

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • OCTOBER 7, 2024

City Commission Chamber

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

PLANNING & APPEALS BOARD MEMBERS

Chairman
Mike Myer

Board Member
Dennis Smith

Board Member
Loretta Arthur

Board Member
Tony Cassata

Board Member
Lorraine Geiger

CITY PLANNER
Brian Walker

Building & Zoning
Leslie Montgomery

CITY CLERK
Valerie Manning

1. CALL TO ORDER**2. ROLL CALL****3. INVOCATION****4. PLEDGE OF ALLEGIANCE****5. MINUTES**

1. Minutes - April 1, 2024 BOPA Meeting; May 6, 2024 BOPA Meeting; July 1, 2024 BOPA Meeting

(Requested by Leslie Montgomery, Board of Planning and Appeals)

6. AGENDA ITEM(S)**7. ORDINANCES**

1. Ordinance An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from Cc-1 (Commercial Corridor District) to Business Planned Unit Development (Bpud) (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)

8. OLD BUSINESS**9. BOARD / STAFF COMMUNICATIONS****10. ADJOURNMENT****11. AGENDA ITEM**

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

5.1

MEETING DATE: October 7, 2024
FROM: Leslie Montgomery
SUBJECT: Minutes - April 1, 2024 BOPA Meeting; May 6, 2024 BOPA Meeting; July 1, 2024 BOPA Meeting
NUMBER: (ID # 4662)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from the following BOPA meetings:

April 1, 2024

May 6, 2024

July 1, 2024

MOTION:

Approve minutes as submitted by staff.

- BOPA Minutes - April 1, 2024 (PDF)
- BOPA Minutes - May 6, 2024 (PDF)
- BOPA Minutes - July 1, 2024 (PDF)

BOPA MINUTES

APRIL 1, 2024

ORDINANCE:

Mr. Walker presented the agenda items as follows:

Route 1 Climbing PD Rezone - Consider a Rezone from CC-1 (Commercial Corridor District) to BPUD (Business Planned Unit Development) with the associated Development Agreement and Preliminary Plan, for approximately 1.85 acres (82,328 square feet) located near the north east corner of the intersection of Ridgewood Avenue and 6th Street and more specifically known as 627 Ridgewood Avenue. (Matthew Smith, Applicant) District 1 - Commissioner J. Penny (Brian Walker, City Planner).

The subject property is zoned CC-1 (Commercial Corridor District) and has a future land use of General Commercial. The applicant is requesting a rezone to BPUD (Business Planned Unit Development) in order to build an 8,000 square foot, 46 foot high building, that will serve as a rock-climbing facility. The south and west sides of the building will provide glassed portions as shown on the attachment titled, Elevations. The overall finish will be metal siding. The site proposes an area of future expansion, to the east of the current proposed building. The future expansion proposes a building up to 6,500 square feet in size.

The property is currently vacant.

Per Brian Walker - the staff report indicates that all of the adoptive elements are consistent with the comprehensive plan.

Staff Recommendation:

Staff recommends that the City Commission adopt the ordinance enacting a rezone from CC-1 (Commercial Corridor District) to BPUD (Business Plan Unit Development) with the associated development agreement and preliminary plan for approximately 1.85 acers located near the northeast corner of the intersection of Ridgewood Avenue and 6th Street and more specifically known as 627 Ridgewood Avenue.

Mr. Myer opened public participation:

Chris Rowley – Civil Engineer with Zev Cohen and Associates was there on behalf of the applicants Matthew Smith and Garrett Zinke of Daytona Climbing Company. He believes the climbing wall will be a great addition to the area.

Garrett Zinke with Daytona Climbing Company spoke to indicate they have one other facility that they will be leaving once they open their new facility in Holly Hill.

David Knob who resides at 460 Ridgewood Avenue, Holly Hill, spoke indicating the climbing wall is a wonderful idea with no negatives.

Mike Myer entertained the motion to adopt this rezone.

Loretta Arthur – motion to approve.

Lorraine Geiger – seconds motion.

Question was called – 5/0

Mike Myer entertained the motion to adjourn.

Tony Cassata – motion to approve.

Loretta Arthur – seconds motion.

5/0

BOPA MINUTES
MAY 6, 2024

ORDINANCE (1):

Mr. Walker presented the agenda items as follows:

Citizen involvement is a key component of land use decisions. Within the City of Holly Hill, the Comprehensive Plan is just one document that demonstrates the importance of citizen feedback. For example, with regard to the CRA Master Plan, it shows that such plan must represent the “citizens vision for redevelopment and growth.” With regard to recreation programs it states that such programs must be responsive to the demands of the citizenry. And a final example states that “the City’s facility needs and program planning shall be determined through a continuous assessment of facility capacities and community needs, thorough surveys, and citizen responses....”

In harmony with such citizen involvement, the City has adopted regulations that require that public meetings be held before the Board of Planning and Appeals and the City Commission prior to adopting, among other things, rezones and land use amendments that affect the citizens of an area.

However, it has often been found that there are important questions and concerns from neighbors who would be affected by a developer’s proposed project, that come up at public meetings but that would have been better addressed by the developer in an informal meeting with the neighbors prior to the public hearing. For this reason, many jurisdictions have a requirement that developers hold a neighborhood meeting prior to a proposal going before an appointed or elected body.

Neighborhood meetings are used as a tool in the land use process for a variety of reasons. These types of meetings provide an opportunity for residents in the immediate areas near a future project to gather information, preview a project proposal, and ask questions of the developer or applicant. In most communities, the intent of holding a neighborhood meeting is to provide an opportunity for affected property owners to provide input on a project earlier on in the project development or planning phases. The idea behind this is that project specifics could be revised based on the feedback received at neighborhood meetings, prior to an official land use application being submitted for City review. This could result in the submittal

of land use applications that are more responsive to neighborhood concerns and could expedite the review and public hearing processes.

Based on the productive information that can be provided to citizens via a neighborhood meeting, the City Commission instructed staff to explore implementing such a requirement for certain types of projects within the City of Holly Hill. The proposed Ordinance addresses the requirement for a public meeting by proposing that a neighborhood meeting be required for the following types of projects:

- (a) Comprehensive plan amendment for a commercial or multifamily use abutting a single-family district.
- (b) Comprehensive plan amendment that increases density or FAR adjacent to a single-family use.
- (c) Rezoning to a non-residential or multifamily use adjacent to a single-family use.
- (d) As directed by the Community Development Director based on size and potential impacts of the proposed development.

The Ordinance also addresses procedures related to holding such meetings.

Per Brian Walker – our guiding documents, the comprehensive plan and the land development regulations focus on citizen input

Staff Recommendation:

Staff recommends an Ordinance of the City of Holly Hill, Florida, amending the Land Development Regulations Chapter 82, Administration, Article V. - Appeals, variances, special exceptions, rezoning and future land use map amendments, Division 5. - rezoning and future land use map amendments, adding requirements for neighborhood meetings; renumbering subsections; and providing for conflicts, severability, applicability, and an effective date.

Mr. Myer opened public participation:

Heidi Heller – citizen of Holly Hill spoke in favor of neighborhood meetings and also made a suggestion that they be posted on the City’s website calendar.

Mike Myer entertained the motion to adopt the ordinance for neighborhood meetings.

Dennis Smith – motion to approve

Tony Cassata – seconds motion

Question was called – 5/0

ORDINANCE (2):

In 2014 the Compassionate Use Act legalized low-THC medical cannabis for patients with cancer and epilepsy and ALS.

In November of 2016, the Florida Medical Marijuana Legalization Initiative referendum (Amendment 2) passed with 71.3% of the vote, which expanded the medical marijuana program.

While the Florida legislature worked on establishing the rules for administration of the production and distribution systems for medical marijuana, and how such would affect local zoning regulations, the City adopted Ordinance 2988 which established a twelve month marijuana moratorium.

In 2017, the Florida legislature established a framework for the medical marijuana industry. Within those guidelines, the legislature mandated that municipalities could either outright ban medical marijuana dispensaries or permit them anywhere that a prescription pharmacy is permitted. While many municipalities decided to ban medical marijuana facilities, the Holly Hill City Commission chose to respect the will of the voters by repealing the moratorium and allow licensed medical marijuana dispensaries within the City.

As the number of dispensaries grows within the State, there has been concern regarding negative impacts resulting from clusters of multiple state-licensed marijuana retail facilities located in close proximity. While this has not become a problem within the City as of yet, the City would like to be proactive in avoiding potential negative impacts. For this reason, staff is proposing that a minimum distance of one mile be required between pharmacies - which includes medical marijuana dispensaries.

To establish the minimum distance requirement, the following language is proposed:

Pharmacies, to include licensed medical marijuana treatment centers/dispensaries, shall not be located within one mile “as the crow flies” of another pharmacy. The distance shall be measured as the linear distance between the two closest property lines.

In order to clarify what is meant by the term “pharmacy, staff is also proposing that a definition be added to the Definitions portion of the Land Development Regulations as follows:

Pharmacy. An establishment engaged in the retail sale of prescription drugs. Accessory uses may include automated teller machines (ATMs) and facilities providing drive-through service (see Drive-Through Service). The term also includes licensed medical marijuana treatment centers / dispensaries.

STAFF RECOMMENDATION:

Staff recommends that the City Commission adopt an Ordinance of the City of Holly Hill, Florida, creating separation requirements between pharmacies, including medical marijuana dispensaries, and adding definitions; amending sections 114-353 and 114-593 and 78-14 of the Land Development Regulations; providing for codification; providing for conflicting ordinances; providing for severability; and providing an effective date.

Discussion:

Mr. Myer has concern regarding the one mile separation requirement due to the small size of the city. Tony Cassata made a suggestion regarding a moratorium against approving any medical marijuana.

Mr. Myer opened for public participation:

David Kophf of Holly Hill spoke in favor of the separation requirement.

A motion was made unanimously in favor of denying staff’s recommendation for a separation requirement. The board made its own recommendation for an outright ban. This passed 3/2.

Adjournment – 7:13pm

BOPA MINUTES

July 1, 2024

VARIANCE:

The following item was presented:

VARIANCE – 217 Walker Street - Request a variance from the requirements of Sec. 114-742 (2) A. 2 requiring that accessory structures in all zoning districts be located behind the principal structure on the lot. Such request is made in order to place an 80 square foot shed on a parcel in the R-3 (Single-Family) zoning district, located on the south side of Walker Street, approximately 250 feet west of Daytona Avenue, and more particularly known as 217 Walker Street; (Christina Sullivan, Applicant) (Brian Walker, City Planner).

STAFF RECOMMENDATION:

Staff recommends with conditions, approval of the request for a variance from the requirements of Sec. 114-742 (2) A. 2, requiring that accessory structures and uses in all zoning districts be located behind the principal structure on the lot, as applied to a shed no larger than 80 square feet on a parcel in the R-3 (Single-Family) zoning district, located on the south side of Walker Street, approximately 250 feet west of Daytona Avenue, and more particularly known as 217 Walker Street.

Staff recommends the following conditions be attached to the approval of the variance request.

1. The shed cannot be replaced with anything but another shed that is no larger than 80 square feet.
2. The variance applies to the shed only and nothing else.
3. The shed must meet all setback requirements for the R-3 zoning district.
4. The shed must be well maintained and shall not be allowed to deteriorate, rot, become a home to vermin, or otherwise become a source of blight or it shall become subject to code enforcement action by the City and can be ordered to be removed.

Mr. Myer opened public participation:

Heide Heller (Holly Hill) made a brief comment.

Dennis Smith – made a motion to approve

Loretta Arthur – seconded the motion

Question was called – 5/0

Adjournment – 6:11pm



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Ordinance

MEETING DATE: October 7, 2024
FROM: Brian Walker
SUBJECT: An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from Cc-1 (Commercial Corridor District) to Business Planned Unit Development (Bpud) (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.
NUMBER: (ID # 4642)
APPLICANT: Brian Walker
PLANNER:

Introduction

Consider an Ordinance enacting a Rezone from CC-1 (Commercial Corridor District) to BPUD (Business Planned Unit Development), for approximately 1.544 acres located north of Mason Avenue, east of Daytona Avenue and South of 1st Street, approximately 430 feet west of Beach Street. The property has a commercial future land use. (Cobb Cole, Applicant).

Background

The Applicant is requesting a rezone in order to develop a 40 foot tall, indoor, climate-controlled storage facility having a footprint of 33,262 square feet. The applicant has submitted renderings, as well as a preliminary plan and landscape plan. The overall project area consists of 12 parcels, two of which are developed with a building and parking area. The existing building will be demolished. The parcels will be combined into one parcel prior to site development.

Site Information

Size of Property: The property consists of approximately 1.544 acres.

Survey & Legal Description: (Exhibit A)

Parcel Identification Numbers: Per Property Appraiser. (Exhibits B1 and B2)

General Location: See Location Map (Exhibit C)

Frontage: The property has approximately 420 feet of frontage along Mason Ave and 1st Street, and 167 feet along Daytona Avenue.

Access: Vehicular access will be from Mason Avenue and 1st Street.

Aerial Photography: (Exhibit D)

Existing Development: Most of the property is vacant, however there is a 4,479 square foot building with parking area on the east end of the property.

Future Land Use Designation: The current FLU designation is Commercial. (**Exhibit E**)

Zoning: Current Zoning is CC-1 (Commercial Corridor), and the proposed is zoning is BPUD (Business Planned Unit Development). (**Exhibit F**)

Floodplain Impacts: Based on floodplain map analysis the property is not flood prone. (**Exhibit G**)

Wetland Impacts: Based on aerial photos and County wetland map analysis, there no wetlands on the subject property.

Buffers: Buffering will be provided as shown on the Preliminary Development Plan.

Zoning and Land Uses

For zoning districts and future land uses that surround the subject parcel, see the attached sheet labeled “ **Land Use and Zoning Table.**”

Consistency with the Comprehensive Plan

A review of the goals, objectives and policies of the comprehensive plan was conducted to determine if the proposed rezone is consistent with the comprehensive plan. Staff finds that the requested rezone is consistent with the City’s Comprehensive Plan with particular emphasis on the following:

The uses proposed within this Business Planned Unit Development (BPUD) zoning classification are compatible with the General Commercial future land use designation as well as with existing adjacent land uses.

Policy FLU 1.1.2 - the ratio of building floor area (FAR) for the General Commercial Development future land use designation shall not exceed 1.95. The proposed development FAR is 1.48.

Objective 1.9 – The City shall promote urban infill development and redevelopment in areas where public facilities and services are available.

Policy 1.9.1 – The City shall promote and encourage infill development on previously bypassed, vacant properties and redevelopment of underutilized properties.

Objective 2.1 – Concurrency: The City shall approve development only where it demonstrates that the impacts of such development do not degrade the established level-of-service standards for public facilities and services below acceptable levels.

Appropriateness of the Requested Zoning Category

In reviewing the appropriateness of the requested BPUD zoning designation, the Board of Planning and Appeals and City Commission, must consider the 8 specific criteria listed in Sec. 82-372 of the Land Development Regulations. The applicant has reviewed the criteria and provided a narrative in the attachment labeled as Rezoning Requirements.

It is staff's opinion that the requested rezone from CC-1 to BPUD is justified and appropriate for the area.

Staff Recommendation

Adopt the Ordinance enacting a Rezone from CC-1 (Commercial Corridor District) to BPUD (Business Planned Unit Development), and approve the associated written development agreement and preliminary development and landscape plan, for approximately 1.544 acres located north of Mason Avenue, east of Daytona Avenue and South of 1st Street, approximately 430 feet west of Beach Street, as legally described in **Exhibit A**.

ATTACHMENTS:

- 148 Mason Avenue Trip Generation (PDF)
- Geotechnical Report (PDF)
- PUD application with parcel information sheets (PDF)
- Rezoning Requirements (PDF)
- Concept Plan (rev 8-23-2024) (PDF)
- Landscape Plan (rev 8-23-2024) (PDF)
- Renderings and Elevation (PDF)
- Land Use and Zoning Table (PDF)
- Development Agreement (PDF)
- Exhibit A - Legal & Survey (PDF)
- Exhibit B1 - Charlesdale Assoc, Inc(PDF)
- Exhibit B2 - KBL Property Investments, LLC (PDF)
- Exhibit C - Location Map (PDF)
- Exhibit D - Aerial Map (PDF)
- Exhibit E - FLU Designation (PDF)
- Exhibit F - Current and Proposed Zoning (PDF)
- Exhibit G - Flood Map (PDF)

Ordinance No. (ID # 4642)

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan, and

WHEREAS, the City Commission has determined that the proposed amendment to the Land Development Regulations is consistent with its adopted comprehensive plan,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HOLLY HILL, FLORIDA:

Section 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in **Attachment A** as BPUD (Business Planned Unit Development) pursuant to the provisions contained in the attached Development Agreement, as **Attachment B** and incorporated in this Ordinance by reference.

Section 2. Development of the property described in Attachment A shall conform to the Land Development Regulations of Holly Hill.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 4. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 5. That this Ordinance shall be posted at City Hall as required by law.

Section 6. This ordinance shall become effective upon approval and adoption by the City Commission of Holly Hill.

Attachment A

LEGAL DESCRIPTION:

PARCEL A:

LOT 5, BRITTON'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITH THE STATE ROAD RIGHT OF WAY.

LOTS 4 AND 6, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITHIN THE STATE ROAD RIGHT OF WAY.

LOTS 7 AND 8, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9 PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 1, AND WESTERLY 24.9 FEET OF LOT 2, BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 2, EXCEPT THE EAST 25.3 FEET AND THE WEST 24.9 FEET BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL B:

PARCEL 1:

LOT 6, EXCEPTING THE WESTERLY 9.0 FEET THEREOF AND EXCEPTING THE WESTERLY 30 FEET OF THE NORTHERLY 60.7 FEET THEREOF, SIMPSON SUBDIVISION AS PER MAP IN MAP BOOK 11, PAGE 131, AND EXCEPTING THAT PORTION DEEDED FOR STATE ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

PART OF LOT ONE (1), SIMPSON'S SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF BLOCK THIRTY-SIX (36), MASON AND CARSWELL'S HOLLY HILL, FLORIDA, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) AT THE DISTANCE OF 158.78 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF PREMISES CONVEYED BY THE ATLANTIC REFINING COMPANY TO METROPOLITAN LIFE INSURANCE COMPANY, BY DEED DATED DECEMBER 15, 1952, AND RECORDED AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, IN DEED BOOK 479, PAGE 202; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE, SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 138.88 FEET TO A POINT IN LINE OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, THENCE (2) ALONG SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, NORTH 26 DEGREES 32 MINUTES 14 SECONDS WEST 197.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE; THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 138.87 FEET TO A POINT IN LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY; AND THENCE (4) PARTLY ALONG LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY AND PARTLY ALONG LINE OF LANDS OF METROPOLITAN LIFE INSURANCE COMPANY, SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.83 FEET TO THE PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) THE DISTANCE OF 297.66 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 150 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID LOT NO. 1 OF "THE SIMPSON SUBDIVISION"; THENCE (2) ALONG THE WESTERLY LINE OF SAID LOT NO. 1 NORTH 26 DEGREES 30 MINUTES WEST 197.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE AT THE NORTHWESTERLY CORNER OF SAID LOT NO. 1, THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE

PLACE, NORTH 63 DEGREES 24 MINUTES EAST 149.87 FEET TO A POINT IN LINE OF SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, AND THENCE (4) ALONG SAID LINE OF OTHER LANDS CONVEYED TO R. C. WILLIAMS SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.67 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCEL, THAT PORTION DEEDED FOR STATE ROAD RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3899. PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL C:

PARCEL 1:

THE EASTERLY 25.3 FEET OF LOT TWO (2) AND THE WESTERLY 25 FEET OF LOT THREE (3), AS MEASURED ALONG FIRST STREET, BLOCK "A", SAULSBURY'S PLACE, A SUBDIVISION OF BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, AS PER MAP THEREOF IN MAP BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE EAST 3/4 OF LOT 3, BLOCK "A", SAULSBURY PLACE, HOLLY HILL, AND INCLUDING WEST 30 FEET OF NORTH 60 FEET OF LOT 6, SIMPSON SUBDIVISION, BLOCK 36, MASON AND CARSWELL'S HOLLY HILL AS PER MAP THEREOF IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

PARCEL 2:

LOT TWO (2), BRITTON SUBDIVISION, PER MAP IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALSO THE WESTERLY 9 FEET OF LOT ELEVEN (11), AND THE WESTERLY 9 FEET OF THE SOUTH 1/2 OF LOT TWELVE (12), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, PER MAP RECORDED IN MAP BOOK 2, PAGE 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOT THREE (3), BRITTON'S SUBDIVISION OF THE SOUTH 1/2 OF LOT NINE (9), AND ALL OF LOT TEN (10), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE MAP RECORDED IN BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN BY ORDER OF TAKING RECORDED APRIL 25, 1994 IN OFFICIAL RECORDS BOOK 3914, PAGE 427, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2 AND 3, BRITTON'S SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 143, AND LOT 6, THE SIMPSON SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA IN SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE 3" IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 8, OF SAID BRITTON'S SUBDIVISION; THENCE SOUTH 25°20'46" EAST, ALONG THE EAST LINE OF DAYTONA AVENUE, 136.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BRITTON'S SUBDIVISION; THENCE NORTH 64°29'54" EAST ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, OF SAID BRITTON'S SUBDIVISION FOR THE POINT OF BEGINNING; THENCE NORTH 25°20'46" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 37.71 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 7,685.56 FEET, AND A CHORD BEARING NORTH 63°13'46" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'14", A DISTANCE OF 47.47 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 11,414.38 FEET, AND A CHORD BEARING NORTH 63°16'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'32", A DISTANCE OF 51.56 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 9.00 FEET OF LOT 6, OF SAID THE SIMPSON SUBDIVISION; THENCE SOUTH 25°20'46" EAST ALONG SAID EAST LINE, 39.86 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430; THENCE SOUTH 64°29'54" WEST ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, 99.00 FEET, TO THE POINT OF BEGINNING.

