



**AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
JUNE 18, 2025
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING MINUTES**
 - 3.1 Approval of Minutes from the Regular Meeting of May 21, 2025.
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - 5.1 **BOA2025-0002 - CATHERINE DREW, 2747 OCEAN DRIVE**
Variance request from LDC Section 5.01.03(H) Accessory Uses and Structures, All Accessory Structures, to allow for the construction of an accessory structure in front of the principal structure.
(Quasi-Judicial).
- 6. BOARD BUSINESS**
 - 6.1 Election of Chair and Vice Chair
 - 6.2 Discussion - Chapter 10, Sections 10.02.01 and 10.02.02 - Variance Criteria # 2 - Special Privilege
- 7. STAFF REPORT**
- 8. PUBLIC COMMENT**
- 9. ADJOURNMENT**

THE NEXT BOA REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, JULY 16, 2025 AT 5PM.

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

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



**MINUTES
BOARD OF ADJUSTMENT
REGULAR MEETING
MAY 21, 2025
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER 5:00 PM

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Steven Papke (Chair)	Barry Hertslet
Margaret Davis	Len Kreger
Taina Christner	Anne Thomas (Alt 1)
Kim Welford (Alt 2)	

MEMBERS ABSENT:

OTHERS PRESENT:

Harrison Poole, Attorney Pro Tem
Margaret Pearson, Senior Planner
Morgan Ohlendorf, Recording Secretary

2. PLEDGE OF ALLEGIANCE

Chair Papke asked members to disclose any ex parte communications. No members had any ex parte communications to disclose.

Harrison Poole, City Attorney Pro Tem, explained the Quasi-Judicial procedures and appeal process.

Ms. Ohlendorf administered the oath to those who wished to provide testimony.

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes for the Regular Meeting of December 18, 2024.

Member Welford noted a change to the date of the Minutes from December 18, 2025 to December 18, 2024.

ACTION TAKEN: A motion was made by Member Davis, seconded by Member Kreger, to approve the Minutes for the Regular Meeting of December 18, 2024, with the noted amendments.

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

4. OLD BUSINESS

There was no old business to discuss at this time.

DRAFT

5. NEW BUSINESS

5.1 BOA2025-0001 - STEPHANIE LAGOS, MCG HOMES, AGENT FOR SAMUEL ALEXANDER, 323 S. 5TH STREET

Variance request from LDC Section 10.01.02 Expansion or Modification of Nonconforming Uses or Structures, to reduce front setback. (*Quasi-Judicial*).

Margaret Pearson, Senior Planner, introduced the case and presented the Staff Analysis Report.

Member Kreger asked Staff to explain the Special Privilege criteria. He opined that every variance situation is a special privilege. He suggested that the Board and Staff consider removing this criteria from the variance review process.

Member Davis asked Staff about LDC Section 10.01.02(D) and why a variance is required if this section allows non-conforming structures to be brought up to code. Mrs. Pearson answered that the front steps are being replaced voluntarily, and they are requiring an expansion further into the front yard setback.

Member Davis asked if any of the neighboring properties have reduced setbacks. Mrs. Pearson answered in the affirmative.

Member Davis asked about LDC Section 4.02.03 and how it applies to front steps.

Stephanie Lagos, MCG Homes, 1750 S. 14th Street, shared some additional information about the safety of the existing steps and shared photos with the Board.

Member Hertslet asked if the new steps would be made of concrete.

Member Davis questioned the width shown on the proposed plans. Ms. Lagos answered that the proposed steps are the same width as the original steps.

Mike Spino, 317 S. 5th Street, encouraged the Board to approve this variance because it is in general harmony with the rest of the neighborhood and is a reasonable request.

Board Discussion commenced.

Member Kreger shared that he believes this is a reasonable request.

Member Davis agreed that this is an appropriate variance request, and shared Comprehensive Plan sections 3.02.01 and 3.02.06 which are relevant to the granting of this variance.

Member Christner agreed that it's a reasonable request and emphasized the importance of safety.

Member Hertslet also agreed it was a reasonable request.

ACTION TAKEN: A motion was made by Member Davis, seconded by Member Hertslet, to approve BOA case 2025-0001; that the BOA make the following findings of fact and conclusions of law part of the record: with the incorporation of Comprehensive Plan policies 3.02.01 and 3.02.06 and LDC 10.01.02(D), to solely construct a landing that increases safety and satisfies the requirement of FL Building Code R311.3; AND that this action is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time;; AND that the BOA agrees with the Staff Analysis that BOA case 2025-0001 meets all 6 of the criteria required for granting a variance, with the following conditions: that as constructed the dimension of the landing and steps leading to it will not exceed the dimension shown on the architectural drawings submitted with this application which is 5.2 ¼ inch.

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

6. BOARD BUSINESS

Member Kreger brought up his concern that there is current discussion by the Commission to combine both the PAB and BOA boards. Member Davis shared more information about the City Commission meeting that prompted this discussion. Member Kreger shared that he and the Board should be involved in that process.

DRAFT

Mrs. Pearson shared that an item about changing several Board make-ups will be considered by the Planning Advisory Board.

Member Hertslet asked Staff if there was possibility that the RYAM/bioethanol project would be brought in front of the Board of Adjustment. Mr. Poole answered that RYAM asked for a stay of proceedings and that they are seeking a judge for an interpretation of the Code.

Member Davis asked if they needed to appoint a Vice-Chair and Chair. Mrs. Pearson and Mr. Poole answered that this would be placed on the next agenda as this action needs public notice.

7. STAFF REPORT

8. PUBLIC COMMENT

No members of the public wished to speak at this time.

9. ADJOURNMENT 5:46 PM

Morgan Ohlendorf, Recording Secretary

Steven Papke, Chair



BOARD OF ADJUSTMENT STAFF REPORT

BOA 2025-0002

June 18, 2025

Agent/Owner:	Catherine Hardee Drew
Property Address:	2747 Ocean Drive
Parcel Number:	00-00-31-1550-0011-0000
Requested action:	VARIANCE REQUEST from LDC Section: 5.01.03 (H) to construct ADU/ Garage forward of the principal structure façade.
Current zoning:	R-2
FLUM land use category:	Medium Density Residential
Existing uses on the site:	Multi-family Residence

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

Aerial View:



STREET VIEW:



SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The subject property, located at 2747 Ocean Drive, features a 1,800-square-foot duplex constructed in 1981, which is legally non-conforming with the lot's current dimensional standards. The applicant intends to convert this structure into a conforming single-family dwelling as part of a larger improvement project. The variance is specifically for a new garage with an accessory dwelling unit. Other proposed improvements, such as a rear-yard open deck and a compliant, non-conditioned breezeway connecting to the proposed accessory structure, will adhere to all current code requirements.

An analysis of the surrounding area reveals that the structures on Ocean Drive were predominantly built between the early 1980s and 1990s, with a significant number of properties designated as multifamily residences. A notable characteristic of the Ocean Drive streetscape is the commonality of properties with front-facing driveways and a lack of garage structures. While some homes feature attached garages, many residents appear to rely on driveway and on-street parking.

A significant hardship claimed by the applicant stems from the property's unique topographical constraints. The rear of the lot is characterized by valuable tertiary dunes and significant presence of mature trees. This is compounded by the fact that properties on the west side of Ocean Drive, including the subject property, back up to the common area of the Egans Landing subdivision. This area is defined by a deep ravine associated with Egans Creek, which renders the rear portion of these lots unsuitable for construction. This topographical challenge is evident at 2747 Ocean Drive and is the primary driver for the variance request, as it prevents the standard rear-yard placement of an accessory structure. The applicant has substantiated this claim with a topography survey and a Tree Resource Evaluation from a certified arborist, which analyzes the environmental impact of various construction options and highlights the ecological benefits of preserving the existing natural features for coastal resilience.

The proposed accessory structure will comply with all other dimensional standards, including setbacks, height, and size. Therefore, the singular variance being sought is for the location of the structure, deviating from the rear-yard placement mandated by LDC Section 5.01.03 (H).

APPLICABLE POLICY GUIDANCE:

CITY OF FERNANDINA BEACH LAND DEVELOPMENT CODE:

Staff’s review of this application finds it is not subject to any of the limitations of Section 10.02.01 and can therefore be considered by the Board.

CITY OF FERNANDINA BEACH COMPREHENSIVE PLAN:

The following Comprehensive Plan statements are applicable in this case:

- Policy 1.02.07 - The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.
- Policy 1.02.10 - The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.
- Policy 1.06.08 - The City shall encourage context sensitive and reasonable home additions that allow for normal upgrades to retain vitality and discourage demolition of the existing structure. The intent of this policy is to develop regulations that discourage teardowns and provide for expansions of existing structures that are appropriate for the neighborhood.

ANALYSIS:

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

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

Criteria	Applicant Response	Staff Analysis	Meets Criteria
1. Special Conditions <i>Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not</i>	This property contains valuable tertiary dunes and mature tree canopy at the rear that create special conditions notcommon to many properties in the R-2 zoning district. These natural features have existed on the property for decades,while the requirement for accessory structures to be located behind the principal structure appears to have been adoptedonly recently (late 2022 or early 2023) as part of amendments to the Land Development Code. These natural features include:	Yes. Special conditions peculiar to the land are present on this property. The rear portion of the lot contains significant environmental features, including established tertiary dunes and a mature native tree canopy, as documented by the applicant's submitted topography survey and certified arborist report. These natural features, which contribute to the island's coastal resilience, effectively preclude the placement of an accessory structure in the rear yard—as required	☒ Yes ☐ No

result from actions of the applicant and are not based on a desire to reduce development costs.	• Tertiary dune formation covering approximately 600 square feet of the rear yard area • Mature native trees with trunk diameters ranging from 8-19 inches (see arborist report) • Natural topography with elevation changes of approximately 3-5 feet • Established native vegetation that stabilizes the dune system These tertiary dunes are part of Amelia Island's natural coastal defense system and provide critical ecological functions. The existing non-conforming duplex structure (grandfathered under the 8 dwelling per acre or 5,445 sq ft requirement) is situated in such a way that building a detached accessory structure behind it, as would typically be required by code, would necessitate significant disruption to these sensitive environmental features. These special conditions were not created by any action of mine: • The dunes and trees pre-date my ownership by decades • The existing non-conforming duplex was built in its current location prior to my ownership • The natural coastal topography is a result of long-term geological processes The variance request is not based on a desire to reduce development costs. In fact, the proposed solution might entail greater costs than disturbing the rear portion of the property but is being pursued specifically to preserve these natural features which provide environmental benefits to the entire community.	by the Land Development Code—without causing their destruction or requiring redevelopment of the property with a new structure. These conditions are not the result of actions by the applicant; the dunes and trees are pre-existing natural formations. The request is based on the preservation of these environmental assets, not a desire to reduce development costs. The location of the existing non-conforming duplex, which the applicant proposes to convert to a conforming single-family residence, combined with the rear-yard environmental constraints, creates practical difficulty in meeting the standard location requirements for accessory structures. Therefore, staff finds that special conditions exist that are not generally applicable to other properties in the R-2 zoning district.	
<u>2. Special Privilege</u> Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.	The requested variance does not confer a special privilege upon me. Any property owner with similar environmental conditions (tertiary dunes and mature trees in the rear yard) would have the same opportunity to request such a variance to protect these features. The variance represents a reasonable accommodation to protect natural resources rather than a special privilege.	Yes. Granting the variance <u>would not</u> confer a special privilege upon the applicant. The relief sought is directly tied to the unique environmental constraints of the lot and is not a privilege denied to others, as any property owner facing similar physical hardships would be eligible to request a variance. Further, the proposal aligns with the Comprehensive Plan's direction (Policy 1.06.08) to encourage	☒ Yes ☐ No

	Importantly, I am not requesting any deviation from: • Maximum building area (remaining under the 625 sq. ft. limit in Section 5.01.03(J)) • Maximum height limitations (remaining under the 25 ft. limit in Section 5.01.03(I)) • Setback requirements (maintaining the standard 3' side setbacks) • Any other dimensional or use standards The proposed project actually brings the property into greater conformity with the Land Development Code by converting an non-conforming duplex into a conforming single-family residence. Section 10.01.01(A) specifically acknowledges that "the lawful use of land or buildings existing on the date of enactment of this LDC shall be allowed to continue." My project improves upon this by reducing nonconformity. Furthermore, Section 10.01.00 of the Land Development Code explicitly acknowledges that mechanisms for obtaining relief from hardship are necessary in certain circumstances, particularly when literal interpretation of the code would lead to environmental damage. This variance request is consistent with the spirit and intent of these variance provisions.	the reuse of existing structures rather than demolition. This approach recognizes the value of embodied energy within existing buildings and minimizes waste that would otherwise end up in a landfill due to a structure's inability to meet an owner's current needs. The applicant's request to reuse and convert the structure satisfies this policy direction and demonstrates thoughtful consideration of existing site characteristics. By converting a non-conforming duplex to a conforming single-family use, the project also enhances overall compliance with the LDC. As the applicant is not seeking relief from any other dimensional standards, the variance is a reasonable accommodation to the property's special conditions rather than a special privilege.	
3. Literal Interpretation <i>Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.</i>	A literal interpretation of Section 5.01.03(H), a requirement that appears to have been adopted only in late 2022 or early 2023, would force me to either: 1. Destroy approximately 600 square feet of environmentally sensitive tertiary dunes and remove mature trees to construct the accessory structure behind the principal building, or 2. Build a conditioned, enclosed connection between the structures (instead of the proposed non-conditioned, unenclosed breezeway), which would require greater setbacks from property lines than the standard 3' requirement (10% of lot width) for detached structures in the R-2 zone. Either option would deprive me of rights commonly enjoyed by other property owners in the R-2 zoning district: • The right to preserve natural features on one's property	Yes. A literal interpretation of the LDC would deprive the applicant of rights commonly enjoyed by other properties in this zoning district, namely the ability to construct an accessory structure without destroying significant natural features. The hardship arises from the unique site characteristics; the existing principal structure appears to have been thoughtfully placed toward the rear of the lot, a decision that has historically protected the site's natural topography and allowed for the growth of a mature tree canopy. This placement, combined with the presence of protected dunes, makes compliance with the rear-yard location requirement impossible without causing significant environmental damage. Denying the variance would force the applicant to choose between forgoing an accessory structure—a right enjoyed by others—	☒ Yes ☐ No

	• The right to build with standard setbacks as permitted for detached structures • The right to make reasonable use of the property without unnecessary environmental impact Other property owners in the R-2 district without tertiary dunes in their rear yards can build accessory structures without such constraints. Many can place accessory structures behind their principal buildings without any adverse environmental impacts. Additionally, the existing non-conforming duplex complicates the situation further. According to Section 10.01.02(A), "Nonconforming structures shall not be expanded except in compliance with this section." The variance allows me to maintain compliance while avoiding environmental damage. The variance would simply allow me the same reasonable use of property enjoyed by others in the R-2 district, while preserving valuable environmental features that benefit the community as a whole.	or destroying the very environmental assets the LDC and Comprehensive Plan seek to protect.	
4. Minimum Variance <i>The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.</i>	The requested variance is the minimum necessary to allow reasonable use of the property while protecting its environmental features. The variance only seeks permission to locate the detached accessory structure in front of the principal structure rather than behind it. All other zoning requirements will be met, including: • The accessory structure will not exceed 625 square feet in building area (Section 5.01.03(J)) • The height will not exceed 25 feet (Section 5.01.03(I)) • All standard setbacks will be maintained, including the 3' side setbacks (10% of lot width) • The connection between structures will be non-conditioned and unenclosed as permitted by Section 5.01.03(K) I have carefully considered alternatives to minimize the variance needed: • Reducing the accessory structure size would not eliminate the need for the variance, as any structure in the rear would still impact the dunes	Yes. The variance requested is the minimum necessary to allow for the reasonable use of the land. The applicant is seeking relief from a single provision: the locational requirement for an accessory structure. The proposal demonstrates full compliance with all other applicable dimensional standards, including height, building area, and setbacks. No other lesser variance would resolve the hardship created by the environmental features in the rear yard. Therefore, the request is narrowly tailored to address the specific hardship and represents the minimum deviation from the code required.	☒ Yes ☐ No

