a low intensity area. He noted that staff said that this use does encourage urban sprawl. He stated that he didn't understand that because this was an isolated piece of property that was surrounded by established development. He explained that there was a Southern Bell facility immediately north and an Airport to the south. He noted that staff commented that access was very limited and would increase traffic in the area. He stated that according to the County traffic analysis the Amelia Island Parkway at this location was operating at level of service standard B. He explained that the level of service standard for this roadway was D from the scale of A to E. He stated that the level of service on Amelia Road was standard A. He referred to the plot plan which showed two points of access with one from Amelia Road and one from Amelia Island Parkway. He noted the comment in the staff report that commercial uses on this property are too far removed from residential uses. He explained that there are single family residential uses within 200 feet of the property. He pointed out the other uses surrounding this property. He requested that the Commission approve the commercial medium intensity as requested as opposed to the commercial low intensity on the FLUM as staff and PAB recommended.

City Attorney Braga stated that the title reflects the higher request which was medium density. She explained that she drafted it based on what the PAB finding was, which was in favor of the low intensity commercial. She noted that it was advertised as a medium intensity commercial, which was the applicant's request. Vice-Mayor Lamb referred to the traffic analysis and commented that he drives that road everyday and reason that there aren't more accidents at that intersection is because people that live here have learned to be very aware. Mr. Landers explained that he did live here for 29 years and has continually been working on Amelia Island since 1984. Vice-Mayor Lamb commented that those intersections are probably the two most dangerous intersections on the island in his opinion. Mr. Landers explained that he was quoting competent evidence from County records as to the level of service standards on the road and accidents at this point. Vice-Mayor Lamb commented that at some future point this property may be best suited for commercial development. He explained that he understood that this was to be rezoned commercial and then resold to whatever business would care to come in. Mr. Landers replied that was correct and the property was outside of Summer Beach's main areas of interest and development of this particular type. He gave a brief history of this property. Vice-Mayor Lamb stated that he would vote against this and explained that his opinion was

that the best use of this property was residential development. He commented that if in the future there was a specific business and it fits with the other things in that area he may change his vote. Mr. Landers stated that it was not appropriate to residential and noted that staff and the PAB did agree with that and recommended CPO.

Ms. Catinna, City Planner, stated that the PAB and staff recommended that it be changed to low intensity commercial. She explained that part of the problem was the entrance possibilities to that land. Commissioner Crow questioned the differences between CPO and C-1. City Attorney Braga explained that CPO was more of a commercial office orientation, while C-1 allows more retail. A motion was made by Commissioner Roberts, seconded by Vice-Mayor Lamb, to close the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. **A motion was made by Commissioner Roberts, seconded by Commissioner Roland, to adopt Ordinance #2003-32 on first reading.** Mayor Gerrity noted that the applicant was requesting something different from what the City was giving them. City Attorney Braga stated that the applicant requested a medium intensity commercial and staff's recommendation was for a low intensity commercial. She commented that was how the PAB recommended as well. She referred to the findings in the Ordinance and explained that the first one basically gives that history and the second one talks about that it is low intensity. Mayor Gerrity questioned how Mr. Landers felt about that. Mr. Landers stated that they appreciated that staff and PAB agree that something other than residential was appropriate. He explained that they made their request and would go with the board's decision. Mayor Gerrity questioned the recommendation to have something other than what the applicant requested. City Attorney Braga stated that the Commission was voting on their application. She explained that if the Commission wanted to they could say that they believe medium intensity is the correct use and make a motion to modify the Ordinance. She stated that the key with first and second reading of the Ordinance was that it was advertised at the higher level so if the Commission wanted to go with the higher level they certainly could do that. Mr. Landers stated that they didn't have a problem with the motion other than they would respectfully request what they applied for. After some discussion about this item, **vote upon passage of the motion was taken by ayes and nays and was as follows:**

| | |
|-----------------------|-----|
| Commissioner Crow: | Aye |
| Vice-Mayor Lamb: | Nay |
| Commissioner Roberts: | Aye |
| Commissioner Roland: | Aye |
| Mayor Gerrity: | Aye |

Motion carried.

NOTE: The City Attorney did not read the Ordinance by title.

CODE AMENDMENT ORDINANCE #2003-33 FIRST READING [QUASI-JUDICIAL]: Mayor Gerrity read the synopsis of this item as contained in the agenda support documents. He stated that this was a quasi-judicial proceeding and explained that printed procedures were available for review. Commissioner

ORDINANCE NUMBER 2003-32

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE FUTURE LAND USE MAP CLASSIFICATION ON A 2.93 ACRE PARCEL LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF AMELIA ISLAND PARKWAY AND AMELIA ROAD FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM INTENSITY COMMERCIAL (MIC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Summer Beach, Ltd. has applied for an amendment to the Future Land Use Map from an LDR: Low Density Residential to an MIC: Medium Intensity Commercial District [Application LU 2003-05]; and

WHEREAS, the Planning Advisory Board at their August 13, 2003 meeting voted 6-1 to recommend denial of the requested future land use map change, but further recommends that the City Commission classify the property on the future land use map to Low Intensity Commercial (LIC); and

WHEREAS, the City Commission at their October 21, 2003 meeting voted 4-1 to classify the property on the future land use map to Low Intensity Commercial (LIC).

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. PROPERTY INVOLVED. The property in question for this Future Land Use Map amendment is located at the northwest quadrant of the intersection of Amelia Island Parkway and Amelia Road, and being the same property as described as a portion of Sections 6 and 7, Township 2 North, Range 28 East, Parcel Identification Number: 07-2N-28-0000-0001-0020.

SECTION 2. FINDINGS.

- A. The applicant requested that the Future Land Use Map designation be changed from a Low Density Residential (LDR) to a Medium Intensity Commercial (MIC); however, staff's analysis and other testimony provided before the Planning Advisory Board at their meeting on August 13, 2003 supported a Low Intensity Commercial (LIC) designation as the most appropriate for the property. The Planning Advisory Board recommended the Low Intensity Classification to the City Commission.
- B. Based on substantial competent evidence, the City Commission finds that a Future Land Use Map amendment to designate this Property as Low Intensity Commercial (LIC) is in the best interest of the health, safety and welfare of the city, and is consistent with the city's comprehensive plan;

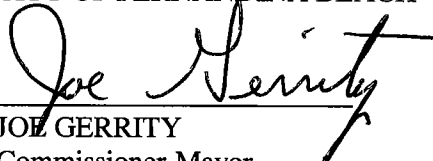
SECTION 3. FUTURE LAND USE MAP CHANGE. For the subject property, the FLUM classification is hereby changed from the Low Density Residential classification to the Low Intensity Commercial classification.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption.

ADOPTED this 18th day of November, 2003.

CITY OF FERNANDINA BEACH


JOE GERRITY
Commissioner-Mayor

ATTEST:


CASSANDRA P. MITCHELL
City Clerk

| | |
|---|-----------------------------------|
| Date of First Reading: | October 21, 2003 |
| Date of Publication: | October 8; October 10; November 5 |
| Date of Public Hearing &
Second Reading: | November 21, 2003 |
| Date of Final Adoption: | November 18, 2003 |



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: **ORDINANCE 2003-32**, LU 2003-05 SUMMER BEACH, LTD.

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT

ATTACHMENTS: ☒ Ordinance ☐ Resolution
☒ Support Documents ☐ Other

SUMMARY: The applicant, Summer Beach, Ltd. is requesting a Future Land Use Map amendment changing the FLUM classification from Low Density Residential (LDR) to Medium Intensity Commercial (MIC) on a 2.93 acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road described as a portion of Section 6 and 7, Township 2 north, Range 28 East.

The application (LU 2003-05) was reviewed by the Planning Advisory Board at its August 13, 2003 regular meeting and after consideration of the staff analysis and all the testimony presented at the quasi-judicial hearing, the Planning Advisory Board voted six to one to recommend denial of Medium Intensity Commercial, but recommended that the City Commission assign a less intense FLUM category, particularly that the land be changed to Low Intensity Commercial (LIC). Staff recommends approval of Low Intensity Commercial (LIC) as recommended by the Planning Advisory Board.

RECOMMENDED ACTION: Approve Ordinance 2003- **32**

| | | |
|--------------------|--|------------------|
| DEPARTMENT HEAD | Submitted by: Anne Catinna | Date: 10/14/2003 |
| | Requested Agenda | Date: 10/21/2003 |
| FINANCE DEPARTMENT | Budgeted ☐ Yes ☐ No ☐ N/A | Date |

| | | |
|---------------|--|----------------|
| CITY ATTORNEY | Approved for Form and Correctness <i>[Signature]</i> | Date: 10/14/03 |
| CITY MANAGER | Approved Agenda Item for <i>[Signature]</i> | Date: 10/21/03 |

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐ CA ☐ CC ☐ CM ☐ PL ☐ FIN ☐ BD ☐ FD ☐ GC ☐ HR ☐ MD ☐ PD ☐ PRD ☐ PWD

STAFF REPORT
Request for Future Land Use Map Amendment
LU 2003-05
3-Acre Amelia Parkway Parcel

APPLICATION DATA:

I. General Information

Owner/Applicant: Summer Beach, Ltd.
5456 First Coast Highway,
Amelia Island, FL 32304

Agent: James U. Sands, President
Summer Beach, Ltd.
5456 First Coast Highway,
Amelia Island, FL 32304

Howard M. Landers, AICP,
Urban Planning Consultant
326 Settlers Lane,
Charlotte, NC 28202

Requested Action: Future Land Use Map Amendment from Low Density
Residential to **Commercial Medium Intensity**

**Applicable Land
Development Regulations:** Comprehensive Plan, Future Land Use Element
Objective 1.02 .02 Decisions on Land Use Changes
Objective 1.04 Inconsistent Land Use
Objective 1.07 Growth Management
Objective 1.08 Land Development Regulations
Policies 1.08.02 Designation of future commercial land use
Objective 1.11 Allocating Commercial Development
Objective 1-2.02 Allocating Commercial Development

II. Site Information

Legal: Parcel "10-A" Attached as exhibit "A"

Property Identification Number: 07-2N-28-0000-0001-0020

Lot Size: 2.93 Acres

Existing Land Use: Low Density Residential

Surrounding Land Uses: North: Southern Bell Company Service Building
South: Fernandina Beach Municipal Airport
East: vacant land
West: Fernandina Beach Municipal Airport

Zoning Classification: R-1A

Surrounding Zoning: North: Commercial Intensive in Nassau County
South: Industrial - Light Warehousing
East: Recreation in City
West: Industrial - Light Warehousing

FLUM Classification: Low Density Residential

Surrounding FLUM: North: C-1 Commercial Intensive (Nassau)
South: ILW Industrial - Light Warehouse
East: REC Recreation
West: Industrial - Light Warehousing

III. Analysis

The applicant is requesting a change in the Future Land Use Map from low density residential to Commercial - Medium Intensity. The applicant is requesting a simultaneous change in the zoning District classification from R-1A to C-1 Community Commercial District.