Attachment B

Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as 148 Mason Avenue Planned Unit Development (PUD) located at the corner of Mason Avenue and Daytona Avenue in Holly Hill, Florida (hereinafter referred to as the "Subject Property").

THIS DEVELOPMENT AGREEMENT (hereinafter referred to as the "Agreement") is

entered into and made as of the ____ day of _____, 20____, by and between the **CITY OF HOLLY HILL**, a Florida municipal corporation, with a mailing address of 1065 Ridgewood Ave. Holly Hill, FL 32117 (hereinafter referred to as the "City"), **KBL PROPERTY**

INVESTMENTS, LLC, a Florida limited liability company, whose mailing address is P.O. Box 148, Flagler Beach, FL 32136, **CHARLESDALE ASSOCIATES, INC.**, a Florida profit corporation, whose mailing address is P.O. Box 148, Flagler Beach, FL 32136 (hereinafter referred to as the “Owners”), and **STEIN INVESTMENT CO, LLC**, a Foreign limited liability company, whose mailing address is 5607 Glenridge Dr., NE, Suite 200, Atlanta, GA 30342 (hereinafter referred to as the “Developer”).

W I T N E S S E T H

WHEREAS, the Owners warrant that they holds legal title to the lands located in Volusia County, Florida, and within the corporate limits of the City of Holly Hill, said lands being more particularly described in **Exhibit “A”**, Legal Description for the Subject Property, attached hereto and by this reference made a part hereof; and that the holders of any and all liens and encumbrances affecting such property will subordinate their interests to this Agreement; and

WHEREAS, the Owners/Developer have clear title of the Subject Property and the Developer is currently under contract to purchase the Subject Property and intends to develop such property; and

WHEREAS the Owners/Developer desire to facilitate the orderly development of the Subject Property in compliance with the laws and regulations of the City and of other governmental authorities, and the Owners/Developer desire to ensure that its development is compatible with other properties in the area and planned traffic patterns; and

WHEREAS the development permitted or proposed under this Development Agreement is consistent with the City’s Comprehensive Plan, concurrency management system, and all land development regulations; and

WHEREAS it is the purpose of this Agreement to clearly set forth the understanding and agreement of the parties concerning the matters contained herein; and

WHEREAS the Owners/Developer has sought the City's approval to develop the Subject Property, and the City approved **Ordinance No.** _____, through rezoning the Subject Property to a form of Planned Unit Development (PUD), as defined under the City’s Land Development Code; and

WHEREAS, the PUD shall consist of this Agreement as the Written Development Agreement of the PUD, and a Preliminary Plan also known as the Preliminary Development Plan, attached hereto as **Exhibit, “B”**, subject to the covenants, restrictions, and easements offered by the Owner/Developer and contained herein, (hereinafter the “Master Development Plan”). Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria apply.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

. **Recitals and Definitions.** The recitals herein contained are true and correct and are incorporated herein by reference. All capitalized terms not otherwise defined herein shall be as defined or described in the City’s Land Development Code as it may be amended from time to time, unless otherwise indicated.

2. **Title Opinion/Certification.** The Developer will provide to the City, in advance of the City's execution and recordation of this Agreement, a title opinion from a licensed attorney in the state of Florida, or a certification by an abstractor or title company authorized to do business in the state of Florida, verifying marketable title to the Subject Property to be in the name of the Owner/Developer and any and all liens, mortgages, and other encumbrances that are either satisfied or not satisfied or released of record. A unity of title agreement may be executed to ensure the property is held by the Owners pending development as proposed by this Agreement.

3. **Subordination/Joinder.** Unless otherwise agreed to by the City and if applicable, all liens, mortgages, and other encumbrances that are not satisfied or released of record, must be subordinated to the terms of this Agreement or the Lienholder join in this Agreement. It shall be the responsibility of the Owner/Developer to promptly obtain the said subordination or joinder, in a form and substance that is acceptable to the City Attorney, prior to the execution and recordation of this Agreement.

4. **Duration.** The duration of this Agreement is binding and runs with the land in perpetuity, unless amended.

5. **Development of the Subject Property.** Development of the Subject Property shall be subject to performance standards listed in this Agreement. Where a land use listed below

differs from a defined use in the City of Holly Hill's Code of Ordinances, the use listed in this Agreement

shall prevail.

- . Permitted principal uses allowable on the Subject Property:
 - Administrative offices.
 - Business services.
 - General office uses.
 - Mini warehouses.
 - Self-service storage facilities.
 - Personal services.
 - Professional services offices.
 - Uses customarily associated with, dependent on and incidental to the permitted principal use.
- B.** Prohibited principal uses, if any:
 - 1. Unless a use is specifically stated as permitted, it is prohibited.
- C.** Subject Property Size: Approximately 1.544 +/- acres.
- D.** Maximum FAR: 1.5.
- E.** Impervious surface is not to exceed 80% of the gross square footage for the Subject Property, as illustrated on Exhibit "B".
- F.** Minimum landscape buffer-yard requirements:
 - 1. South Buffer Width (Mason Ave) - 15 feet
 - 2. West Buffer Width (Daytona Ave) - 15 feet
 - 3. East Buffer Width (Parking Area) - 10 feet
 - 4. North Buffer Width (1st Street) - 5 feet
- G.** Maximum building length: 325 ft.
- H.** Minimum lot width (in feet): 100 ft.
- I.** Maximum lot coverage: 50%.
- J.** Minimum building setbacks:
 - 1. South Setback (Mason Ave) - 15 feet

2. West Setback (Daytona Ave) - 15 feet
3. East Setback (Parking Area) - 10 feet
4. North Setback (1st Street) - 40 feet

- K.** Maximum building height (in feet): 40 feet.
- L.** Minimum parking standards are as shown and stated on the Preliminary Plan.
- M.** The project shall consist of 1 phase.
- N.** Architectural controls and development on the Subject Property shall follow a common architectural theme as listed in this Agreement by harmoniously coordinating the general appearance of all buildings and accessory structures.
- O.** Utility provision and dedication: The Owners/Developer shall connect to the City of Holly Hill's central utility systems when available, or to another approved utility provider where applicable, at their sole cost and expense. Utility fees shall be paid to City of Holly Hill or to the applicable utility provider.
- P.** Stormwater and environmental: Per parcel stormwater systems or master stormwater systems shall be owned and maintained by an established Property Owner's Association, or by the property owner in private ownership, and shall not be dedicated to or become the responsibility of the City of Holly Hill. All environmental permitting, mitigation, and/or soil and erosion control for the property shall conform to all federal, state, and local permits/requirements, and shall be the sole responsibility of the Property Owner's Association, or by the property owner, and shall be maintained in good condition/standing with the applicable permitting authorities. Best Management Practices and conformance to National Pollutant Discharge Elimination System (NPDES) criteria are required.
- Q.** Transportation, site access, and traffic devices: The Owners/Developer are responsible for all transportation improvements within the Subject Property and any off-site transportation improvements required because of the proposed development, for site function, which maintains or improves the level of service for area roadways, and ensures the public health, safety, and welfare for the community. All permits shall be obtained from appropriate permitting agencies prior to development and the City shall determine the appropriate level of service per the City Comprehensive Plan and current traffic counts.
- R.** The development criteria set forth in this Section 5 shall apply to configuration of the Property in its current configuration. In the event that additional right-of-way is needed for dedication to Volusia County, such dedication shall not impact the development footprint for the Property, which shall be measured from the existing site boundaries.

- S. Minor adjustments to the development criteria for lot width, buffer width, and minimum setbacks set forth in this Section 5 shall be permitted as minor amendments, so long as such adjustments do not exceed 10% of any of the stated criteria, and shall not impact the general intent and character of the approved project.
- T. The project shall provide a minimum of 19% of open space.

6. **Development Permits/Fees.** The Owners/Developer are responsible for obtaining permitting, and the payment of all fees for facilities and services for the Subject Property. Any site permits shall be kept current with the respective permitting agency and shall ensure the protection of the public health, safety, and welfare of the community and the development. All impact fees are applicable, and no impact fee credits shall be awarded through this Agreement; unless a cessation exists through a City moratorium that is Citywide. Proportionate fair share site improvements shall not be used in lieu of impact fees.

7. **Site Plan/Plat Approval.** The Master Development Plan, is the Preliminary Plan and this Written Development Agreement. The Master Development Plan shall not replace, supersede, or absolve the Owners/Developer from approvals for any site plan, preliminary plat, and/or final plat and their respective regulations. Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria apply.

8. **Indemnification.** The Owners/Developer shall indemnify and hold the City harmless from any and against all claims, demands, disputes, damages, costs, expenses, (to include attorneys' fees whether or not litigation is necessary and if necessary, both at trial and on appeal), incurred by the City as a result, directly or indirectly, of the use or development of the Subject Property, except those claims or liabilities caused by or arising from the negligence or intentional acts of the City, or its employees or agents. It is specifically understood that the City is not guaranteeing the appropriateness, efficiency, quality or legality of the use or development of the Subject Property, including but not limited to, drainage or water/sewer plans, fire safety, or quality of construction, whether inspected, approved, or permitted by the City.

9. **Compliance.** The Owners/Developer agree that it, and their successors and assigns, will abide by the provisions of this Agreement, the City's Comprehensive Plan and the City's Code of Ordinances, including but not limited to, the site plan regulations of the City as amended from time to time, which are incorporated herein by reference and such subsequent amendments hereto as may be applicable. Further, all required improvements, including landscaping, shall be continuously maintained by the Owners/Developer, or their successors and assigns, in accordance with the City's Code of Ordinances. The City may, without prejudice to any other legal or equitable right or remedy it may have, withhold permits, Certificates of

Occupancy, or plan/plat approvals to the Subject Property, should the Owners/Developer fail to comply with the terms of this Agreement. In the event of a conflict between this Development Agreement and the City's Land Development Code, the more restrictive regulations shall govern the development of the Subject Property.

10. Obligations for Improvements. Any surface improvement as described and required hereunder included, but not limited to such as signalization, walls, stormwater management facilities, medians, and utilities, or any other surface improvement shall be performed prior to the issuance of the first Certificate of Occupancy on that portion of the Subject Property that the surface improvement(s) relates or is otherwise scheduled in this Agreement. Should the Owners/Developer fail to undertake and complete its obligations as described in this Agreement and to the City's specifications, then the City shall give the Owners/Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation at the sole expense of the Owners/Developer. If the Owners/Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Owners/Developer and their successors and assigns in interest, may but shall not be required to, perform such obligations at the expense of the Owners/Developer or their successors and assigns in interest, without prejudice to any other rights or remedies the City may have under this Agreement. Further, the City is hereby authorized to immediately recover the actual and verified cost of completing the obligations required under this Agreement and any legal fees from the Owners/Developer in an action at law for damages, as well as record a lien against the Subject Property in that amount. The lien of such assessments shall be superior to all others, and all existing lienholders and mortgagees. Notice to the Owners/Developer and their successors and assigns in interest shall be deemed to have been given upon the mailing of notice as provided in **paragraph (16)** of this Agreement.

11. Environmental and Tree Preservation. The Owners/Developer is responsible to obtain all site related permits and approval prior to any development activity on or for the Subject Property. This may involve mitigation for habitat of threatened or endangered flora and fauna or species identified for protection (i.e., tree preservation). This Agreement does not vest or exempt the Owners/Developer from any permitting and mitigation obligations needed to develop a Subject Property.

12. Homeowners Association or Property Owners Association. The charter and by-laws of any Property Owner's Association ("POA") for the Subject Property and any deed restrictions related thereto shall be furnished to the City for approval by the City Attorney prior to the recording thereof in the Public Records of Volusia County, Florida. Such recording shall take place before a Certificate of Occupancy is issued for the first development project on land covered by this Agreement. The POA shall at a minimum be responsible for maintaining the common open space, any common utility systems, such as for irrigation and site lighting, and project signage. The Owners/Developer shall be responsible for establishing the POA and recording said information in the Public Records of Volusia County, Florida. The City is not

responsible for the enforcement of any agreements or deed restrictions entered into between property owners or occupiers of the Subject Property. If maintenance for the Subject Property is not maintained following issuance of a Certificate of Occupancy, the property owner shall be subject to code enforcement.

13. **Enforcement.** Both parties may seek specific performance of this Agreement and/or bring an action for damages in a court within Volusia County, Florida, if either party breaches this Agreement. If enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the Owners/Developer shall be responsible for the payment of all the City's costs and expenses, including attorney fees, whether or not litigation is necessary and, if necessary, both at trial and on appeal. Such costs, expenses and fees shall also be a lien upon the Subject Property superior to all others. Should this Agreement require the payment of any monies to the City, the recording of this Agreement shall constitute a lien upon the Subject Property for said monies, until said are paid, in addition to such other obligations as this Agreement may impose upon the Subject Property and the Owners/Developer. Interest on unpaid overdue sums shall accrue at the rate of the lesser of eighteen percent (18%) compounded annually or at the maximum rate allowed by law.

14. **Utility Easements.** For any easement not established on a plat for the Subject Property, the Owners/Developer shall provide to the City such easements and other legal documentation, in a form mutually acceptable to the City Attorney and the Owners/Developer, as the City and Developer may deem reasonably necessary or appropriate for the installation and maintenance of the utility and other services, including but not limited to, sanitary sewer, potable water, and reclaimed water services, electric, cable, gas, fire protection and telecommunications.

15. **Periodic Review.** The City reserves the right to review the Subject Property in relation to this Agreement periodically to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds that based on substantial competent evidence that there has been a failure to comply with the terms of this Agreement, the City may not issue development orders or permits until compliance with this Agreement has been established.

16. **Notices.** Where notice is herein required to be given, it shall be by certified mail return receipt requested, hand delivery or nationally recognized courier, such as Federal Express or UPS. E-mail delivery of documents shall not replace or be in lieu of the aforementioned process. Said notice shall be sent to the following, as applicable:

OWNERS/DEVELOPER'S REPRESENTATIVES:

Ordinance (ID # 4642)

Meeting of October 7, 2024

KBL Property Investments, LLC (Owner)

Attn: Robert Goldberg

P.O. Box 148

Flagler Beach, FL 32136

With Copy To: Cobb Cole Law Firm

Attn: Mark A. Watts, Esq.

231 N. Woodland Blvd.

DeLand, FL 32720

Charlesdale Associates, Inc. (Owner)

Attn: Robert Goldberg

P.O. Box 148

Flagler Beach, FL 32136

Stein Investment Co, LLC (Developer)

Attn: Daniel Ginburg

5607 Glenridge Dr., NE, Suite 200

Atlanta, GA 30342

CITY'S REPRESENTATIVES:

City Manager

City of Holly Hill

1065 Ridgewood Ave.

Holly Hill, Florida 32117

With copy to:

Director

Community Development

City of Holly Hill

1065 Ridgewood Ave.

Holly Hill, Florida 32725

Should any party identified above change, it shall be said party's obligation to notify the remaining parties of the change in a fashion as is required for notices herein. It shall be the

Owners/Developer's obligation to identify its lender(s) to all parties in a fashion as is required for notices herein.

17. **Compliance with the Law.** The failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owners/Developer of the Subject Property from the necessity of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

18. **Captions.** The captions used herein are for convenience only and shall not be relied upon in construing this Agreement.

19. **Binding Effect.** This Agreement shall run with the land, and shall be binding upon and inure to the benefit of the Owner/Developer and their successors and assigns in interest, and the City and their successor and assigns in interest. This Agreement shall become effective upon its execution and recordation with the Public Records of Volusia County, Florida. This Agreement does not, and is not intended to, prevent, or impede the City from exercising its legislative authority as the same may affect the Subject Property.

20. **Subsequently Enacted State or Federal Law.** If either state or federal law is enacted after the effective date of this Agreement that is applicable to and precludes the parties' compliance with the terms of this Agreement, this Agreement and correlating zoning amendment shall be modified or revoked, as is necessary, to comply with the relevant state or federal law.

21. **Severability.** If any part of this Development Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Development Agreement if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Development Agreement is declared severable.

22. **Covenant Running with the Land.** This Agreement shall run with the Subject Property and inure to and be for the benefit of the parties hereto and their respective successors and assigns and any person, firm, corporation, or entity who may become the successor in interest to the Subject Property or any portion thereof.

23. **Recordation of Agreement.** The parties hereto agree that an executed original of this Agreement shall be recorded by the City, at the Developer's expense, in the Public Records of Volusia County, Florida.

24. **Applicable Law/Venue.** This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida. Venue of any litigation relating to this Agreement shall be in the courts of Volusia County, Florida.

25. **Time of the Essence.** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this Agreement. The Owners/Developer shall execute this Agreement within ten (10) business days of City Commission adoption and agrees to pay the cost of recording this document in the Public Records of Volusia County, Florida. Failure to execute this Agreement within ten (10) business days of this ordinance adoption may result in the City not issuing development orders or permits until execution and recordation of this Agreement has occurred.

26. **Agreement; Amendment.** This Agreement constitutes the entire agreement between the parties, and supersedes all previous discussions, understandings, and agreements, with respect to the subject matter hereof; provided however, that it is agreed that this Agreement is supplemental to the City's Comprehensive Plan and does not in any way rescind or modify any provisions of the City's Comprehensive Plan. Amendments to and waivers of the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

27. **Amendments.** Amendments to the Master Development Plan (MDP) shall be subject to the requirements of Section 114-771(g)(4) of the City of Holly Hill Land Development Regulations, which state that minor amendments to the Preliminary Plan not violating any terms of the written development agreement and not altering the intent and purpose of the MDP may be approved by the Development Code Administrator after such departmental comment as he/she deems appropriate. Minor changes shall be limited to items such as small adjustments to building footprints, allocation of uses within a defined parcel such as retention areas, parking etc. Major amendments will require full review and shall include relocation of uses on the site, except as permitted by the MDP, changes to building styles, changes to landscaping requirements, etc. Decisions as to whether modifications are Major or Minor shall be at the sole discretion of the Development Code Administrator.

28. **Effective Date.** The Effective Date of this Agreement shall be the day this Agreement is recorded in the Public Records of Volusia County, Florida.

IN WITNESS WHEREOF, the Owners, the Developer and the City have executed this Agreement.

**OWNER: KBL PROPERTY
INVESTMENTS, LLC**

By:

Signature of Witness # 1

Signature

Print or type name

Print or type name

As:

Signature of Witness #2

Print or type

Print or type name

ATTEST:

Signature

Print or Type Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence**
or ☐ **online notarization**, this ____ day of _____, ____ (2024), by

Ordinance (ID # 4642)

Meeting of October 7, 2024

_____, who is _____ of KBL Property Investments, LLC,
and who is ___ personally known to me or ___ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

**OWNER: CHARLESDALE
ASSOCIATES, INC.**

By:

Signature of Witness # 1

Signature

Print or type name

Print or type name

As:

Signature of Witness #2

Print or type

Print or type name

ATTEST:

Signature

Print or Type Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence**
or ☐ **online notarization**, this ____ day of _____, ____ (2024), by
_____, who is _____ of Charlesdale Associates, Inc. and
who is ____ personally known to me or ____ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

**DEVELOPER: STEIN INVESTMENT
CO, LLC**

By:

Signature of Witness # 1

Signature

Print or type name

Print or type name

As:

Signature of Witness #2

Print or type

Print or type name

ATTEST:

Signature

Print or Type Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence**
or ☐ **online notarization**, this ____ day of _____, ____ (2024), by
_____, who is _____ of Stein Investment Co, LLC. and
who is ____ personally known to me or ____ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

CITY OF HOLLY HILL:

By:

Date:

ATTEST:

Date:

Mailing Address:

City of Holly Hill

1065 Ridgewood Ave.

Holly Hill, Florida 32117

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence** or ☐ **online notarization**, this ____ day of _____, ____ (2024), by _____, who is personally known to me or produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____

My Commission Expires: _____

Approved as to form and legality for use and
reliance by the City of Holly Hill, Florida

Scott Simpson, City Attorney
EXHIBIT "A"**Legal Description**PARCEL A:

LOT 5, BRITTON'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITH THE STATE ROAD RIGHT OF WAY.