	• Attaching the garage directly to the main structure would require even more dune disruption to achieve required setbacks • Placing the structure in the side yard would not be possible due to insufficient space and setback requirements This request represents the absolute minimum deviation from code requirements needed to achieve the dual goals of reasonable property use and environmental preservation. The only variance being requested is from the location requirement in Section 5.01.03(H).		
5. General Harmony <i>Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.</i>	The requested variance is fully in harmony with the general intent and purpose of both the Land Development Code and the Comprehensive Plan: 1. Environmental Protection: Both documents emphasize the importance of preserving natural coastal features. Section 3.01.00 of the LDC states that its purpose is "to establish standards that protect natural resources..." While the tertiary dunes on my property may not be within the formal Coastal Upland Protection Zone, they serve the same ecological functions on a smaller scale. 2. Reduction of Non-conformities: Section 10.01.00 allows for the continuation of nonconforming uses but my project goes further by actually converting a non-conforming duplex into a conforming single-family residence, which brings the property into greater alignment with the R-2 zoning and the Comprehensive Plan's vision for this area. 3. Purpose of Variance Process: Section 10.00.00 explicitly states that the purpose of the variance chapter is "to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur." This is precisely the kind of situation the variance process was designed to address - where strict application would cause environmental damage. 4. Neighborhood Character: Section 5.01.03(H) exists partly to maintain visual harmony in neighborhoods. The proposed	Yes. Granting the variance is in harmony with the general intent of the LDC and Comprehensive Plan. A core purpose of both documents is the protection of natural resources and promotion of coastal resilience. This variance directly supports that purpose by preserving sensitive dunes and a mature tree canopy. Furthermore, the project advances the goal of reducing non-conformities by converting a duplex to a conforming single-family use. The variance procedure exists to provide relief in exactly these types of situations, where a literal interpretation of the code would result in an outcome contrary to its larger goals—in this case, environmental preservation.	☒ Yes ☐ No

	structure will actually enhance neighborhood character by providing a garage for vehicles that would otherwise be parked in the front yard, improving the streetscape. 5. Coastal Resilience: The Comprehensive Plan includes numerous provisions related to coastal protection and resilience. Preserving tertiary dunes, even when not legally required, supports these broader community goals. The variance supports rather than contradicts the underlying goals of the code and Comprehensive Plan by promoting environmental stewardship while allowing reasonable use of the property in a manner that enhances rather than detracts from neighborhood character.		
6. Public Interest <i>Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.</i>	Granting this variance serves the public interest in multiple ways: 1. Environmental Preservation: Preserving tertiary dunes and mature trees benefits the entire community by maintaining natural coastal defenses, wildlife habitat, and the ecological integrity of Amelia Island. These features provide ecosystem services that extend beyond property boundaries. 2. Coastal Resilience: Tertiary dunes are part of the island's natural defense system against storm surge and erosion. They absorb floodwaters, stabilize soils, and help protect not just this property but surrounding properties and infrastructure from storm damage. 3. Aesthetic Value: The mature trees and natural dune landscape contribute to the visual character of the neighborhood and maintain the natural beauty that makes Amelia Island special. The variance will preserve these aesthetic assets. 4. Improved Code Compliance: Converting a non-conforming duplex to a conforming single-family residence improves overall code compliance in the neighborhood and reduces density to be more consistent with the R-2 zoning district's intent. 5. Enhanced Street View: Housing vehicles in a garage rather than parking them in the front yard improves the aesthetic quality of	Yes. Granting the variance will not be detrimental to the public health, safety, welfare, or environment. Conversely, it serves the public interest by preserving environmental assets—the tertiary dunes and tree canopy—that contribute to the community's overall coastal resilience and aesthetic character. The proposed structure is compatible with the surrounding area as it meets all dimensional standards and will be architecturally consistent. By enabling the reuse and improvement of an existing property and increasing its conformity with the LDC, the proposal supports orderly development without causing injury to the area.	☒ Yes ☐ No

	the streetscape, benefiting all who live in or pass through the neighborhood. 6. Compatibility with Surroundings: The proposed accessory structure will be designed to be architecturally compatible with the principal building and surrounding properties. The height, scale, and materials will be consistent with neighborhood character. The variance will cause no injury to the area and poses no risks to public health, safety, or welfare. On the contrary, it will help preserve natural environmental features that provide ecological services and coastal protection beneficial to the entire community while improving the property's conformity with the Land Development Code.		
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FINAL ANALYSIS AND RECOMMENDATION:

The property contains significant environmental features—tertiary dunes and a mature tree canopy—in the rear yard, which is the only location permitted for an accessory structure by a literal interpretation of the Land Development Code. Forcing compliance would deprive the applicant of the right to make reasonable use of their property, a right commonly enjoyed by others in the City, and would result in the destruction of valuable natural resources.

The request is the minimum variance necessary to alleviate the hardship, as it seeks relief only from the location requirement while complying with all other dimensional standards. Granting the variance confers no special privilege, is in harmony with the Comprehensive Plan's goals for environmental preservation and reuse of existing structures and serves the public interest by protecting coastal resilience features.

Therefore, staff recommends approval of the requested variance to allow the accessory structure to be located forward of the principal structure, subject to the plans submitted by the applicant.

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

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

Staff finds that the requested action, as presented, **DOES** meet all six criteria for granting a variance, therefore staff must recommend **APPROVAL**.

STAFF RECOMMENDED MOTION AND FINDINGS FOR BOARD CONSIDERATION:

I move to approve BOA case number 2025-0002;

AND I move that the BOA make the following findings of fact and conclusions of law part of the record:

That BOA case 2025-0002, as presented, is substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time;

AND that BOA case number 2025-0002 meets the following criteria for granting a variance:

1. Special conditions exist that are peculiar to the land, specifically the presence of significant tertiary dunes and a mature tree canopy in the rear yard, which were not created by the applicant and create hardship.
2. Granting the variance does not confer a special privilege, as the relief is tied directly to the unique environmental hardship and the proposal improves the property's overall conformity with the Land Development Code.
3. A literal interpretation of the code would deprive the applicant of the right to the reasonable use of their property, a right commonly enjoyed by others, by forcing the destruction of valuable natural features.
4. The variance requested is the minimum variance needed to make possible reasonable use of the land, as it seeks relief only from the location requirement while complying with all other dimensional standards.
5. Granting the variance is in harmony with the general intent of the Comprehensive Plan and Land Development Code by promoting environmental preservation and the reduction of non-conformities.
6. The variance is not detrimental to the public interest; rather, it serves the public welfare by preserving natural features that contribute to coastal resilience and the community's aesthetic character.

LIST OF EXHIBITS:

