

APPLICATION FOR A FAMILY HARDSHIP DEVELOPMENT
Nassau County, Florida

Filing Date: 12/2/2024
Fee: \$422.00 - PD

Petition Number: FH24-004
Validation Number: _____

TO THE NASSAU COUNTY PLANNING AND ZONING BOARD:

This application is hereby made to the Nassau County Planning and Zoning Board petitioning for a Family Hardship Development on the following described property. [Source: Section 29-3, Chapter 29, Subdivision and Development Review.]

I. OWNER/AGENT INFORMATION

Applicant's Name Michael + Donna Perry Owner's Name Michael + Donna Perry
Address 95373 Barnwell Rd Address 95373 Barnwell Rd
City Fernandina Bch FL Zip 32034 City Fernandina Bch Zip 32034
Phone Number(s) (904) 557-3263 (904) 468-0207

Name of Person(s) Receiving Transfer of Land and Relationship to Applicant

Family Member 1 Daniel J. Perry (child)

Family Member 2 _____

(If additional family members are receiving a transfer of land, please list in the space below.)

None

1. PARCEL INFORMATION

Parcel Identification Number: 46-34-28-0000-0004-0000

Total Acreage of Parent Tract: 1.77

Zoning of Parent Tract: RS-1

Family Hardship Development Name: Perry

Number of Proposed Lot(s) and Acreage per Lot: Parent tract to be divided approximately in half for two (2) lots at approx. 0.8 acre per lot

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Current Use (Actual) and Improvements on the Property: (i.e. Single family home, well, septic, pole barn, etc....)

Single family home with well, septic, and separate 2 car garage

Directions to the Property: (Please start from a State or County Road)

From State rd. 200, continue 1.7 miles north on Barnwell Rd to private easement on the West side.

Basis for the Hardship (pursuant to Section 29-3, Chapter 29, Subdivision and Development Review, as amended):

See attachments "B" and "C"

2. TO BE SUPPLIED AT THE TIME OF SUBMISSION: Attach the items in the order listed below. **The application will not be processed without these items.** Any information changes must be submitted, in writing, to the Department of Planning and Economic Opportunity and received one week prior to the Planning and Zoning Board meeting on which the item shall appear. *** Upon completion of the above application, **please submit the original and 3 copies** to the

County for processing.

The most recent one pertaining to the proposed property; obtained from the Clerk of Court's office.

☐ **Property Deed**

Copy of the proposed Deed to the Family Member which conforms to Section 29-3, Chapter 29, Subdivision and Development Review, as amended.

☐ **Deed**

See Section 3 of this application for required information to be shown on the site plan.

☐ **Detailed Site Plan:**

Maps:

Submit map indicating the proposed family development. The map shall be drawn to scale and indicate the access to be provided and any

☐ **Map:**

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improvements, identify the roads and the

recipient of each tract. See section 3 for more information for the requirements.

Covenants:

☐ **Covenants:**

Submit covenants pursuant to Section 29-3, Chapter 29, Subdivision and Development Review, as amended.

Documentation:

☐ **Identification:**

List, on a separate document, to be attached, each recipient of each tract, include relationship.

☐ **Affidavit:**

An executed Family Member Affidavit must be included in the documentation for each family member receiving a transfer of land, attached hereto.

☐ **Narrative:**

Provide a letter for this application which documents in writing why the requested Family Hardship Development is needed and what special conditions exist that justifies the Development.

3. **Site Plan:** Property owner/agent shall submit a site plan of the proposed Family Hardship Development to be reviewed by the Planning and Zoning Board. The site showing the relationship of the proposed use to the parcel on which it is located. Where a site plan approval is required the following shall be required:

1) Position all criteria on the site plan.

- A. Dimensions of the entire property and the size of the parcel for which a Family Hardship Development is requested, in square feet. Include the approximate division for the transfer of land for the Family Hardship Development.
- B. Name of road fronting property.
- C. Proposed sixty-foot access/utility easement to provide access to all proposed and existing parcels.
- D. All existing structures, and the distance from such structures to: 1) The property line.
2) The setback lines required for that zoning district.