LOTS 4 AND 6, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITHIN THE STATE ROAD RIGHT OF WAY.

LOTS 7 AND 8, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9 PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 1, AND WESTERLY 24.9 FEET OF LOT 2, BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 2, EXCEPT THE EAST 25.3 FEET AND THE WEST 24.9 FEET BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL B:

PARCEL 1:

LOT 6, EXCEPTING THE WESTERLY 9.0 FEET THEREOF AND EXCEPTING THE WESTERLY 30 FEET OF THE NORTHERLY 60.7 FEET THEREOF, SIMPSON SUBDIVISION AS PER MAP IN MAP BOOK 11, PAGE 131, AND EXCEPTING THAT PORTION DEEDED FOR STATE ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

PART OF LOT ONE (1), SIMPSON'S SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF BLOCK THIRTY-SIX (36), MASON AND CARSWELL'S HOLLY HILL, FLORIDA, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) AT THE DISTANCE OF 158.78 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF PREMISES CONVEYED BY THE ATLANTIC REFINING COMPANY TO METROPOLITAN LIFE INSURANCE COMPANY, BY DEED DATED DECEMBER 15, 1952, AND RECORDED AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, IN DEED BOOK 479, PAGE 202; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE, SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 138.88 FEET TO A POINT IN LINE OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, THENCE (2) ALONG SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, NORTH 26 DEGREES 32 MINUTES 14 SECONDS WEST 197.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE; THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 138.87 FEET TO A POINT IN LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY; AND THENCE (4) PARTLY ALONG LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY AND PARTLY ALONG LINE OF LANDS OF METROPOLITAN LIFE INSURANCE COMPANY, SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.83 FEET TO THE PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) THE DISTANCE OF 297.66 FEET MEASURED ALONG SAID RIGHT-

OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 150 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID LOT NO. 1 OF "THE SIMPSON SUBDIVISION"; THENCE (2) ALONG THE WESTERLY LINE OF SAID LOT NO. 1 NORTH 26 DEGREES 30 MINUTES WEST 197.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE AT THE NORTHWESTERLY CORNER OF SAID LOT NO. 1, THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 149.87 FEET TO A POINT IN LINE OF SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, AND THENCE (4) ALONG SAID LINE OF OTHER LANDS CONVEYED TO R. C. WILLIAMS SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.67 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCEL, THAT PORTION DEEDED FOR STATE ROAD RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3899. PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL C:

PARCEL 1:

THE EASTERLY 25.3 FEET OF LOT TWO (2) AND THE WESTERLY 25 FEET OF LOT THREE (3), AS MEASURED ALONG FIRST STREET, BLOCK "A", SAULSBURY'S PLACE, A SUBDIVISION OF BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, AS PER MAP THEREOF IN MAP BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE EAST 3/4 OF LOT 3, BLOCK "A", SAULSBURY PLACE, HOLLY HILL, AND INCLUDING WEST 30 FEET OF NORTH 60 FEET OF LOT 6, SIMPSON SUBDIVISION, BLOCK 36, MASON AND CARSWELL'S HOLLY HILL AS PER MAP THEREOF IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

PARCEL 2:

LOT TWO (2), BRITTON SUBDIVISION, PER MAP IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALSO THE WESTERLY 9 FEET OF LOT ELEVEN (11), AND THE WESTERLY 9 FEET OF THE SOUTH 1/2 OF LOT TWELVE (12), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, PER MAP RECORDED IN MAP BOOK 2, PAGE 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOT THREE (3), BRITTON'S SUBDIVISION OF THE SOUTH 1/2 OF LOT NINE (9), AND ALL OF LOT TEN (10), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE MAP RECORDED IN BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN BY ORDER OF TAKING RECORDED APRIL 25, 1994 IN OFFICIAL RECORDS BOOK 3914, PAGE 427, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2 AND 3, BRITTON'S SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 143, AND LOT 6, THE SIMPSON SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA IN SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE 3" IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 8, OF SAID BRITTON'S SUBDIVISION; THENCE SOUTH 25°20'46" EAST, ALONG THE EAST LINE OF DAYTONA AVENUE, 136.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BRITTON'S SUBDIVISION; THENCE NORTH 64°29'54" EAST ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, OF SAID BRITTON'S SUBDIVISION FOR THE POINT OF BEGINNING; THENCE NORTH 25°20'46" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 37.71 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 7,685.56 FEET, AND A CHORD BEARING NORTH 63°13'46" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'14", A DISTANCE OF 47.47 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 11,414.38 FEET, AND A CHORD BEARING NORTH 63°16'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'32", A DISTANCE OF 51.56 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 9.00 FEET OF LOT 6, OF SAID THE SIMPSON SUBDIVISION; THENCE SOUTH 25°20'46" EAST ALONG SAID EAST LINE, 39.86 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430; THENCE SOUTH 64°29'54" WEST ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, 99.00 FEET, TO THE POINT OF BEGINNING.

EXHIBIT "B"
Preliminary Plan

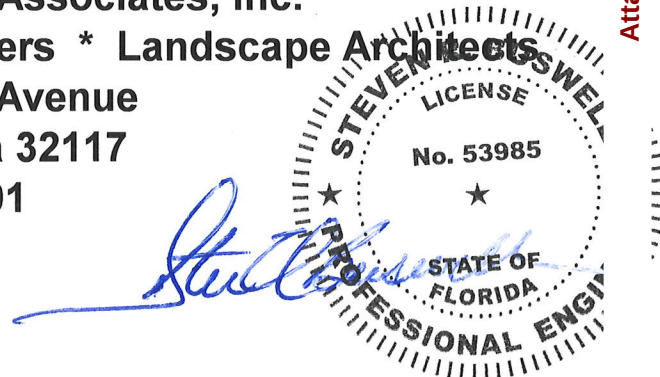
148 MASON AVENUE

**The City of Holly Hill
Volusia County, Florida**

TRIP GENERATION REPORT

March 19, 2024

Prepared By:
Parker Mynchenberg and Associates, Inc.
Professional Engineers * Land Planners * Landscape Architects
1729 Ridgewood Avenue
Holly Hill, Florida 32117
386-677-6891



Attachment: 148 Mason Avenue Trip Generation (4642 : Mason Avenue Storage Facility PD)

148 MASON AVENUE

The following calculations are based on the Institute of Transportation Engineers (ITE) 11th Edition
The trip generation for Mini - Warehouse (151).

Proposed Building Square Area = 32,500 SF
Proposed Building Square Area = 32.5 /1000 SF

T = # of Trips
 X = 1,000 SF Gross Floor Area

Average Vehicle Trips Ends vs: Square Footage

Weekday

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 1.45	50%	50%
T = 47.13 tpd	23.56	23.56

Weekday: A.M. Peak Hour of Generator

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 0.18	19%	81%
T = 5.85 tph	1.11	4.74

Weekday: P.M. Peak Hour of Generator

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 0.18	64%	36%
T = 5.85 tph	3.74	2.11

Saturday

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 1.77	50%	50%
T = 57.53 tpd	28.76	28.76

Saturday: Peak Hour of Generator

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 0.17	54%	46%
T = 5.53 tph	2.98	2.54

Sunday

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 1.5	50%	50%
T = 48.75 tpd	24.38	24.38

Sunday: Peak Hour of Generator

Equation:

	<u>In</u>	<u>Out</u>
T = average rate = 0.2	49%	51%
T = 6.50 tph	3.19	3.32

Summary	
Weekday Daily =	47.13 tpd
Weekday A.M. Peak =	5.85 tph
Weekday P.M. Peak =	5.85 tpd
Saturday Daily =	57.53 tpd
Saturday Hourly =	5.53 tph
Sunday Daily =	48.75 tpd
Sunday Hourly =	6.50 tph

Land Use: 151

Mini-Warehouse

Description

A mini-warehouse is a building in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as “self-storage” facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, Massachusetts, Minnesota, Nevada, New Jersey, Texas, and Utah.

Source Numbers

212, 403, 551, 568, 642, 708, 724, 850, 868, 876, 1024, 1035

Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 16

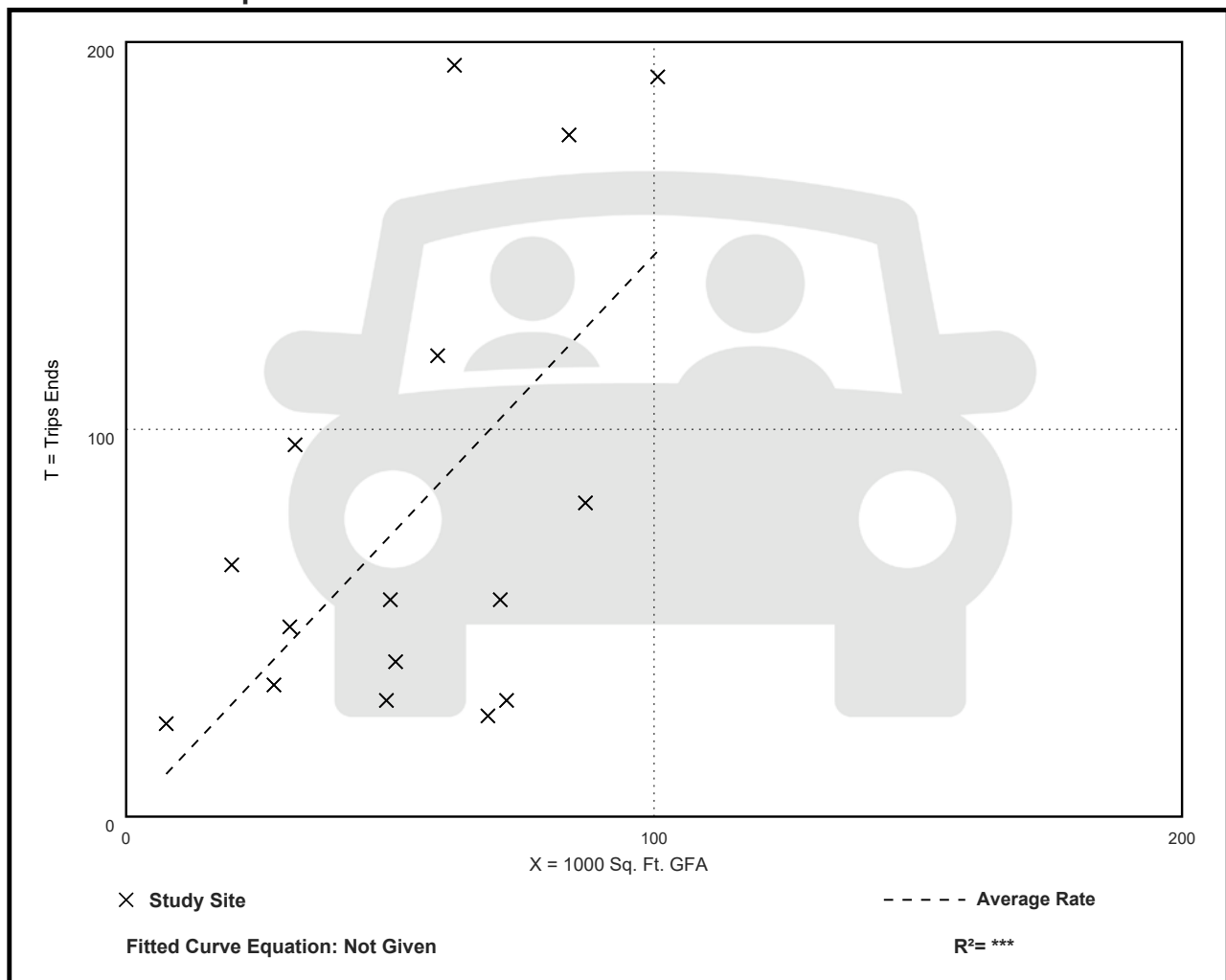
Avg. 1000 Sq. Ft. GFA: 55

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.45	0.38 - 3.25	0.92

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

AM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 11

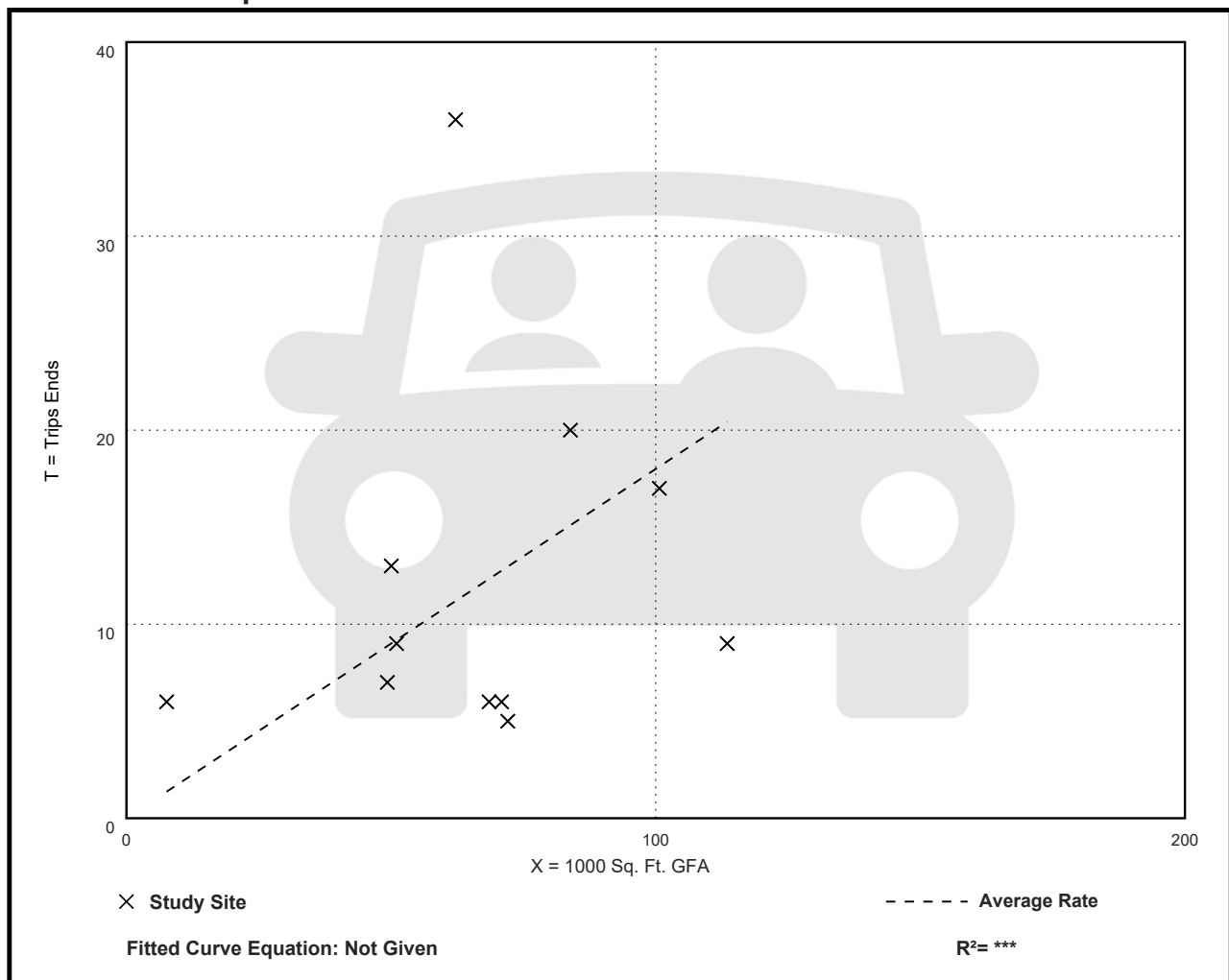
Avg. 1000 Sq. Ft. GFA: 66

Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.18	0.07 - 0.79	0.16

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

PM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 16

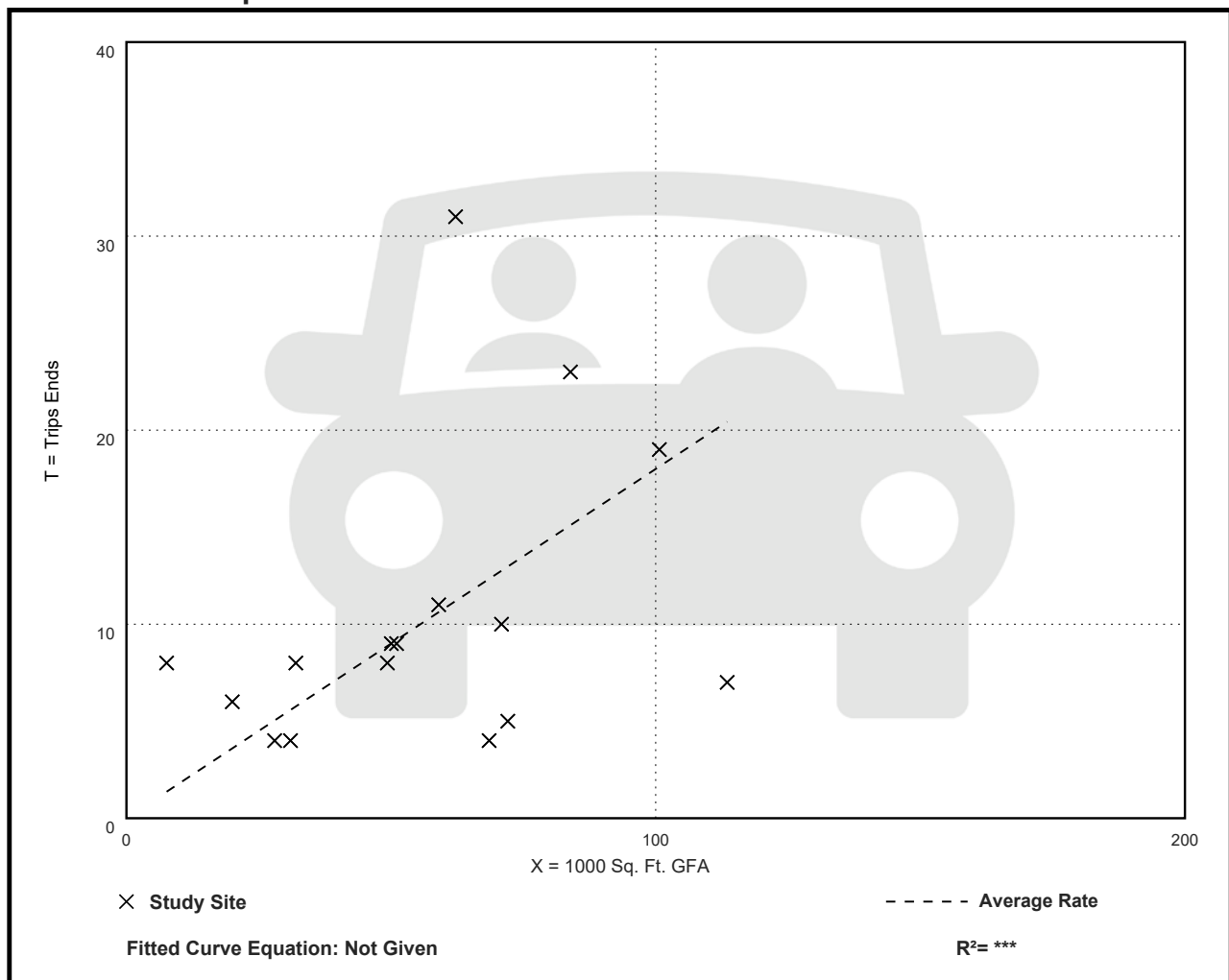
Avg. 1000 Sq. Ft. GFA: 56

Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.18	0.06 - 1.05	0.14

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday

Setting/Location: General Urban/Suburban

Number of Studies: 6

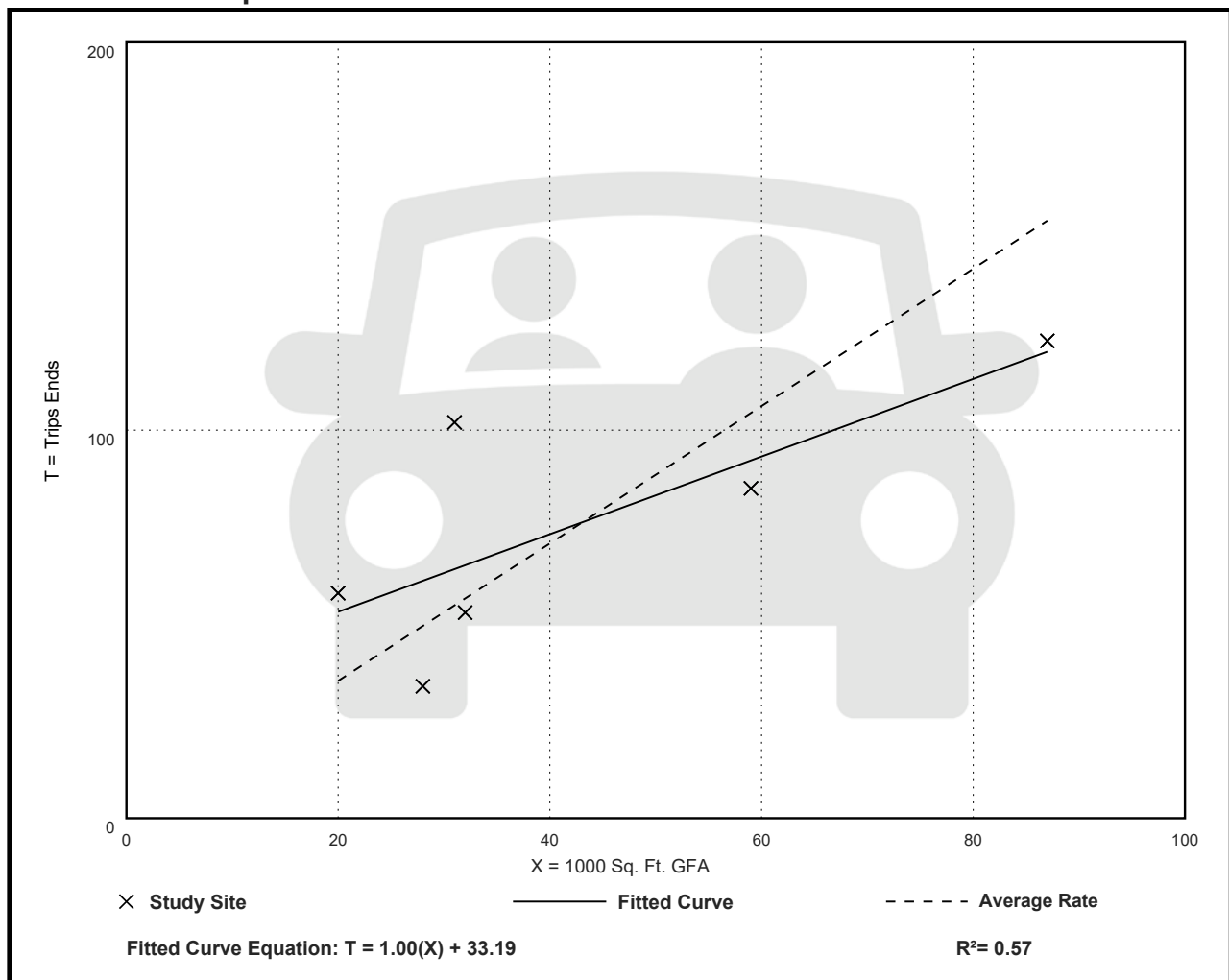
Avg. 1000 Sq. Ft. GFA: 43

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.77	1.21 - 3.29	0.76

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Saturday, Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 3