EXHIBIT A – CURRENT SURVEY

EXHIBIT B – PROPOSED SITE PLAN

EXHIBIT C – SURROUNDING AREA PARCELS ZONING

EXHIBIT D – PROPERTY PHOTOS

Respectfully Submitted,

Kelly N. Gibson

Kelly N. Gibson, AICP

Director of Planning & Conservation

CERTIFIED TO:
CATHERINE DREW

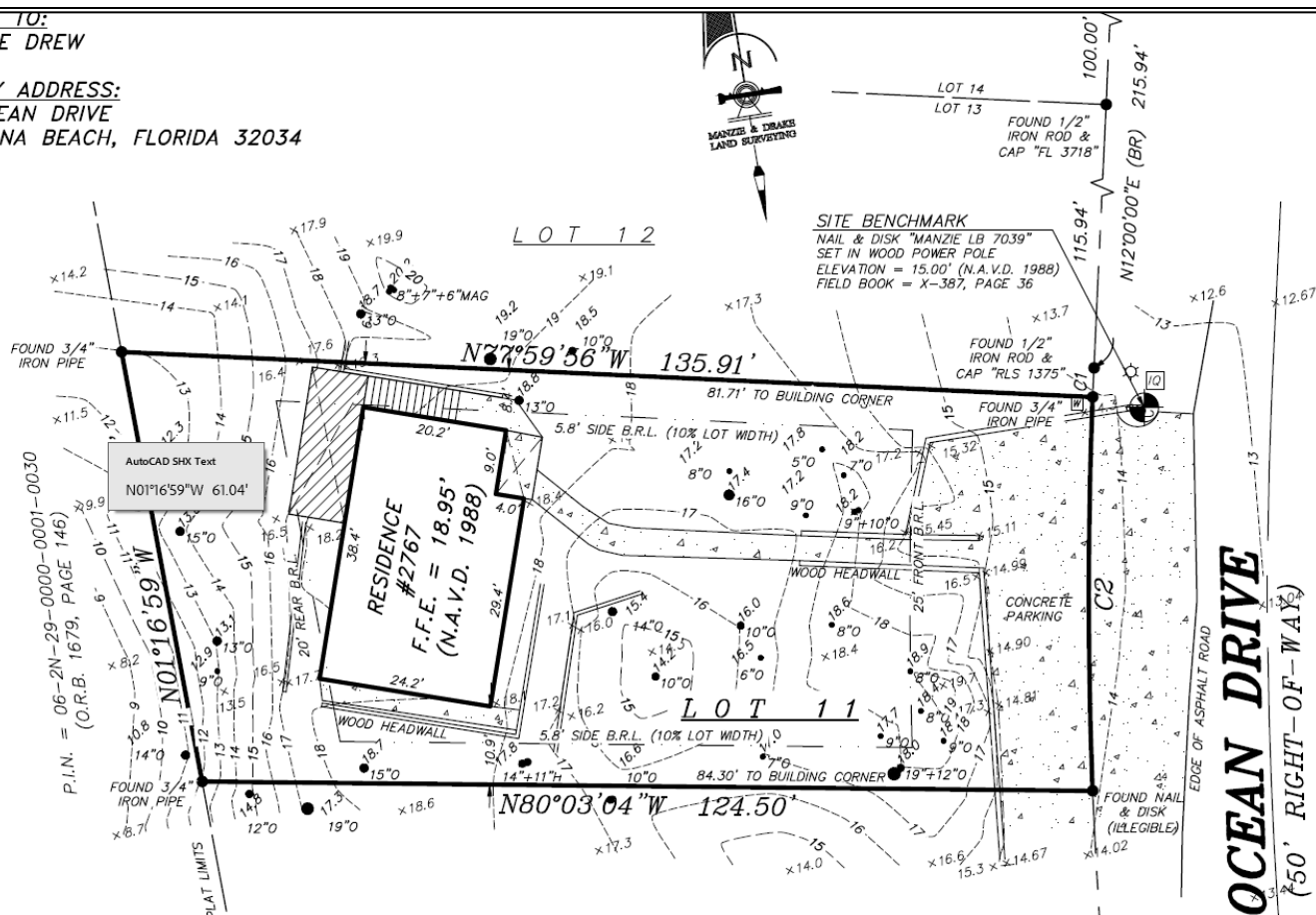


EXHIBIT B: PROPOSED SITE PLAN

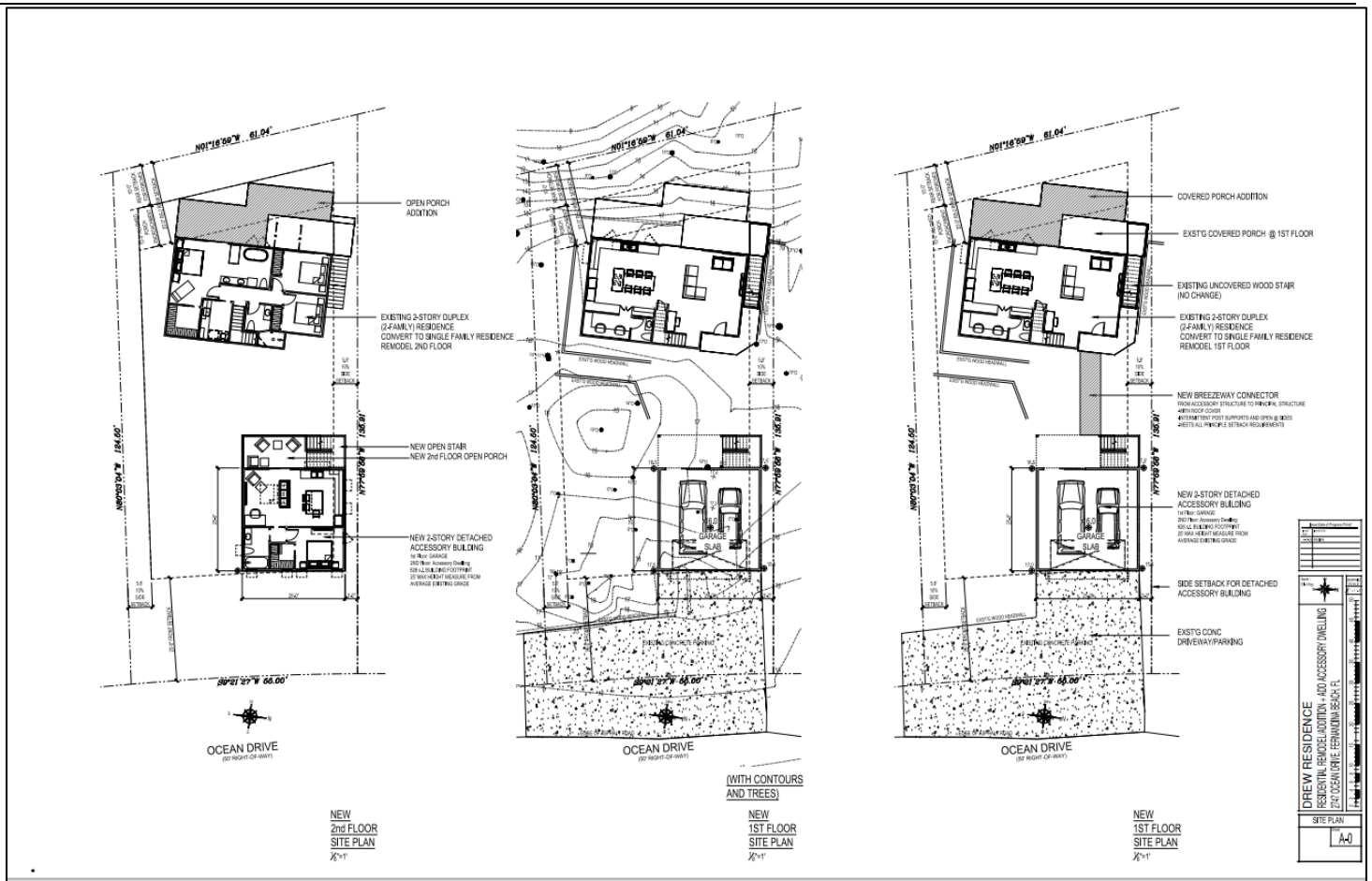


EXHIBIT C: SURROUNDING AREA PARCELS ZONING

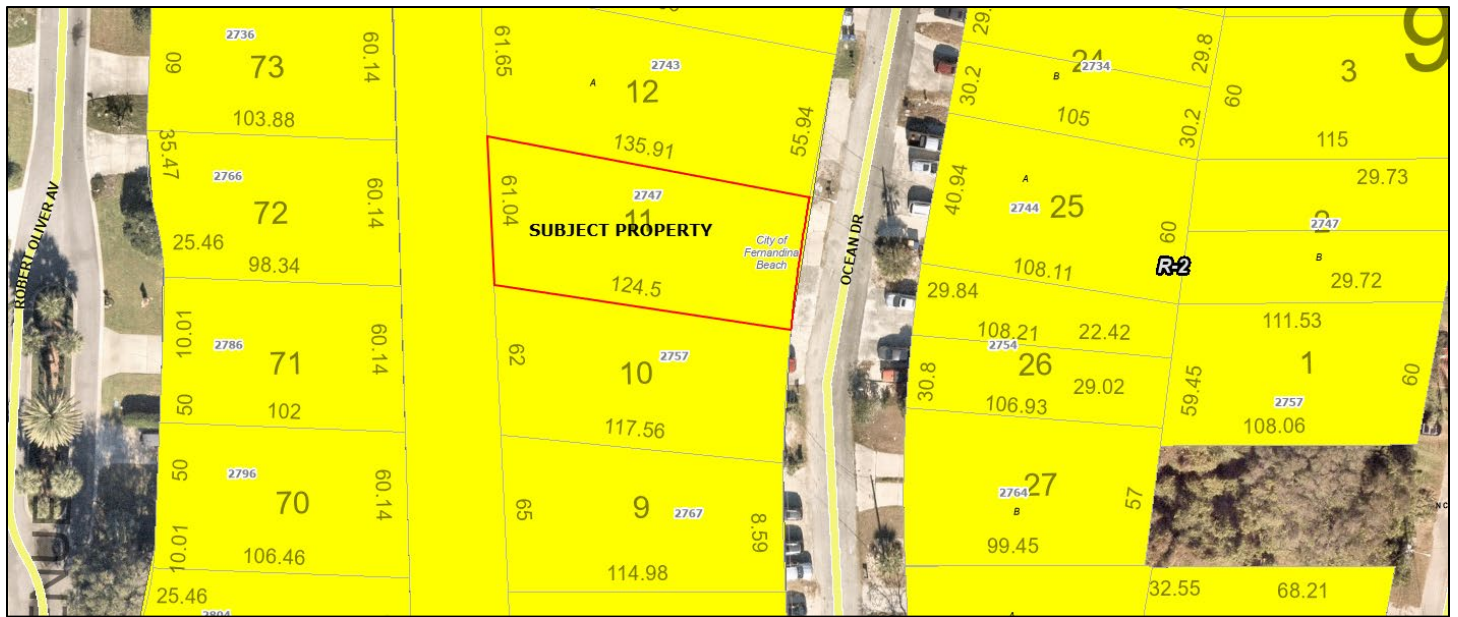


EXHIBIT D: PROPERTY PHOTOS *Front of 2747 Ocean Drive with retaining wall on northern side*



Front facing east



Rear of property abutting Egans Landing subdivision common area



Facing North



Southeast corner of property



Northeast corner of property at proposed approximate location for accessory structure



Board of Adjustment (BOA) - Submission #16092

Date Submitted: 5/6/2025

BOARD OF ADJUSTMENT (BOA)

USE THIS FORM TO Apply for a variance to obtain relief from the design standards of this Land Development Code (LDC) where otherwise hardship would occur. A person who is adversely affected by any administrative decision may appeal such decision to the BOA.

Fees

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.

☒ Residential Properties \$1,500

☐ Non-Residential properties \$3,500

☐ Administrative Appeals \$500

2025 Submission Deadlines + Board Meetings Calendar

Application Deadline (4:30pm)	Nov 06 2024	Dec 04 2024	Jan 08 2025	Feb 05 2025	Mar 05 2025	Apr 09 2025	May 07 2025	June 04 2025	Jul 09 2025	Aug 06 2025	Sep 03 2025	Oct 08 2025	Nov 05 2025	Dec 10 2025
Meeting Date	Dec 18 2024	Jan 15 2025	Feb 19 2025	Mar 19 2025	Apr 16 2025	May 21 2025	June 18 2025	Jul 16 2025	Aug 20 2025	Sep 17 2025	Oct 15 2025	Nov 19 2025	Dec 17 2025	Jan 21 2026

IMPORTANT NOTES

Application Requirements

☒ A complete application filed at least forty-five (42) days before the date of the Board of Adjustment's public hearing;

☒ A current signed, sealed, scaled survey of the property (no older than two years from date of application);

☒ Proof of ownership (copy of deed or tax statement)

☒ If applying as an agent, Owner's Authorization for Agent Representation form must be signed/ notarized and submitted as part of the application;

☒ A detailed letter stating the reasons for the request;

☒ Materials as needed to illustrate the nature of the request, including but not limited to, site plans, architectural drawings, photographs, etc. (Site plans must be dimensioned and to scale).

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, you must meet with the applicable planner prior to submitting your application. Completed Board applications are **due forty-two (42) days prior** to the meeting date. Cases in the historic districts or Community Redevelopment Area are heard by the Historic District Council, please use the HDC Variance Application. Cases in all other areas of the City are heard by the Board of Adjustment.

Please see the Land Development Code (LDC) for detailed information:

- ☒ Procedures for Variances – LDC Section 10.02.04.
- ☒ Expiration of Variance Approval – LDC Section 10.02.04(C).
- ☒ Appeals on a Variance – LDC Section 10.02.04(D).
- ☒ Appeals of Administrative Action – LDC 11.07.00

The LDC is available for review at www.fbfi.us/LDC

Appeals

Any person aggrieved by any decision of the BOA regarding a variance may present to a court of record a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. The petition shall be presented to the court within thirty (30) days after the filing of the decision at the office of the Board; otherwise, the decision of the Board shall be final.

Limitations on the Grant of a Variance

- ☒ 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
- ☒ 2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
- ☒ 3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered g
- ☒ 4. A variance shall not change the requirements for concurrency.
- ☒ 5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
- ☒ 6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
- ☒ 7. A variance shall not be granted for procedure or process components of this Land Development Code.
- ☒ 8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Ave
- ☒ 9. A variance will not be granted which authorizes the filling of wetlands prohibited by Land Development Code Section 3.03.03(A)
- ☒ 10. No variance shall be granted to exceed the maximum building height of 35 feet for a building on any lot within 800 feet of the mean highwater line of the Atlantic Ocean under LDC Section 4.02.03(D)
- ☒ 11. A variance shall not be granted for any residential or residential mixed-use structure to exceed the maximum building height requirements contained in Table 4.02.03(E).
- ☒ 12. A variance shall not be granted to exceed the minimum side yard setbacks listed in Table 4.02.03(E) for any building within 800 feet of the mean high-water mark of the Atlantic Ocean.

REVIEW TYPE*

- ☒ Variance
- ☐ Appeal of Administrative Decision

Have you met with a planner for a pre-application meeting?*

Yes

What was the date of your pre-application meeting?*

2/28/2025

PROPERTY INFORMATION

Property information can be found at the Nassau County Property Appraiser's Website → Map Search

Site Address*

2747 Ocean Drive

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

00003115500011000

Zoning District*

R-2

Future Land Use Designation*

Medium Density Residential

Do you authorize the installation of a temporary City notice sign on your property?*

YES

City posting sign must remain on the property until the meeting is held. The sign will then be picked up by City Staff or can be returned to City Hall by the applicant.

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Catherine

Last Name*

Drew

Company (if applicable)

Mailing Address*

2747 Ocean Drive

City*	State*	Zip*
Fernandina Beach	FL	32034

Telephone Number*	E-mail Address*
9047530556	drhardee@floridapsy.com

OWNER'S AGENT / APPLICANT

If other than owner. If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name	Last Name

Company (if applicable)

Mailing Address

City	State	Zip

Telephone Number	E-mail Address

PROJECT INFORMATION

Variance Requested from LDC Section(s)*

10.01.00 and 10.01.02

Summary of Request (more detailed information to be provided in required letter of intent)*

I am requesting a variance from Section 5.01.03(H) of the Land Development Code to locate a detached accessory structure (garage with accessory dwelling) in front of my principal structure at 2747 Ocean Drive in the R-2 Medium Density Residential district. As stated in Section 10.00.00, the purpose of the variance chapter is "to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur."

The structure will connect via an unenclosed breezeway per Section 5.01.03(K), maintain standard 3' side setbacks, and comply with all size (under 625 sq. ft.) and height (under 25') requirements. The only variance sought is from the location requirement.

This variance is necessary to preserve valuable tertiary dunes and mature trees at the rear of the property that contribute to coastal resilience and environmental health. These natural features occupy the rear yard area. Without the variance, I would need to either destroy these natural features or build with excessive setbacks not required of other properties.

I am seeking hardship relief under LDC Sections 10.01.00 and 10.01.02 regarding nonconforming situations. This project will also improve code compliance by converting a non-conforming duplex (grandfathered under the 8 dwelling per acre or 5,445 sq ft requirement) to a conforming single-family residence.

REQUIRED FINDINGS FOR A GRANT OF A VARIANCE

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

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

This property contains valuable tertiary dunes and mature tree canopy at the rear that create special conditions not common to many properties in the R-2 zoning district. These natural features have existed on the property for decades, while the requirement for accessory structures to be located behind the principal structure appears to have been adopted only recently (late 2022 or early 2023) as part of amendments to the Land Development Code.

These natural features include:

- Tertiary dune formation covering approximately 600 square feet of the rear yard area
- Mature native trees with trunk diameters ranging from 8-19 inches (see arborist report)
- Natural topography with elevation changes of approximately 3-5 feet
- Established native vegetation that stabilizes the dune system

These tertiary dunes are part of Amelia Island's natural coastal defense system and provide critical ecological functions. The existing non-conforming duplex structure (grandfathered under the 8 dwelling per acre or 5,445 sq ft requirement) is situated in such a way that building a detached accessory structure behind it, as would typically be required by code, would necessitate significant disruption to these sensitive environmental features.

These special conditions were not created by any action of mine:

- The dunes and trees pre-date my ownership by decades
- The existing non-conforming duplex was built in its current location prior to my ownership
- The natural coastal topography is a result of long-term geological processes

The variance request is not based on a desire to reduce development costs. In fact, the proposed solution might entail greater costs than disturbing the rear portion of the property but is being pursued specifically to preserve these natural features which provide environmental benefits to the entire community.

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

The requested variance does not confer a special privilege upon me. Any property owner with similar environmental conditions (tertiary dunes and mature trees in the rear yard) would have the same opportunity to request such a variance to protect these features. The variance represents a reasonable accommodation to protect natural resources rather than a special privilege.

Importantly, I am not requesting any deviation from:

- Maximum building area (remaining under the 625 sq. ft. limit in Section 5.01.03(J))
- Maximum height limitations (remaining under the 25 ft. limit in Section 5.01.03(I))
- Setback requirements (maintaining the standard 3' side setbacks)
- Any other dimensional or use standards

The proposed project actually brings the property into greater conformity with the Land Development Code by converting a non-conforming duplex into a conforming single-family residence. Section 10.01.01(A) specifically acknowledges that "the lawful use of land or buildings existing on the date of enactment of this LDC shall be allowed to continue." My project improves upon this by reducing nonconformity.

Furthermore, Section 10.01.00 of the Land Development Code explicitly acknowledges that mechanisms for obtaining relief from hardship are necessary in certain circumstances, particularly when literal interpretation of the code would lead to environmental damage. This variance request is consistent with the spirit and intent of these variance provisions.

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

A literal interpretation of Section 5.01.03(H), a requirement that appears to have been adopted only in late 2022 or early 2023, would force me to either:

1. Destroy approximately 600 square feet of environmentally sensitive tertiary dunes and remove mature trees to construct the accessory structure behind the principal building, or
2. Build a conditioned, enclosed connection between the structures (instead of the proposed non-conditioned, unenclosed breezeway), which would require greater setbacks from property lines than the standard 3' requirement (10% of lot width) for detached structures in the R-2 zone.

Either option would deprive me of rights commonly enjoyed by other property owners in the R-2 zoning district:

- The right to preserve natural features on one's property
- The right to build with standard setbacks as permitted for detached structures
- The right to make reasonable use of the property without unnecessary environmental impact

Other property owners in the R-2 district without tertiary dunes in their rear yards can build accessory structures without such constraints. Many can place accessory structures behind their principal buildings without any adverse environmental impacts.

Additionally, the existing non-conforming duplex complicates the situation further. According to Section 10.01.02(A), "Nonconforming structures shall not be expanded except in compliance with this section." The variance allows me to maintain compliance while avoiding environmental damage.

The variance would simply allow me the same reasonable use of property enjoyed by others in the R-2 district, while preserving valuable environmental features that benefit the community as a whole.

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

The requested variance is the minimum necessary to allow reasonable use of the property while protecting its environmental features. The variance only seeks permission to locate the detached accessory structure in front of the principal structure rather than behind it.

All other zoning requirements will be met, including:

- The accessory structure will not exceed 625 square feet in building area (Section 5.01.03(J))
- The height will not exceed 25 feet (Section 5.01.03(I))
- All standard setbacks will be maintained, including the 3' side setbacks (10% of lot width)
- The connection between structures will be non-conditioned and unenclosed as permitted by Section 5.01.03(K)

I have carefully considered alternatives to minimize the variance needed:

- Reducing the accessory structure size would not eliminate the need for the variance, as any structure in the rear would still impact the dunes
- Attaching the garage directly to the main structure would require even more dune disruption to achieve required setbacks
- Placing the structure in the side yard would not be possible due to insufficient space and setback requirements

This request represents the absolute minimum deviation from code requirements needed to achieve the dual goals of reasonable property use and environmental preservation. The only variance being requested is from the location requirement in Section 5.01.03(H).

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

The requested variance is fully in harmony with the general intent and purpose of both the Land Development Code and the Comprehensive Plan:

1. Environmental Protection: Both documents emphasize the importance of preserving natural coastal features. Section 3.01.00 of the LDC states that its purpose is "to establish standards that protect natural resources..." While the tertiary dunes on my property may not be within the formal Coastal Upland Protection Zone, they serve the same ecological functions on a smaller scale.
2. Reduction of Non-conformities: Section 10.01.00 allows for the continuation of nonconforming uses but my project goes further by actually converting a non-conforming duplex into a conforming single-family residence, which brings the property into greater alignment with the R-2 zoning and the Comprehensive Plan's vision for this area.
3. Purpose of Variance Process: Section 10.00.00 explicitly states that the purpose of the variance chapter is "to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur." This is precisely the kind of situation the variance process was designed to address - where strict application would cause environmental damage.
4. Neighborhood Character: Section 5.01.03(H) exists partly to maintain visual harmony in neighborhoods. The proposed structure will actually enhance neighborhood character by providing a garage for vehicles that would otherwise be parked in the front yard, improving the streetscape.
5. Coastal Resilience: The Comprehensive Plan includes numerous provisions related to coastal protection and resilience. Preserving tertiary dunes, even when not legally required, supports these broader community goals.

The variance supports rather than contradicts the underlying goals of the code and Comprehensive Plan by promoting environmental stewardship while allowing reasonable use of the property in a manner that enhances rather than detracts from neighborhood character.