The Future Land Use change must be in accordance with the Comprehensive Plan objectives and policies.

1. **Objective 1.02** (Consistency between natural environment and land development).
 - a. **Policy 1.02.01** addresses the conservation element, ensuring that resources are available and protected for future generations. This policy is enforced in the Land Development Code.
 - b. **Policy 1.02.02** addresses eight elements that should be satisfied when granting a FLUM change, and are covered in the first two pages of this staff report.
 1. surrounding uses
 2. surrounding zoning
 3. acreage
 4. Soils and topography
 5. description of the site
 6. flood zone
 7. impact on adopted levels of service
 8. Coastal upland protection zone

The surrounding uses are low intensity uses which are inconsistent with this medium intensity land use. The soils, topography and description of the site are not limiting or prohibitive factors. The property is not within a restrictive flood zone. The commercial use would

have minimal impact on adopted levels of service. The property is not located within the Coastal upland protection zone.

2. **Objective 1.04** States that the city should eliminate or reduce inconsistent land uses. **This use would be inconsistent.**
3. **Objective 1.07** states that the city shall discourage the proliferation of urban sprawl. **This use does encourage urban sprawl.**
4. **Objective 1.08** states that the City shall provide for appropriate and adequate land for residential, commercial, industrial and conservation uses through the adoption of the land development regulations. The following criteria from Policy 1.08.02 applies to designation of future commercial areas:

- a. Convenient and direct access at minor/major arterial intersection. Collector/arterial intersections are acceptable provided minimal access is necessary on the collector street.

Access is very limited to this site and is not convenient in that additional turning movements at this location will increase the traffic incidence rate. The subject parcel is accessed by Amelia Parkway, an arterial street, and a collector street called Amelia Drive.

- c. Medium-intensity commercial areas identified on the future land use map shall consist of retail sales and services permitted in the C-1 and C-2 district in the current zoning code.

The applicant plans to sell the property for commercial uses. Many of the listed permitted uses for C-1 and C-2 are too intense for this limited site.

- f. Commercial land use designations shall be encouraged in a pattern which offers maximum accessibility, compatibility, and clustering. Commercial land use designations shall be given priority at locations exhibiting proximity to other types of nonresidential uses, including employment centers and marketing centers.

This site is not consistent with existing use patterns, without maximum accessibility, compatibility and clustering. The site is not located in proximity to other types of nonresidential uses, including employment centers and market centers. This site is separated by some distance from residential uses and confined by its location.

- g. Commercial land use designations and accompanying proposals shall consider compatibility between commercial and surrounding land uses, including but not limited to traffic circulation, pedestrian access, hours of operation, visual impacts and landscape design.

Traffic circulation, pedestrian access are very limited in this location. There could be significant visual impact if existing natural vegetation was removed. The effect would be a continuation from the airport to the Bell South phone facility.

- h. Land development regulations requiring natural vegetative or other appropriate buffers and/or setbacks to minimize nuisance effects of commercial land uses, which include noise, odor, glare, privacy factors and visual impacts, and to minimize such commercial use intrusion into residential land use areas, shall continue to be enforced by the city. Commercial development on previously undeveloped lots shall retain a minimum of ten (10) percent of the natural vegetation on site.

Site plan review by the Technical Review Committee will require compliance with the 10 percent of the existing natural vegetation remaining on site. This puts further constraints on the potential uses for the property.

- i. Land development regulations containing site criteria for differing intensities of commercial uses ensuring the compatibility of surrounding land uses, the protection of residential areas and the impact on environmentally sensitive areas, shall be maintained and enforced by the city. These requirements shall address, but not be limited to, maximum lot coverage, setbacks, and site plan review.

The subject parcel is accessed by Amelia Parkway, an arterial street, and a collector street called Amelia Drive. The applicant plans to sell the property for commercial uses. The property is adjacent to commercial, recreational and governmental (municipal airport) uses. Developing the parcel will require site plan review by the Technical Review Committee.

5. Objective 1.11 Allocating Commercial Development

- a. **Policy 1.11.02 General Pattern of Commercial Land Use.**

In order to promote efficient flow of traffic, achieve orderly development and continue the city tradition of maximizing opportunity for well-planned working and living areas in close

proximity, commercial development shall be concentrated in strategically located mixed use areas.

The existence of commercial areas on one (1) corner of an intersection shall not dictate the development of all corners with the same or similar use; nor does the existence of commercial development on a major thoroughfare dictate that all frontage must be similarly used.

6. Objective 1.-2.02 Allocating Commercial Development

Map I-1, identifying future land use policy, shall designate commercial development based on the following considerations:

1. Existing and desired future trends in commercial land development within the city and its environs; **The adjacent land is Nassau County and not within our land use jurisdiction, until annexed.**
2. Require that commercial development be consistent with the city Comprehensive Plan and the Land Development Code. **Same.**
3. Maintain the existing commercial cores that serve the city; **Does not meet this criteria.**
4. Ensure convenient and direct access to arterial and collector streets; **Does not meet this criteria.**
5. Protect environmentally sensitive natural systems, especially the coastal upland protection zone, wetlands, and water resources, including adherence to storm-water management policies designed to preserve water quality; **Will meet criteria.**
6. Provide and maintain roadways, transportation, and infrastructure system improvements consistent with the city's concurrency management system; **Does not meet this criteria.**
7. Consider surrounding development patterns; **Does not meet this criteria.**
8. Ensure compatibility between commercial and surrounding land uses, including vehicle and pedestrian circulation, visual impacts, and landscaping/buffering; **Does not meet this criteria.**
9. Establish a basis for regulating the location, intensity, scale, and design of commercial development; and **Does not meet this criteria.**
10. Ensure that future commercial development shall not encroach into established residential areas. **Does not meet this criteria.**

- a. **Policy 1-2.02.03** community commercial (C-1) The future land use map designation of community commercial (C-1) is intended to provide retail sales and services for more than one (1) neighborhood. Its location should be primarily oriented to arterial and collector streets.

This designation is not intended to be suitable for outdoor sales activities or to encourage extension of strip commercial areas. The C-1 category is designed to accommodate offices; commercial retail and personal services establishments; restaurants; transient accommodations, and other commercial uses that comply with the Comprehensive Plan as well as the more definitive regulations governing specific uses, which are included in the land Development Code.

Business activities in areas designated C-1 shall include offices and businesses primarily serving the following markets: city residential markets and other residential markets in the immediate vicinity as opposed to regional markets.

The proposed land use change is inconsistent with this policy.

IV. Findings

Staff concludes that the Future Land Use Map amendment request from Low Density Residential to **Commercial - Medium Intensity** appears to be inconsistent with the intent of the Comprehensive Plan, **Objectives 1.02, 1.04, 1.07, 1.08, 1.11 and 1-2** and the policies stated above. Residential use of this small tract in this particular location adjacent to more intensive uses would be inconsistent and undesirable.

V. Attachments

Application
Plot Plan
List of adjacent property owners as prepared by Nassau County Property Appraiser
Proof of Ownership
Findings of Fact Form
Letter of Intent
Survey and Legal Description of Site
Most Recent Tax Map
Aerial Photograph
Location Map
Zoning Map
Photographs of site and surrounding area
Soils Map
Topographic map
Flood Insurance Rate Map
Copy of Legal Advertisement

CITY OF FERNANDINA BEACH, FLORIDA
PLANNING ADVISORY BOARD

TO: Fernandina Beach City Commission
Fernandina Beach, FL 32034

RE: REPORT ON APPLICATION FOR FLUM DESIGNATION CHANGE
NO. LU 2003-05

On August 13, 2003, the Planning Advisory Board reviewed and considered Future Land Use Map (FLUM) Designation Change Application No. LU 2003-05.

- a. Applicant: SUMMER BEACH, LTD.
- b. Request: for a Future Land Use Map (FLUM) Amendment changing the classification from Low Density Residential to Commercial Medium Intensity.

Having reviewed and considered the Application and attachments thereto and the testimony from those present at the public hearing as well as the City Staff Report on this Application, the Board considered the following factors in Objective 1.02 of the Comprehensive Plan, as well as the general criteria in the Comprehensive Plan attached hereto, in evaluating this proposed land use change:

- a. SURROUNDING USES: NO - So. Bell Serv. Bldg; So - Airport
E - Vacant W - Airport
- b. SURROUNDING ZONING: NO - C1 (Co); So - Ind - LW;
E - Rec in City; West - Ind - Light Warehouse
- c. ACREAGE: 2.93 ACRES
- d. SOILS AND TOPOGRAPHY: not limiting factors
- e. DESCRIPTION OF SITE. 2.93 acres zoned R1A
Low density residential
- f. FLOOD ZONE: not w/in restrictive flood zone.

g. IMPACT ON ADOPTED LEVELS OF SERVICE: Minimal impact
on adopted levels of service. Property not
within Coastal Upland Protection Zone.

AFTER DISCUSSION, motion was made by Board Member Almas,
seconded by Board Member Bradford to recommend that this
Future Land Use Map Designation Change Application No. LU 2003-05
be:

 Approved as presented.

 X Disapproved for the following reasons:

deny recommended Medium Intensity
but recommend low intensity

The Motion (passed) [failed] by a vote of 6 YES 1 NO.

The Planning Advisory Board respectfully recommends to the
City Commission that Future Land Use Map Designation Change
Application No. LU ~~2003-05~~ be

[APPROVED] (DISAPPROVED)

Chairman

Date

MINUTES

DRAFT

PLANNING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY – AUGUST 13, 2003
6:00 PM

CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FLORIDA 32034

I. Call to Order

Chairman Conger called the meeting to order.