4. The applicant states, under oath, that she/he has read and understands the instructions and submission requirements stated in this application.

I hereby state, under oath, that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant/Owner(s) Signature Michael R. Perry/Deborah Perry Date Dec 23, 2024

5. **APPLICANT INSTRUCTIONS:**

- a. An application for a Hardship Family Development must be accompanied by a fee of \$422. Please note, application fee may be subject to change. **The filing fee will not be collected and the application will not be processed for a Public Hearing until staff has reviewed the application and found it complete.**
- b. Applications, including all required documentation must be submitted to the Planning Department. The application will be reviewed and a determination of completeness will be issued within thirty (30) days. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.
- c. After the application is determined to be complete, staff will prepare a written report and schedule the item for public hearing before the Planning and Zoning Board.

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MAR 26 1991

WARRANTY DEED

BK0622PG0686
OFFICIAL RECORDS

Property deed

This Warranty Deed has been executed, on the date indicated below, by GLADYS T. SCOTT, the unmarried widow of E. V. Scott, Jr., deceased, hereafter called the grantor, to MICHAEL PERRY and DONNA W. PERRY, his wife, whose social security numbers are 266 78 9074 and 267 97 7114, hereafter called the grantee, whose post office address is Rt. 4 Box 320-B, Fernandina Beach, Florida 32034.

(Wherever used herein, the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, that the said grantor, for and in consideration of the sum of Ten and No/100 Dollars, in hand paid by the said grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell to the said grantee, and the grantee's heirs and assigns forever, the following described land, situated, lying, and being in NASSAU County, Florida, to wit:

All that certain lot, parcel and piece of land situate, lying and being in the County of Nassau, State of Florida, being more particularly described and set forth in Exhibit "A" attached hereto and hereby made a part hereof by specific reference.

Subject to all Covenants, Easements, Restrictions and Reservations of record, if any, AND to taxes accruing subsequent to December 31, 1990.

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

In witness whereof, on March 22, 1991, GLADYS T. SCOTT, the unmarried widow of E. V. Scott, Jr., deceased signed this Warranty Deed.

Gladys T. Scott
Grantor-GLADYS T. SCOTT

Donna J. Stillwell
Witness

Elizabeth F. Banta
Witness

State Of Florida
County Of NASSAU

I hereby certify that on this day, before me, an officer duly authorized in NASSAU County, Florida, to take acknowledgements, personally appeared GLADYS T. SCOTT, the unmarried widow of E. V. Scott, Jr., deceased, to me known to be the person described in and who executed the foregoing instrument and who acknowledged before me executing the same.

WITNESS my hand and official seal, on March 22, 1991, in NASSAU County, Florida.

Elizabeth F. Banta
Notary Public

Commission Expiration Date:

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: NOV. 19, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

BU-WD-11

NASSAU
COUNTY



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2024 DEC 2 AM 8:45

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OFFICIAL RECORDS

EXHIBIT "A"

That piece or parcel of land situate, lying within and being a part of the Margaret O'Neil Grant, Section Forty-six (46), Township Three (3) North, Range Twenty-eight (28) East, Nassau County, Florida and being more particularly described as follows:

For a POINT OF REFERENCE commence at the Southeast corner of Lot One (1), Lanceford Creek Plantation as recorded in Plat Book 5, pages 110 and 111 of the public records of said County, said point also lying on the Westerly right of way line of Barnwell Road Extension (Barnwell Road Extension having a 60 foot right of way); thence South Eighty-four (84) degrees, Nineteen (19) minutes, Fifty (50) seconds East, a distance of Thirty (30.0) feet to a point on the center line of right of way of said Barnwell Road Extension as surveyed by Vernon Drake, a professional land surveyor, on 9/21/84, File No. C2-297; thence run South Eleven (11) degrees, Twenty (20) minutes, Twenty (20) seconds West along said center line a distance of One Thousand Six Hundred Twelve (1612.00) feet; thence run South Nine (09) degrees, Thirty-two (32) minutes, Thirty (30) seconds West along said center line a distance of Seven Hundred Thirty-eight and Sixty-one Hundredths (738.61) feet; thence run South Seventy-six (76) degrees, Forty-seven (47) minutes, Thirty-seven (37) seconds West, a distance of Thirty-two and Fifty-three Hundredths (32.53) feet to a point lying on the Westerly right of way line of said Barnwell Road Extension, said point being the POINT OF BEGINNING; thence from the POINT OF BEGINNING thus described continue South Seventy-six (76) degrees, Forty-seven (47) minutes, Thirty-seven (37) seconds West a distance of Eight Hundred Twenty-seven and Eighty-three Hundredths (827.83) feet to an iron rod, hereon known as Point "B" then return to the POINT OF BEGINNING and run North Nine (09) degrees, Thirty-two (32) minutes, Thirty (30) seconds East along the Westerly right of way line of said Barnwell Road Extension, a distance of Two Hundred Sixty-eight and Fifty-five Hundredths (268.55) feet; thence run South Seventy-nine (79) degrees, Three (03) minutes, Twenty-four (24) seconds West, a distance of Six Hundred Ninety-three and Forty-seven Hundredths (693.47) feet to an iron rod; thence continue South Seventy-nine (79) degrees, Three (03) minutes, Twenty-four (24) seconds West, a distance of Twelve (12) feet, more or less, to the division of the highlands and the marshlands of Lanceford Creek; thence run Southerly along said division line and its meanderings thereof Three Hundred Ninety (390) feet, more or less, to said Point "B".

FILED & RECORDED IN PUBLIC
RECORDS OF NASSAU COUNTY, FL
RECORD VERIFIED

9104290

91 MAR 26 AM 10:04

J. H. H.
CLERK OF COURTS
NASSAU COUNTY, FLORIDA

Nassau County Planning Dept
2024 DEC 2 AM 8:45

MAP Detailed Site plan & MAP

Dr

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Michael & Donna Perry
~~Proposed Parent Tract Split~~
Petition for Family Hardship

95395

4-1

4.6 AC

Proposed lot
and recipient

499.30'

250'

250'

138.43'

95379
4-3

Daniel J. Perry
(Son)

~.8 AC
34,848 sq ft

4

3 AC

15'

15'

95357

existing 30' easement
as documented.

4-2

2.5 AC

SHERMAN OAKS DR

BARNWELL RD

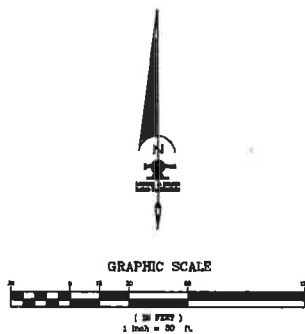
Scale = 1" = 100'

Legal
Existing easement will be extended 100' to
the back property upon approval (see actual drive)
drawing