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

Granting this variance serves the public interest in multiple ways:

- 1. Environmental Preservation: Preserving tertiary dunes and mature trees benefits the entire community by maintaining natural coastal defenses, wildlife habitat, and the ecological integrity of Amelia Island. These features provide ecosystem services that extend beyond property boundaries.
- 2. Coastal Resilience: Tertiary dunes are part of the island's natural defense system against storm surge and erosion. They absorb floodwaters, stabilize soils, and help protect not just this property but surrounding properties and infrastructure from storm damage.
- 3. Aesthetic Value: The mature trees and natural dune landscape contribute to the visual character of the neighborhood and maintain the natural beauty that makes Amelia Island special. The variance will preserve these aesthetic assets.
- 4. Improved Code Compliance: Converting a non-conforming duplex to a conforming single-family residence improves overall code compliance in the neighborhood and reduces density to be more consistent with the R-2 zoning district's intent.
- 5. Enhanced Street View: Housing vehicles in a garage rather than parking them in the front yard improves the aesthetic quality of the streetscape, benefiting all who live in or pass through the neighborhood.
- 6. Compatibility with Surroundings: The proposed accessory structure will be designed to be architecturally compatible with the principal building and surrounding properties. The height, scale, and materials will be consistent with neighborhood character.

The variance will cause no injury to the area and poses no risks to public health, safety, or welfare. On the contrary, it will help preserve natural environmental features that provide ecological services and coastal protection beneficial to the entire community while improving the property's conformity with the Land Development Code.

Upload Supplemental Materials

2747 Ocean Drive Request Letter.pdf

Upload 2

deed.pdf

Upload 3

2747 Topo Survey.pdf

Upload 4

A-0.pdf

Upload 5

FCUF_Letter_Drew_signed.pdf

Upload 6

Maretha McCannngreenway.pdf

Upload 7

Personal Connection Statement.pdf

Certification*

☒

By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.

☒

I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

☒

I AGREE THAT A POSTING NOTICE WILL BE INSTALLED ON THE PROPERTY(IES) IN QUESTION AND THAT SAID SIGN WILL ONLY BE REMOVED BY STAFF AFTER THE MEETING OR BROUGHT BACK TO CITY HALL BY APPLICANT.

I/We understand that the City Staff will install a Notice of Hearing sign on the property 14 days before the scheduled hearing and that the sign must only be removed after the hearing by City Staff, unless, the applicant or property owner brings the Notice of Hearing back to City Hall.

Applicant's First Name*

Catherine

Applicant's Last Name*

Hardee

Today's Date*

5/5/2025



DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 |
www.fbfl.us/planning

Please make sure to disable pop-up blocker in order to submit.

PREPARED BY & RETURN TO:

Name: Wood & Smith, P.A.
Address: 303 Centre Street
Suite 100
Fernandina Beach, FL 32034
File No. 24-206746

Parcel No.: 00-00-31-1550-0011-0000

This **WARRANTY DEED**, made the **6th day of January, 2025**, by **Edward H. Hardee, a single man, and Kevin D. Ott, a married man, as joint tenants with right of survivorship** (whether one or more, the "Grantor"), to **Catherine H. Drew, a single woman**, whose post office address is 2747 Ocean Drive, Fernandina Beach, FL 32034 (whether one or more, the "Grantee"):

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

Lot 11, OCEANSIDE, according to plat thereof recorded in Plat Book 4, Page 68 of the public records of Nassau County, Florida.

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

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

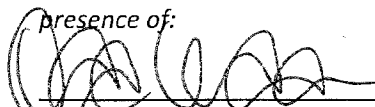
SUBJECT TO TAXES FOR THE YEAR 2025 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

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

And the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that the Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever. Grantor further warrants that said land is free of all encumbrances, except as noted herein and except taxes accruing subsequent to December 31, 2024.

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

Signed, sealed and delivered in the presence of:



Witness #1 Signature

Print Name: Rachel Woodward

Witness #1 Address:

303 Centre St., Ste 100
Fernandina Beach, FL 32034



Witness #2 Signature

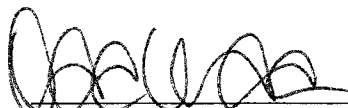
Print Name: Daphne S. Smith

Witness #2 Address:

303 Centre St., Ste 100
Fernandina Beach, FL 32034

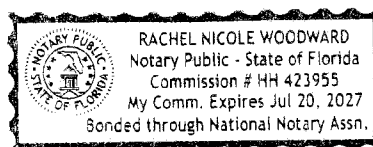
STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me by means of (4) physical presence or () online notarization this 6 day of January, 2025, by Edward H. Hardee.



Signature of Notary Public

Print, Type/Stamp Name of Notary

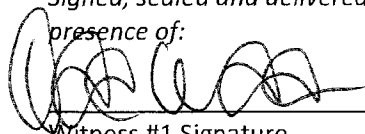


Personally Known: _____ OR Produced Identification: X

Type of Identification Produced: Valid A B C

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

Signed, sealed and delivered in the
presence of:



Witness #1 Signature

Print Name: Rachel Woodward

Witness #1 Address:

303 Centre St., Ste 100
Fernandina Beach, FL 32034



Witness #2 Signature

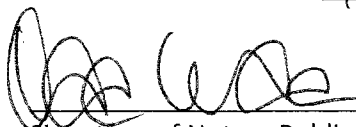
Print Name: Daphne S. Smith

Witness #2 Address:

303 Centre St., Ste 100
Fernandina Beach, FL 32034

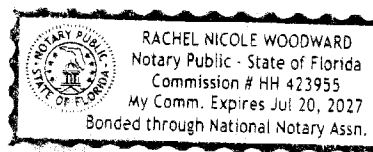
STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ()
online notarization this 6 day of January, 2025, by Kevin D. Ott.



Signature of Notary Public

Print, Type/Stamp Name of Notary



Personally Known: _____ OR Produced Identification: X

Type of Identification Produced: Valid ID

Catherine Hardee
2747 Ocean Drive
Fernandina Beach, FL 32034
904-753-0556
DrHardee@FloridaPsy.com

April 26, 2025

City of Fernandina Beach
Board of Adjustment
204 Ash Street
Fernandina Beach, FL 32034

RE: Variance Request for 2747 Ocean Drive (Parcel ID 00003115500011000)

Dear Board of Adjustment Members:

I respectfully submit this request for a variance from Land Development Code Section 5.01.03(H), which requires that "a detached accessory building in a residential zoning district must be located behind the front façade of the principal structure." This requirement appears to have been enacted relatively recently, in late 2022 or early 2023, as part of a broader set of amendments to the Land Development Code relating to accessory structures. As set forth in Section 10.00.00 of the LDC, the express purpose of the variance process is "to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur." This application seeks precisely such relief to prevent the hardship that would result from destroying valuable environmental features on my property that have existed for decades before this new code provision was adopted.

The specific variance requested would allow for the construction of a detached accessory structure with a garage and accessory dwelling unit in front of the existing principal structure at 2747 Ocean Drive in the R-2 Medium Density Residential district, connected by a non-conditioned, unenclosed breezeway as permitted by LDC Section 5.01.03(K).

Background and Property History

As a 6th generation Fernandina Beach resident with deep family roots in this community, I have a profound respect for both our island's rich heritage and its natural environment. My ancestor Reverend Archibald Baker was the founding pastor of First Presbyterian Church in 1858 of which I am a member and attend regularly with my parents David and Kathleen Hardee. My family has been invested in this community for generations, including owning Standard Marine

Hardware and Hardee Brother's Hardware. I also own and operate Florida Psychological Associates, a small business in Fernandina.

The property at 2747 Ocean Drive was co-owned by a member of my family since the early 2000s as a rental property. I recently purchased the property with the intention of converting the existing non-conforming duplex (grandfathered under the 8 dwelling per acre or 5,445 sq ft requirement) into a conforming single-family residence that will be my permanent home. My project seeks to improve this nonconforming situation.

Project Overview and Environmental Considerations

The proposed project involves:

1. Converting the existing non-conforming duplex into a conforming single-family residence
2. Adding a detached accessory structure containing a garage on the first floor and an accessory dwelling on the second floor
3. Connecting the structures with a non-conditioned, unenclosed breezeway as permitted by LDC Section 5.01.03(K)

The variance is requested primarily to protect the valuable tertiary dunes and mature tree canopy located at the rear of the property. These tertiary dunes occupy the rear yard area and include mature trees. This area serves as a natural buffer to protect sensitive coastal topography that could be preserved as a conservation area.

While these tertiary dunes may not fall within the formal Coastal Upland Protection Zone as defined in Section 3.03.02 of the LDC, they fulfill the same ecological functions on a smaller scale, and their protection aligns with the City's commitment to preserving natural coastal features. These dunes serve critical ecological functions including:

- Providing a natural buffer against storm surge and erosion
- Supporting diverse native plant communities that stabilize coastal soils
- Creating habitat for wildlife, including protected species
- Contributing to the overall resilience of Amelia Island's coastal ecosystem

Without this variance, I would be forced to either:

1. Build the accessory structure behind the main building, destroying approximately 600 square feet of environmentally sensitive tertiary dunes and removing 3-5 mature trees, or
2. Create a conditioned corridor connection between the structures, which would require greater setbacks from the north property line than the standard 3' requirement for the R-2 zone and cause the potential loss of more tree canopy within the site plan impacted to functionally enact said conditioned corridor.

Compliance with Variance Criteria and Nonconforming Situations

This request is based on the hardship provisions of LDC Sections 10.01.00 and 10.01.02 regarding nonconforming situations, as well as meeting all six required findings as outlined in Section 10.02.02:

1. **Special Conditions:** The property contains unique tertiary dunes and mature tree canopy. These natural features pre-date my ownership and the placement of the existing non-conforming duplex (which I did not build) compounds the hardship by limiting available building area. These conditions are not the result of any action on my part.
2. **Special Privilege:** The requested variance does not confer any special privilege that would be denied to other property owners with similar environmental conditions. I am not seeking to exceed any dimensional standards for height, size, or setbacks - only to locate the accessory structure where it will minimize environmental damage.
3. **Literal Interpretation:** Strict application of Section 5.01.03(H) would force the destruction of approximately 600 square feet of tertiary dunes and mature trees, or require an enclosed connection that would necessitate greater setbacks than normally required. Both options deprive me of rights commonly enjoyed by other property owners in the R-2 district who don't have sensitive environmental features in their rear yards.
4. **Minimum Variance:** This request represents the minimum variance necessary to make reasonable use of the property while preserving its natural features. The accessory structure will be 625 square feet (the standard amount allowed without variance) and will maintain all standard setbacks. The only code provision requiring variance is the location relative to the principal structure per the code that was enacted in 2022/2023
5. **General Harmony:** The variance aligns with the City's Comprehensive Plan goals for environmental protection and the LDC's provisions regarding coastal resource protection. Additionally, updating a non-conforming duplex to a conforming single-family residence brings the property into greater harmony with the R-2 zoning district's intent.
6. **Public Interest:** Preserving the tertiary dunes and mature trees directly serves the public interest by maintaining natural coastal defenses that benefit the entire community. The project will also improve the streetscape by housing vehicles in a garage rather than parking them in the front yard, enhancing neighborhood aesthetics. Finally, this project will increase the number of properties within the city which adhere to the zoning regulations.

Neighborhood Character and Visual Impact

The proposed placement of the accessory structure addresses the concerns underlying rule 5.01.04 A.3, which exists to ensure changes don't create negative visual impacts or diminish neighborhood character. My proposal actually enhances the neighborhood's appearance by:

1. Not having multiple cars parked in the front yard may provide a more attractive street view

2. Preserving the natural landscape features that contribute to the neighborhood's coastal character
3. Improving ecological stability by minimizing impact to the existing natural landscape
4. Maintaining the beauty of the existing treescape and beauty of the property

Additional Considerations

The proposed accessory structure will comply with all other requirements of the LDC, including:

- Building area under 625 square feet (Section 5.01.03(J))
- Height under 25 feet (Section 5.01.03(I))
- Meeting standard side setbacks of 3' (10% of lot width)
- Non-conditioned, unenclosed breezeway connection as permitted by Section 5.01.03(K)

I respectfully request your favorable consideration of this variance, which will allow me to create a homesteaded location that respects both the character of our community and the natural environment that makes Amelia Island special. The proposed variance represents a thoughtful balance between responsible development and environmental stewardship and aligns perfectly with the purpose of the variance process as stated in Section 10.00.00 - to provide relief where hardship would otherwise occur.

Thank you for your consideration of this request. I am available to answer any questions or provide additional information as needed.

Respectfully submitted,

Catherine Hardee

Catherine Hardee
Owner, 2747 Ocean Drive
Fernandina Beach, FL 32034

Attachments:

- Personal History and Connection to Fernandina Beach
- Deed
- Survey
- Site Plan
- Tree Resource Evaluation by Certified Arborist
- Letter of Support from Neighbors

My Connection to Fernandina Beach

My relationship with Fernandina Beach runs deeper than simply owning property here. As a 6th generation resident, my family's roots extend to the very founding of this community and my personal connection to this island spans every aspect of my life.

Family Heritage

My ancestor, Reverend Archibald Baker, was the founding pastor of First Presbyterian Church in Fernandina Beach in 1858. This historical connection represents just one thread in the tapestry of my family's long relationship with this island. For generations, my family has called Fernandina home, witnessing and contributing to its growth from a small coastal settlement to the vibrant community it is today.

Business and Community Involvement

My family's investment in Fernandina Beach extends beyond just residency and extends to past and present business and community participation:

- My family owned and operated Standard Marine Hardware and, prior to that, Hardee Brother's Hardware, serving the needs of residents and businesses for many years
- I was born and raised in Fernandina Beach, attending public school and developing deep connections throughout the community
- I served as the student body president of Fernandina Beach High School as well as in leadership positions in other community service organizations.
- I was honored to be selected as Ms. Shrimp Festival in 2001, representing our community during one of its most cherished traditions
- Since returning to Fernandina Beach after graduate school, I served as the Chair of the Northeast Florida Healthy Start Coalition as well as volunteering my time with various community organizations and growing my faith and community connectedness within my lifelong church, First Presbyterian Church of Fernandina Beach.

Present Commitment

Today, I continue to invest in our community as the owner of Florida Psychological Associates, a local business that recently celebrated its 10th anniversary serving thousands of community members, including at-risk children in Fernandina Beach and veterans who participate in the diversionary Veteran's Treatment Court Program. This professional work has deepened my understanding of and commitment to the well-being of Fernandina Beach residents.

The property at 2747 Ocean Drive represents my decision to further root myself and my son in this community that has meant so much to my family for generations. What was once an investment rental property co-owned by a family member will now become our homestead—a place where another generation can develop the same deep appreciation for this special coastal community.

Environmental Stewardship

Growing up on Amelia Island has instilled in me a profound respect for our natural environment. The beaches, dunes, maritime forests, and wildlife have been the backdrop to my life, I feel a personal responsibility to preserve these features for future generations.

My variance request reflects this commitment to environmental stewardship. By seeking permission to place the accessory structure in front of the principal dwelling, I aim to minimize my impact on the valuable tertiary dunes and mature trees at the rear of the property—natural features that contribute to the island's environmental health and resilience.

Neighborhood Enhancement

Beyond environmental preservation, my project will enhance the neighborhood's appearance by housing vehicles in a garage rather than having them parked in the front yard. This improvement addresses the city's concern for maintaining attractive streetscapes and visual appeal in residential areas.

Looking Forward

My decision to convert this property from a rental duplex to a single-family home represents my continuing investment in Fernandina Beach's future. I believe that thoughtful development that respects our community's character and natural environment is essential to preserving what makes our island special.