II. Roll Call/Determination of Quorum

Board Members Present

William A. Conger, Chair
Richard Bradford
Robert Howat
Paul Condit (Alternate)

Mark Bennett
Horace B. Clark III
J. Peter Wilking
Al Goldsmith (Alternate)

Board Members Absent

T.J. Robertson, Vice Chair (Excused absence)

Others Present

Anne Catinna, Historic Preservation Planner
Mary Helen Duke, AICP
Mary O'Donnell, Planner II
Anita Louise Ross, Recording Secretary
Debra Braga, City Attorney

Chairman Conger announced that in the absence of Board Member Robertson that Board Member Condit would be seated as a voting member. There was a consensus among the members to seat Board Member Condit.

III. Consideration of the Minutes

- A. Minutes of the July 23, 2003 Special Planning Advisory Board Meeting were presented for approval. Board Member Goldsmith corrected the last page to reflect that he is a member of the Florida American Planning Association (FAPA).. Board Member Wilking corrected page 6 second paragraph to read "he was disappointed in the lack of ..." Chairman Conger inquired if the presentation by Ms.(Laura Lee Corbett?) was still scheduled for the 19th. Board Member Wilking replied yes. Ms. Catinna explained that it would be held in the community room at the Police Station at 5:30 p.m. A motion was made by

CZ 2003-02: WILLIAMSON PROPERTY

Zoning Amendment changing the classification from a Rec: Recreational District to an R-3: Multifamily Dwelling District on a 1.0 acre parcel, located on the northwest corner of Dolphin and Tarpon Avenues.

A motion was made by Board Member Condit, seconded by Board Member Howat, to send to the City Commission a recommendation to deny CZ 2003-02 a request to change the zoning map from Parks and Recreation District to an R-3 multi-family dwelling district. Vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Bradford: | Nay |
| Board Member Wilking: | Nay |
| Board Member Howat: | Aye |
| Board Member Clark: | Aye |
| Board Member Bennett: | Aye |
| Board Member Condit: | Aye |
| Chairman Conger: | Aye |

Motion carried.

✓LU 2003-05: SUMMER BEACH, LTD.

Future Land Use Map (FLUM) Amendment changing the classification from Low Density Residential to Commercial Medium Intensity on a 2.93 acre parcel, located on the northwest corner of Amelia Island Parkway and Amelia Road.

All Board members disclosed that they drove by the property.

Ms. Mary O'Donnell referred to the agenda support documents and gave an overview of her recommendation that the request appeared to be inconsistent with intent of the Comprehensive Plan.

CZ 2003-06: SUMMER BEACH, LTD.

Zoning Amendment changing the classification from R1-A, Single Family Residential to C-1, Community Commercial District, on a 2.93 acre parcel, located on the northwest corner of Amelia Island Parkway and Amelia Road.

Ms. O'Donnell gave an overview of staff's recommendation as contained in the staff report.

Mr. Howard Landers, 326 Settler's Lane Charlotte North Carolina, explained that the requests were based on a number of conditions that apply to this site. He presented a letter from the County showing the zoning certification for a part of the property to the north of this site, which is commercial and was approximately 90 acres. He stated that there is an inconsistency between the County's Future Land Use Map and their Zoning Map. He noted that the zoning map depicts the property north of the site as Commercial Intensive. He provided some further details about the surrounding properties and presented an aerial photograph. He

stated that the applicant was willing to commit to a limitation of two access points as far north on Amelia Road as possible. He commented that in regard to traffic Amelia Island Parkway was operating at level of service standard "B" and Amelia Road was operating at level of service standard "A". He explained that the Commercial Medium Intensity that was being requested was tame compared to Commercial Intensive in the County and provided some examples of potential commercial activities. He requested the change to Commercial Medium Intensity land use and C-1 zoning. Board Member Howat inquired what was being proposed for this property if the applicant gets the zoning requested. Mr. Landers explained that the intent of Summer Beach Limited was to sell this property. Board Member Bradford questioned how Mr. Landers felt about the recommendation of CPO zoning. Mr. Landers stated that it provides strictly for office type of uses and there are some commercial uses that are very compatible with this piece of property in the City's C-1 zoning. He expressed his opinion that the only onerous use in C-1 is theater and this property is too small to accommodate any type of theater. Board Member Goldsmith inquired who owns the property that buffers. Mr. Landers replied that Summer Beach does not own buffers in that immediate area. Board Member Goldsmith commented that he thought there were uses in CPO zoning that would be attractive. He explained that his concern was that the requested change would open the door for stripping commercial along the parkway. There was some discussion about the adjacent property and actions that the Board could take.

Board Member Clark inquired what the distance on Amelia Road was that a driveway could be placed from the intersection. Ms. O'Donnell replied 200 feet and explained that it was a limit of the site. Board Member Clark inquired if the Board could make a condition that there is no access onto Amelia Island Parkway. Ms. O'Donnell stated that she would recommend that the Board would. Chairman Conger commented that the parkway is supposed to be a thing of beauty and not littered with not only a gas station, but four to seven store strip mall. There was some further discussion about the request.

Ms. Melinda Dannel, 726 Kenneth Court, explained that she was tired of seeing the land chewed up. She commented that if something small like a lawyer's office was going to be put in there wonderful, but if not she didn't think it should be C-1. She expressed her opinion that then it should be just as little as could be done with it.

Board Member (Condit?) inquired about some examples of what is allowed under CPO. Ms. O'Donnell provided some examples as contained in (the Code?). A motion was made by Board Member Howat, seconded by Board Member Wilking, to close the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. City Attorney Braga stated that the Board had substantial competent evidence based on the testimony of the staff, the applicant, members of the public, as well as the information in the packet. A motion was made by Board Member Howat, seconded by Board Member Bradford, to deny LU 2003-05 based on staff recommendation at the requested Medium Intensity Commercial level, but to recommend to the City Commission that it be passed as Commercial Low Intensity designation. City Attorney Braga explained that this could be done as two motions with one to deny as Medium Intensity and the other motion would

be to pass it as a Low Intensity Commercial. She further explained that one combined motion would be to deny LU 2003-05 based on staff recommendation at the requested Medium Intensity Commercial level, but recommend to the City Commission that it be passed as a Low Intensity Commercial designation. Board Member Howat agreed with the attorney's suggested motion. Vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Howat: | Aye |
| Board Member Wilking: | Aye |
| Board Member Bradford: | Aye |
| Board Member Bennett: | Aye |
| Board Member Clark: | Aye |
| Board Member Condit: | Aye |
| Chairman Conger: | Nay |

Motion carried.

A motion was made by Board Member Condit, seconded by Board Member Howat, to recommend denial to the City Commission of CZ 2003-06 for Community Commercial District, but recommend that they accept an augmentation that this be accepted as CPO; and if it were approved as CPO that there be no ingress or egress onto Amelia Island Parkway. Board Member Clark inquired if the motion should be amended to include that if it were approved as CPO that there be no ingress or egress onto Amelia Island Parkway. Board Member Condit accepted this language. After some discussion about whether to allow only a right out onto the parkway, vote upon passage of the motion was taken by ayes and nays and was as follows:

| | |
|------------------------|-----|
| Board Member Bradford: | Aye |
| Board Member Condit: | Aye |
| Board Member Bennett: | Aye |
| Board Member Clark: | Aye |
| Board Member Howat: | Aye |
| Board Member Wilking: | Aye |
| Chairman Conger: | Nay |

Motion carried.

Mr. Landers thanked the Board for their dedication to the City of Fernandina Beach.

V. Board Business

Board Member Howat suggested that due to the hour he would recommend adjourning. Ms. O'Donnell requested that the Board address the proposed Workshop for August 27th to address the Ordinances that were in the packet. City Attorney Braga stated that she would be unable to attend the meeting on August 27th due to a City Commission meeting that evening. After some discussion about when to meet, there was a consensus to meet at 4:00 pm August 27th.

Legal Exhibit A.

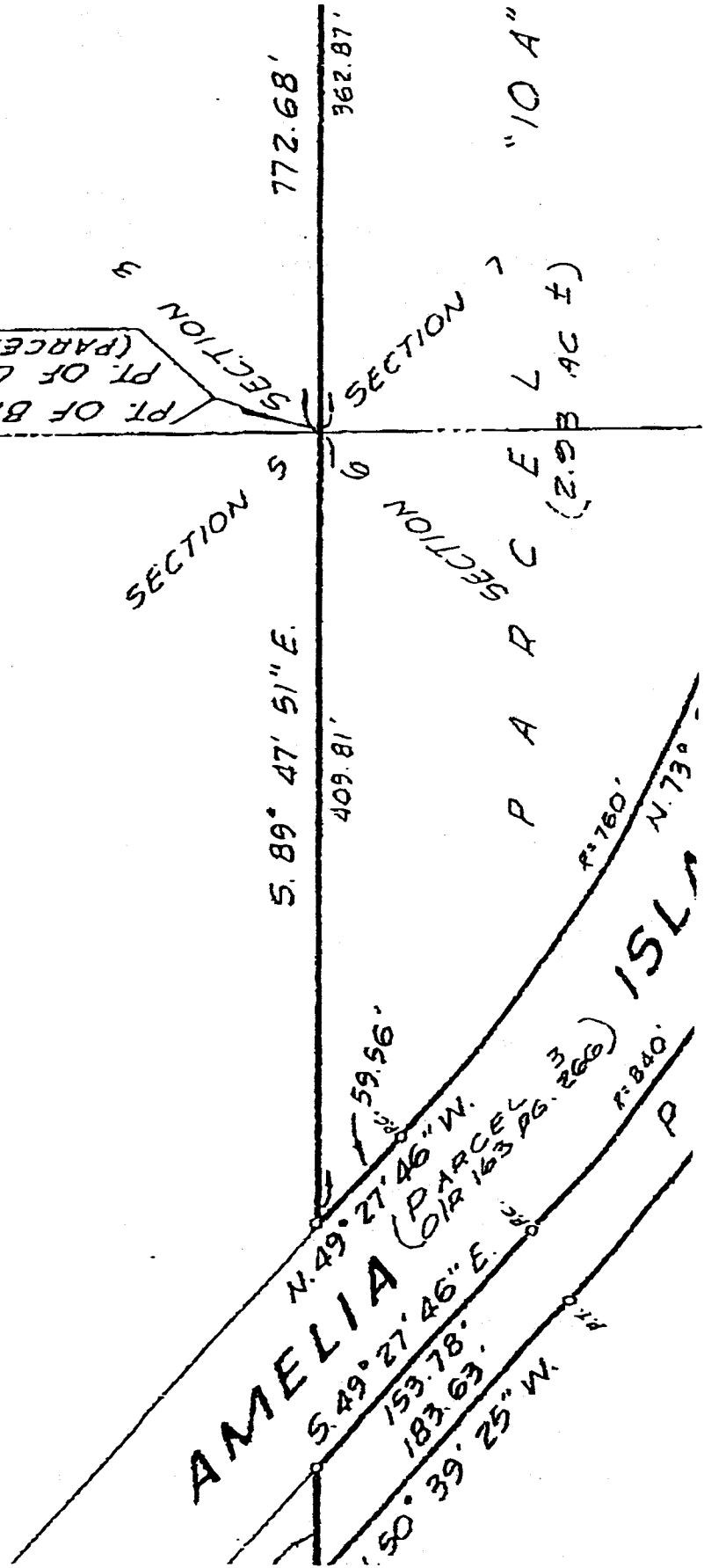
PARCEL "10-A"