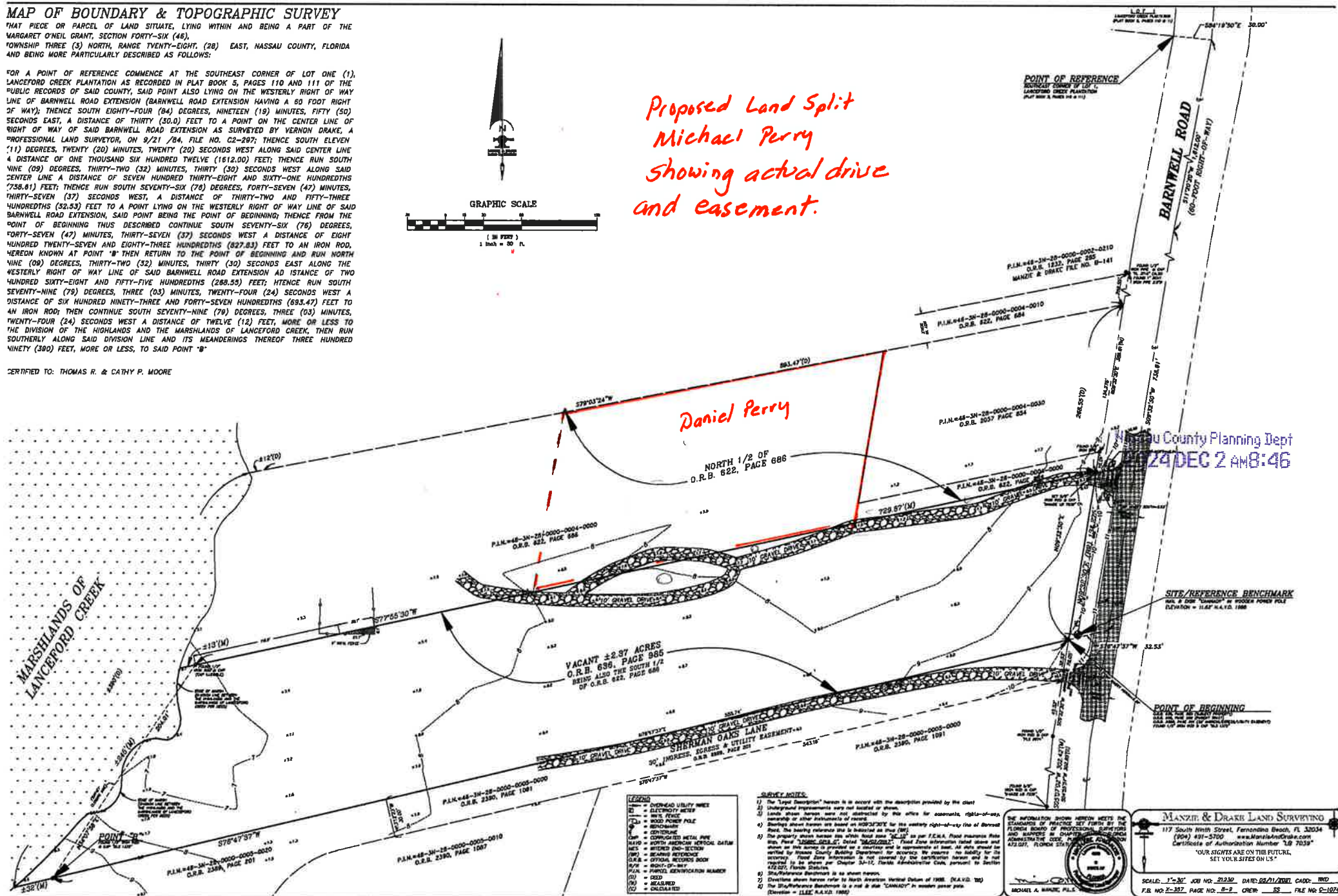
THAT PIECE OR PARCEL OF LAND SITUATE, LYING WITHIN AND BEING A PART OF THE MARGARET O'NEIL GRANT, SECTION FORTY-SIX (46), TOWNSHIP THREE (3) NORTH, RANGE TWENTY-EIGHT, (28) EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF LOT ONE (1), LANCEFORD CREEK PLANTATION AS RECORDED IN PLAT BOOK 5, PAGES 110 AND 111 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID POINT ALSO LYING ON THE WESTERLY RIGHT OF WAY LINE OF BARNWELL ROAD EXTENSION (BARNWELL ROAD EXTENSION HAVING A 60 FOOT RIGHT OF WAY); THENCE SOUTH EIGHTY-FOUR (84) DEGREES, NINETEEN (19) MINUTES, FIFTY (50) SECONDS EAST, A DISTANCE OF THIRTY (30.0) FEET TO A POINT ON THE CENTER LINE OF RIGHT OF WAY OF SAID BARNWELL ROAD EXTENSION AS SURVEYED BY VERNON DRAKE, A PROFESSIONAL LAND SURVEYOR, ON 9/21 /84, FILE NO. C2-297; THENCE SOUTH ELEVEN (11) DEGREES, TWENTY (20) MINUTES, TWENTY (20) SECONDS WEST ALONG SAID CENTER LINE A DISTANCE OF ONE THOUSAND SIX HUNDRED TWELVE (1612.00) FEET; THENCE RUN SOUTH NINE (09) DEGREES, THIRTY-TWO (32) MINUTES, THIRTY (30) SECONDS WEST ALONG SAID CENTER LINE A DISTANCE OF SEVEN HUNDRED THIRTY EIGHT (738.00) FEET; THENCE ALONG THE SOUTHWEST CORNER OF SAID PARCEL (738.61) FEET; THENCE RUN SOUTH SEVENTY-SIX (76) DEGREES, FORTY-FOUR (44) MINUTES, THIRTY-SEVEN (37) SECONDS WEST, A DISTANCE OF THIRTY-TWO (32) AND FIFTY-THREE HUNDREDTHS (52.53) FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF SAID BARNWELL ROAD EXTENSION, SAID POINT BEING THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH SEVENTY-SIX (76) DEGREES, FORTY-SEVEN (47) MINUTES, THIRTY-SEVEN (37) SECONDS WEST A DISTANCE OF EIGHT HUNDRED THIRTY-SEVEN AND EIGHTY-THREE HUNDREDTHS (827.83) FEET TO AN IRON ROD, HEREON KNOWN AT POINT "B" THEN RETURN TO THE POINT OF BEGINNING AND RUN NORTH NINE (09) DEGREES, THIRTY-TWO (32) MINUTES, THIRTY (30) SECONDS EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID BARNWELL ROAD EXTENSION AD DISTANCE OF TWO HUNDRED SIXTY-EIGHT AND FIFTY-FIVE HUNDREDTHS (268.55) FEET; HENCE RUN SOUTH SEVENTY-NINE (79) DEGREES, THREE (03) MINUTES, TWENTY-FOUR (24) SECONDS WEST A DISTANCE OF SIX HUNDRED NINETY-THREE AND THIRTY-SEVEN HUNDREDTHS (693.47) FEET TO AN IRON ROD; THENCE CONTINUE SOUTH SEVENTY-NINE (79) DEGREES, THREE (03) MINUTES, TWENTY-FOUR (24) SECONDS WEST DISTANCE OF TWELVE (12) FEET, MORE OR LESS TO THE DIVISION LINE OF THE HIGHLAND AND MARSHLANDS OF LANCEFORD CREEK, THEN RUN SOUTHERLY ALONG SAID DIVISION LINE AND ITS MEANDERINGS THEREOF THREE HUNDRED NINETY (390) FEET, MORE OR LESS, TO SAID POINT "B".