As an 6th generation resident raising the 7th generation here, I am committed to being a good steward of both our community's heritage and its natural resources. The requested variance would allow me to create a home that honors both traditions while contributing positively to the neighborhood and the broader Fernandina Beach community.

I deeply appreciate your consideration of this request, which would allow me to continue my family's long legacy of contributing to and caring for this special place we all call home.

May 7, 2025

City of Fernandina Beach
Board of Adjustment
204 Ash Street
Fernandina Beach, FL 32034

**RE: Support for Variance Request at 2747 Ocean Drive (Parcel ID
00003115500011000)**

Dear Board of Adjustment Members:

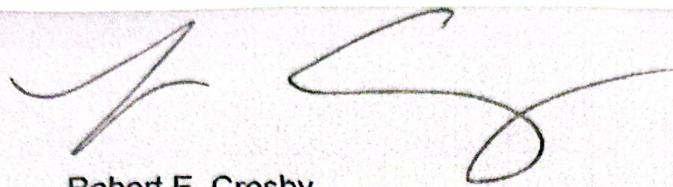
We are writing to express our support for the variance request submitted by Catherine Hardee for her property at 2747 Ocean Drive.

As longtime residents of Fernandina Beach (2865 1st Avenue), we have reviewed the proposed project and fully support her request to locate a detached accessory structure in front of her principal building rather than behind it as would typically be required by Land Development Code Section 5.01.03(H).

We support this variance for the following reasons:

1. **Community-Minded Approach:** Ms. Hardee's project demonstrates thoughtful consideration of both private property rights and community environmental values, striking a balance that benefits our coastal neighborhood.
2. **Preservation of Natural Coastal Features:** The variance allows for the protection of tertiary dunes and mature trees that contribute to our island's natural coastal defenses and environmental health.
3. **Improved Code Compliance:** Converting a non-conforming duplex to a conforming single-family residence brings the property into greater harmony with zoning requirements, even while seeking this single accommodation.
4. **Minimal Impact:** The proposed accessory structure will comply with all other dimensional requirements, including size, height, and setbacks - only its location requires a variance.
5. **Timing Consideration:** The code requirement at issue was only enacted around 2022-2023, while the environmental features being preserved have existed for decades, making this a reasonable accommodation.

As longtime members of this community, we appreciate the careful thought Ms. Hardee has put into this project. Her approach preserves valuable natural features while improving her property in a way that enhances our neighborhood.



Robert E. Crosby
Rebecca L. Crosby
2865 1st Avenue
Fernandina Beach, FL 32034

[Letter drafted by Catherine Hardee for consideration and signature by recipient]

Martha McCann
2766 Robert Oliver Ave
Fernandina Beach, FL. 32034

May 6, 2025

City of Fernandina Beach

Board of Adjustment

204 Ash Street

Fernandina Beach, FL. 32034

Re: Support for the Variance Request at 2747 Ocean Drive (Parc ID 0000311500011000)

Dear Board of Adjustment Members:

My home is behind the property named above. While I have not seen the proposed project plans, I am writing this to support a plan that maintains the integrity of the greenway which separates our homes. The ecological preservation of the existing greenway provides protection from storm winds for our homes. Over the last ten years, I have seen the greenway being compromised through vine growth, removal of existing trees (in the greenway and adjacent to it) and construction and natural events such as strong winds, not only hurricanes. Just two days ago huge limbs broke from a tree in the greenway and fell onto two properties next to my home. Any disruption to the ecology because of tree removal, both in and out of the greenway needs to be studied and avoided. Please act to preserve the natural buffer provided by the greenway.

Respectfully,

Martha McCann

May 7, 2025

City of Fernandina Beach
Board of Adjustment
204 Ash Street
Fernandina Beach, FL 32034

**RE: Support for Variance Request at 2747 Ocean Drive (Parcel ID
00003115500011000)**

Dear Board of Adjustment Members:

I am writing to express my strong support for the variance request submitted by Catherine Hardee for her property at 2747 Ocean Drive.

As a nearby neighbor (2757 Ocean Drive) and previous co-owner of the property in question, I have intimate knowledge of both the property's features and Ms. Hardee's plans. I fully support her request to locate a detached accessory structure in front of her principal building rather than behind it as would typically be required by Land Development Code Section 5.01.03(H).

I support this variance for the following reasons:

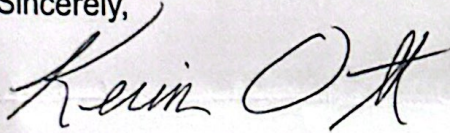
1. **Firsthand Knowledge of Environmental Value:** Having co-owned this property, I can personally attest to the significant environmental value of the tertiary dunes and mature trees at the rear of the property. These features should be preserved rather than destroyed.
2. **Property Improvement with Environmental Sensitivity:** Ms. Hardee's plan thoughtfully balances property improvements with environmental preservation, demonstrating responsible stewardship of our coastal resources.
3. **Substantial Code Compliance Improvement:** The conversion from a non-conforming duplex to a conforming single-family residence brings the property into significantly better alignment with zoning requirements, even while requesting this one accommodation.
4. **Mature Tree Preservation:** The 5-7 mature trees in the rear yard that would need to be removed under strict code application provide valuable habitat, shade, and aesthetic value that benefits the entire neighborhood.

5. **Reasonable Timing Consideration:** The code requirement at issue was only enacted around 2022-2023, while the natural features being preserved have existed for decades, making this variance a sensible accommodation.

Having been involved with this property for years, I can confidently state that Ms. Hardee's proposed approach represents the most environmentally responsible way to improve the property while bringing it into greater code compliance.

I respectfully request that you approve this variance request.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Ott", with a stylized flourish at the end.

Kevin Ott
2757 Ocean Drive
Fernandina Beach, FL 32034

May 7, 2025

City of Fernandina Beach Board of Adjustment
204 Ash Street
Fernandina Beach, FL 32034

RE: Support for Variance Request at 2747 Ocean Drive (Parcel ID 00003115500011000)

Dear Board of Adjustment Members:

I am writing to express my support for the variance request submitted by Catherine Hardee for her property at 2747 Ocean Drive.

As a nearby neighbor at 2754 Ocean Drive, I have reviewed the proposed project and fully support her request to locate a detached accessory structure in front of her principal building rather than behind it as would typically be required by Land Development Code Section 5.01.03(H).

I support this variance for the following reasons:

1. **Neighborhood Enhancement:** The proposed design improves the appearance of our street by providing a garage that will eliminate the need for front-yard parking, creating a more organized and attractive streetscape.
2. **Environmental Conservation:** The variance allows for the preservation of significant tertiary dunes and mature trees at the rear of the property that contribute to the natural beauty and environmental health of our coastal neighborhood.
3. **Appropriate Scale and Design:** The proposed accessory structure will maintain appropriate setbacks and architectural character consistent with our neighborhood.
4. **Code Harmonization:** By converting a non-conforming duplex to a conforming single-family residence, Ms. Hardee is actually bringing the property into greater compliance with current zoning requirements.
5. **Balance of Recent Regulations and Established Features:** The code requirement at issue was only recently enacted (2022-2023), while the environmental features being preserved have existed for decades, making this a reasonable accommodation.

Consequences if Variance is Denied

If this variance is denied, our neighborhood would be negatively affected in the following ways:

- Loss of approximately 600 square feet of tertiary dunes that help protect our coastal environment
- Removal of 5-7 mature trees that contribute to our neighborhood's character and wildlife habitat
- Continued front-yard parking instead of the more attractive garage solution
- Less overall improvement to a property transitioning from non-conforming to conforming status
- Disruption of natural drainage patterns that currently benefit all properties in the area

As a resident who values both thoughtful development and environmental protection, I believe this variance strikes the right balance. It allows for reasonable property improvement while preserving natural coastal features that benefit our entire community.

I respectfully request that you approve this variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read "B Webb", with a stylized, cursive script.

Brittany Webb
2754 Ocean Drive
Fernandina Beach, FL 32034

[Letter drafted by Catherine Hardee for consideration and signature by recipient]



First Coast Urban Forestry, LLC. - Arboriculture Consultants
120 South 17th Street
Fernandina Beach, FL 32034

2747 Ocean Drive (City of Fernandina Beach) - Drew Residence

My assignment was to perform a Tree Resource Evaluation of the property in advance of planned improvements to the property, and provide feedback as to the overall impacts to trees on the property from the proposed improvements. An onsite limited visual assessment of the trees was performed on April 30th 2025. A copy of the Tree Resource Evaluation Report is included for reference. I observed that the trees and overall tree canopy was in an overall good condition and was consistent with a Maritime Forest/Hammock Vegetation Community, a predominately evergreen hardwood forest which populates stabilized sand dunes on the coastal islands of Northeast Florida, and that the existing topography of the site appeared to be in a mostly natural condition. Maritime Forest/Hammock Vegetation Community ranked by the Florida Natural Areas Inventory (FNAI) as S2 (Imperiled in Florida because of rarity, or to extinction due to some natural or man-made factor) / G3 (Either very rare and local throughout its range, found locally in a restricted range, or vulnerable to extinction from other factors).

The proposed improvements (duplex conversion to single family residence, accessory building construction, and breezeway connection between the two structures) to the property is likely to only result in the removal of Eight (8) 'healthy' protected trees with a total DBH of seventy-six inches (76") and one (1) additional tree that was in a poor condition. The improvements would be limited primarily to the northeast portion of the property leaving the vast majority of the tree canopy intact, reducing the likelihood of subsequent impacts on the existing tree canopy that may result from changes in wind loads on the remaining trees. While the location of the improvements results in impacts to the existing trees, the proposed site plan would result in the minimum overall impact to the existing trees on the site and impact only those trees with the lowest visual aesthetics. A copy of a tree survey with proposed trees to be removed is provided for reference.

If the location of the proposed accessory structure is required to be behind the primary structure on the property, more extensive impacts to the trees on the site and potentially adjacent properties are likely due to:

- 1) The location of the driveway to reach an accessory building in the rear of the property would likely need to be on the south side of the lot, since there is adequate space for the driveway between the existing structure and property boundary. This would necessitate in the clearing of trees and vegetation which were in the best condition on the property and had the highest visual aesthetic impacts. Roughly, a minimum of seven (7) trees with a total of one hundred and six inches (106") of DBH removed.
- 2) Regrading of the rear (west) portion of the lot to allow for the accessory building to be constructed, and further impacts from operation of heavy equipment are likely from this required site work would result in further tree loss on the west side of the lot (likely a minimum additional five (5) trees with a total of fifty-one inches (51") of DBH Removed). And may further impact trees on the adjacent property to the north, west and south, from changes in natural topography and existing drainage patterns.

Accordingly, the overall direct tree impacts would be increased by a minimum of five (5) additional removed trees and an additional eighty-one inches (81") of DBH.

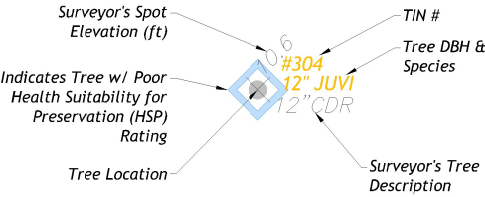
Leopold Adler IV
First Coast Urban Forestry, LLC.
ISA Certified Arborist: SO-10363A
Tree Risk Assessment Qualified
May 5, 2025

Property Information:

- PIN: 00-00-31-1550-0011-0000
- Address: 2747 Ocean Drive
- Municipality: City of Fernandina Beach, Florida
- Zoning: R-2 (City of Fernandina Beach)
- FLUM: Medium Density Residential (City of Fernandina Beach)
- HOA: None
- Project Type: Residential Renovation and ADU Construction

- Note: This document is intended for use as an informational aid, and shall not be interpreted as an official survey, or architectural and/or engineering plan.

Legend: Color of TIN# and Tree DBH & Species Corresponds to HSP Rating (Green=Good, Yellow=Fair, Red=Poor)

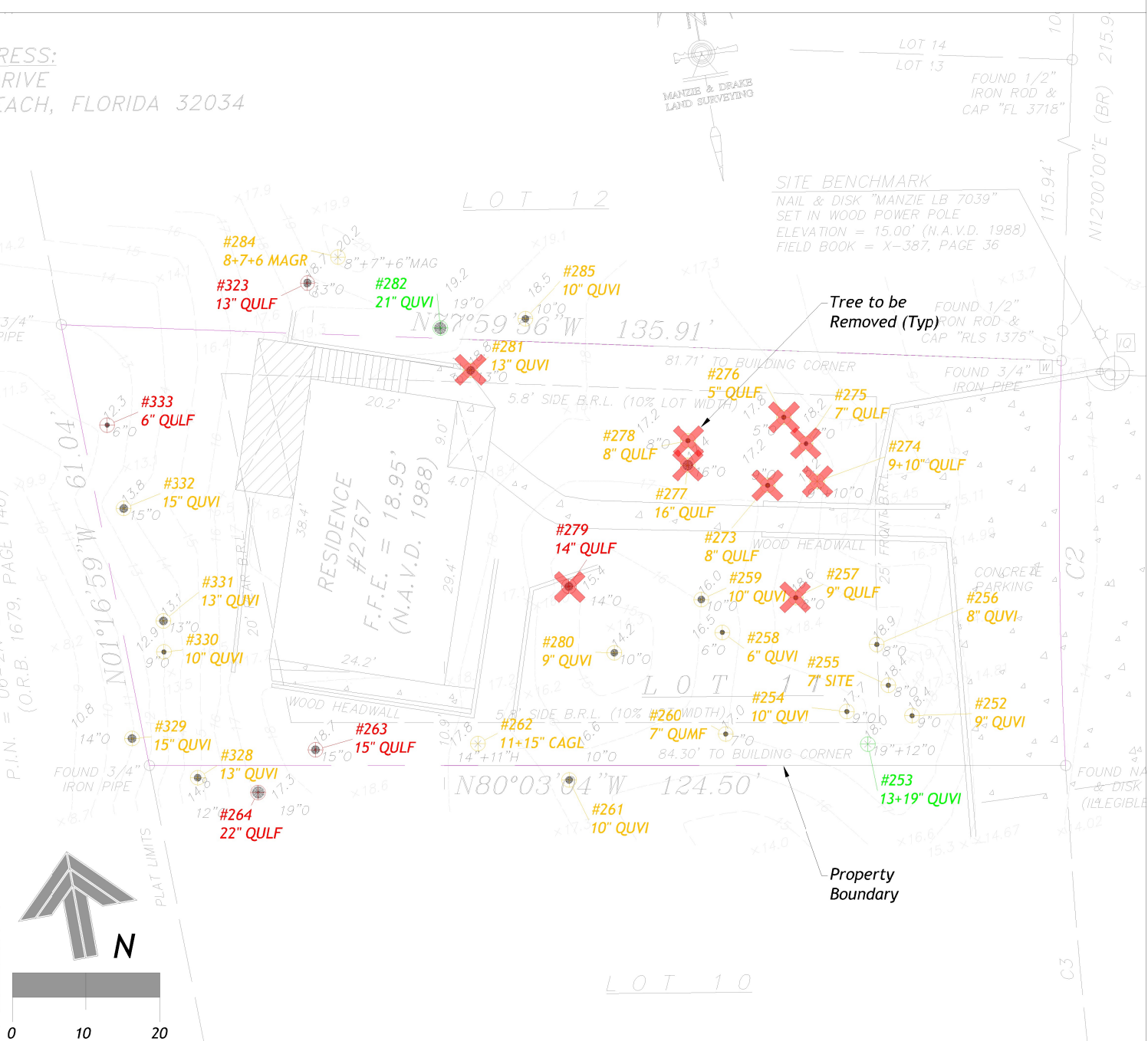


Notes:

- Original boundary, topographic and tree survey (#22142) was performed by Manzie & Drake Land Surveyors.
- A total of thirty-two (32) trees with a total combined DBH of four hundred and seven inches (407") were encountered on the site.
- No trees that met the minimum 5" DBH requirement to be considered a protected tree (COFB LDC 4.05.14.B) were encountered on the site that were not shown on the provided survey.
- No significant discrepancies in the descriptions of the trees shown on the provided survey and the trees encountered.
- Health Suitability for Preservation (HSP) Ratings were generated for thirty-two (32) trees with a total combined DBH of four hundred and seven inches (407").
- In total, twenty-seven (27) trees with a total of three hundred and thirty-seven inches (337") of cumulative DBH were determined to be suitable for preservation. These trees qualify for preservation credits, and are subject to replacement requirements and removal fees if removed during development (COFB Land Development Code 4.05.14 B & D).