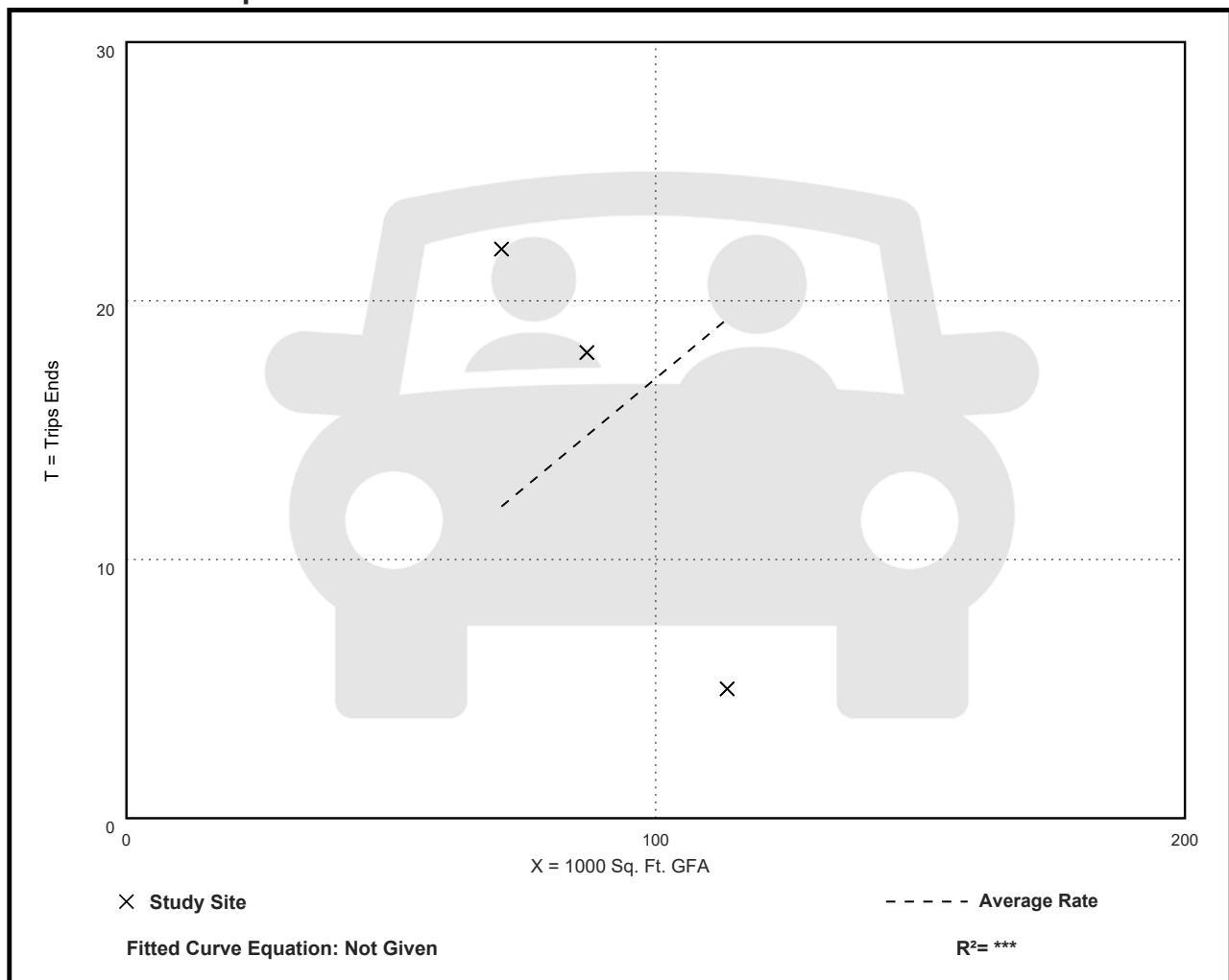
Avg. 1000 Sq. Ft. GFA: 90

Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.17	0.04 - 0.31	0.14

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Sunday

Setting/Location: General Urban/Suburban

Number of Studies: 5

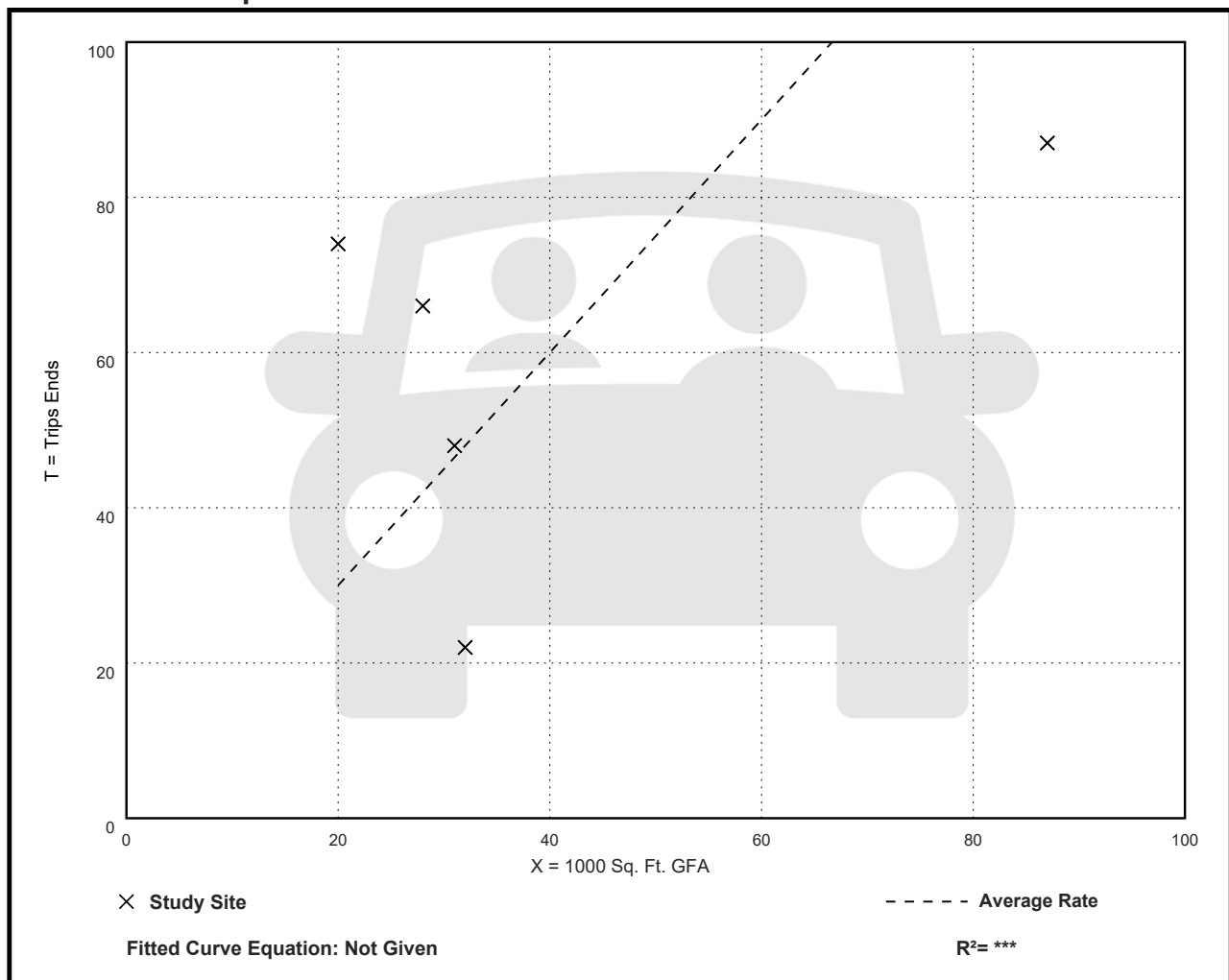
Avg. 1000 Sq. Ft. GFA: 40

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.50	0.69 - 3.70	1.01

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Sunday, Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 2

Avg. 1000 Sq. Ft. GFA: 79

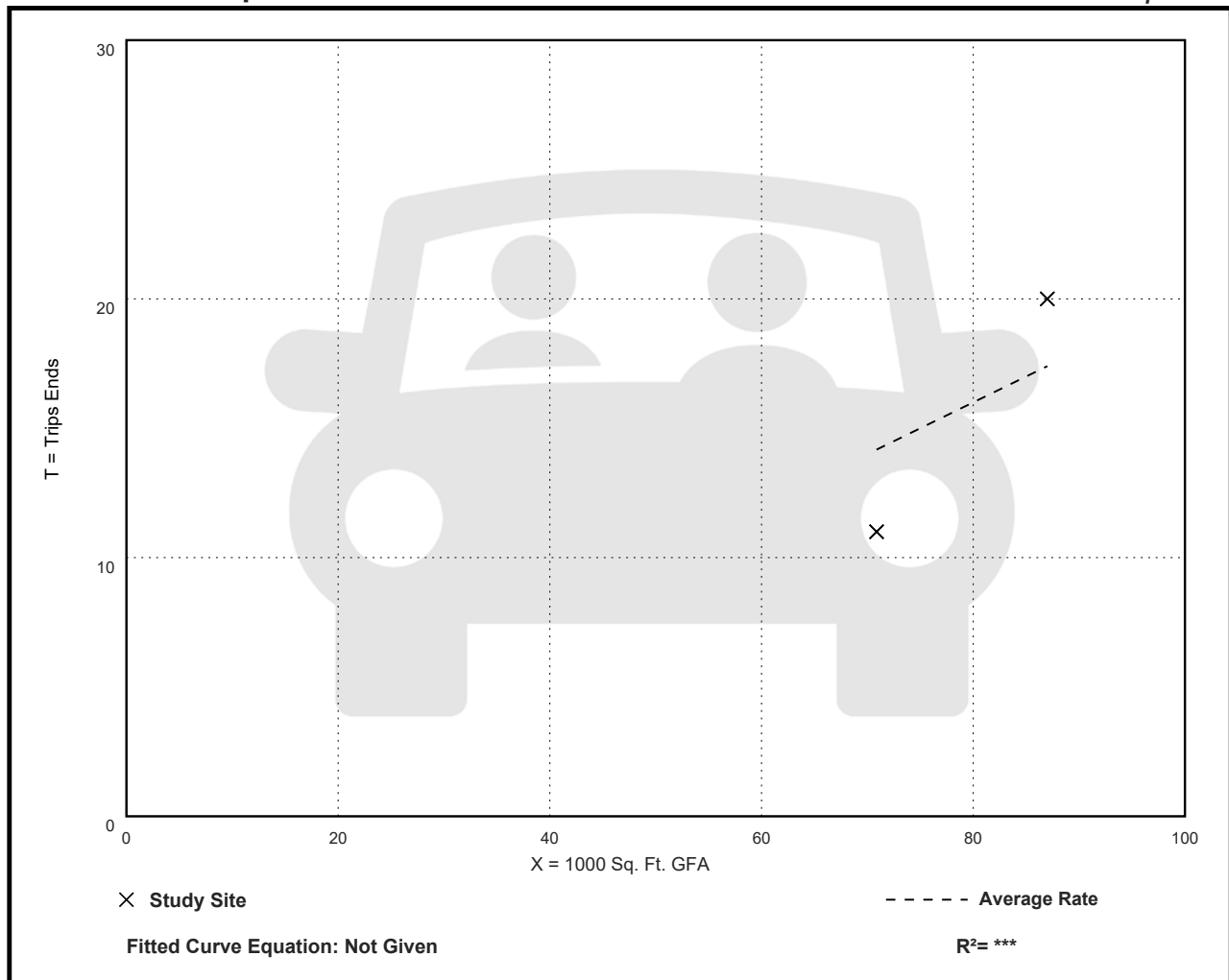
Directional Distribution: 45% entering, 55% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.20	0.16 - 0.23	***

Data Plot and Equation

Caution – Small Sample Size





ECS Florida, LLC

Geotechnical Engineering Report

TSS - Holly Hill

148 Mason Avenue
Holly Hill, Florida

ECS Project Number 56:1868

April 30, 2024

Attachment: Geotechnical Report (4642 : Mason Avenue Storage Facility PD)




ECS FLORIDA, LLC

Geotechnical • Construction Materials • Environmental • Facilities

"One Firm. One Mission."

April 30, 2024

Mr. Jake French
 Stein Investment Group
 5607 Glenridge Drive, Suite 200
 Atlanta, Georgia 30342

ECS Project No. 56:1868

Reference: Geotechnical Engineering Report
TSS - Holly Hill
 148 Mason Avenue
 Holly Hill, Florida

Dear Mr. French:

ECS Florida, LLC. (ECS) has completed the subsurface exploration, laboratory testing, and geotechnical engineering analyses for the above-referenced project. Our services were performed in general accordance with our agreed-to scope of work. This report presents our understanding of the geotechnical aspects of the project along with the results of the field exploration and laboratory testing conducted, and our foundation design and earthwork construction recommendations.

It has been our pleasure to be of service to **Stein Investment Group** during the design phase of this project. We would appreciate the opportunity to remain involved during the continuation of the design phase, and we would like to provide our services during construction phase operations as well to verify the assumptions of subsurface conditions made for this report. Should you have any questions concerning the information contained in this report, or if we can be of further assistance to you, please contact us.

Respectfully submitted,

ECS Florida, LLC
David W. Spangler, State of Florida
 Professional Engineer, License No. 58770
This item has been digitally signed and sealed by
 David W. Spangler on the date indicated here.
Printed Copies of this document are not
 considered signed and sealed and the signature
 must be verified on any electronic copies.

2024.04.3
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Melkin Fructuoso, EI
 Geotechnical Project Manager
MFructuoso@esclimited.com

David Spangler, P.E.
 Chief Engineer
 Registered Florida No 58770
DSpangler@esclimited.com

Attachment: Geotechnical Report (4642 : Mason Avenue Storage Facility PD)

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APPENDICES

Appendix A – Drawings & Reports

- Figure 1 – Site Location Diagram
- Figure 2 – Boring Location Diagram
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- Generalized Subsurface Profiles

Appendix B – Field Operations

- Reference Notes for Boring Logs
- Subsurface Exploration Procedure: Standard Penetration Testing (SPT) ASTM D1586
- Subsurface Exploration Procedure: Hand Auger Boring ASTM D1452
- Geotechnical SPT Boring Logs
- Hand Auger Logs

Appendix C – Laboratory Test Results

- Laboratory Testing Summary

EXECUTIVE SUMMARY

This Executive Summary is intended as a very brief overview of the primary geotechnical conditions that are expected to affect design and construction of the proposed TSS - Holly Hill to be located at 148 Mason Avenue in Holly Hill, Florida. The proposed development consists of presumed three-story storage building with an approximate footprint of 32,500 square feet, proposed parking and entrance drives, and proposed stormwater management areas. Information gleaned from the Executive Summary should not be utilized in lieu of reading the entire geotechnical report. In summary, we assess the geotechnical conditions at the site to be as follows:

- Based on the results of our exploration, we consider the subsurface conditions at the site adaptable for support of the proposed structures on properly designed conventional shallow foundation systems with a maximum allowable net bearing pressure of 2,500 psf and 3,000 psf, for footings at embedment depths of 18 inches (wall footings) and 24 inches (column footings), respectively. Provided the site preparation and earthwork construction recommendations outlined in Section 5.0 of this report are performed, the parameters presented in Section 4.1 of this report may be used for foundation design.
- We consider the subsurface conditions at the site adaptable for support of flexible and rigid pavement sections when constructed on properly prepared subgrade soils as outlined in Section 5.0 of this report.
- Loose to very soils were encountered generally within the upper 4 to 6 feet of the soils during this exploration. Earthwork operations during the preparation of the building pad area and excavations of foundations will require continuous observation of yielding areas and a contingency should be included in the budget for isolated undercutting during proof roll operations. After completing the clearing and stripping operations and installing the temporary groundwater control measures (if required), the exposed surface should be compacted with a heavy vibratory roller a minimum static, at-drum weight, on the order of 8 tons to 10 tons. Dynamic cone penetrometer (DCP) soundings, performed by hand, should also be performed subsequent to the surface soil heavy compaction operations in the area of the building to confirm densification of the very loose soils within the upper 6 feet of the proposed finish floor elevation.
- At the Boring A-03 location, silty fine sand with many organic materials (designated SM/PT) was encountered within a depth range of approximately 3 to 5 feet below the ground surface. These are soils or materials potentially having or having greater than 8 percent organic materials by dry weight. Typically, we recommend complete removal of soils with many organic materials (greater than 8 percent) if encountered within structure or pavement areas of the site. Test pits are recommended at the location of Boring A-03 to determine the nature and vertical and lateral extent of soils with many organic materials, to determine if removal will be required, and the extent of such removals. Test pits should be performed under the oversight of the geotechnical engineer or the construction materials testing engineer of record for the project.
- The borings encountered groundwater at depths varying from 3.5 to 6.0 feet below the existing ground surface at the time of our exploration, with the normal seasonal high groundwater level (SHGWL) estimated from 2.5 to 5.0 feet below the ground surface; as shown on the boring logs in Appendix B. Temporary groundwater control will be necessary to compact subgrade soils where subgrade is within 2 feet of the groundwater level at the time of compaction.

- The fine sands (SP) and fine sands with silt (SP-SM) encountered at the stormwater pond locations and throughout the site can be used as structural fill. Silty and clayey fine sand (SM/SC) soils may also be used as structural fill where it is determined that these soils contain less than 20 percent fines. Silty and clayey fine sand soils with more than 20 percent fines are not recommended for use as structural fill but may be used as fill in non-structural areas.
- We recommend that ECS be provided the opportunity to review the foundation plans and earthwork specifications to verify that our recommendations have been properly interpreted and implemented. ECS should also be retained to perform the construction material testing and observations required for this project, to verify that our recommendations have been satisfied.

1.0 INTRODUCTION

The purpose of this study was to provide geotechnical information for the design of foundations, pavements and stormwater management (ponds) for the proposed TSS - Holly Hill to be located at 148 Mason Avenue in Holly Hill, Florida. The proposed development consists of a three-story storage building with an approximate footprint of 32,500 square feet, proposed parking and entrance drives, and proposed stormwater management areas.

Our services were provided in general accordance with the scope of services outlined in our Proposal No. 56:2181, dated March 19, 2024, which includes our Terms and Conditions of Service, as authorized on March 29, 2024.