Portion of Sections 6 and 7, Township 2 North, Range 28 East, Nassau County, Florida, being more particularly described as follows: BEGIN at the corner common to Sections 3, 5, 6 and 7, said Township 2 North, Range 28 East; thence South 89°47'51" East, 362.87 feet; thence South 07°10'58" East, 200.41 feet to the Northerly right of way line of Amelia Island Parkway, described as Parcel J recorded in Official Records Book 163, page 266 of the public records of said county; thence South 83°09'16" West, along said Northerly right of way line, 118.65 feet to the point of curvature of a curve concave Northerly and having a radius of 760.0 feet, an arc distance of 628.50 feet, said arc being subtended by a chord bearing and distance of North 73°09'14" West, 610.71 feet to the point of tangency of said curve; thence North 49°27'46" East, 59.56 feet to an intersection with the Northerly line of said Section 6; thence South 89°47'51" East, along last said line, 409.81 feet to a POINT OF BEGINNING.

Containing 2.93 acres, more or less.

beari
Conte

PT. OF BEGINNING (PAR. 10A)
PT. OF COMMENCEMENT
(PARCELS "10B" & "10C")



RECEIVED

JUL 11 2003

PLANNING & ZONING
FERNANDINA BEACH, FLORIDA

**APPLICATION FOR FUTURE LAND USE MAP AMENDMENT
PLANNING ADVISORY BOARD
CITY OF FERNANDINA BEACH, FLORIDA**

APPLICATION NO.: LA 2003-05
FEE PAID: 424.00
DATE RECEIVED: 7/11/03
RECEIVED BY: meo

1. APPLICANT'S INFORMATION

Applicant(s): Summer Beach, Ltd.
Address: 5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624
Fax: 904-261-8411
E-mail: sbjsands@bellsouth.net

2. OWNER'S INFORMATION

Owner(s): Summer Beach, Ltd.
Address: 5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624
Fax: 904-261-8411
E-mail: sbjsands@bellsouth.net

3. APPLICANT'S CO-AGENTS

Name: James U. Sands, President
Address: Summer Beach, Ltd.
5456 First Coast Highway, Amelia Island, FL 32304

Telephone: 904-261-0624
Fax: 904-261-8411
E-mail: sbjsands@bellsouth.net

Name: Howard M. Landers, AICP, Urban Planning Consultant
Address: 326 Settlers Lane, Charlotte, NC 28202

Telephone: 704-370-6278
Fax: 704-370-6278
E-mail: hml326@bellsouth.net

4. APPLICANT'S REGISTERED LAND SURVEYOR/ENGINEER

Name: Not applicable - Applicant is not prepared to pursue final design on the site at this time.

PROPERTY INFORMATION: The property consists of a 2.93 acre parcel located in the northwest corner of the intersection of Amelia Island Parkway and Amelia Road. See supporting information that is attached to this application for further details on the property.

5. Project Name: 3-Acre Parkway Parcel - SBDGL

6. Street Address: Northwest corner of the intersection of Amelia Island Parkway and Amelia Road. Since there is no structure on the property, a street address has not been assigned.

7. Lot Number: NA Block Number: NA Subdivision: NA

8. Sections: 6 & 7 Township: 2 North Range: 28 East Nearest Street Intersection: Northwest corner of Amelia Island Parkway and Amelia Road

9. Parcel Identification Number(s): 07-2N-28-0000-0001-0020

10. Area: 2.93 Acres Number of Lots/Parcels: One parcel

11. Existing Future Land use Map Classification: Low Density Residential

12. Proposed Future Land Use Classification: Commercial - Medium Intensity

13. Existing Zoning Classification: R-1A

14. Proposed Zoning Classification: C-1 Community Commercial District

15. Existing Land Use: Vacant

16. Proposed Land Use: Commercial use consistent with C-1 - Community Commercial District

17. Address of the applicant or agent, where correspondence may be sent.

Howard M. Landers, AICP, Urban Planning Consultant, 326 Settlers Lane, Charlotte, NC 28202

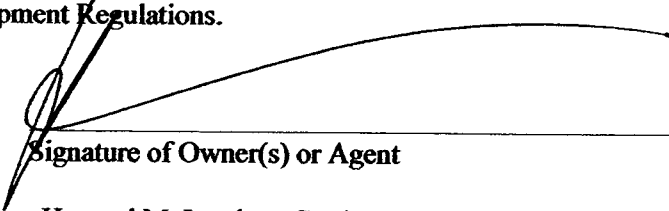
Telephone number: 704-370-6278

Date of Submittal: July 10, 2003

18. The undersigned having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

I (we) also understand that the application fee does not include the fees associated with engineering review and/or construction inspection. Fees for engineering review and/or construction inspection are the direct responsibility of the applicant payable directly to the engineering firm(s) specified by the City of Fernandina Beach for the services, inspections, reports, and the like required by the City of Fernandina Beach. I certify that no land clearing, excavation and/or filling has occurred on this property, and that no clearing, excavation and/or filling will commence prior to the issuance of a Land Clearing Permit. I do hereby agree to perform any authorized land clearing, excavation and/or filling in accordance with the approved site plan and the City of Fernandina Beach Land Development Regulations.

Date 7/7/03


Signature of Owner(s) or Agent

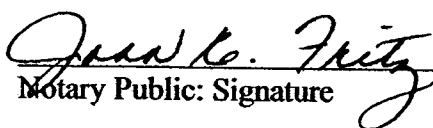
Howard M. Landers, Co-Agent

Printed Name of Owner(s) or Agent

STATE OF NORTH
CAROLINA
COUNTY OF
MECKLENBURG

SS

Subscribed and sworn to before me this 7th day of July, 2003.


Notary Public: Signature

JOAN E. FRITZ
Printed Name

My Commission Expires: 3-25-05

Application Fee: \$424.00 Based on \$300.00 Application; \$14.00 for 14 property owners; and \$110.00 for Legal Advertising.

Attachments:

- A. Owner's Authorizations for Agency - 2
- B. Plot Plan
- C. List of adjacent property owners as prepared by Nassau County Property Appraiser
- D. Proof of Ownership
- E. Findings of Fact Form
- F. Letter of Intent
- G. Survey and Legal Description of Site
- H. Most Recent Tax Map

....continued

Owner's Authorization for Agent City of Fernandina Beach, Florida

James U. Sands

AS

am hereby authorized TO ACT

(Name of Agent)

AGENT ON BEHALF OF Summer Beach, Ltd., Owner(s)

(Name(s) of Owner(s))

of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required in applying to the City of Fernandina Beach, Florida, Community Development for an application related to a Development Permit or other action pursuant to a:

- | | |
|--|---|
| ☐ Zoning Amendment | ☐ Sign Permit |
| ☐ Zoning Variance | ☐ Special Use Permit |
| ☐ Appeal | ☐ Conditional Use Permit |
| ☐ Building Permit | ☐ Subdivision Review |
| ☐ Tree Permit | ☐ Site Plan Review |
| ☐ Annexation | ☐ Certificate of Appropriateness |
| ☐ Grade/Excavation Permit | ☒ Other FLUM Change |

Signature of Owner

Print Name

Signature of Owner

Print Name

Telephone Number

State of Florida

Nassau County

ss

Signed and sworn before me on this 7th day of July, 2003By James H. WinstonIdentification verified: Personally KnownOath sworn: Yes No

Notary Signature

My Commission expires: _____

MARCELLA CRAWFORD
Notary Public, State of Florida
My comm. exp. Oct. 14, 2006
Comm. No. DD 158232

MARCELLA CRAWFORD
Notary Public, State of Florida
My comm. exp. Oct. 14, 2006
Comm. No. DD 158232

NOTICE OF AD VALOREM TAXES & NON-AD VALOREM ASSESSMENTS

BILL # R 1902100 PARCEL # 07-2N-28-0000-0001-0020
2002 REAL ESTATE REMINDER NOTICE NASSAU

IF PAID IN APR 3-18 APR 19-MAY 16
TOTAL DUE 1,934.03 1,935.71

REMOVE

NOT

DO

CREATIVE FORMS & CONCEPTS, INC. • 1-877-643-9229

DELINQUENT TAX FOR PRIOR YEARS

| Taxing Authority | Millage Rate | Tax Amount |
|-------------------|--------------|------------|
| COUNTY | .00738210 | 620.10 |
| SCHOOL DISTRICT | .00546300 | 458.89 |
| SCHOOL DISTRICT | .00263800 | 221.59 |
| FERNANDINA BEAC. | .00621850 | 522.35 |
| ST. JOHNS WTR MG. | .00046200 | 38.81 |
| AMELIA ISL. MOS. | .00019000 | 15.96 |

SUMMER BEACH LTD
5456 FIRST COAST HIGHWAY
FERNANDINA BEACH, FL 32034

PT OF OR 400 PG 475 4.00 AC

TOTAL AD-VALOREM: 1,877.70

| Levying Authority | Rate/Basis | Amount |
|----------------------------|------------|--------|
| NON-AD VALOREM ASSESSMENTS | | |