Tree Population Summary & Legend:

Tree ID	Species	Common Name	Stem Count	Total DBH (ft)	% Total Stem	% Total DBH
CAGL	Carya glabra	Pignut Hickory	1	26	3%	6%
MAGR	Magnolia grandiflora	Southern Magnolia	1	21	3%	5%
QULF	Quercus laurifolia	Laurel Oak	12	142	36%	35%
QUMF	Quercus myrtifolia	Myrtle Oak	1	7	3%	2%
QUVI	Quercus virginiana	Live Oak	16	204	50%	50%
SITE	Sideroxylon tenax	Tough Buckthorn	1	7	3%	2%
Total:			32	407	100%	100%



Catherine Drew
John Dodd Architect, Inc.

2747 Ocean Drive

Tree Inventory & Health Assessment

Project #:	Project Mgr.:	Scale:	Date:
FCUF-250403	LA	1 in. = 20 ft.	04/28/2025
No.	Date	Revision	By
1	04/30/2025	Tree Inventory & Health Assessment	LA



First Coast Urban Forestry, LLC.

120 S. 17th Street
Fernandina Beach, FL 32034
904-335-3249
firstcoasturbanforestry@gmail.com

Leopold Adler
ISA Certified Arborist: SD-10363A





First Coast Urban Forestry, LLC.
Tree Resource Evaluation - 2747 Ocean Drive

Tree Resource Evaluation

2747 Ocean Drive

Fernandina Beach, Florida 32034

Performed by:

First Coast Urban Forestry, LLC.

Leopold Adler

Certified Arborist: SO-10363A

For:

Catherine Drew

John Dodd Architect, Inc.

May 1, 2025



- TREE RESOURCE EVALUATION - 2747 OCEAN DRIVE -
- CATHERINE DREW - JOHN DODD ARCHITECT, INC. -

Site Information & History:

Site Information:

- PIN: 00-00-31-1550-0011-0000
- Address: 2747 Ocean Drive
- Municipality: City of Fernandina Beach (COFB), Florida
- Zoning: R-2 (COFB)
- Future Land Use: Medium Density Residential (COFB)
- Project Type: Single Family Residential Renovation & ADU Construction

Site History:

The parcel of land is currently developed and is integrated within the overall tree canopy. Review of historical satellite imagery (Google Earth & Nassau County GIS) revealed the parcel of land was developed with a residential residence and driveway prior to 1994 (1981). Otherwise there have been no significant changes to the property or tree canopy since that time, and the overall tree canopy is well preserved on the property.

Site Map:



Figure 1: Site Map showing the overall location and the existing condition of the property's overall tree canopy.

Site Tree Inventory & Health Assessment:

Description of Services Performed:

- Client provided a previously conducted survey (#22142, Manzie & Drake Land Surveying) containing the locations and descriptions of thirty-two (32) trees. All trees located on or in close proximity to (within the stated 2 to 3-foot positional tolerance) the site were evaluated in this Tree Resource Evaluation.
- Tree Identification Numbers (TIN) assigned by the surveyor (Manzie & Drake Land Surveying) were used in this Tree Resource Evaluation.
- The genus and species for individual trees on site was identified, and the diameter at breast height (DBH) measured using a diameter measuring tape. Adjustments to any DBH measurements from the surveyor's measurements are noted in the Site Tree Inventory & Health Assessment (see page 10).
- A ground based limited visual assessment of form/structure for all trees on site was performed. Trees were rated on a scale of 1-5: (1- extreme structural defects (unstable); 2- major structural defects (poor, potential instabilities); 3- moderate structural defects (fair); 4- minor structural defects (good); 5: no apparent structural defects (excellent)).
- A ground based limited visual assessment of health for all trees on site was performed. Trees were rated on a scale of 1-5: (1- severe decline (dead/dying); 2- major defects and significant decline (poor); 3- moderate defects and decline (fair); 4- minor defects (good); 5: vigorous growth and healthy appearance (excellent)).
- The relative age (Juvenile, Mature, or Overmature) of the trees on the site was estimated. (Juvenile < 1/3 the typical lifespan of species, 1/3 typical lifespan of species < Mature < 2/3 typical lifespan of species, 2/3 typical lifespan of species < Overmature).
- Trees on the site were rated for their aesthetic value of the tree to the appearance of the site, and desirability of the tree species (Low, Medium, & High).
- Individual trees' canopy class within the overall tree canopy was identified (S- suppressed, I- Intermediate, CD- Codominant, D- Dominant).
- A copy of the provided survey was amended to show individual TIN Numbers, the corresponding surveyor's tree descriptions, trees that were not evaluated, and trees encountered on the site which were not on the provided boundary survey is included in the Site Tree Survey of this report (see page 8).

Site Tree Inventory & Health Assessment:

Overview of Results:

- A total of thirty-two (32) trees with a total combined DBH of four hundred and seven inches (407") were encountered on the site.
- No trees that met the minimum 5" DBH requirement to be considered a protected tree (COFB LDC 4.05.14.B) were encountered on the site that were not shown on the provided survey. No significant discrepancies in the descriptions of the trees shown on the provided survey and the trees encountered.
- Tree species encountered and identified during the tree inventory are shown in Figure 2, above. Live Oak was the dominant tree species, accounting for fifty percent (50%) of the total trees encountered and the total DBH.
- All of the tree species encountered on the site are considered protected tree species within the jurisdiction of the City of Fernandina Beach (COFB LDC Section 4.05.14.B), and are consistent with a Maritime Hammock/Forest Vegetation Community, ranked by the Florida Natural Areas Inventory (FNAI) as S2 (Imperiled in Florida because of rarity, or to extinction due to some natural or man-made factor) / G3 (Either very rare and local throughout its range, found locally in a restricted range, or vulnerable to extinction from other factors).
- The observed understory present on site was primarily fragmented and invaded by invasive species (primarily: Tuberous Sword Fern (*Nephrolepis cordifolia*), Spenger's Asparagus Fern (*Asparagus aethiopicus*)), but existing native species consistent with the vegetation community were also observed, including Yaupon Holly (*Ilex vomitoria*), Coral Bean (*Erythrina herbacea*), Saw Palmetto (*Serenoa repens*), Cherry Laurel (*Prunus caroliniana*), Red Bay (*Persea borbonia*), and Tough Buckthorn (*Sideroxylon tenax*).
- A complete list of trees encountered on site, their corresponding TIN numbers, collected data, ratings, and notes collected during the Site Tree Inventory and Health Assessment (see page 10) is provided in this report.

<u>Tree ID</u>	<u>Species</u>	<u>Common Name</u>	<u>Stem Count</u>	<u>Total DBH (in)</u>	<u>% Total Stems</u>	<u>% Total DBH</u>
CAGL	<i>Carya glabra</i>	Pignut Hickory	1	26	3%	6%
MAGR	<i>Magnolia grandiflora</i>	Southern Magnolia	1	21	3%	5%
QULF	<i>Quercus laurifolia</i>	Laurel Oak	12	142	38%	35%
QUMF	<i>Quercus myrtifolia</i>	Myrtle Oak	1	7	3%	2%
QUVI	<i>Quercus virginiana</i>	Live Oak	16	204	50%	50%
SITE	<i>Sideroxylon tenax</i>	Tough Buckthorn	1	7	3%	2%
Total:			32	407	100%	100%

Figure 2: Tree Population Summary- Total number of trees and total DBH (inches) of all trees evaluated and for individual tree species are shown. Trees shaded green indicate tree species that are considered protected trees within the jurisdiction of the City of Fernandina Beach (COFB LDC Section 4.05.14.B). Trees shaded red indicate trees listed on Florida Exotic Pest Plant Council (FLEPPC) Category I or II invasive plant lists and are not considered protected trees within the jurisdiction of the City of Fernandina Beach (COFB LDC Section 4.05.14.B).

Tree Health Suitability for Preservation Report:

Description of Services Performed:

- Individual tree data collected during tree inventory and health assessment was analyzed to develop an overall rating which indicates the suitability of the tree for preservation prior to site development and construction activities based upon existing tree and site conditions, the Health Suitability for Preservation (HSP) Rating. The HSP rating system is adapted from ANSI A-300 Part 5, 2016 (Management of Trees and Shrubs During Site Planning, Site Development, and Construction) and ISA Best Management Practices: Managing Trees During Construction (2016). Trees are rated on a scale of 12-50, with 50 indicating the highest suitability for preservation.
- The HSP rating system provides a guideline for determining the ability of trees to withstand stresses associated with construction and development activities. An ISA-certified arborist may deem trees suitable or unsuitable for preservation based on observed health, structural, or other characteristics if necessary and warranted.
- Trees possessing a HSP rating greater than 30 (Fair or Good), or otherwise explicitly deemed unsuitable by an ISA-certified arborist, are considered a healthy protected tree (COFB Land Development Code 4.05.14.B), qualifying the tree for tree preservation credits & for tree replacement requirements if removed during site development (COFB Land Development Code 4.05.14.D).

COFB Requirements for Trees Suitable for Preservation:

- All healthy protected trees to be preserved on site are subject to tree protection requirements and specifications (COFB Land Development Code 4.05.14.E), and penalties for violation of requirements and specifications (COFB Land Development Code 11.08.04).
- Removal of protected trees within the jurisdiction of the City of Fernandina Beach requires a tree removal permit and payment of protected tree removal fees. The tree removal permit and fees are submitted with a Technical Review Committee or Building Permit Application. Tree removal fees are assessed at a rate of a base \$500.00 dollar fee (for the first three (3) trees removed), and \$150.00 for each protected tree removed.
- Commercial, Residential, and Mixed-use development projects are exempt from replacement of fifty (50%) percent of the total protected tree DBH within five (5) feet of proposed improvements to the property (COFB Land Development Code 4.05.14.B).
- Mitigation/Replacement of removed healthy protected trees can be accomplished through any combination of preservation of healthy protected trees on the site, replanting of new trees (minimum 2.5" caliper), and contributions to the COFB Tree Replacement Fund (up to 50% of total protected DBH removed less the credits received for preservation of trees on the site tree DBH, at a cost of \$400/ each 2.5" DBH tree) (COFB Land Development Code 4.05.14.D).

Tree Health Suitability for Preservation Report:

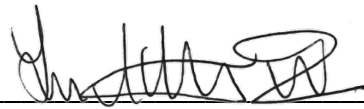
Overview of Results:

- Health Suitability for Preservation (HSP) ratings were generated for thirty-two (32) trees on the site (excludes FLEPPC Category I or II invasive species and trees with DBH less than 5-inches) with a total of four hundred and seven inches (407") of cumulative DBH:
 - o Two (2) trees with a total DBH of fifty-three inches (53") had HSP ratings greater than 40 points (Good), indicating these trees are best suited to withstand stresses associated with site development. These trees qualify for preservation credits, and are subject to replacement requirements and removal fees if removed during development (COFB Land Development Code 4.05.14 B & D).
 - o Twenty-five (25) trees with a total DBH of two hundred and eighty-four inches (284") had HSP ratings less than 40 and greater than or equal to 30 points (Fair), indicating susceptibility to stresses associated with site development. These trees qualify for preservation credits, and are subject to replacement requirements and removal fees if removed during development (COFB Land Development Code 4.05.14 B & D).
 - o Five (5) trees with a total DBH of seventy inches (70") had HSP ratings less than 30 points (Poor) and are not suited to withstand stresses associated with site development. These trees do not qualify for preservation credits, and do not require replacement or removal fees (COFB Land Development Code 4.05.14 B & D).
- In total, twenty-seven (27) trees with a total of three hundred and thirty-seven inches (337") of cumulative DBH were determined to be suitable for preservation. These trees qualify for preservation credits, and are subject to replacement requirements and removal fees if removed during development (COFB Land Development Code 4.05.14 B & D).
- Preservation of trees with poor health or structural HSP component scores (less than 9) should be carefully considered, especially when located nearby proposed improvements to the site.
- Due to the mostly natural condition of the trees on the site and overall tree canopy, preservation of trees on the site should favor trees with Fair or Good HSP ratings and Codominant (CD) or Dominant (D) tree canopy class, or groups/stands of trees.
- A complete list of HSP ratings and the component scores for each individual tree on site is included in this report (see page 14).

- TREE RESOURCE EVALUATION - 2747 OCEAN DRIVE -
- CATHERINE DREW - JOHN DODD ARCHITECT, INC. -

Please note that even the healthiest and most vigorous of trees can be killed or sustain damage that compromises the trees' structural integrity due impacts of construction and site development, if proper and adequate site design and tree protection measures are not developed and properly implemented by design professionals and contractors. Prevention of impacts is the most effective means of mitigating and/preventing adverse impacts to tree health and structural integrity of trees during site development and construction.

It has been a pleasure to provide these services and evaluations for your project and your trees. I hope that we can be of additional service and help you realize the most value from your trees during your project. We would be happy to answer any questions or concerns about the content of this report.



Leopold Adler IV

First Coast Urban Forestry, LLC.

ISA Certified Arborist: SO-10363A

May 1, 2025

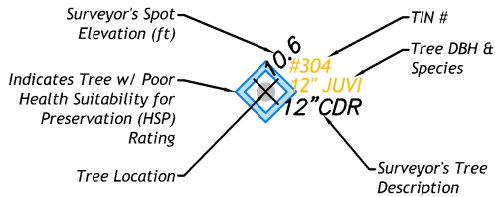
Disclaimer: This report does not provide an any assessment of the risks associated with the trees, or subsequent risks associated with trees affected by future construction activities or changes to the environment. Any change to the environment may cause tree or plant decline, death or failure. First Coast Urban Forestry assumes no liability for the failure of trees or parts of trees inspected as a part of this analysis. Trees and plants are living organisms with conditions that can be unknown or undetectable to First Coast Urban Forestry. First Coast Urban Forestry cannot guarantee the health or safety of trees or plants under all circumstances or for a specified period of time, and assumes no liability for such undetectable or unknown defects. First Coast Urban Forestry makes no warranty or guarantee express or implied that problems of deficiencies of trees or plants, or the site in question may not arise in the future. First Coast Urban Forestry does not assume any responsibility for liability associated with the trees on or adjacent to the site, their future demise and/or damage which may result therefrom.