This report includes the following items:

- A brief discussion of our understanding of the planned construction and imposed loading conditions.
- A presentation of the field and laboratory test procedures used, and the data obtained.
- A presentation of the existing on-site conditions, such as topography, surface vegetation, etc. as they relate to the planned construction.
- A presentation of the encountered subsurface conditions, including subsurface profiles and measured groundwater levels, estimated normal seasonal high groundwater levels, and estimated geotechnical engineering properties (as necessary).
- A geotechnical engineering evaluation of the site and subsurface conditions with respect to the planned construction.
- Recommendations for foundation design parameters, including our estimate of the performance of the foundation system.
- Recommendations for on-site flexible and rigid pavement design.
- Recommendations for the proposed stormwater management pond construction, including the results of laboratory falling head permeability testing (measured mean permeability and estimated horizontal and vertical permeability rates, K_m , K_h and K_v , respectively).
- Recommendations for site clearing, subgrade preparation and fill placement / earthwork requirements.
- Recommendations for additional testing and/or consultation that might be required to complete the geotechnical assessment and related engineering for this project.

2.0 PROJECT INFORMATION

2.1 PROJECT LOCATION/CURRENT SITE USE

The project site is located at 148 Mason Avenue in Holly Hill, Florida. The site was bordered to the north by 1st Street followed by a vacant lot and single-family residential development, to the west by Daytona Avenue followed by a gas station and single-family residential development, to the east by Shirley Heyman Park including a pond followed by N Beach Street, and to the south by Mason Avenue followed by single-family residential development. A figure showing the general site location is provided below, and on Figure 1 in Appendix A.



Site Location

At the time of our exploration, the site was developed with a transmission shop with associated paved parking and drives to the east and covered of grass and some trees to the west. ECS was not provided a site topographic survey at the time of this report. Based on topographic information from the USGS Topographic Map of the site area, the estimated site elevations ranged between approximately El. 4 to El. 12. These elevation estimates are approximate and are not based on a site-specific survey; they should not be used in project design.

2.2 PAST SITE HISTORY/USES

ECS has reviewed aerial photographs of the subject site on Google Earth and Historic Aerials (NETR Online). The aerial photographs reviewed were dated 1985, 1995, 1999, 2004 to 2011, 2014 to 2019 and 2021 to 2023. From 1985 to 1995, aerial photographs showed the site consisted of some trees and a transmission shop with associated parking and paved driveways, and surrounded by single-family homes. In 1995, aerial photograph showed a detention pond to the east of the site. In 2010 aerial photograph showed a cleared and leveled vacant lot to the north of the site. Site conditions did not appear to change significantly since 2010, and conditions appeared to be approximately as they existed at the time of this exploration.

2.3 SOIL SURVEY MAPPING

Based on the Web Soil Survey for Volusia County, Florida, as prepared by the U.S. Department of Agriculture Natural Resource Conservation Service (USDA-NRCS), the predominant soil type existing

within the site area and beyond the site boundaries is described in the following table. The site area is illustrated superimposed on the USDA-NRCS Soil Survey Map included as the following figure.

Web Soil Survey Data

Soil Type	Constituents	Drainage Class	Water Table
6—Astatula-Urban land complex, 0 to 8 percent slopes	Fine and	Excessively drained	More than 80 inches
71—Urban land, 0 to 2 percent slopes	N/A	N/A	N/A

Soil mapping of the site vicinity including soil type and number are presented in the following figure, obtained from the USDA Web Soil site.



Site Soil Survey

2.4 PROPOSED CONSTRUCTION

Based on email correspondence with Mr. Jake French at Stein Investment Group and the provided Concept Plan Site dated March 25, 2024, we understand that a proposed storage building development is proposed at 148 Mason Avenue in Holly Hill, Florida. The proposed development consists of presumed three-story storage building with an approximate footprint of 32,500 square feet, proposed parking and entrance drives, and proposed stormwater management areas. Details of the building construction were not provided at the time of this report. We assume that building construction will comprise masonry and wood-frame construction with a concrete slab-on-grade lower floor. Based on our experience with similar projects, maximum wall and column loads are expected to not exceed 10 kips per linear foot and 200 kips, respectively. Based on the provided information, the wet pond located to the east of the site is proposed to be expanded to the west.

3.0 FIELD EXPLORATION AND LABORATORY TESTING

Our scope of exploration work included drilling six (6) Standard Penetration Test (SPT) Borings to a depth of 25 feet below the ground surface for the proposed commercial building, two (2) SPT Borings to a depth of 15 feet below the ground surface for the proposed stormwater management (pond), and three (3) SPT Borings to a depth of 6 feet below the ground surface for the proposed pavement areas for parking and drives. Our borings were located with a handheld GPS unit and their approximate locations are shown on the Boring Location Diagram (Figures 2 and 3) in Appendix A. Our exploration procedures are explained in greater detail in Appendix B, including the inserts titled Reference Notes for Boring Logs and Subsurface Exploration Procedure: Standard Penetration Testing (SPT) ASTM D1586.

3.1 SUBSURFACE CHARACTERIZATION

The subsurface conditions encountered were generally consistent with published geological mapping. The following sections provide generalized characterizations of the soil strata. Please refer to the boring logs in Appendix B for detailed subsurface conditions.

Subsurface Stratigraphy of Building SPT Borings

Approximate Depth Range (ft)	Stratum	Description	Ranges of SPT ⁽¹⁾ N-values (bpf)
0 to 0.58	N/A	Topsoil [6.00"] As an exception, Asphalt concrete and Limerock Base, were encountered at the Boring B-05 location, approximately within the depth range of 1 to 6 inches, respectively, below the ground surface.	N/A
0.5 to 25 ⁽²⁾	I	Very Loose to Dense Fine Sand (SP) and Fine Sand with Silt (SP-SM), some to significant Shells.	2-42

Notes: (1) Standard Penetration Test
(2) Termination depth of borings

Subsurface Stratigraphy of Pond SPT Borings

Approximate Depth Range (ft)	Stratum	Description	Ranges of SPT ⁽¹⁾ N-values (bpf)
0 to 0.5	N/A	Topsoil [6.00"]	N/A
0.5 to 15 ⁽²⁾	I	Loose to Medium Dense Fine Sand (SP) and Fine Sand with Silt (SP-SM).	6-16

Notes: (1) Standard Penetration Test
(2) Termination depth of borings

Subsurface Stratigraphy of Pavement Auger Borings

Approximate Depth Range (ft)	Stratum	Description
0 to 0.5	N/A	Topsoil [6.00"]
0.5 to 6 ⁽¹⁾	I	Fine Sand (SP), Fine Sand with Silty (SP-SM) and Silty Fine Sand (SM) As an exception, Silty Fine Sand (SM/PT) with many organic materials (greater than 8%), was encountered at the Boring A-03 location, approximately within the depth range of 3 to 5 feet below the ground surface.

Notes: (1) Termination depth of borings

3.2 GROUNDWATER OBSERVATIONS**3.2.1 Encountered Groundwater**

Groundwater levels were measured during our field exploration and are presented in our boring logs in Appendix B. Groundwater depths estimated at the time of drilling were approximately 3.5 to 6.0 feet below the ground surface. Variations in the long-term water table may occur as a result of changes in precipitation, evaporation, surface water runoff, construction activities, and other factors.

3.2.2 Estimated Normal Seasonal High Groundwater

The normal seasonal high groundwater level is affected by a number of factors. The drainage characteristics of the soils, land surface elevation, relief points such as drainage ditches, lakes, rivers, swamp areas, etc., and distance to relief points are some of the more important factors influencing the seasonal high groundwater level.

Based on the estimated groundwater levels at the site and our interpretation of the site conditions, including the boring logs and Web Soil Survey, we estimate the normal seasonal high groundwater level (SHGWL) to be approximately 1.0 foot higher than the levels estimated at the time of drilling; approximately at 2.5 to 5.0 feet below the ground surface, as shown on the attached Boring Logs. It is possible that groundwater levels may exceed the estimated normal seasonal high groundwater level as a result of significant or prolonged rains.

3.3 LABORATORY TESTING

Each sample was visually classified on the basis of texture and plasticity in accordance with ASTM D2487 Standard Practice for Classification for Engineering Purposes (Unified Soil Classification System (USCS)) and ASTM D2488 Standard Practice for Description and Identification of Soils (Visual-Manual Procedures) and including USCS classification symbols. After classification, the samples were grouped in the major zones noted on the boring logs in Appendix B. The group symbols for each soil type are indicated in parentheses along with the soil descriptions. The stratification lines between strata on the logs are approximate; in situ, the transitions may be gradual.

The laboratory testing consisted of selected tests performed on samples obtained during our field exploration. Classification and index property tests were performed on representative soil samples and included percent fines (ASTM D1140), moisture content (ASTM D2216), organic material

content (ASTM D2974), and falling head permeability (ASTM D5084) tests. Percent fines and moisture content test results are included on the boring logs in Appendix B; all laboratory tests, except the permeability test, are also summarized in Appendix C on the Laboratory Testing Summary sheet. The permeability test results are presented in Section 4.4.

4.0 DESIGN RECOMMENDATIONS

4.1 FOUNDATIONS

The recommendations presented in this report are based on the project information provided to us, the results of the soil test borings, laboratory testing, and the engineering analyses. Considering the results of our field exploration and our experience with similar projects, it is our professional opinion the existing on-site sandy soils at the project site are considered to be suitable for the proposed development, provided that the subgrade soils have been properly prepared, as described in this report, and approved by the Geotechnical Engineer or their authorized representative.

Very loose to loose sandy soils were encountered in the upper 4 to 6 feet below the existing ground surface at several boring locations within the proposed building footprint. A heavy vibratory roller should be used to compact the surface soils in the area of the building footprints. Dynamic cone penetrometer (DCP) soundings, performed by hand, should also be performed subsequent to the surface soil heavy compaction operations to confirm densification of the very loose soils within the upper 6 feet of the finished floor elevations.

Provided subgrades and structural fills are prepared as recommended in this report, the proposed structures can be supported by shallow foundations including column footings and continuous wall footings. We recommend the foundation design use the following parameters:

Buildings Foundation Parameters

Design Parameter	Column Footing	Wall Footing
Minimum Width	24 inches	18 inches
Minimum Footing Embedment Depth (below slab or finished grade)	24 inches	18 inches
Estimated Maximum Total Settlement ¹	1 inch	1 inch
Estimated Maximum Differential Settlement ²	½ inch between columns	Less than ½ inch over 50 feet
Net Allowable Bearing Pressure ³	2,500 psf at 18 inches embedment 3,000 psf at 24 inches embedment	
Acceptable Bearing Soil Material	Compacted Subgrade/Engineered Fill	

1. Based on estimated structural loads. If final loads are different, ECS must be contacted to update foundation recommendations and settlement calculations.
2. Based on maximum column/wall loads and variability in borings. Differential settlement can be re-evaluated once the foundation plans are more complete.
3. Net allowable bearing pressure is the applied pressure in excess of the surrounding overburden soils above the base of the foundation.

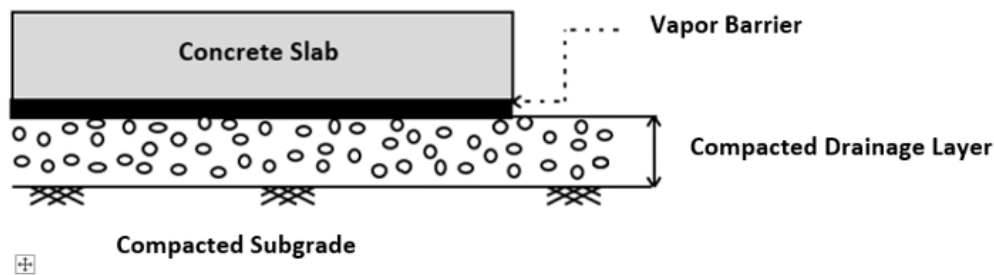
Depending on the final floor elevations of the buildings, we anticipate that the soils at the foundation bearing elevation are anticipated to be adaptable for support of the proposed structures, after subgrade preparation in accordance with Section 5.0 of this report. The bearing level soils, after compaction, should exhibit densities equivalent to 95 percent of the modified

Proctor maximum dry density (ASTM D1557) to a depth of at least one foot below foundation bearing levels.

For turn down slabs and interior wall footings the minimum width should also be 18 inches, however the sloped transition portion of the turn-down may be included when determining the footing width. Even though the maximum allowable soil bearing pressure may not be achieved, these width recommendations should control the size of the foundations.

4.2 SLABS ON GRADE

The floor slabs can be constructed as a slab-on-ground, provided the site is prepared as outlined in Section 5.0. A minimum clearance of 2 feet is recommended between the estimated normal SHGWL and the bottom of the floor slabs. It is recommended the floor slab bearing soils be covered with an impervious membrane to reduce moisture entry and floor dampness. A 6-mil thick plastic membrane is commonly used for this purpose. Care should be exercised not to tear large sections of the membrane during placement of reinforcing steel and concrete. Due to the potential for a damp slab condition to develop as a result of the shallow groundwater, we recommend a minimum of 6 inches of drainage material directly beneath the floor slab and plastic membrane, as shown in Figure 4.2.1; note that this material may consist of the on-site fine sand (SP) soils or other approved imported fill. Consideration should also be given to not use moisture sensitive floor coverings.



1. Drainage Layer Thickness – 6 inches minimum
2. Drainage Layer Material – SAND (SP, SW), GRAVEL (GP, GW)

Figure 4.2.1. Granular Capillary Break/Drainage Layer

4.3 PAVEMENTS

Based on the results of our exploration, we consider the subsurface conditions at the site adaptable for support of a flexible or rigid pavement section when constructed on properly prepared subgrade soils as outlined in Section 5.0 of this report. Typical pavement sections used in northeast Florida are presented in the following sections. If requested, we can prepare a project-specific pavement design if specific traffic data is provided.

4.3.1 Flexible Pavement Recommendations

TYPICAL FLEXIBLE PAVEMENT SECTIONS		
MATERIAL	LIGHT DUTY	HEAVY DUTY
Asphaltic Concrete Surface Course (SP-9.5 or Type S)	1.5 inches	2 inches
Limerock Base	6 inches	8 inches
Stabilized Subgrade	12 inches	12 inches

Base and Subgrade: The limerock base course should have a minimum Limerock Bearing Ratio (LBR) of 100 and should be compacted to 98 percent of the modified Proctor maximum dry density (ASTM D1557) value. The subgrade material should have a minimum LBR of 40 and be compacted to 98 percent of the modified Proctor maximum dry density (ASTM D1557) value.

Underdrains: Satisfactory pavement life is dependent on dry/strong pavement support provided by the base and subgrade courses. Accordingly, a minimum clearance of 2 feet must be maintained between the normal SHGWL and the bottom of the limerock base layer. In some areas of the site, elevating fill will be required to achieve this separation. Depending on final pavement grades, FDOT Type I or II underdrains may be required to maintain dry base and subgrade materials where this separation cannot be achieved.

4.3.2 Rigid Pavement Recommendations

Our recommendations for slab thickness for standard duty and heavy-duty concrete pavements are based on the following:

- a) subgrade soils densified to 98 percent of the modified Proctor maximum dry density (ASTM D1557),
- b) modulus of subgrade reaction (k) equal to 200 pounds per cubic inch, and
- c) a 20-year design life.

TYPICAL RIGID PAVEMENT SECTIONS		
	LIGHT DUTY	HEAVY DUTY
Minimum Concrete Thickness	5 inches	6 inches
Maximum Control Joint Spacing	10 feet x 10 feet	12 feet x 12 feet
Recommended Sawcut Depth	1¼ inches	1½ inches

We recommend using concrete with a minimum 28-day compressive strength of 4,000 psi and a minimum 28-day flexural strength (modulus of rupture) of at least 600 pounds per square inch, based on 3rd point loading of concrete beam test samples. Layout of the sawcut control joints should form square panels. The joints should be sawed within six hours of concrete placement or as soon as the concrete has developed sufficient strength to support workers and equipment. We recommend allowing ECS to review and comment on the final concrete pavement design, including section and joint details (type of joints, joint spacing, etc.), prior to the start of construction.

For further details on concrete pavement construction, please reference the “Guide to Jointing on Non-Reinforced Concrete Pavements” published by the Florida Concrete and Products Associates, Inc., and “Building Quality Concrete Parking Areas”, published by the Portland Cement Association.

4.4 STORMWATER MANAGEMENT POND

4.4.1 Soil Permeability Rates

For the stormwater management pond, laboratory testing included soil permeability tests on remolded samples collected at the time of drilling from Boring P-01 and P-02, and the results of these tests are presented in the following table.

Laboratory Permeability Results

Test Location	Test Depth (feet)	Soil Type	Measured Mean Permeability (ft/day) K_m	Estimated Horizontal Permeability (ft/day) K_h	Estimated Vertical Permeability (ft/day) K_v
P-01	4 to 6	SP-SM	1.3	1.3	1.3
P-02	4 to 6	SP-SM	3.5	3.5	3.5

The measured permeability rates presented from the field and laboratory tests should not be construed to represent the actual pond exfiltration rates. For pond design calculations, we recommend an appropriate factor of safety be applied to the above permeability values; typically a factor of safety of 2.0 is recommended.

4.4.2 Pond Excavation Borrow Suitability

Based on the boring results and classification of the soil samples, the fine sands (SP) and fine sands with silt (SP-SM) encountered at the stormwater pond locations can be used as structural fill. If soils to be excavated from within the proposed pond areas are in close proximity to or below the groundwater level, they may have moisture contents in excess of the modified Proctor optimum moisture content. In this case, these soils will require stockpiling or spreading to drain the excess moisture. Wet soils should be dried to bring the soil moisture content within ± 2 percent of the soil's optimum moisture content to facilitate placement and compaction. Dewatering also may be used to drain the soils excess moisture in advance of borrow pond area excavation; however, this would lower the water level within the existing wet pond. Clayey fine sand (SC) soils may also be used as structural fill where it is determined that these soils contain less than 20 percent fines. Clayey fine sand soils with more than 20 percent fines are not recommended for use as structural fill but may be used as fill in non-structural areas.

5.0 SITE CONSTRUCTION RECOMMENDATIONS**5.1 SUBGRADE PREPARATION****5.1.1 Stripping and Grubbing**

The existing structures and structural debris, including subsurface foundations and abandoned utilities and pavements should be completely removed from the site. The "footprint" of the proposed buildings, plus a minimum additional margin of 5 feet, and of the hardscape areas (parking/driveway) plus a minimum additional margin of 3 feet, should be stripped of all existing surface vegetation, stumps, organic topsoil, or other deleterious materials (including structural debris). During grubbing operations, roots with a diameter greater than 0.5-inch, stumps, small roots in a concentrated state or other organic soils with higher than 8 percent organic materials content, should be grubbed and completely removed; organic soils may be used in non-structural areas.

5.1.2 Over-Excavation of Organic Soils

At the Boring A-03 location, silty fine sand with many organic materials (designated SM/PT) were encountered within a depth range of approximately 3 to 5 feet below the ground surface. These are soils or materials potentially having or having greater than 8 percent organic materials by dry weight. Typically, we recommend complete removal of soils with many organic materials (greater than 8 percent) if encountered within structure or pavement areas of the site. Test pits are

recommended at the location of Boring A-03 to determine the nature and vertical and lateral extent of soils with many organic materials, to determine if removal will be required, and the extent of such removals. Test pits should be performed under the oversight of the geotechnical engineer or the construction materials testing engineer of record for the project.

5.1.3 Proof Rolling

Following removal of any unsuitable materials and prior to fill placement or other construction on subgrades, subgrades should be evaluated by an ECS field technician by proof rolling. The exposed subgrade should be thoroughly proof rolled with construction equipment having a minimum axle load of 20 tons [e.g., fully loaded tandem-axle dump truck]. Proof rolling should be traversed in two perpendicular directions with overlapping passes of the vehicle under the observation of an ECS technician. This procedure is intended to assist in identifying any localized yielding materials.

Where proof rolling identifies areas that are unstable or “pumping” subgrade those areas should be repaired prior to the placement of any subsequent Structural Fill or other construction materials. Methods of stabilization include undercutting or moisture conditioning. The situation should be discussed with ECS to determine the appropriate procedure. Test pits may be excavated to explore the shallow subsurface materials to help in determining the cause of the observed unstable materials, and to assist in the evaluation of appropriate remedial actions to stabilize the subgrade.

5.1.4 Temporary Groundwater Control

We recommend that temporary groundwater control measures be implemented where the groundwater table is within a depth of 2 feet below the excavated subgrade bottom at the time of compaction operations. Dewatering methods should be determined by the contractor. We recommend the groundwater control measures remain in place until compaction of the existing soils is completed. The dewatering method should be maintained until backfilling has reached a height of 2 feet above the subgrade level at the time of construction. The site should be graded to direct surface water runoff from the construction area.

Note that discharge of produced groundwater to surface waters of the state from dewatering operations or other site activities is regulated and requires a permit from the State of Florida Department of Environmental Protection (FDEP). This permit is termed a Generic Permit for the Discharge of Produced Groundwater From Any Non-Contaminated Site Activity. If discharge of produced groundwater is anticipated, we recommend sampling and testing of the groundwater early in the site design phase to prevent project delays during construction. ECS can provide the sampling, testing, and professional consulting required to evaluate compliance with the regulations.