VALUE 84,000 DIST: 0002
ASSESS 84,000
TAXABLE VALUE EXEMPT VALUE
CO 84,000 CO

ESCROW 0041 DELINQUENT TAXES

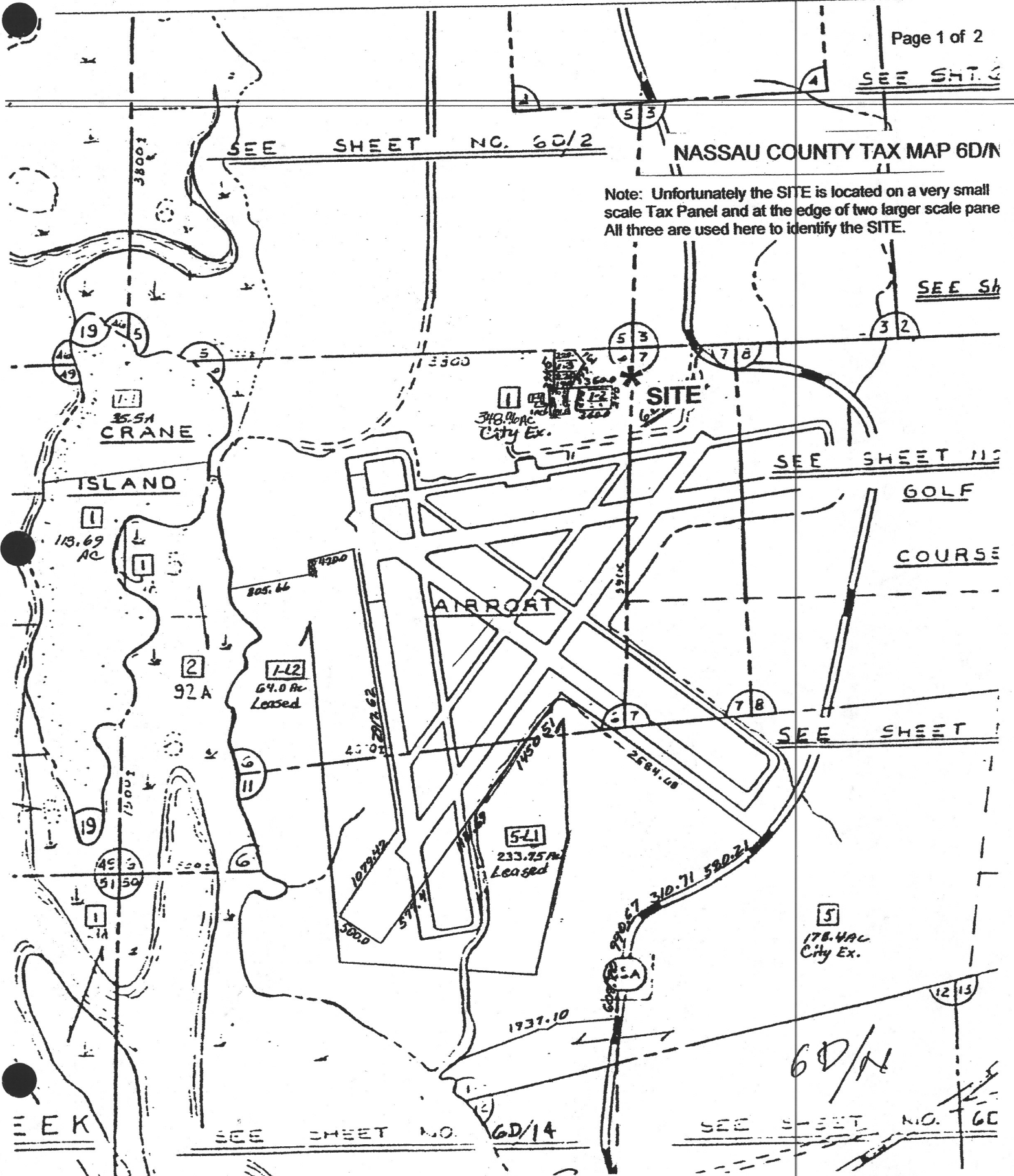
MAKE CHECK PAYABLE IN U.S. FUNDS TO:
GWENDOLYN M. MILLER, C.F.C.
P. O. BOX 708
FERNANDINA BEACH 32035

TOTAL NON-AD VALOREM:

COMBINED TAXES & ASMTS: 1,877.70

*SEE REVERSE SIDE FOR INSTRUCTIONS

IF THE TAXES FOR THE YEAR 2002 ON YOUR PROPERTY ARE NOT PAID, A CERTIFICATE WILL BE SOLD FOR THESE TAXES AND YOUR PROPERTY MAY BE SOLD AT A FUTURE DATE. CONTACT THE TAX COLLECTORS OFFICE AT CNCE.



Note: Unfortunately the SITE is located on a very small scale Tax Panel and at the edge of two larger scale pane All three are used here to identify the SITE.

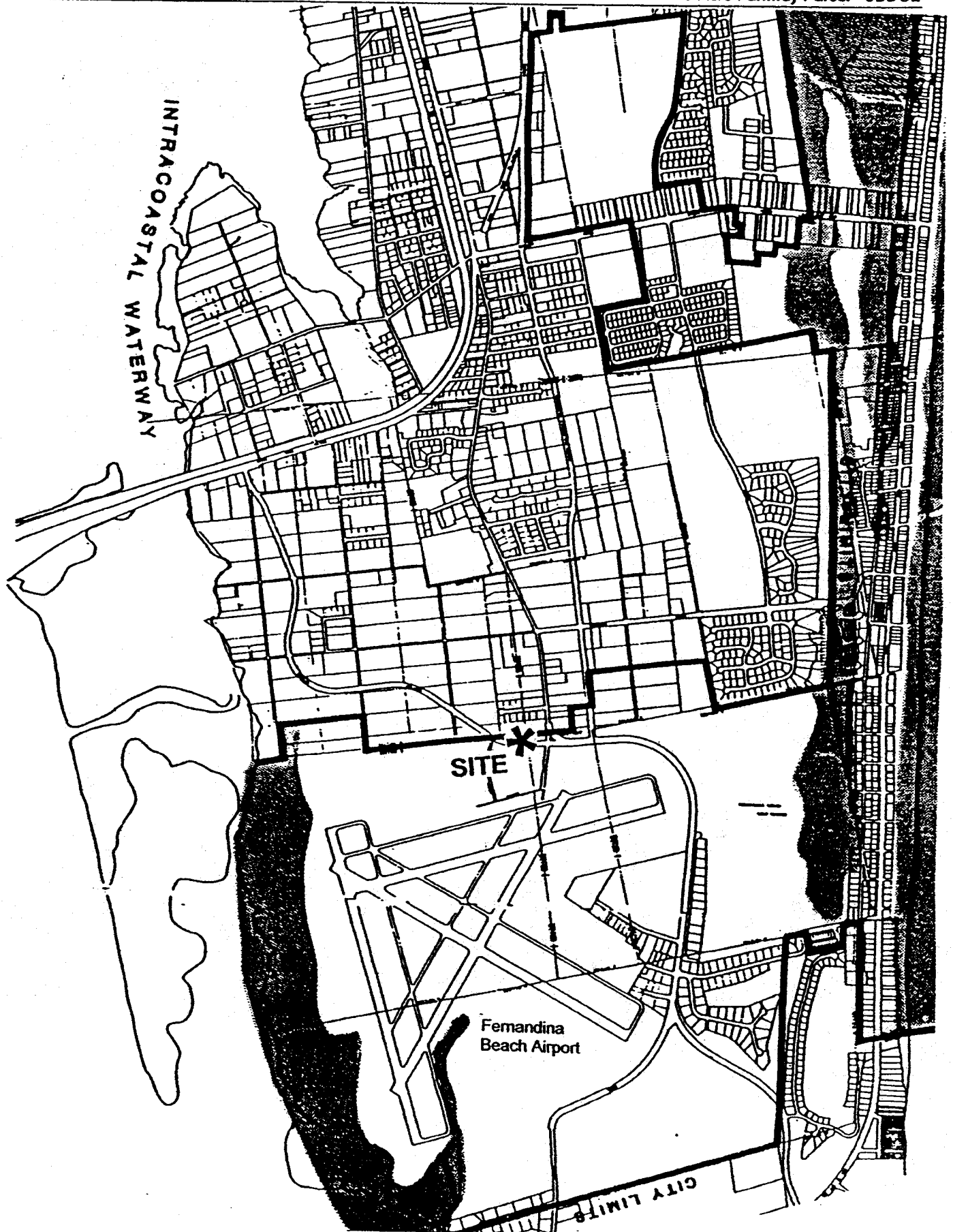
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SEE SHEET NO. 6D/14

SEE SHEET NO. 6D

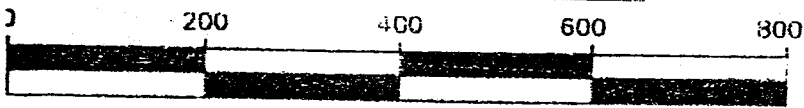
APPLICATION FOR ZONING AMENDMENT
3-Acre Parkway Parcel - SBDGL