- TREE RESOURCE EVALUATION - 2747 OCEAN DRIVE -
- CATHERINE DREW - JOHN DODD ARCHITECT, INC. -

Site Tree Survey:

- PIN: 00-00-31-1550-0011-0000
- Address: 2747 Ocean Drive
- Municipality: City of Fernandina Beach, Florida
- Zoning: R-2 (City of Fernandina Beach)
- FLUM: Medium Density Residential (City of Fernandina Beach)
- HOA: None
- Project Type: Residential Renovation and ADU Construction

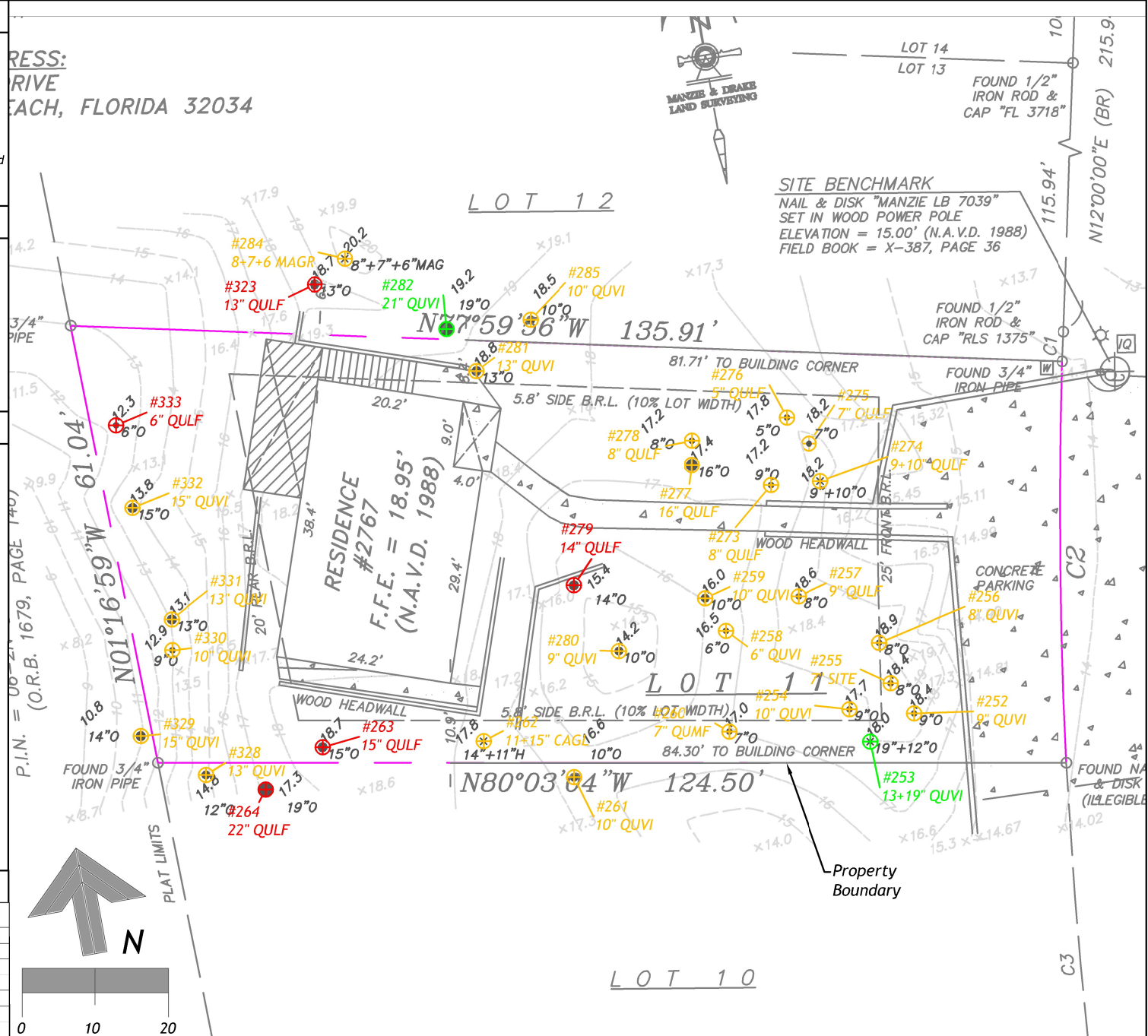
Legend: Color of TIN# and Tree DBH & Species Corresponds to HSP Rating (Green=Good, Yellow=Fair, Red=Poor)



- Original boundary, topographic and tree survey (#22142) was performed by Manzie & Drake Land Surveyors.
- A total of thirty-two (32) trees with a total combined DBH of four hundred and seven inches (407") were encountered on the site.
- No trees that met the minimum 5" DBH requirement to be considered a protected tree (COFB LDC 4.05.14.B) were encountered on the site that were not shown on the provided survey.
- No significant discrepancies in the descriptions of the trees shown on the provided survey and the trees encountered.
- Health Suitability for Preservation (HSP) Ratings were generated for thirty-two (32) trees with a total combined DBH of four hundred and seven inches (407").
- In total, twenty-seven (27) trees with a total of three hundred and thirty-seven inches (337") of cumulative DBH were determined to be suitable for preservation. These trees qualify for preservation credits, and are subject to replacement requirements and removal fees if removed during development (COFB Land Development Code 4.05.14 B & D).

Tree ID	Species	Common Name	Stem Count	Total DBH (in)	% Total Stem	% Total DBH
CAGL	<i>Carya glabra</i>	Pignut Hickory	1	26	3%	6%
MAGR	<i>Magnolia grandiflora</i>	Southern Magnolia	1	21	3%	5%
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QUMF	<i>Quercus myrtifolia</i>	Myrtle Oak	1	7	3%	2%
QUVI	<i>Quercus virginiana</i>	Live Oak	16	204	56%	50%
SITE	<i>Sideroxylon tenax</i>	Tough Buckthorn	1	7	3%	2%
Total:			32	407	103%	100%

Tree Inventory & Health Assessment



Project #:		Project Mgr.:		Scale:		Date:	
FCUF-250403		LA		1 in. = 20 ft.		04/28/2025	
No.	Date	Revision					B
1	04/30/2025	Tree Inventory & Health Assessment					LA



120 S. 17th Street
Fernandina Beach, FL 32034

904-335-3249
firstcoasturbanforestry@gmail.com

Leopold Adler
ISA Certified Arborist: SO-10363A



- TREE RESOURCE EVALUATION - 2747 OCEAN DRIVE -
- CATHERINE DREW - JOHN DODD ARCHITECT, INC. -

Site Tree Inventory & Health Assessment:

- Tree Resource Evaluation - Tree Inventory and Health Assessment -
- Catherine Drew - 2747 Ocean Drive -

<u>TIN</u>	<u>Surveyor Description</u>	<u>DBH (in)</u>	<u>Species</u>	<u>Form Score (1-5)</u>	<u>Health Score (1-5)</u>	<u>Relative Age (OM,M,J)</u>	<u>Aesthetic Value (L,M,H)</u>	<u>Canopy Class (S,I,CD,D)</u>	<u>Comments</u>
252	9"O	9	<i>Quercus virginiana</i>	4	4	M	M	I	Bowed trunk and lopsided canopy to E, pruning wounds w/ minor decay and good codit
253	19"+12"O	32	<i>Quercus virginiana</i>	4	5	M	H	CD	Codominant v-union @ 3' (19+13"), slightly lopsided canopy to S, dead limbs in lower canopy, multiple codominant branches in lower and middle canopy
254	9"O	10	<i>Quercus virginiana</i>	4	4	M	M	CD	Codominant u-unions @ 7' & 15', slightly narrow canopy and lopsided to N
255	8"O	7	<i>Sideroxylon tenax</i>	3	5	M	M	I	Lopsided canopy to E, wound at base w/ moderate decay and good codit
256	8"O	8	<i>Quercus virginiana</i>	4	4	M	M	CD	Bowed trunk and lopsided to NE, low aspect ratio codominant 'u'-union @ 12', partially buried root flare
257	8"O	9	<i>Quercus laurifolia</i>	3	3	M	M	I	Codominant 'u'-union @ 12', previous limb failures w/ moderate decay and poor codit
258	6"O	6	<i>Quercus virginiana</i>	4	4	J	M	I	Weak and narrow canopy due to low availability of canopy space, pruning wounds w/ good codit
259	10"O	10	<i>Quercus virginiana</i>	4	5	M	M	CD	Codominant 'u'-union @ 20'
260	7"O	7	<i>Quercus myrtifolia</i>	3	4	M	M	I	Codominant 'u'-union @ 12', wound to trunk at 9' w/ moderate decay and good codit
261	10"O	10	<i>Quercus virginiana</i>	4	4	M	M	I	Slight lean to SW w/ response growth at root flare, codominant 'u'-union @ 15', lopsided canopy to S and W
262	14"+11"H	26	<i>Carya glabra</i>	3	4	M	H	D	Codominant 'v'-union w/ included bark @ 2' w/ low AR (11+15), multiple further codominant unions, limbs on NW and W side of canopy w/ poor taper, minor necrosis in upper canopy

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<u>TIN</u>	<u>Surveyor Description</u>	<u>DBH (in)</u>	<u>Species</u>	<u>Form Score (1-5)</u>	<u>Health Score (1-5)</u>	<u>Relative Age (OM,M,J)</u>	<u>Aesthetic Value (L,M,H)</u>	<u>Canopy Class (S,I,CD,D)</u>	<u>Comments</u>
263	15"O	15	<i>Quercus laurifolia</i>	3	4	M	L	I	Codominant 'u'-union @ 9', moderate diameter pruning wound w/ moderate decay and fair codit at point of union
264	19"O	22	<i>Quercus laurifolia</i>	2	4	M	L	D	Previous wounding to base w/ butt rot and significant heartwood decay from ground to 6', response growth in lower trunk, codominant unions in canopy
273	9"O	8	<i>Quercus laurifolia</i>	4	4	M	M	CD	Slight trunk lean to S, lopsided canopy to S, vines
274	9"+10"O	19	<i>Quercus laurifolia</i>	3	4	M	M	CD	Codominant v'-union at 0.5' (9+10"), significant trunk bow to E, lopsided canopy to E
275	7"O	7	<i>Quercus laurifolia</i>	4	4	J	L	I	Weak canopy with low vigor, pruning wound at 4' w/ good codit
276	5"O	5	<i>Quercus laurifolia</i>	3	4	J	L	I	Weak canopy with low vigor, minor canopy necrosis
277	16"O	16	<i>Quercus laurifolia</i>	4	5	M	M	D	Codominant 'v'-union @ 15', multiple codominant branches in upper canopy, slightly lopsided canopy to W
278	8"O	8	<i>Quercus laurifolia</i>	4	4	J	M	CD	Overall good, slightly reduced trunk taper
279	14"O	14	<i>Quercus laurifolia</i>	3	3	M	L	CD	Codominant 'u'-union @ 12', limbs w/ poor taper on W side of canopy, canopy lopsided to W, numerous burls and stem cankers, wounds at base w decay and fair codit, buried root flare, moderate canopy necrosis
280	10"O	9	<i>Quercus virginiana</i>	4	5	M	M	CD	Lopsided canopy to S, codominant 'u'-union w/ low aspect ratio @ 18'

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<u>TIN</u>	<u>Surveyor Description</u>	<u>DBH (in)</u>	<u>Species</u>	<u>Form Score (1-5)</u>	<u>Health Score (1-5)</u>	<u>Relative Age (OM,M,J)</u>	<u>Aesthetic Value (L,M,H)</u>	<u>Canopy Class (S,I,CD,D)</u>	<u>Comments</u>
281	13"O	13	<i>Quercus virginiana</i>	3	4	M	M	CD	Codominant 'u'-union @ 15', small girdling roots on north side of trunk, root flare restricted by concrete on S side of the trunk
282	19"O	21	<i>Quercus virginiana</i>	4	4	M	H	D	Codominant 'u'-union @ 15', slightly lopsided canopy to SW, overall good
284	8"+7"+6" MAG	21	<i>Magnolia grandiflora</i>	3	4	M	M	I	Multi trunked union @ 1' (8+7+6"), beginning to conflict w/ #282 in canopy
285	10"O	10	<i>Quercus virginiana</i>	4	4	M	M	CD	Vines smothering canopy, minor necrosis in canopy, codominant 'u'-union @ 10'
323	13"O	13	<i>Quercus laurifolia</i>	3	3	M	L	I	Previous pruning wounds to trunk w/ moderate decay and fair codit, weak canopy vigor and lopsided canopy to W, vines
328	12"O	13	<i>Quercus virginiana</i>	4	4	M	M	CD	Trunk leans and bows to SW, lopsided canopy to SW, small wound at base w/ good codit, low aspect ratio codominant 'u'-union @ 15'
329	14"O	15	<i>Quercus virginiana</i>	4	5	M	M	CD	Slight trunk lean and bow to W, codominant 'u'-union @ 25', vines
330	9"O	10	<i>Quercus virginiana</i>	4	3	M	M	I	Trunk bowed and twisted, slightly weak canopy vigor, previous limb failures w/ minor decay and fair codit, dead limbs in lower canopy, vines PI
331	13"O	13	<i>Quercus virginiana</i>	4	5	M	M	CD	Trunk sway and twisted, vines
332	15"O	15	<i>Quercus virginiana</i>	4	4	M	M	CD	Vines, codominant 'u'-union @ 20', slightly bowed trunk to W
333	6"O	6	<i>Quercus laurifolia</i>	3	3	J	L	S	Codominant 'v' union @ 8', previous stem failures w/ poor codit, poor branching structure of canopy, vines smothering canopy

- TREE RESOURCE EVALUATION - 2747 OCEAN DRIVE -
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Tree Health Suitability for Preservation:

- Tree Resource Evaluation - Health Suitability for Preservation -
- Catherine Drew - 2747 Ocean Drive -