CERTIFIED TO: THOMAS R. & CATHY P. MOORE



Proposed Land Split
Michael Perry
showing actual drive
and easement.



IDENTIFICATION DOCUMENT

Michael R. Perry and Donna W. Perry, property owners of Parcel Identification Number 46-3N-28-0000-0004-0000 propose a one-time Land split of approximately 0.8 acres of said parcel to Daniel J. Perry our son. This is the one and only tract to be so separated.

Michael R. Perry

A handwritten signature in blue ink, appearing to read "Michael R. Perry", written over a horizontal line.

Donna W. Perry

A handwritten signature in blue ink, appearing to read "Donna W. Perry", written over a horizontal line.

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2024 DEC 2 AM 8:47

Project Description and Narrative Michael & Donna Perry

My wife and I wish to provide one-half of our existing 1.61 acres (parcel ID 46-3N-28-000-0004-000) located at 95373 Barnwell Rd (approximately .8 acres) to our youngest son Daniel Perry for the sole purpose of him establishing a homestead on said property. By creating this land split, we are able to fully meet the requirements of our RS-1 zoning except for the 60' access/utility easement. We therefore wish to apply for an exemption from subdivision platting requirements with a Petition for Family Hardship.

The proposed Homesite would be approximately 1800 sq ft with a two-car garage. It would sit centered on 0.8 acres and would be the front easterly half of our existing 1.61-acre property with ample room for all required setbacks from existing water wells, septic, drain fills and existing property lines. The electrical utilities would be provided from the existing power transformer already located on the property. Water would be supplied from a new well to be located on the property and the sewage would be a new private septic and drain fill system.

The Quit Claim Deed has an attached Legal Description of said property which has yet to be surveyed. The Exhibit "A" description includes approximations which are written in *italics*. The legal description of the existing 30-foot easement for ingress and egress and utility purposes would be extended 210 feet (100 feet onto the back property) to allow for easement.