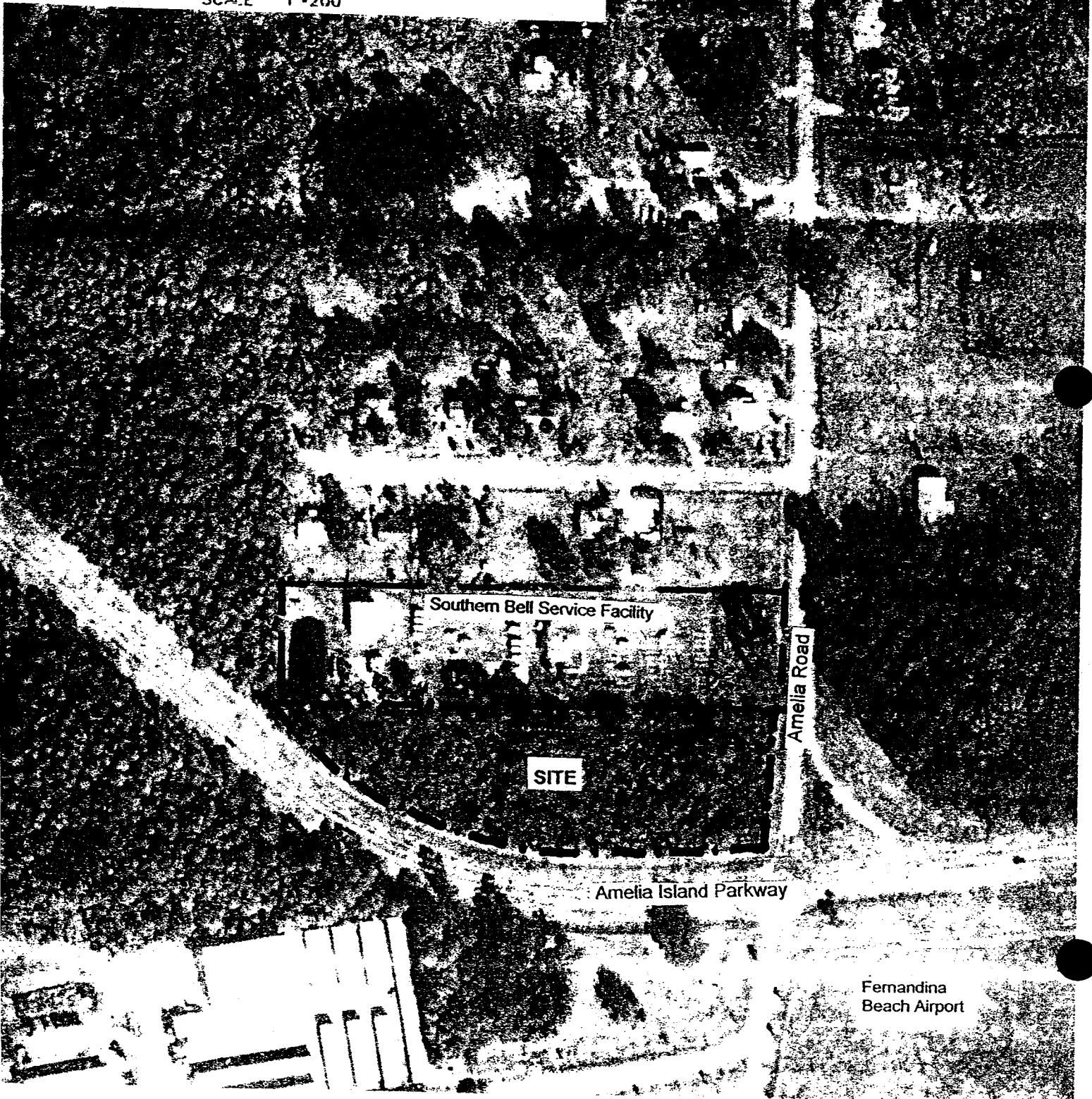
APPLICATION FOR ZONING AMENDMENT
3-Acre Parkway Parcel - SBDG

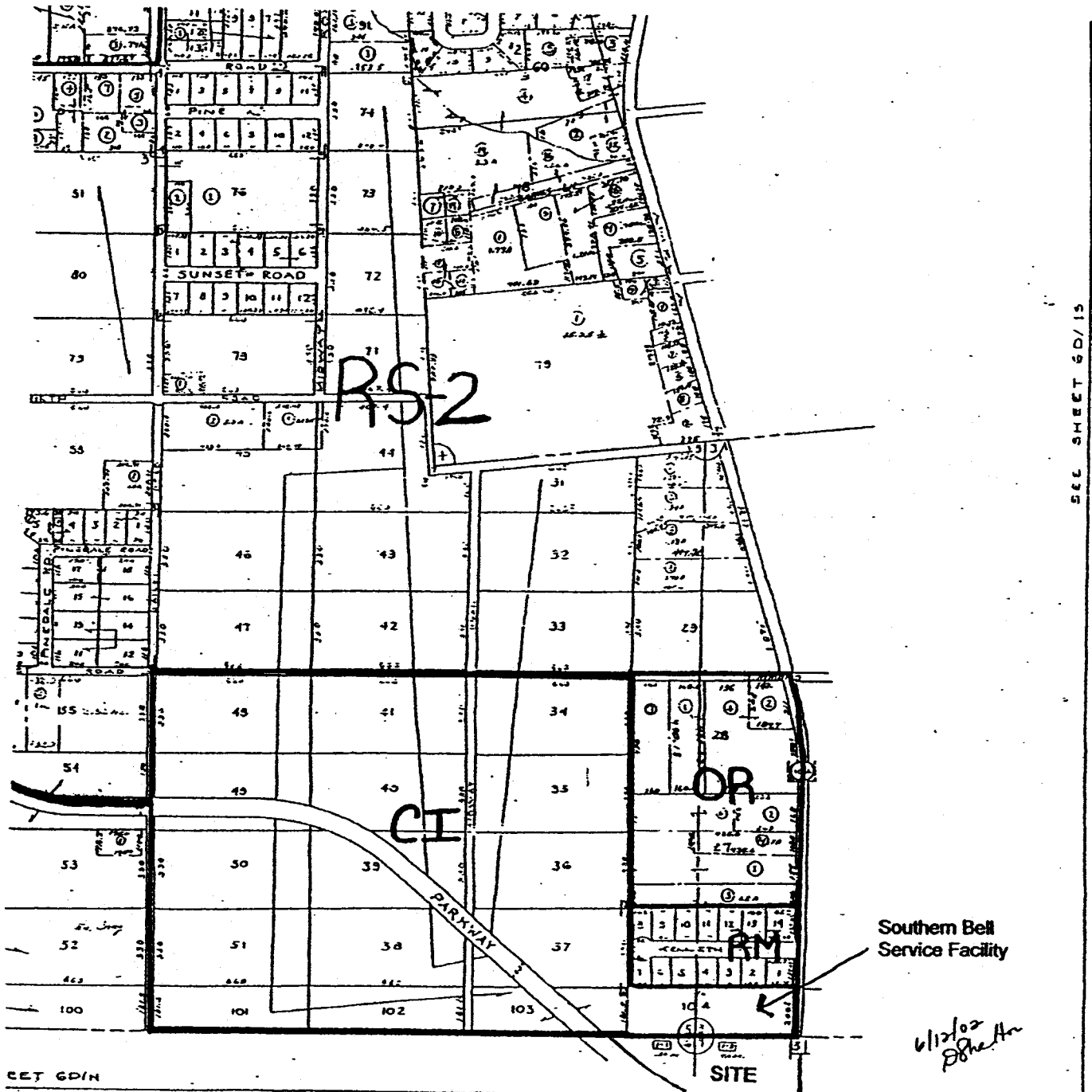
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| SCALE | 1" = 200' | SECTION | TWP. | RANGE | SHEET NO. | |
| DATE COMPLETED | 2-26-02 | | T 2 N | R 28 E | 186 A | |
| PHOTO JOB NO. | PD-1255 | | | | | |

NASSAU COUNTY FLORIDA



SCALE 1"=200'