5.1.5 Subgrade Compaction

After completing the clearing and stripping, installing the temporary groundwater control measures, unsuitable (organic or other) materials removals (where required) and proof rolling operations, the exposed surface should be compacted with a heavy vibratory roller having a minimum static, at-drum weight on the order of 10 tons to compact disturbed or very loose to loose soils near subgrade levels. Typically, the material should exhibit moisture contents within ± 2 percentage points of the modified Proctor optimum moisture content (ASTM D1557) during the compaction operations. Compaction should continue until densities of at least 95 percent of the modified Proctor maximum dry density (ASTM D1557) have been achieved within the upper 2 feet of the compacted natural soils at the site. Dynamic cone penetrometer (DCP) soundings, performed by hand, should also be performed subsequent to the surface soil heavy compaction operations in

the area of the building to confirm densification of the very loose soils within the upper 6 feet of the proposed finish floor elevation.

Should the bearing level soils experience pumping and soil strength loss during the compaction operations, compaction work should be immediately terminated, and (1) the disturbed soils should be removed and backfilled with compacted structural fill, or (2) the excess moisture content within the disturbed soils should be allowed to dissipate before recompacting.

Care should be exercised to avoid damaging any nearby structures while the compaction operation is underway. Prior to commencing compaction, occupants of adjacent structures should be notified, and the existing conditions of the structures should be documented with photographs and survey (if deemed necessary). Compaction should cease if deemed detrimental to adjacent structures, and ECS should be contacted immediately. We recommend the vibratory roller remain a minimum of 50 feet from existing structures. Within this zone, use of a track-mounted bulldozer, or a vibratory roller operating in the static mode, is recommended.

5.2 EARTHWORK OPERATIONS

5.2.1 Structural Backfill and Fill Soils

Structural fill is defined as a non-plastic, inorganic, granular soil having less than 10 percent material passing the No. 200 mesh sieve and containing less than 4 percent organic material. The predominant fine sands and fine sands with silt (SP, SP-SM), as encountered in the borings, may be used as structural fill materials and, with proper moisture control, should densify using conventional compaction methods. Soils with more than 10 to 12 percent passing the No. 200 sieve will be more difficult to compact, due to their nature to retain soil moisture, and may require drying. The clayey fine sand (SC) (and silty fine sand (SM) if encountered) in some borings may be used as structural fill where it is determined that these soils contain 20 percent or less fines; however, the potential difficulty working with these soils and achieving optimum moisture content for earthwork should be taken into consideration. Soils with more than 20 percent fines are not recommended for use as structural fill.

Structural Fill Compaction Requirements: Materials placed as structural fill should meet the following compaction requirements.

STRUCTURAL FILL COMPACTION REQUIREMENTS	
Subject	Requirement
Compaction Standard	Modified Proctor, ASTM D1557
Required Compaction	95% of Max. Dry Density (general structural fill) 98% of Max. Dry Density (upper one foot below the proposed pavement base course)
Loose Thickness prior to compaction	12 inches if vibratory drum roller compaction equipment is used 8 inches if vibratory drum roller is used in static mode 8 inches if track-mounted compaction equipment is used 6 inches if hand-held compaction equipment is used

Fill materials should not be placed on excessively wet soils. Excessively wet soils should be scarified, aerated, and moisture conditioned. Proper drainage should be maintained during the earthwork phases of construction to prevent ponding of water which has a tendency to degrade subgrade soils. The contractor should minimize dusting or implement dust control measures, as required.

We recommend that the grading contractor have equipment on site during earthwork for both drying and wetting fill soils. Moisture control may be difficult during extended periods of rain. The control of moisture content of soils containing more than 10% fines may be difficult when these soils become wet. Further, such soils are easily degraded by construction traffic when the moisture content is elevated.

5.2.2 Foundation Areas

After satisfactory placement and compaction of the required structural fill, the foundation areas may be excavated to the planned bearing levels. The foundation bearing level soils, after compaction, should exhibit densities equivalent to 95 percent of the modified Proctor maximum dry density (ASTM D1557) to a depth of at least one foot below the bearing level. For confined areas, such as the footing excavations, any compactive effort should be provided by a lightweight vibratory sled or roller having a total weight on the order of 500 to 2,000 pounds.

5.2.3 Flexible Pavement Areas

After completing the clearing/stripping operations in the pavement areas, where any underlying clayey (or silty) sands with more than 20 percent fines are determined to be within 2 feet of the bottom of the pavement base, they should be over-excavated from within the pavement areas and should be replaced with approved on-site or imported structural fill. Structural backfill and fill required to achieve the finish pavement grades then can be placed and compacted as described in Sections 5.2.1.

5.2.4 Rigid Pavement Areas

For a concrete pavement subgrade, we recommend using clean fine sand (SP), compacted to at least 98 percent of modified Proctor test maximum dry density (ASTM D1557) without additional stabilization. Limerock base is not required beneath rigid pavements and the relatively free draining fine sand (SP) soils with 5 percent or less fines are preferred.

5.3 UTILITY INSTALLATIONS

Utility Subgrades: The soil borings encountered predominant fine sands and fine sands with silt (SP, SP-SM), and may encounter clayey fine sand (SC), or silty fine sand (SM) in some areas of the site. It is our opinion that these soils are suitable bedding soils for pipelines and utility structures where it is determined that these soils contain 20 percent or less fines. Where soils contain more than 20 percent fines, they should be over excavated to a depth of 12 inches below the pipe invert and to a depth of 24 inches below manhole structures, and should be replaced with soils having less than 20 percent fines.

Utility Backfilling: Backfill placed around the pipe, and to a height of 2 feet above the top of pipe, should be placed in 6-inch lifts. Each lift should be compacted with hand-held equipment to 98 percent of the soil's Modified Proctor (ASTM D1557) maximum dry density. Backfill placed above the 2-foot zone above the top of pipe elevation may be placed in 12-inch lifts and compacted with heavier equipment. Typically, the backfill soil should exhibit moisture contents within ± 2 percent of the soil's optimum moisture content as determined from the Proctor test. Care should be taken to avoid damaging the pipe during compaction operations.

Utility Excavation Dewatering: Based on the groundwater depths encountered at our boring locations, groundwater may be encountered in utility excavations which extend below existing grades. Removal of groundwater may be required, especially for deeper utility excavations. The contractor should submit a dewatering plan prior to installing the site utilities.

Excavation Safety: All excavations and slopes should be made and maintained in accordance with OSHA excavation safety standards. The contractor is solely responsible for designing and constructing stable, temporary excavations and slopes and should shore, slope, or bench the sides of the excavations and slopes as required to maintain stability of both the excavation sides and bottom. The contractor's responsible person, as defined in 29 CFR Part 1926, should evaluate the soil exposed in the excavations as part of the contractor's safety procedures. In no case should slope height, slope inclination, or excavation depth, including utility trench excavation depth, exceed those specified in local, state, and federal safety regulations. ECS is providing this information solely as a service to our client. ECS is not assuming responsibility for construction site safety or the contractor's activities; such responsibility is not being implied and should not be inferred.

Erosion Control: The surface soils may be erodible. Therefore, the Contractor should provide and maintain good site drainage during earthwork operations to maintain the integrity of the surface soils. All erosion and sedimentation controls should be in accordance with sound engineering practices and local requirements.

Other Excavation Considerations: Dense to very dense coquina gravel and/or cemented shells were encountered throughout many of the borings at this site. Excavations through this material may be difficult and require special equipment or procedures, particularly where the near-surface materials are cemented.

6.0 CLOSING

Our geotechnical exploration has been performed, our findings obtained, and our recommendations prepared, in accordance with generally accepted geotechnical engineering principles and practices. ECS is not responsible for any independent conclusions, interpretation, opinions, or recommendations made by others based on the data contained in this report.

Our scope of services was intended to evaluate the soil conditions within the zone of soil influenced by the foundation and pavement systems. Our scope of services does not address geologic conditions, such as sinkholes or soil conditions existing below the depth of the soil borings.

If any of the project description information discussed in this report is inaccurate, either due to our interpretation of the documents provided or site or design changes that may occur later, ECS should be contacted immediately in order that we can review the report in light of the changes and provide additional or alternate recommendations as may be required to reflect the proposed construction.

We recommend that ECS be allowed to review the project's plans and specifications pertaining to our work so that we may ascertain consistency of those plans/specifications with the intent of the geotechnical report.

Field observations, monitoring, and quality assurance testing during earthwork and foundation installation are an extension of and integral to the geotechnical design recommendation. We recommend that the owner retain these quality assurance services and that ECS be allowed to continue our involvement throughout these critical phases of construction to provide general consultation as issues arise.

APPENDIX A – Diagrams & Reports

Figure 1 – Site Location Diagram

Figure 2 – Boring Location Diagram

Figure 3 – Boring Location Diagram with Provided Site Plan
Subsurface Soil Profiles



SITE LOCATION DIAGRAM TSS - HOLLY HILL

148 MASON AVENUE, HOLLY HILL, FLORIDA
STEIN INVESTMENT GROUP

ENGINEER MK6
SCALE AS NOTED
PROJECT NO. 56:1868
FIGURE 1 OF 3
DATE 4/25/2024



BORING LOCATION DIAGRAM TSS - HOLLY HILL

148 MASON AVENUE, HOLLY HILL, FLORIDA
STEIN INVESTMENT GROUP

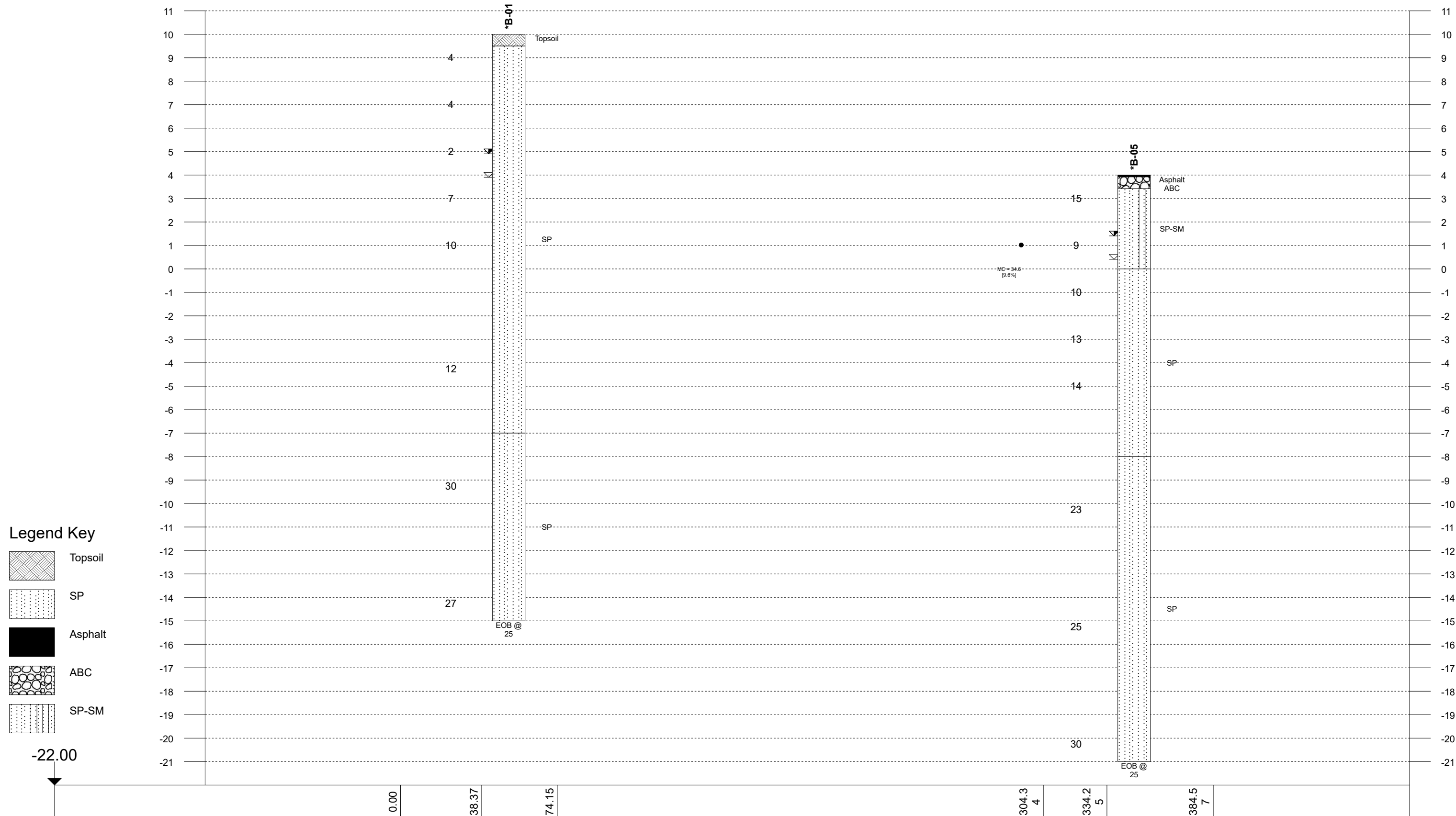
ENGINEER MK6
SCALE AS NOTED
PROJECT NO. 56:1868
FIGURE 2 OF 3
DATE 4/30/2024



BORING LOCATION DIAGRAM TSS - HOLLY HILL

148 MASON AVENUE, HOLLY HILL, FLORIDA
STEIN INVESTMENT GROUP

ENGINEER MK6
SCALE AS NOTED
PROJECT NO. 56:1868
FIGURE 3 OF 3
DATE 4/30/2024



Attachment: Geotechnical Report (4642 : Mason Avenue Storage Facility PD)

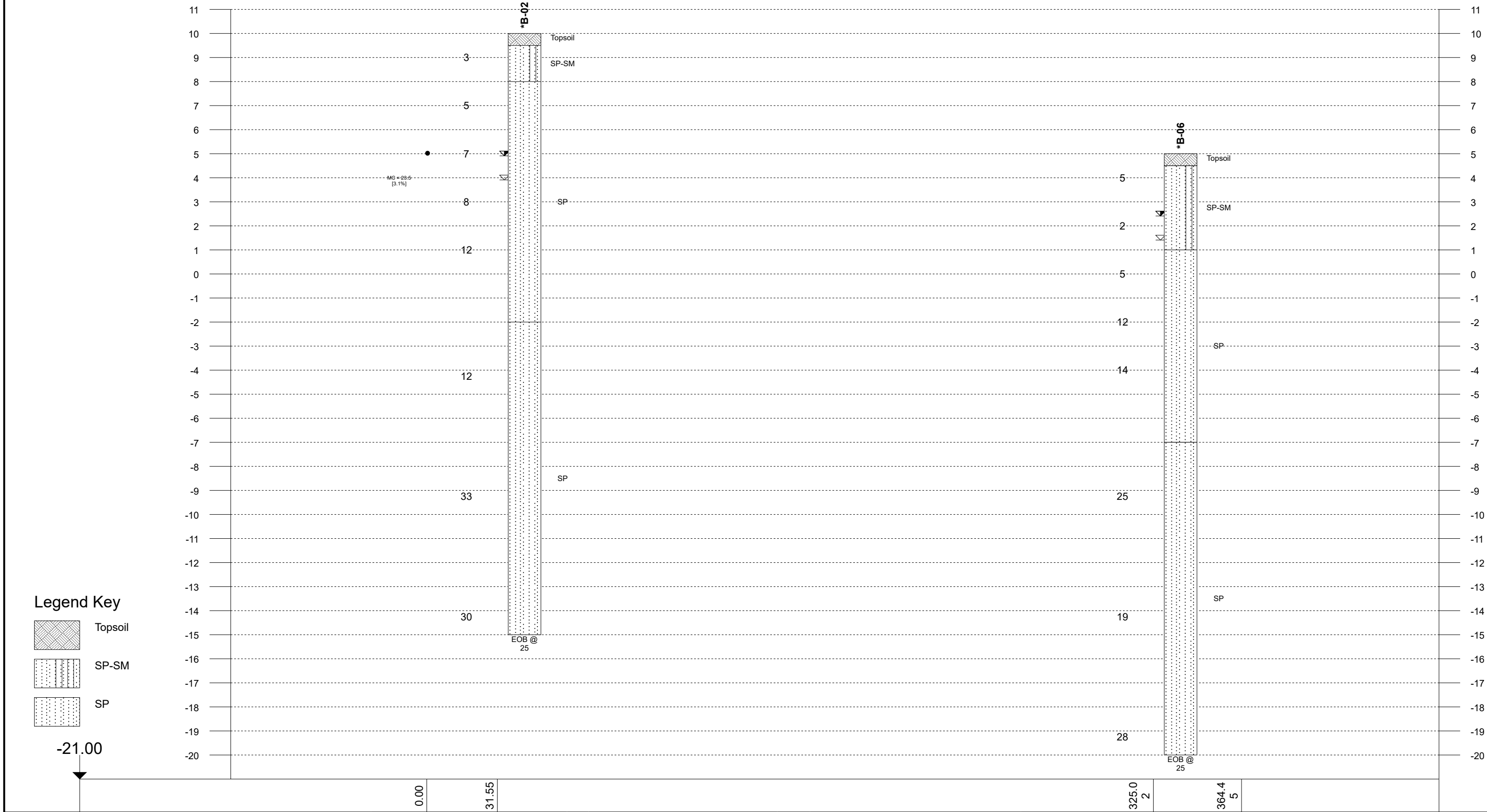
Notes:

- 1- EOB: END OF BORING AR: AUGER REFUSAL SR: SAMPLER REFUSAL.
- 2- THE NUMBER BELOW THE STRIPS IS THE DISTANCE ALONG THE BASELINE.
- 3- SEE INDIVIDUAL BORING LOG AND GEOTECHNICAL INFORMATION.
- 4- STANDARD PENETRATION TEST RESISTANCE (LEFT OF BORING) IN BLOWS PER FOOT (ASTM D1586).

	 WL (First Encountered)	 Fill
[FINES CONTENT%]	 WL (Completion)	 Possible Fill
 BOTTOM OF CASING	 WL (Seasonal High Water)	 Probable Fill
 LOSS OF CIRCULATION	 WL (Stabilized)	 Rock



GENERALIZED SUBSURFACE PROFILE Section line A-A'		
TSS - Holly Hill		
Stein Investment Group		
148 Mason Avenue, Holly Hill, Florida, 32117		
Project No:	56:1868	Date:



Legend Key

- Topsoil
- SP-SM
- SP

Notes:
1- EOB: END OF BORING AR: AUGER REFUSAL SR: SAMPLER REFUSAL.
2- THE NUMBER BELOW THE STRIPS IS THE DISTANCE ALONG THE BASELINE.
3- SEE INDIVIDUAL BORING LOG AND GEOTECHNICAL INFORMATION.
4- STANDARD PENETRATION TEST RESISTANCE (LEFT OF BORING) IN BLOWS PER FOOT (ASTM D1586).