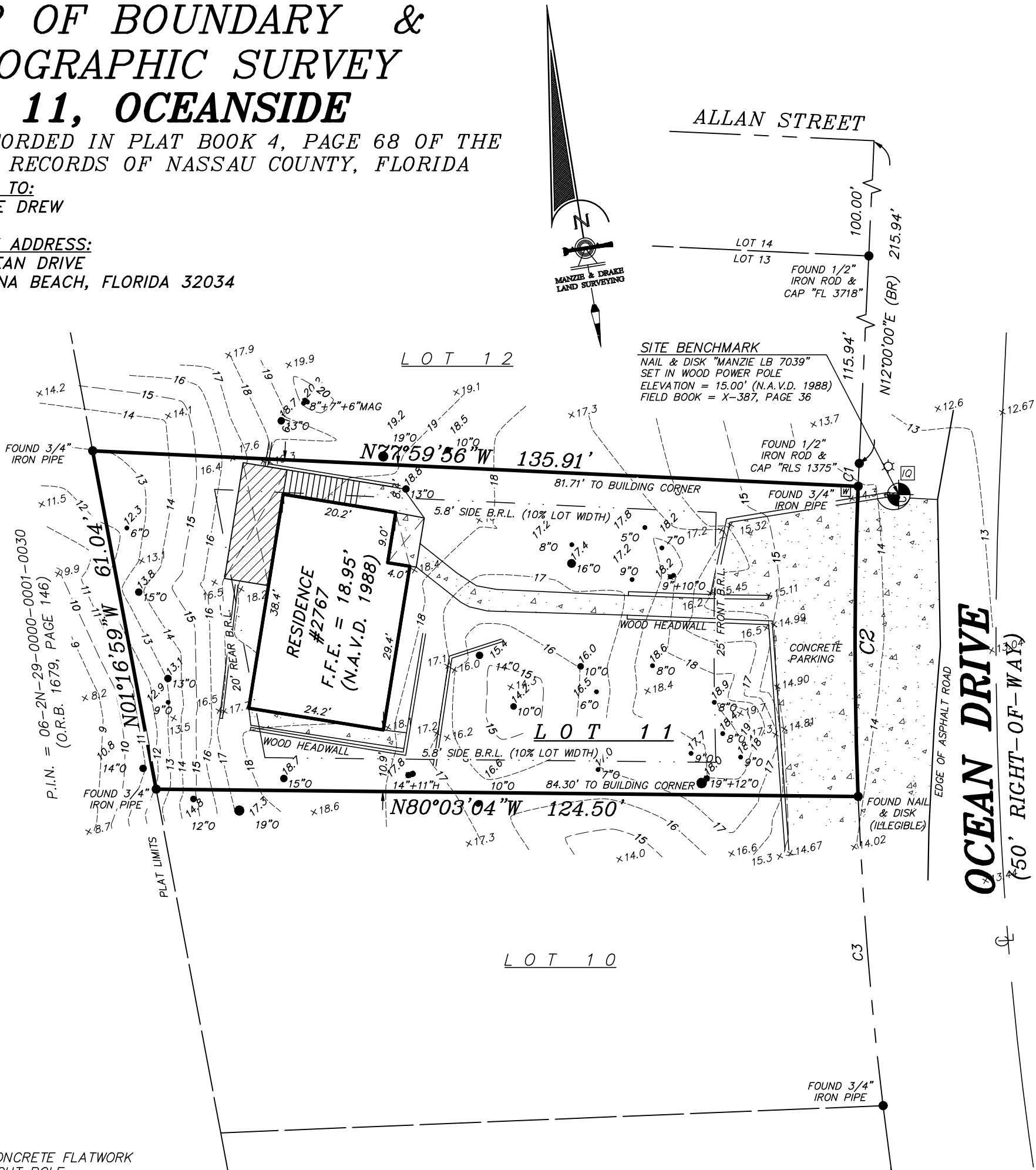
<u>TIN</u>	<u>Species</u>	<u>DBH (in)</u>	<u>Form Score (3-15)</u>	<u>Health Score (3-15)</u>	<u>Relative Age Score (5,7.5,10)</u>	<u>Desirability / Aesthetics (1,5,10)</u>	<u>Health Suitability for Preservation (12-50)</u>	
252	<i>Quercus virginiana</i>	9	12	12	7.5	5	●	36.5 Fair
253	<i>Quercus virginiana</i>	32	12	15	7.5	10	●	44.5 Good
254	<i>Quercus virginiana</i>	10	12	12	7.5	5	●	36.5 Fair
255	<i>Sideroxylon tenax</i>	7	9	15	7.5	5	●	36.5 Fair
256	<i>Quercus virginiana</i>	8	12	12	7.5	5	●	36.5 Fair
257	<i>Quercus laurifolia</i>	9	9	9	7.5	5	●	30.5 Fair
258	<i>Quercus virginiana</i>	6	12	12	10	5	●	39 Fair
259	<i>Quercus virginiana</i>	10	12	15	7.5	5	●	39.5 Fair
260	<i>Quercus myrtifolia</i>	7	9	12	7.5	5	●	33.5 Fair
261	<i>Quercus virginiana</i>	10	12	12	7.5	5	●	36.5 Fair
262	<i>Carya glabra</i>	26	9	12	7.5	10	●	38.5 Fair
263	<i>Quercus laurifolia</i>	15	9	12	7.5	1	●	29.5 Poor
264	<i>Quercus laurifolia</i>	22	6	12	7.5	1	●	26.5 Poor
273	<i>Quercus laurifolia</i>	8	12	12	7.5	5	●	36.5 Fair
274	<i>Quercus laurifolia</i>	19	9	12	7.5	5	●	33.5 Fair
275	<i>Quercus laurifolia</i>	7	12	12	10	1	●	35 Fair
276	<i>Quercus laurifolia</i>	5	9	12	10	1	●	32 Fair
277	<i>Quercus laurifolia</i>	16	12	15	7.5	5	●	39.5 Fair
278	<i>Quercus laurifolia</i>	8	12	12	10	5	●	39 Fair
279	<i>Quercus laurifolia</i>	14	9	9	7.5	1	●	26.5 Poor
280	<i>Quercus virginiana</i>	9	12	15	7.5	5	●	39.5 Fair
281	<i>Quercus virginiana</i>	13	9	12	7.5	5	●	33.5 Fair
282	<i>Quercus virginiana</i>	21	12	12	7.5	10	●	41.5 Good
284	<i>Magnolia grandiflora</i>	21	9	12	7.5	5	●	33.5 Fair
285	<i>Quercus virginiana</i>	10	12	12	7.5	5	●	36.5 Fair
323	<i>Quercus laurifolia</i>	13	9	9	7.5	1	●	26.5 Poor
328	<i>Quercus virginiana</i>	13	12	12	7.5	5	●	36.5 Fair
329	<i>Quercus virginiana</i>	15	12	15	7.5	5	●	39.5 Fair
330	<i>Quercus virginiana</i>	10	12	9	7.5	5	●	33.5 Fair
331	<i>Quercus virginiana</i>	13	12	15	7.5	5	●	39.5 Fair
332	<i>Quercus virginiana</i>	15	12	12	7.5	5	●	36.5 Fair
333	<i>Quercus laurifolia</i>	6	9	9	10	1	●	29 Poor
<u>Total DBH on Site:</u>		407	<u>Total DBH w/ HSP > 30 (Fair or Good):</u>				337	

MAP OF BOUNDARY &
TOPOGRAPHIC SURVEY
LOT 11, OCEANSIDE

AS RECORDED IN PLAT BOOK 4, PAGE 68 OF THE
PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA

CERTIFIED TO:
CATHERINE DREW

PROPERTY ADDRESS:
2747 OCEAN DRIVE
FERNANDINA BEACH, FLORIDA 32034



LEGEND

- CONCRETE FLATWORK
- LIGHT POLE
- COVERED AREA
- IQ FIBER BOX
- WATER METER
- WOOD FLATWORK
- WOOD POWER POLE
- CENTERLINE

F.F.E. = FINISHED FLOOR ELEVATION
O.R.B. = OFFICIAL RECORDS BOOK
P.I.N. = PARCEL IDENTIFICATION NUMBER

BUILDING RESTRICTION LINE (B.R.L.) NOTE:
BUILDING RESTRICTION LINES SHOWN HEREON ARE PER THE CITY OF FERNANDINA BEACH LAND DEVELOPMENT CODE, CHAPTER 4, TABLE 4.0203(E) FOR PROPERTIES ZONED (ADOPTED ON SEPTEMBER 05, 2006)

BUILDING RESTRICTION LINE (BRL) / SET BACK LINE INFORMATION SHOWN HEREON IS BASED ON THE MOST CURRENT INFORMATION AVAILABLE FROM THE APPLICABLE LOCAL GOVERNING AGENCY THERE MAY BE MORE RESTRICTIVE BUILDING RESTRICTIONS AND SET BACKS THAN NOTED DEPENDING ON PROPOSED DESIGN. WHOEVER RELIES ON THIS INFORMATION SHOULD CONFIRM DESIGN INTENT WITH THE LOCAL GOVERNING AGENCY.

SURVEY NOTES:

- Unless it bears the original signature and the original raised seal of a Florida licensed Surveyor and Mapper or Validated Digital Signature by a Florida licensed Surveyor and Mapper, this map/report is for informational purposes only and is not valid.
- The "Legal Description" hereon is in accord with the description provided by the client
- Underground Improvements were not located or shown.
- Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- Bearings shown hereon are based on N12°00'00"E for the westerly right-of-way line of Ocean Drive. The bearing reference line is indicated as thus (BR).
- The property shown hereon lies within flood zone X per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 12089C 0239 G, dated 08/02/2017.
- Site Benchmark is as shown hereon.
- Elevations shown hereon refer to North American Vertical Datum of 1988. (N.A.V.D. '88)
- The Reference Benchmark is a nail & disk "Manzie LB 7039" found in a wood power pole at the northwest intersection of First Avenue & Allan Street. (Elevation = 9.53' N.A.V.D. 1988)

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	4.06'	684.48'	0°20'23"	S11°49'18"W	4.06'
C2	55.01'	684.48'	4°36'18"	S9°21'27"W	55.00'
C3	55.01'	684.48'	4°36'18"	S4°45'09"W	55.00'
C4	44.60'	684.48'	3°43'59"	S0°35'00"W	44.59'

TREE LEGEND:
O = OAK TREE
MAG = MAGNOLIA TREE
H = HICKORY TREE

TREE DISCLAIMER:
NUMBER OF TREES SHOWN ON SURVEY: 37

SPECIES OF TREES HAVE BEEN IDENTIFIED TO THE BEST OF OUR KNOWLEDGE AND BELIEF; HOWEVER MANZIE & DRAKE LAND SURVEYING WILL ASSUME NO LIABILITY, EXPRESSED OR IMPLIED, FOR THE CORRECTNESS OF SAID SPECIES IDENTIFICATION.

TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER CURRENT CONDITIONS AND HAVE A POSITIONAL TOLERANCE OF APPROXIMATELY 2 TO 3 FEET. CRITICAL TREES SHOULD BE VERIFIED PRIOR TO CONSTRUCTION.

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

Michael A
Manzie

Digitally signed by Michael A
Manzie
Date: 2025.01.21 15:55:31
-05'00'

MICHAEL A. MANZIE, P.L.S. 4069

MANZIE & DRAKE LAND SURVEYING

117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 www.ManzieAndDrake.com

Certificate of Authorization Number "LB 7039"

"OUR SIGHTS ARE ON THE FUTURE, SET YOUR SITES ON US."

SCALE: 1"=20' JOB NO: 22142 DATE: 01/16/2025 CADD: LP

F.B. NO: X-387 PAGE NO: 36 CREW: SS FILE NO: A-6076

2. The number of dwelling units in such reconstructed structure does not exceed the number of units in existence at the time of damage or destruction;
 3. The repair or reconstruction is substantially completed within twenty-four months of the date of such damage.
- F. An expansion may be permitted where such expansion is solely to extend an existing use throughout the building in which the use occurs on the date of enactment of this LDC. Such expansion shall not be extended to occupy any land outside the building, including parking and other impervious surfaces.
- G. Any non-conforming use shall be brought into full compliance with all provisions of this Code if any of the following activities occur:
1. When the non-conforming use has been discontinued for a period of 180 days;
 2. If a non-conforming structure or portion of any structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance and is declared by any duly authorized official of the city to be an unsafe building, it shall not thereafter be repaired or rebuilt except in conformity with this land development code.

10.01.03 Exceptions for Affordable Housing and Historic Homes

In accordance with, and in furtherance of the comprehensive plan, certain lots are exempt from the provision of Section 10.01.00 regarding nonconforming buildings.

- A. Development may be permissible when a lot meets the following conditions:
1. The lot complies with the standards set forth in the LDC except that the lot width is less than the standard required for the zoning district in which the lot is located;
 2. The lot is located west of Egans Creek; and
 3. Evidence is provided that development will provide affordable housing for very-low, low, or moderate-income persons or families, as the same are defined in Section 420.602, F.S.
- B. Development is permissible where development is necessary for the preservation of historically significant housing, in compliance with the provisions of the comprehensive plan.

10.02.00 VARIANCES

10.02.01 Generally

- A. Within the Historic District Overlays and the CRA Overlay, the HDC may authorize a variance from the design and improvement standards of the LDC and may issue exceptions from the CRA design guidelines where the required findings of Section 10.02.00 are met.
- B. The BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District Overlay, the CRA Overlay, or as limited by Section 10.02.01(D), where the requirements of Section 10.02.00 are met.
- C. The City Commission may take action to authorize a variance request from LDC Section 4.02.02 for properties which are contained within the Comprehensive Plan defined "Job Opportunity Areas," but only for properties located on the west side of North or South Fletcher Avenues in the "Job Opportunity Areas." The City Commission shall hear such variance requests in accordance with provisions for variances as set forth in Chapter 10.
- D. Limitations on the granting of a variance

1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
4. A variance shall not change the requirements for concurrency.
5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
7. A variance shall not be granted for procedure or process components of this Land Development Code.
8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue except as may be provided in LDC Section 10.02.01 (C) above.
9. A variance shall not be granted which authorizes the filling of wetlands prohibited by LDC Section 3.03.03 (A).
10. No variance will be granted to exceed the maximum building height of 35 feet for a building on any lot within 1,000 feet of the Coastal Construction Control Line (CCCL) under LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1.
11. A variance shall not be granted for any residential or residential mixed-use structure to exceed the maximum building height requirements contained in Table 4.02.03(E).
12. A variance shall not be granted to reduce the minimum side yard setbacks for buildings within 1,000 feet of the Coastal Construction Control Line (CCCL).

10.02.02 Required Findings for a Grant of a Variance

- A. In order for an application for a variance to be approved or approved with conditions, the BOA or the HDC shall find that all of the following criteria apply:
 1. Special Conditions: Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.
 2. Special Privilege: Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.
 3. Literal Interpretation: Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
 4. Minimum Variance: The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.
 5. General Harmony: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.
 6. Public Interest: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.

- B. The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of Section 10.02.02(A).

10.02.03 Additional Criteria for Findings for a Grant of a Variance in the Historic Districts or Community Redevelopment Area

In acting on variance requests in the Historic District Overlays or the Community Redevelopment Area Overlay, the Historic District Council may be guided by the following in addition to the criteria in Section 10.02.02(A):

- A. That a variance is necessary to maintain the historic character of property through demonstrating that:
 - 1. A variance would not be contrary to the public interest, safety, or welfare.
 - 2. Special conditions and circumstances exist, because of the historic setting, location, nature, or character of the land, structure, appurtenance, sign, or building involved, which are not applicable to other lands, structures, appurtenances, signs, or buildings in the same zoning district, which have not been designated as historic sites or a historic district nor listed on the Local Register of Historic Places.
 - 3. Literal interpretation of the provisions of existing ordinances would alter the historic character of the historic district, or historic site to such an extent that it would not be feasible to preserve the historic character, of the historic district or historic site.
 - 4. The variance requested is the minimum necessary to preserve the historic character of a historic site or of a historic district.
 - 5. In the case of the alteration of an existing building, the proposed design would incorporate materials, details, or other elements not permitted by the Land Development Code but which can be documented by photographs, architectural or archaeological research or other suitable evidence to have been used on other buildings of a similar vintage and style in the Historic District in which the building is located, provided that the project will not destroy significant architectural features on the building.
 - 6. In the case of new construction, the proposed design incorporates materials, details, setbacks, massing or other elements that are not permitted by the Land Development Code but which would enhance the quality of the design for the new building or structure, provided that said new building or structure otherwise complies with the criteria for new construction in the Historic District in which the building or structure is proposed to be located and provided further that it would also have a beneficial effect on the historic character of the visually related area.
- B. Or, as an alternative to subsection (A), that a variance is necessary to accommodate an appropriate adaptive reuse of a structure within a Historic District or upon a Historic Site through demonstrating that:
 - 1. A variance would not be contrary to the public interest, safety, or welfare.
 - 2. The variance would not significantly diminish the historic character of the Historic District or Site.
 - 3. That the variance requested is the minimum necessary to affect the adaptive reuse of an existing structure or site.
 - 4. The proposed design would incorporate materials, details, or other elements not permitted by the Land Development Code, but which can be documented by photographs, architectural or archaeological research or other suitable evidence to have been used on other buildings of a similar vintage and style in the Historic