CET GDM

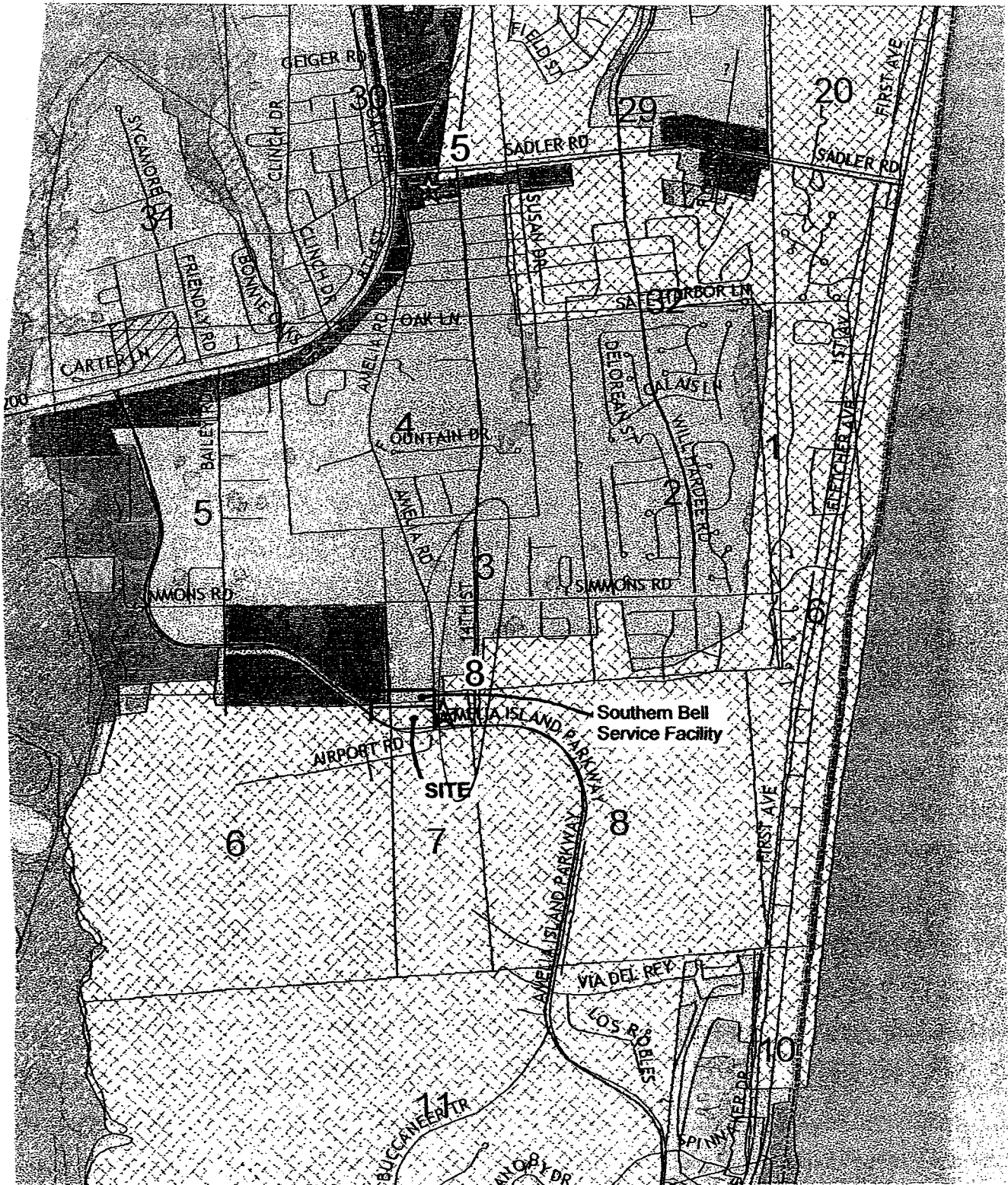
| SC. No. | SUBDIVISION NAME | INDEX | SC. No. | INDEX |
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| 0000 11 | GROVE PARK | 3C. PD. 52 | | |
| 0000 12 | GROVE PARK SUB. REPLAT | 4 81 | | |
| 0000 13 | PINE OAKS OF AMERICA 0560-5 | 177 | | |
| 0000 14 | PINE OAKS OF AMERICA 0560-6 | 111 | | |
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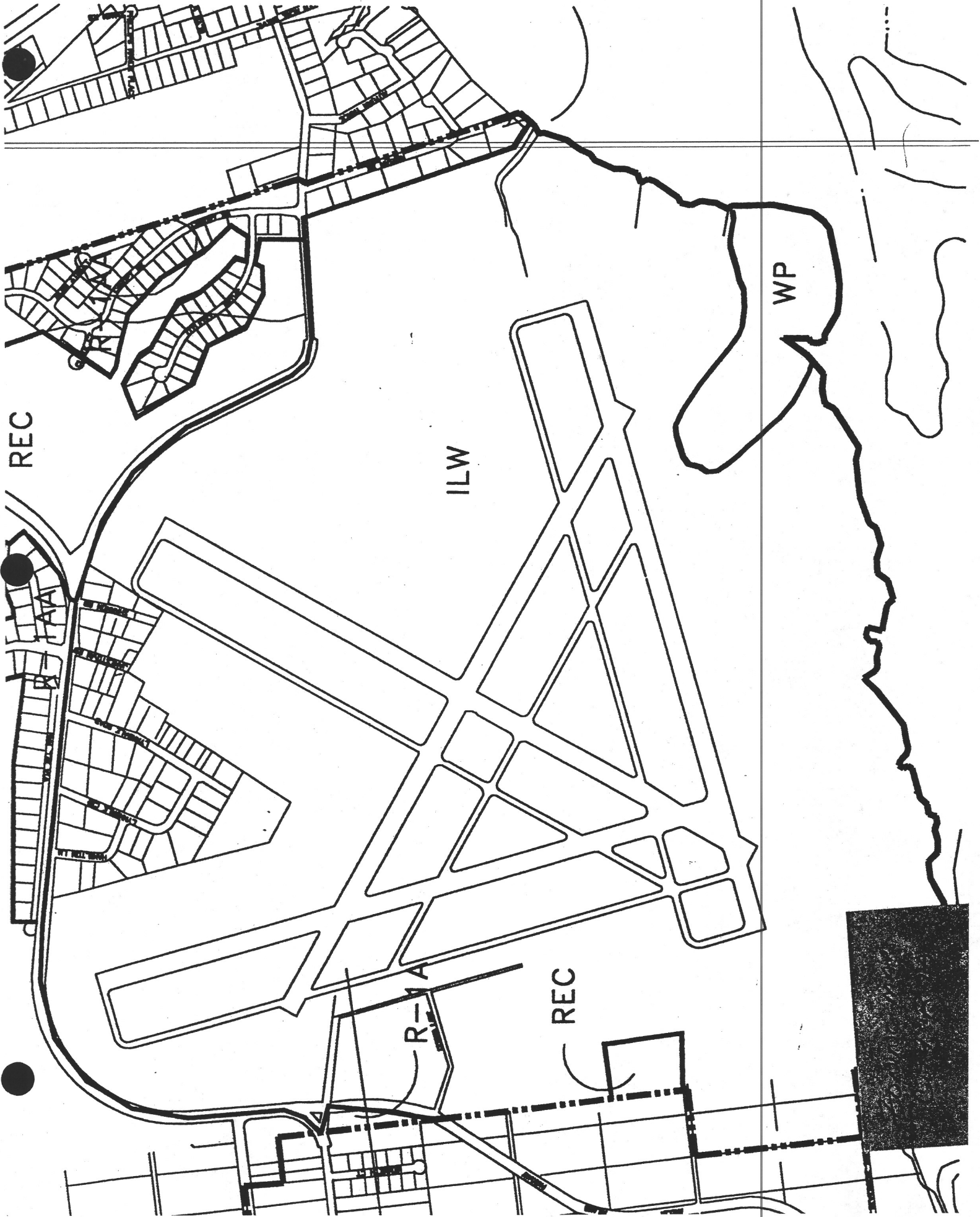


ASSESSMENT MAP
NASSAU COUNTY,
FLORIDA
COMPILED & DRAWN BY
FURNICUTT & ASSOCIATES, INC.
35, PETTUSBURG, FLORIDA

SECTION 5, PART OF 3, 4
TOWNSHIP 2 N
RANGE 28 E
COMPILED & DRAWN, JANUARY, 1994
REVISION DATES
TRACING PRINT

SHEET
NUMBER
60
-2-





AFFIDAVIT OF MAILING

State of Florida
County of Nassau

I, AnitaLouise Ross, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Community Development Department; and
2. That part of my duties includes processing applications of all types; and
3. That one of the requirements for processing applications is that notice shall be sent by regular U.S. mail to each property owner within a 300 foot area; and
4. That on August 1, 2003, I mailed the letter attached hereto as Exhibit 1 to each of the property owners shown on the list in Exhibit 2, by regular U.S. mail; and
5. That for LU 2003-05, the list of the adjacent property owners from the Nassau County Property Appraisers Office is attached hereto as Exhibit 2.
6. That the Affidavit of Publication of the Notice is a separate document, provided by the News Leader.

FURTHER AFFIANT SAYETH NAUGHT.

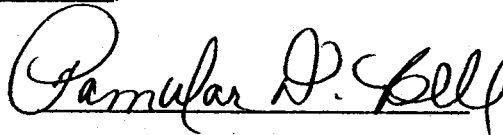

AnitaLouise Ross

Subscribed and sworn to before me, a notary public in and for the State of Florida this 4th day of August, 2003.

(Seal)



Pamular D Bell
My Commission D0041598
Expires July 11 2005



*Notarizing signature only.



Exhibit 1

City of Fernandina Beach

COMMUNITY DEVELOPMENT DEPARTMENT

July 31, 2003

Dear Property Owner:

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD CITY OF FERNANDINA BEACH

A Public Hearing will be held by the Planning Advisory Board Wednesday, August 13, 2003 at 6:00 PM in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider the following applications:

1) Marilyn Williamson: Future Land Use Map Amendment from Recreation to High Density Residential, and a Zoning Amendment from Recreation District to an R-3: Multifamily Dwelling District of a 1.0 acre parcel, located on the northwest corner of Dolphin and Tarpon; 2) Summer Beach, Ltd.: Future Land Use Amendment from Low Density Residential to Medium Intensity Commercial, and a Zoning Amendment from an R1A Single Family Residential to an C-1 Community Commercial District for a 3-acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road; and 3) Ocean Breeze Subdivision: Future Land Use Map Amendment from Nassau County Medium Residential to City Low Density Residential; and a Zoning Amendment from Nassau County RS2: Single Family Residential to City R-3: Multifamily Dwelling District a 70.93 acre parcel located at the northeast corner of Simmons Road and Bailey Road.

Copies of the applications may be inspected in the office of the Community Development Department, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. For information on the application, please contact the Staff of the Planning Department at 277-7325.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 277-7305, TTY 277-7399, (TTY number for all City offices) or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

If any person decides to appeal any decision made by the Board with respect to any matter considered at such hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Very truly yours,

Anne Catinna
Planning Director

Exhibit 2

Attachment B
Page 1 of 2

SUBJECT

06-2N-28-0000-0001-0010

06-2N-28-0000-0001-0020

SUMMER BEACH LTD

5456 FIRST COAST HIGHWAY

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0001-0000

00-00-30-0320-0002-0000

00-00-30-0320-0003-0000

MUSIC CAROLYN

P O BOX 617

FERNANDINA BEACH FL Zip 32035 0617

00-00-30-0320-0004-0000

MCCRANIE DANIEL I & DANIELLE S

1225 GERBING ROAD

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0005-0000

VONNAH LEURA MAE

744 KENNETH COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0006-0000

LOKEY WARREN RUSSELL

2 KENNETH CT

FERNANDINA BEACH FL Zip 32034

00-00-30-0320-0007-0000

TESTON BETTY

726 KENNETH COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-044A-0006-0022

DUNMAN JAMES R

3210 AMELIA ROAD

FERNANDINA BEACH FL Zip 32034

00-00-30-044A-0006-0023

07-2N-28-0000-0002-0000

LANE DOUGLAS W & MELLANY R

1124-A NATURES WALK COURT

FERNANDINA BEACH FL Zip 32034

00-00-30-044B-0104-0000

SOUTHERN BELL TEL & TEL CO

C/O BELL SOUTH TELECOMM TAX

22ND FLOOR

55 PEACHTREE ST NE

ATLANTA GA Zip 30309 3610

00-00-30-044B-0105-0002

HOGGATT KATHLEEN

C/O NANCY HORNBuckle

243 PINE STREET

NEW HOPE AL Zip 35760

00-00-30-044B-0105-0010

08-2N-28-0000-0001-0000

07-2N-28-0000-0001-0000

06-2N-28-0000-0001-0000

06-2N-28-0000-0001-0000

CITY OF FERNANDINA BEACH

204 ASH STREET

FERNANDINA BEACH FL Zip 32034

06-2N-28-0000-0001-0020

FIRST COAST MOVING & STORAGE CO

PO BOX 6062

FERNANDINA BEACH FL Zip 32035 6062

07-2N-28-0000-0001-0020

SUMMER BEACH LTD

5456 FIRST COAST HIGHWAY

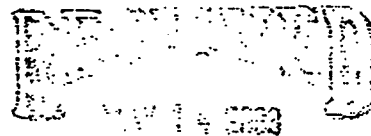
FERNANDINA BEACH FL Zip 32034

00-00-30-044B-0031-0000

AMELIA HOLDINGS LLC

4400 NORTH HWY A1A SUITE 302

FORT PIERCE FL Zip 34949

PROPERTY APPRAISER
OF NASSAU COUNTY

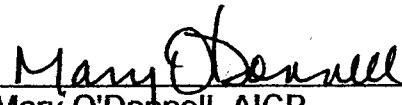
AFFIDAVIT OF POSTING

State of Florida
County of Nassau

I, Mary O'Donnell, being first duly sworn, depose and state as follows:

1. That I am an employee of the City of Fernandina Beach, Community Development Department; and
2. That part of my duties includes processing applications of all types; and
3. That one of the requirements for processing applications is that the notice be posted on the property; and
4. That for LU 2003-05, I posted the property on July 31, 2003 with the notice of the application and hearing. A copy of said notice is attached hereto as Exhibit 1.