Plastic Limit	Water Content	Liquid Limit
X	●	△
[FINES CONTENT%]		
BOTTOM OF CASING		
LOSS OF CIRCULATION		

▽	WL (First Encountered)	Fill
▼	WL (Completion)	Possible Fill
▽	WL (Seasonal High Water)	Probable Fill
▽	WL (Stabilized)	Rock



GENERALIZED SUBSURFACE PROFILE Section line B-B'		
TSS - Holly Hill		
Stein Investment Group		
148 Mason Avenue, Holly Hill, Florida, 32117		
Project No:	56:1868	Date:

APPENDIX B – Field Operations

Reference Notes for Boring Logs

Subsurface Exploration Procedure: Standard Penetration Testing (SPT)
ASTM D1586

Subsurface Exploration Procedure: Hand Auger Boring ASTM D1452

Geotechnical SPT Boring Logs

Hand Auger Logs

REFERENCE NOTES FOR BORING LOGS

MATERIAL ^{1,2}	
	ASPHALT
	CONCRETE
	GRAVEL
	TOPSOIL
	VOID
	BRICK
	AGGREGATE BASE COURSE
	GW WELL-GRADED GRAVEL gravel-sand mixtures, little or no fines
	GP POORLY-GRADED GRAVEL gravel-sand mixtures, little or no fines
	GM SILTY GRAVEL gravel-sand-silt mixtures
	GC CLAYEY GRAVEL gravel-sand-clay mixtures
	SW WELL-GRADED SAND gravelly sand, little or no fines
	SP POORLY-GRADED SAND gravelly sand, little or no fines
	SM SILTY SAND sand-silt mixtures
	SC CLAYEY SAND sand-clay mixtures
	ML SILT non-plastic to medium plasticity
	MH ELASTIC SILT high plasticity
	CL LEAN CLAY low to medium plasticity
	CH FAT CLAY high plasticity
	OL ORGANIC SILT or CLAY non-plastic to low plasticity
	OH ORGANIC SILT or CLAY high plasticity
	PT PEAT highly organic soils

DRILLING SAMPLING SYMBOLS & ABBREVIATIONS			
SS	Split Spoon Sampler	PM	Pressuremeter Test
ST	Shelby Tube Sampler	RD	Rock Bit Drilling
WS	Wash Sample	RC	Rock Core, NX, BX, AX
BS	Bulk Sample of Cuttings	REC	Rock Sample Recovery %
PA	Power Auger (no sample)	RQD	Rock Quality Designation %
HSA	Hollow Stem Auger		

PARTICLE SIZE IDENTIFICATION		
DESIGNATION	PARTICLE SIZES	
Boulders	12 inches (300 mm) or larger	
Cobbles	3 inches to 12 inches (75 mm to 300 mm)	
Gravel: Coarse	¾ inch to 3 inches (19 mm to 75 mm)	
Fine	4.75 mm to 19 mm (No. 4 sieve to ¾ inch)	
Sand: Coarse	2.00 mm to 4.75 mm (No. 10 to No. 4 sieve)	
Medium	0.425 mm to 2.00 mm (No. 40 to No. 10 sieve)	
Fine	0.074 mm to 0.425 mm (No. 200 to No. 40 sieve)	
Silt & Clay ("Fines")	<0.074 mm (smaller than a No. 200 sieve)	

COHESIVE SILTS & CLAYS		
UNCONFINED COMPRESSION STRENGTH, QP ⁴	SPT ⁵ (BPF)	CONSISTENCY ⁷ (COHESIVE)
<0.25	<2	Very Soft
0.25 - <0.50	2 - 4	Soft
0.50 - <1.00	5 - 8	Firm
1.00 - <2.00	9 - 15	Stiff
2.00 - <4.00	16 - 30	Very Stiff
4.00 - 8.00	31 - 50	Hard
>8.00	>50	Very Hard

RELATIVE AMOUNT ⁷	COARSE GRAINED (%) ⁸	FINE GRAINED (%) ⁸
Trace	≤5	≤5
With	10 - 20	10 - 25
Adjective (ex: "Silty")	25 - 45	30 - 45

GRAVELS, SANDS & NON-COHESIVE SILTS	
SPT ⁵	DENSITY
<5	Very Loose
5 - 10	Loose
11 - 30	Medium Dense
31 - 50	Dense
>50	Very Dense

WATER LEVELS ⁶	
	WL (First Encountered)
	WL (Completion)
	WL (Seasonal High Water)
	WL (Stabilized)

FILL AND ROCK			
FILL	POSSIBLE FILL	PROBABLE FILL	ROCK

¹Classifications and symbols per ASTM D 2488-17 (Visual-Manual Procedure) unless noted otherwise.

²To be consistent with general practice, "POORLY GRADED" has been removed from GP, GP-GM, GP-GC, SP, SP-SM, SP-SC soil types on the boring logs.

³Non-ASTM designations are included in soil descriptions and symbols along with ASTM symbol [Ex: (SM-FILL)].

⁴Typically estimated via pocket penetrometer or Torvane shear test and expressed in tons per square foot (tsf).

⁵Standard Penetration Test (SPT) refers to the number of hammer blows (blow count) of a 140 lb. hammer falling 30 inches on a 2 inch OD split spoon sampler required to drive the sampler 12 inches (ASTM D 1586). "N-value" is another term for "blow count" and is expressed in blows per foot (bpf). SPT correlations per 7.4.2 Method B and need to be corrected if using an auto hammer.

⁶The water levels are those levels actually measured in the borehole at the times indicated by the symbol. The measurements are relatively reliable when augering, without adding fluids, in granular soils. In clay and cohesive silts, the determination of water levels may require several days for the water level to stabilize. In such cases, additional methods of measurement are generally employed.

⁷Minor deviation from ASTM D 2488-17 Note 14.

⁸Percentages are estimated to the nearest 5% per ASTM D 2488-17.



SUBSURFACE EXPLORATION PROCEDURE: STANDARD PENETRATION TESTING (SPT) ASTM D 1586 Split-Barrel Sampling

Standard Penetration Testing, or **SPT**, is the most frequently used subsurface exploration test performed worldwide. This test provides samples for identification purposes, as well as a measure of penetration resistance, or N-value. The N-Value, or blow counts, when corrected and correlated, can approximate engineering properties of soils used for geotechnical design and engineering purposes.

SPT Procedure:

- Involves driving a hollow tube (split-spoon) into the ground by dropping a 140-lb hammer a height of 30-inches at desired depth
- Recording the number of hammer blows required to drive split-spoon a distance of 12 inches (in 3 or 4 Increments of 6 inches each)
- Auger is advanced* and an additional SPT is performed
- One SPT test is typically performed for every two to five feet
- Obtain 1.5-inch diameter soil sample



**Drilling Methods May Vary—* The predominant drilling methods used for SPT are open hole fluid rotary drilling and hollow-stem auger drilling.



SUBSURFACE EXPLORATION PROCEDURE: SOIL EXPLORATION AND SAMPLING BY AUGER BORINGS ASTM D 1452

The auger borings were performed manually by the use of a hand auger and in general accordance with the latest revision of ASTM D 1452, "Soil Investigation and Sampling by Auger Borings". Representative samples of the soils brought to the ground surface by the augering process were placed in sealed containers and transported to our laboratory where they were examined by our engineer to verify the driller's field classification.

HAND AUGER BORING:



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		HAND AUGER NO.: A-01	SURFACE ELEVATION: 8.0
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117			STATION:
LATITUDE: 29.228024		LONGITUDE: -81.029178	



DEPTH (FT)	WATER LEVELS	ELEVATION (FT)	DESCRIPTION OF MATERIAL	EXCAVATION EFFORT	DCP	SAMPLE NUMBER	FINES CONTENT (%)	MOISTURE CONTENT (%)
			Topsoil Thickness[6.00"]			S-1		
			(SP) FINE SAND, gray, brown and orange, moist			S-2		
5	▼	3				S-3		
	⊗		END OF HAND AUGER AT 6 FT					
10		-2						
15								

REMARKS:

THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

EXCAVATION EFFORT: E - EASY M - MEDIUM D - DIFFICULT VD - VERY DIFFICULT

⊗ WL (First Encountered) 6.00	▼ WL (Seasonal High) 5.00	ECS REP:	DATE COMPLETED:	UNITS:	CAVE-IN-DEPTH
▼ WL (Completion)			Apr 11 2024	English	

HAND AUGER LOG

CLIENT: Stein Investment Group	PROJECT NO.: 56:1868	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill	HAND AUGER NO.: A-02	SURFACE ELEVATION: 5.0
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117		STATION:
LATITUDE: 29.228291	LONGITUDE: -81.028523	



DEPTH (FT)	WATER LEVELS	ELEVATION (FT)	DESCRIPTION OF MATERIAL	EXCAVATION EFFORT	DCP	SAMPLE NUMBER	FINES CONTENT (%)	MOISTURE CONTENT (%)
			Topsoil Thickness[6.00"]			S-1		
			(SP) FINE SAND, gray, moist					
			(SP-SM) FINE SAND WITH SILT, brown to dark brown, moist to saturated			S-2	8	22.9
						S-3		
5		0						
10		-5						
15								
			END OF HAND AUGER AT 6 FT					

REMARKS:

THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

EXCAVATION EFFORT: E - EASY M - MEDIUM D - DIFFICULT VD - VERY DIFFICULT

▽ WL (First Encountered) 4.00	▽ WL (Seasonal High) 3.00	ECS REP:	DATE COMPLETED:	UNITS:	CAVE-IN-DEPTH
▼ WL (Completion)			Apr 11 2024	English	

HAND AUGER LOG

CLIENT: Stein Investment Group	PROJECT NO.: 56:1868	SHEET: 1 of 1	
PROJECT NAME: TSS - Holly Hill	HAND AUGER NO.: A-03	SURFACE ELEVATION: 4.0	
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117		STATION:	
LATITUDE: 29.228159	LONGITUDE: -81.028282		

DEPTH (FT)	WATER LEVELS	ELEVATION (FT)	DESCRIPTION OF MATERIAL	EXCAVATION EFFORT	DCP	SAMPLE NUMBER	FINES CONTENT (%)	MOISTURE CONTENT (%)
			Topsoil Thickness[6.00"]			S-1		
			(SP-SM) FINE SAND WITH SILT, brown and orange, moist			S-2		
	▼		(SM/PT) SILTY FINE SAND, many organics, dark brown, moist to saturated			S-3	14	51.7
5	▽	-1	(SP-SM) FINE SAND WITH SILT, dark brown, saturated			S-4		
			END OF HAND AUGER AT 6 FT					
10		-6						
15								

REMARKS:

THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

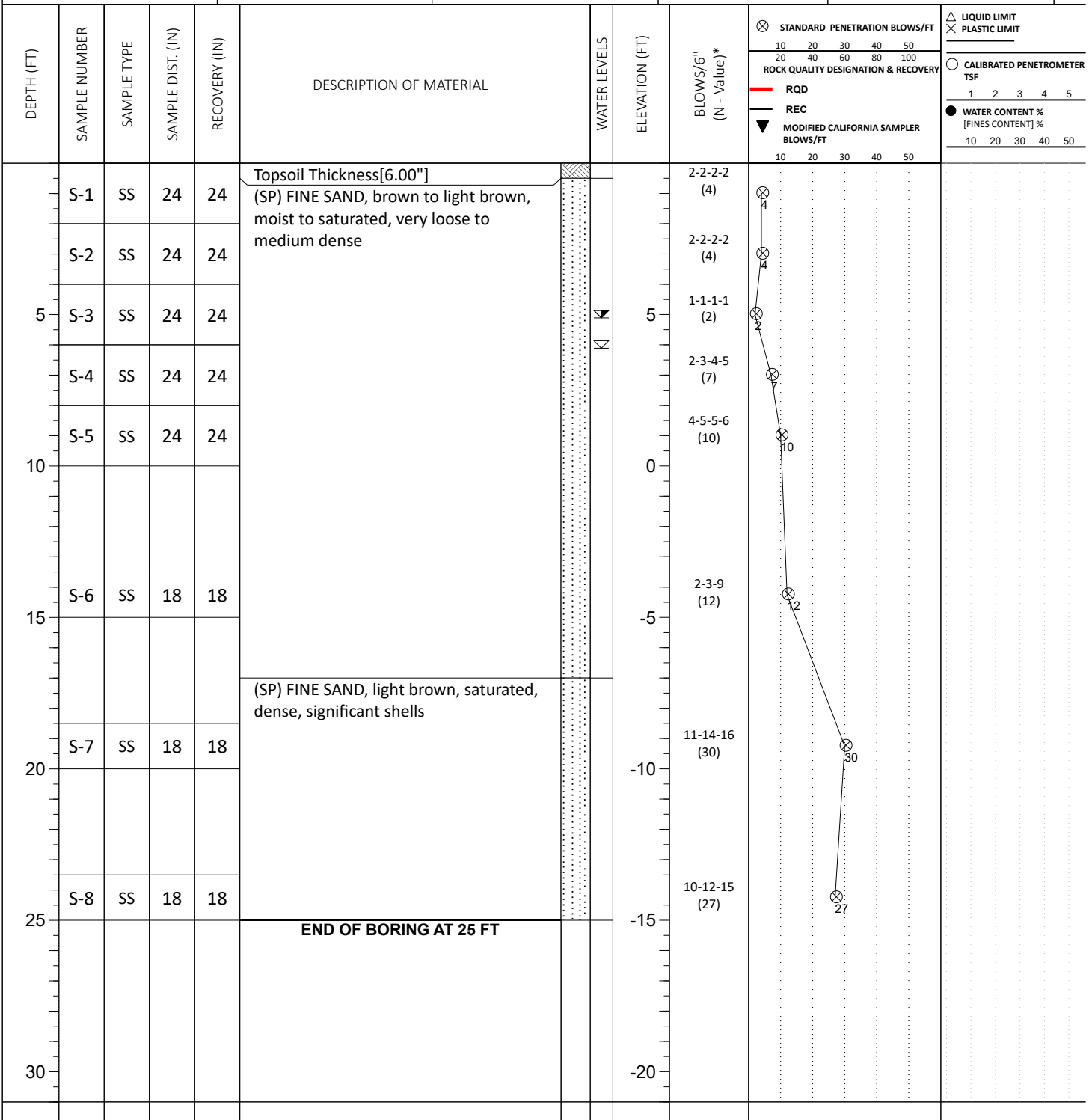
EXCAVATION EFFORT: E - EASY M - MEDIUM D - DIFFICULT VD - VERY DIFFICULT

▽ WL (First Encountered) 4.00	▼ WL (Seasonal High) 3.00	ECS REP:	DATE COMPLETED:	UNITS:	CAVE-IN-DEPTH
▼ WL (Completion)			Apr 11 2024	English	

HAND AUGER LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-01	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.227898	LONGITUDE: -81.029237	STATION:	SURFACE ELEVATION: 10.0	BOTTOM OF CASING >100'



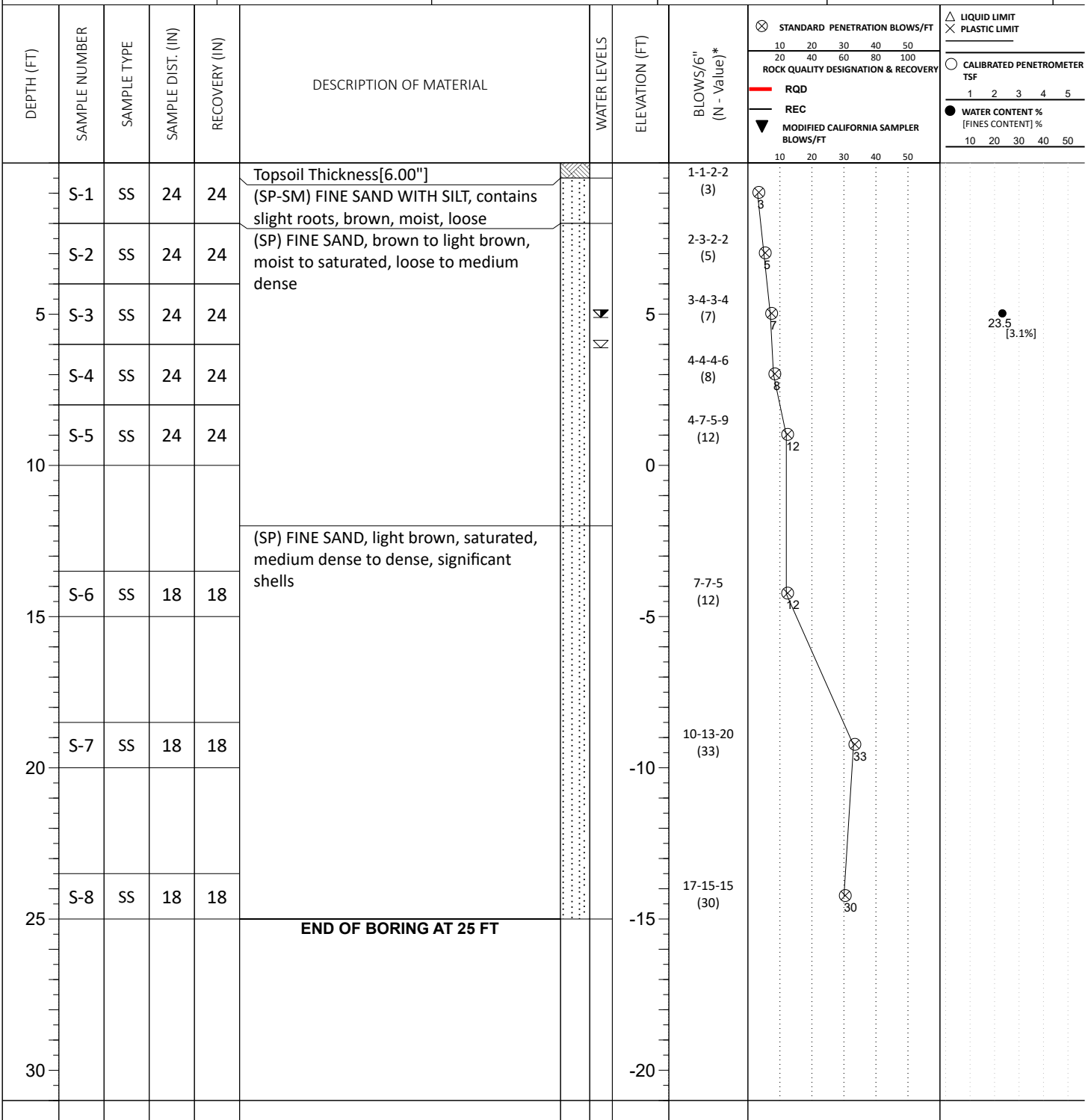
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	6.00	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Auto
WL (Seasonal High Water)	5.00	EQUIPMENT:	LOGGED BY:	DRILLING METHOD:
WL (Stabilized)		Track		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-02	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.227739	LONGITUDE: -81.029135	STATION:	SURFACE ELEVATION: 10.0	BOTTOM OF CASING



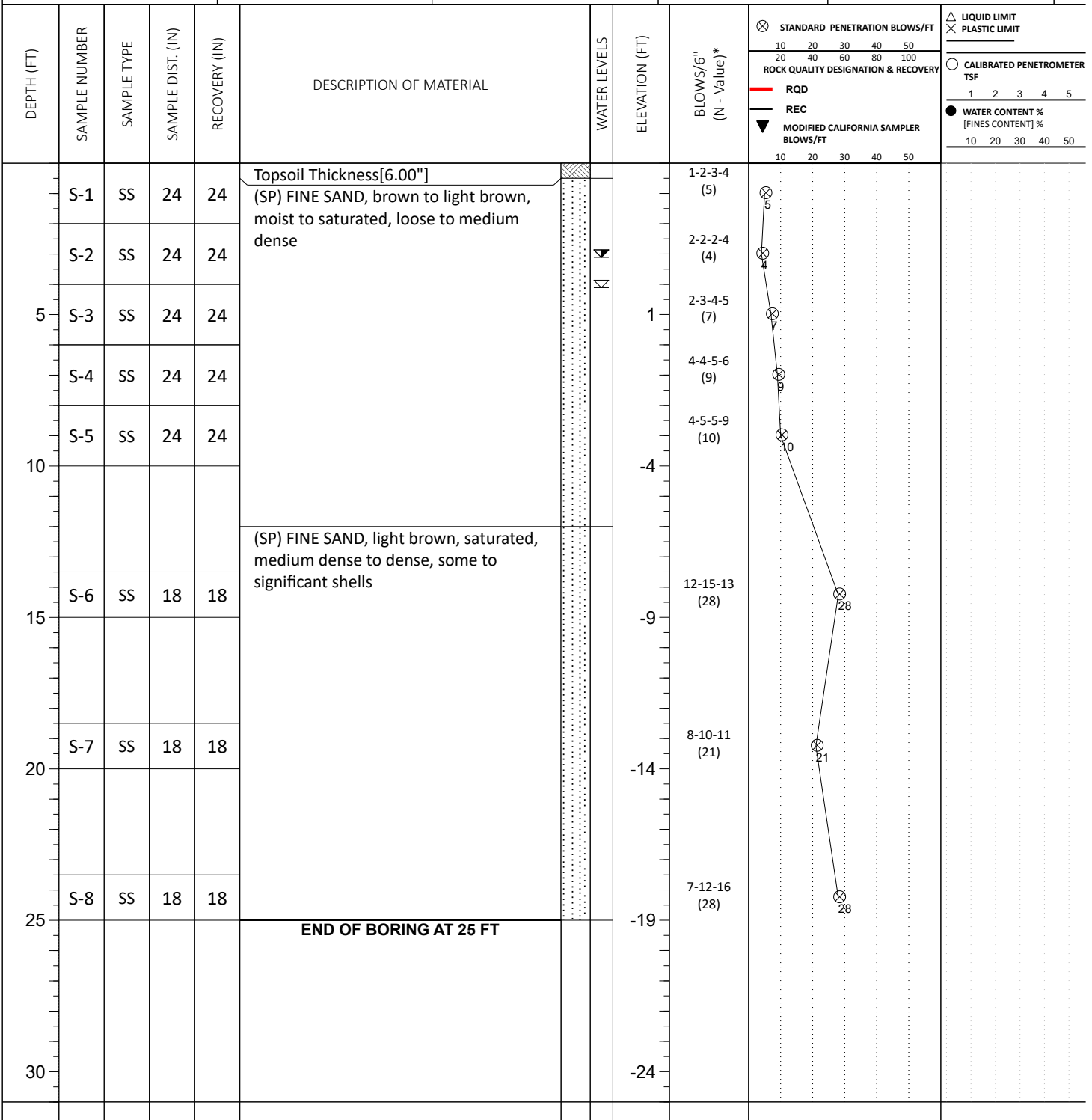
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	6.00	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Auto
WL (Seasonal High Water)	5.00	EQUIPMENT:	Track	DRILLING METHOD:
WL (Stabilized)		LOGGED BY:		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-03	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.227921	LONGITUDE: -81.028933	STATION:	SURFACE ELEVATION: 6.0	BOTTOM OF CASING