FURTHER AFFIANT SAYETH NAUGHT.

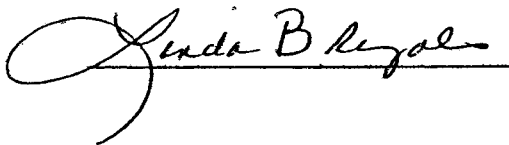

Mary O'Donnell, AICP
Planner II

Subscribed and sworn to before me, a notary public in and for the State of Florida this 4th day of August, 2003.

(Seal)



Linda B Ryals
My Commission DD104949
Expires April 01, 2006



NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared **Michael B. Hankins** who on oath says that he is the Advertising Director of The Fernandina Beach *News-Leader*, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

NOTICE OF PUBLIC HEARING Planning Advisory Board City of Fernandina Beach Aug. 13, 2003

was published in said newspaper in the issues of 07-30-2003

ref. No. 2837

Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Michael Hankins

Sworn to and subscribed before me
this 30th day of July, A.D. 2003.

Robert O. Fiege
Robert O. Fiege, Notary Public



ROBERT O. FIEGE,
Notary Public, State of Florida
My comm. expires May 31, 2004
Comm. No. CC 940897

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD CITY OF FERNANDINA BEACH

A Public Hearing will be held by the Planning Advisory Board Wednesday, August 13, 2003 at 6:00 PM in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida to consider the following applications:

- 1) Marilyn Williamson: Future Land Use Map Amendment from Recreation to High Density Residential, and a Zoning Amendment from Recreation District to an R-3: Multifamily Dwelling District of a 1.0 acre parcel, located on the northwest corner of Dolphin and Tarport; 2) Summer Beach, Ltd.: Future Land Use Amendment from Low Density Residential to Medium Intensity Commercial, and a Zoning Amendment from an R1A Single Family Residential to an C-1 Community Commercial District for a 3-acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road; and 3) Ocean Breeze Subdivision: Future Land Use Map Amendment from Nassau County Medium Residential to City Low Density Residential; and a Zoning Amendment from Nassau County RS2: Single Family Residential to City R-3: Multifamily Dwelling District a 70.93 acre parcel located at the northeast corner of Simmons Road and Bailey Road.

Copies of the applications may be inspected in the office of the Community Development Department, City Hall, 204 Ash Street, between the hours of 8:00 AM - 5:00 PM, Monday through Friday. For information on the application, please contact the Staff of the Planning Department at 277-7325.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 277-7305, TTY 277-7399, (TTY number for all City offices) or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

If any person decides to appeal any decision made by the Board with respect to any matter considered at such hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

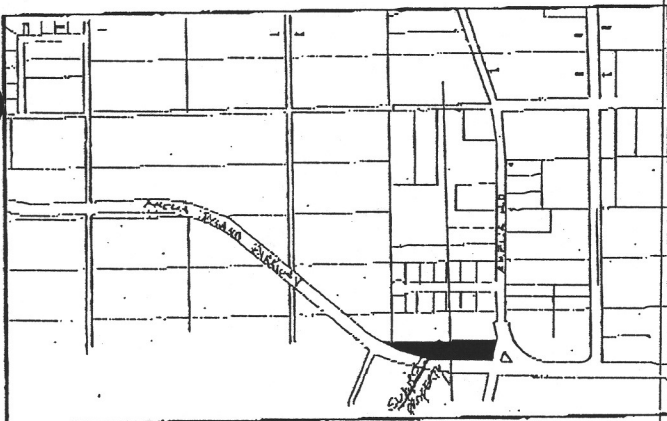
11-07-30-2003
2837

FUTURE LAND USE AMENDMENT

The City Commission of the City of Fernandina Beach, Florida, proposes to adopt the following Ordinance No. 2003-32, "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE FUTURE LAND USE MAP CLASSIFICATION ON A 2.93 ACRE PARCEL LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF AMELIA ISLAND PARKWAY AND AMELIA ROAD FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM INTENSITY COMMERCIAL (MIC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

A public hearing on Ordinance No. 2003-32 will be held on Tuesday, November 18, 2003 at 6:00 p.m. in the City Commission Chambers, 204 Ash Street, Fernandina Beach, Florida. A map of the area covered by the proposed ordinance is shown below.

By: Cassandra P. Mitchell
Its: City Clerk



A copy of said proposed ordinance may be inspected by the public at the office of the undersigned at 204 Ash Street, Fernandina Beach, Florida. Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered with respect to such ordinance.

ALL MEMBERS OF THE PUBLIC ARE INVITED TO BE PRESENT AND BE HEARD. IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WITH DISABILITIES REQUIRING ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROGRAM OR ACTIVITY SHOULD CONTACT 277-7305 OR TDD 277-7399 OR FLORIDA RELAY SERVICE 1-800-955-8771, AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATION.

FLORIDA'S OLDEST WEEKLY NEWSPAPER

NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Robert O. Fiege

Who on oath says that he is the Production Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a **LEGAL DISPLAY ADVERTISEMENT** in the matter of

CITY OF FERNANDINA BEACH
Future Land Use Amendment
Ordinance 2003-32

Was published in said newspaper in the issues of
11/05/03

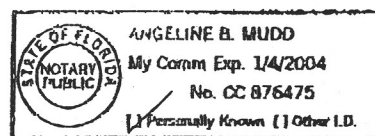
Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Robert O. Fiege

Sworn to and subscribed before me
This 13th day of November, A.D. 2003.

Angeline B. Mudd

Angeline B. Mudd, Notary Public





CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

SUBJECT: Ordinance 2003-32, Land Use Plan Amendment LU 2003-05
Summer Beach, Ltd.

DEPARTMENT: Planning Department

ATTACHMENTS: ☒ Ordinance ☐ Resolution
☒ Support Documents ☐ Other

SUMMARY: The applicant, Summer Beach, Ltd. is requesting Future Land Use Map amendment changing the FLUM classification from Low Density Residential (LDR) to Medium Intensity Commercial (MIC) on a 2.93 acre parcel located at the northwest corner of Amelia Island Parkway and Amelia Road described as a portion of Section 6 and 7, Township 2 north, Rand 28 East.

The application (LU 2003-05) was reviewed by the Planning Advisory Board at its August 13, 2003 regular meeting and after consideration of the staff analysis and the applicant's testimony, the Planning Advisory Board voted six to one to recommend denial of Medium Intensity Commercial, but recommended that City Commission assign a less intense FLUM change, particularly that the land be changed to Low Intensity Commercial (LIC).

Staff concludes that the Future Land Use Map amendment request from Low Density Residential to Low Intensity Commercial would be more consistent with the intent of the Comprehensive Plan and recommends approval of the FLUM classification to Low Intensity Commercial.

On October 21, 2003 the City Commission voted to amend the Future Land Use Plan Map to Low Intensity Commercial.

RECOMMENDED ACTION: Approve Ordinance 2003-32

DEPARTMENT HEAD Submitted by: Anne Catinna Date: 09/05/2003
Requested Agenda Date: 11/18/2003

FINANCE DEPARTMENT Budgeted ☐ Yes ☐ No ☒ N/A Date : N/A

CITY ATTORNEY Approved for Form and Correctness Date: DAB/TP

CITY MANAGER Approved Agenda Item for [Signature] Date: 11/18/2003

COMMISSION ACTION: ☐ Approved As Recommended ☐ Disapproved
☐ Approved With Modification ☐ Tabled To Time Certain
☐ Other

DISTRIBUTION: ☐ CA ☐ CC ☐ CM ☐ PL ☐ FIN ☐ BD ☐ FD ☐ GC ☐ HR ☐ MD ☐ PD ☐ PRD ☐ PW ☐ UD



MEMORANDUM

TO: AIRPORT ADVISORY COMMISSION

FROM: AIRPORT MANAGER

DATE: May 13, 2021

RE: MONTHLY REPORT

- On April 20th, the City Commission awarded construction of six new hangar units to Scherer Construction of North Florida. Airport staff is working with the contractor to finalize a contract for this project prior to commencement of work. A project timeline will be provided to the AAC when it becomes available.
- During the May 4th City Commission meeting, the services agreement for re-striping Runway 9/27 was awarded by the Commission. Tentatively, this work is scheduled for the week of June 21st, and it is anticipated that this project will incur a closure of Runway 9/27 to 1.5 weeks. This striping project came in under budget, and FDOT has agreed with transferring \$20,000 in unused funds from this project to the hangar development project. This transfer of funds was approved by the City Commission during the May 4th City Commission meeting.
- The airport's fuel farm rehabilitation project commenced on March 22nd and is near complete. The fuel tanks and AVGAS self-service are back in service, and staff is working with contractors on punch-list items related to the project prior to completion of the project.
- Advanced AeroTechnologies commenced its tenancy of Hangar B on 1 April. A-Cent Aviation opened its satellite location on April 30th.
- During the 2 February City Commission meeting, the City Commission provided direction to City staff to move forward with assuming the in-house responsibility for collection and disposal of yard debris within the City limits. The City, at one time, utilized the dirt mound adjacent to Ybor Alvarez to stage yard debris, and has requested use of this property again for this purpose. A draft lease for this proposed use has been provided to the FAA for review, and the airport is awaiting a response. Estimated lease revenue for this lease is \$31,000 per year to the airport fund.

- Last year, under the CARES Act, the airport received a \$30,000 grant administered through the FAA to assist with covering operational expenses of the airport. A subsequent (and similar) grant is available in the current fiscal year in the amount of \$13,000 with eligible reimbursement items that include operational and personnel expenses. This grant was approved by the City Commission during the May 4th Commission Meeting and staff will be submitting for reimbursement of funds under this grant soon.
- The airport recently received a proposal from World Skydive to open a second skydive operation at the airport. As discussed with the AAC, airport staff has submitted this proposal to the FAA for preliminary review and will be reach back out to World Skydive for further discussion following a review and preliminary feedback from the FAA.
- Concours events are still tentatively planned to occur in the month of May, 2021. An FAA Safety Plan Approval Letter has been received, and all Concours agreements have been approved/finalized. As a reminder to airport tenants, multiple closures/impacts will be incurred (with applicable NOTAMs published) as the airport supports this event.