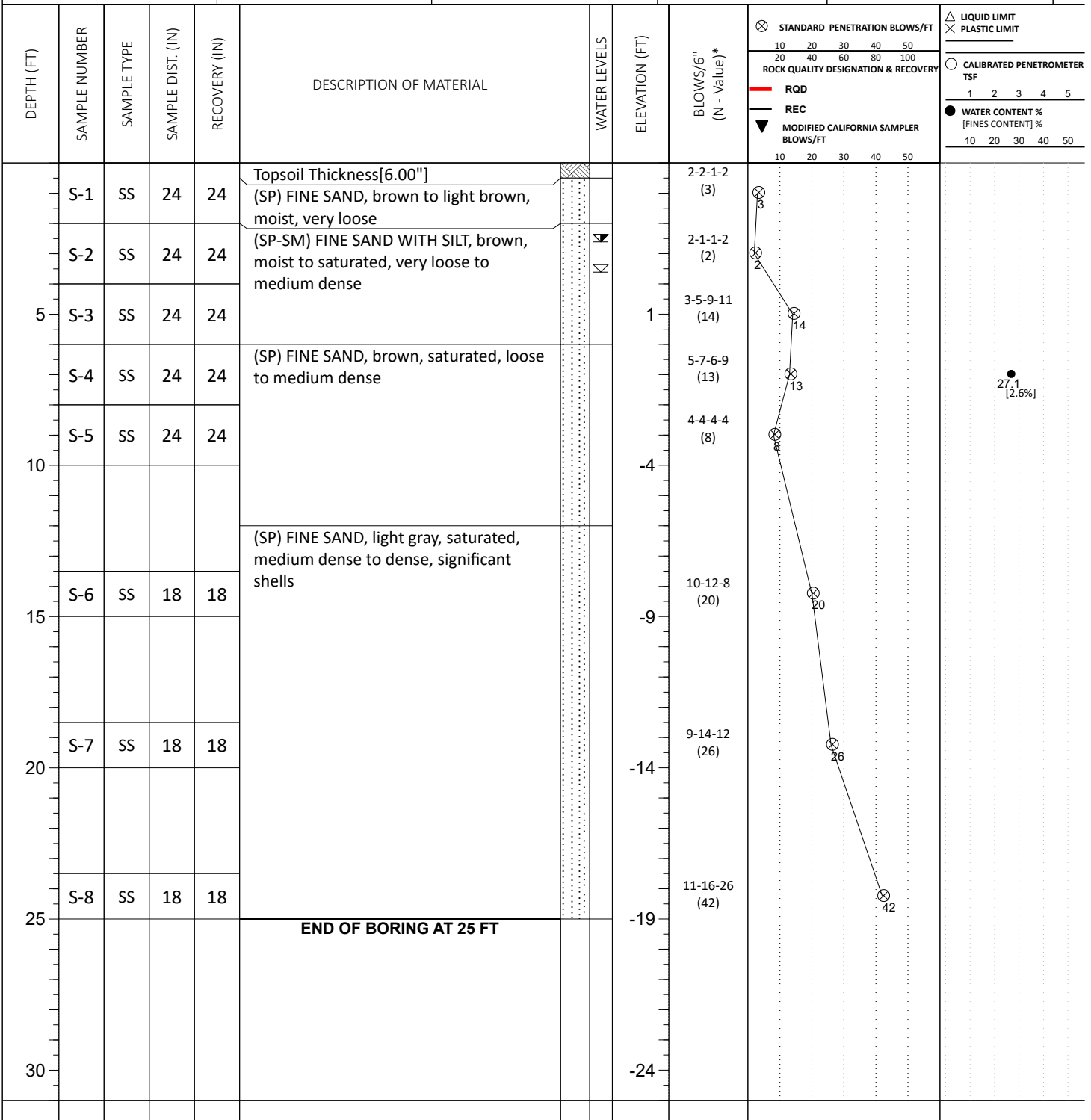
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

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WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Auto
WL (Seasonal High Water)	3.00	EQUIPMENT:	Track	DRILLING METHOD:
WL (Stabilized)		LOGGED BY:		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-04	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.228080	LONGITUDE: -81.028537	STATION:	SURFACE ELEVATION: 6.0	BOTTOM OF CASING >



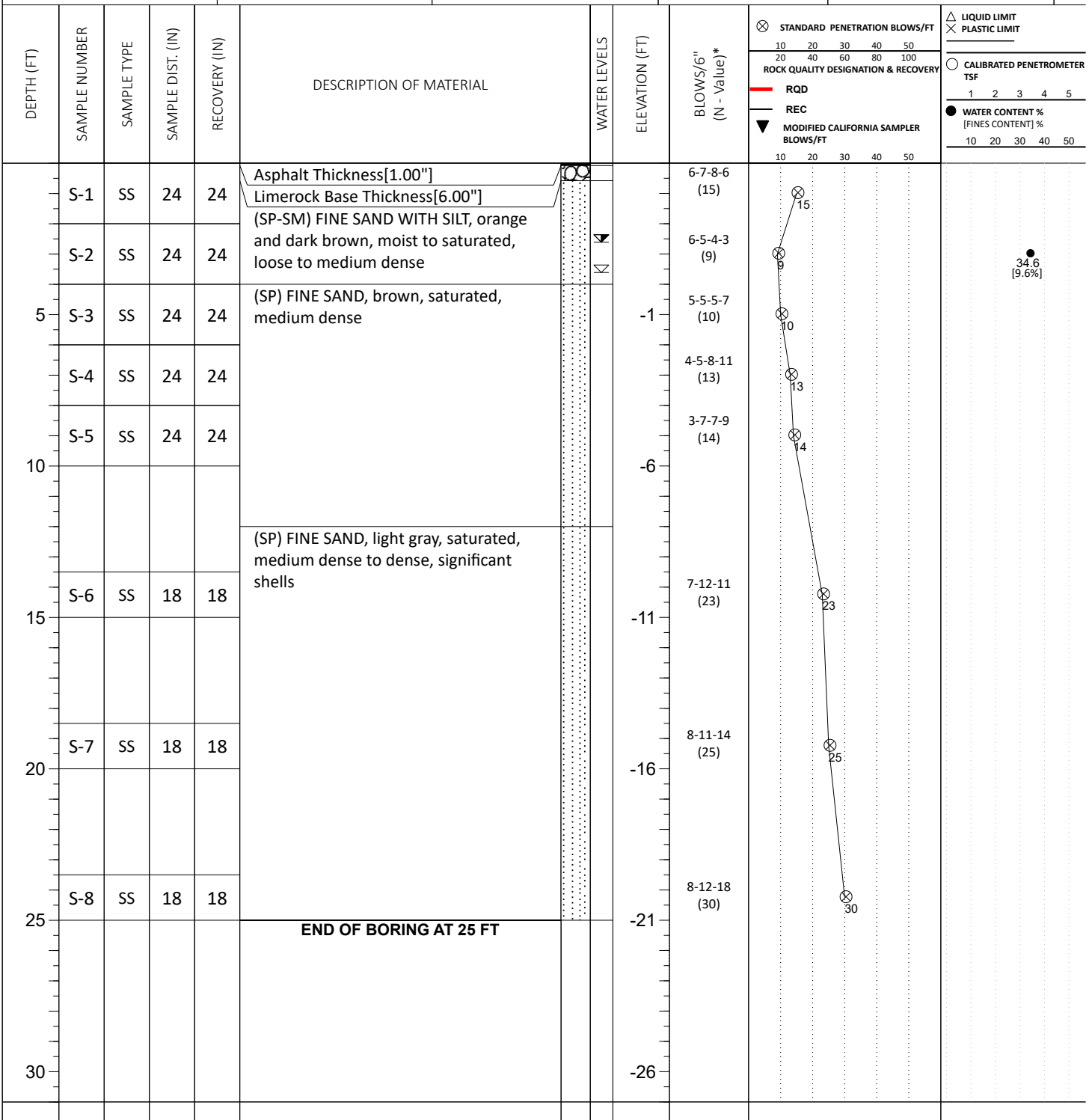
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	3.50	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Manual
WL (Seasonal High Water)	2.50	EQUIPMENT:	Track	LOGGED BY:
WL (Stabilized)				DRILLING METHOD:

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-05	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.228244	LONGITUDE: -81.028397	STATION:	SURFACE ELEVATION: 4.0	BOTTOM OF CASING



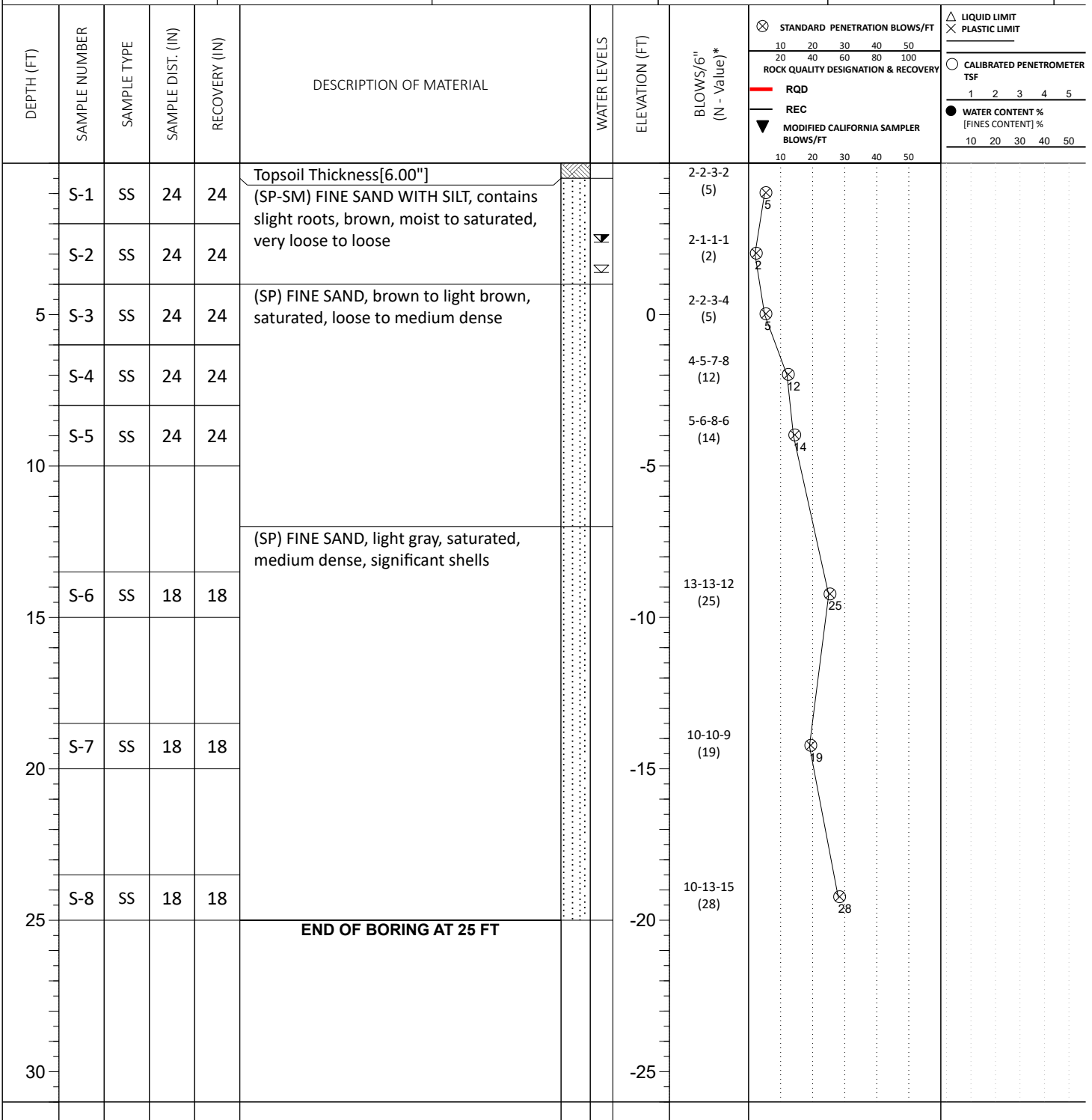
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	3.50	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Manual
WL (Seasonal High Water)	2.50	EQUIPMENT:	Track	DRILLING METHOD:
WL (Stabilized)		LOGGED BY:		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: B-06	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.228069	LONGITUDE: -81.028295	STATION:	SURFACE ELEVATION: 5.0	BOTTOM OF CASING



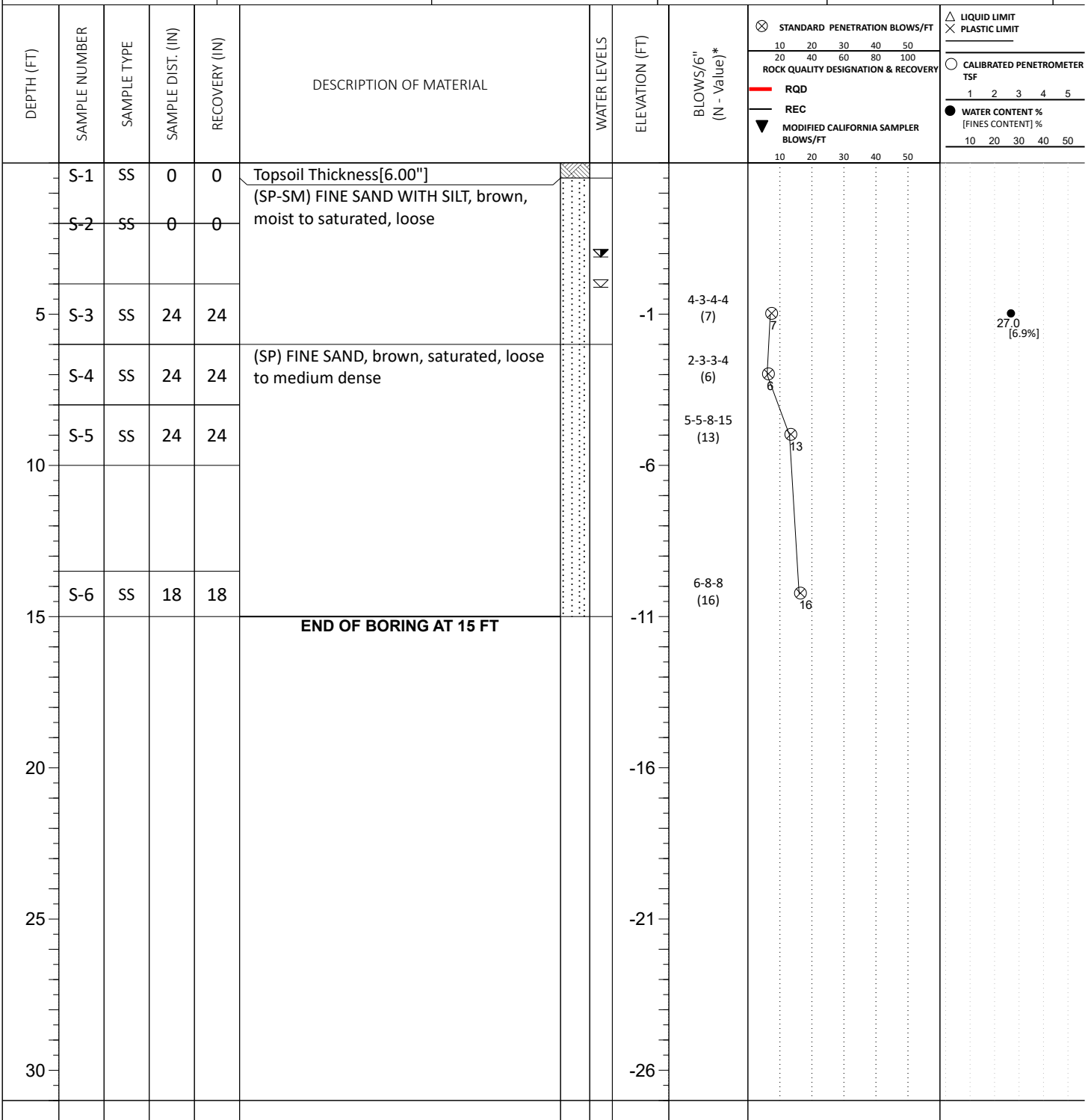
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	3.50	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Manual
WL (Seasonal High Water)	2.50	EQUIPMENT:	Track	DRILLING METHOD:
WL (Stabilized)		LOGGED BY:		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: P-01	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.228389	LONGITUDE: -81.028169	STATION:	SURFACE ELEVATION: 4.0	BOTTOM OF CASING ▶



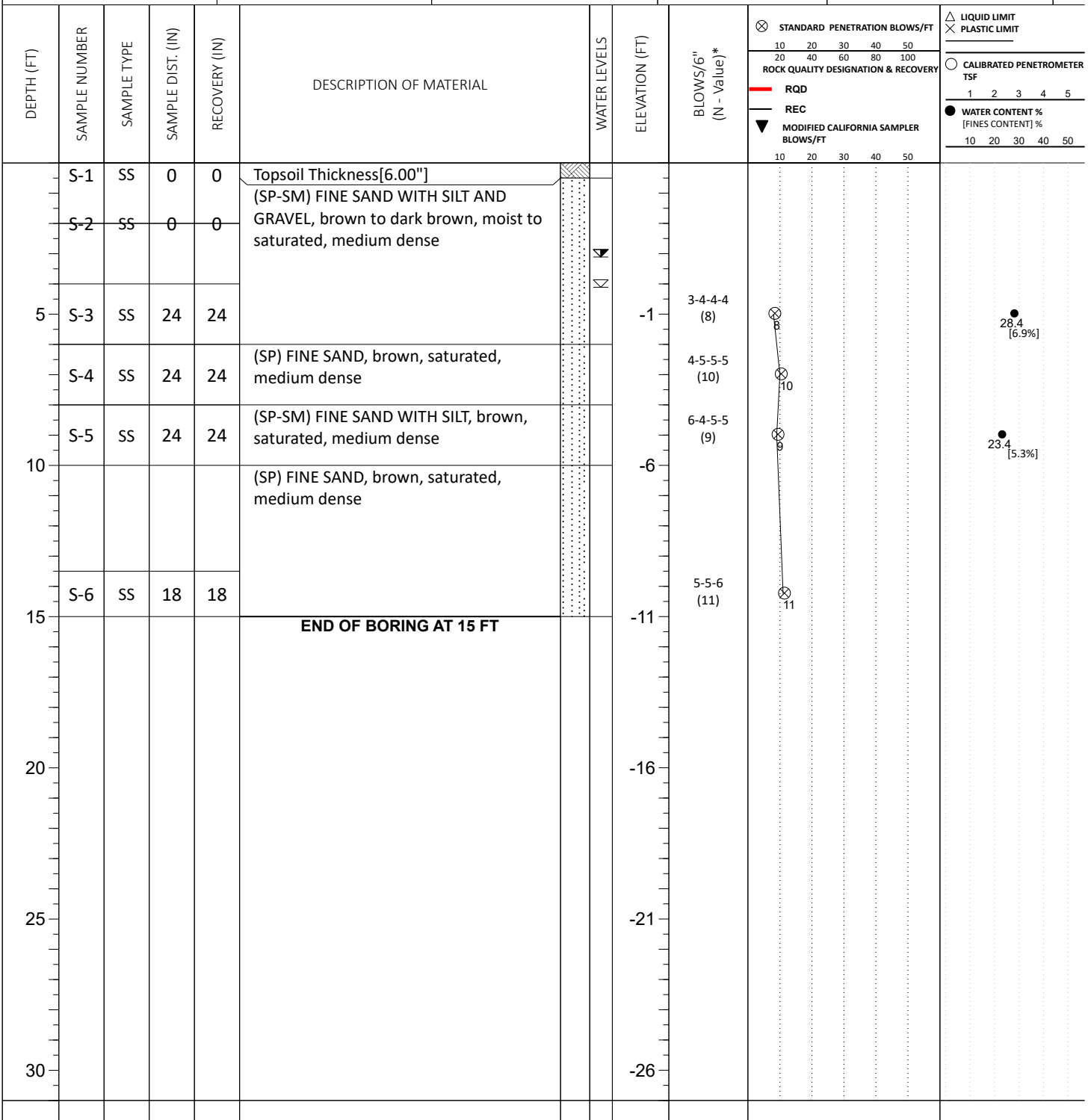
THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	4.00	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Auto
WL (Seasonal High Water)	3.00	EQUIPMENT:	LOGGED BY:	DRILLING METHOD:
WL (Stabilized)		Track		

GEOTECHNICAL BOREHOLE LOG



CLIENT: Stein Investment Group		PROJECT NO.: 56:1868	BORING NO.: P-02	SHEET: 1 of 1
PROJECT NAME: TSS - Holly Hill		DRILLER/CONTRACTOR: Allstate Geotechnical Drilling Inc.		
SITE LOCATION: 148 Mason Avenue, Holly Hill, Florida, 32117				LOSS OF CIRCULATION >100'
LATITUDE: 29.228221	LONGITUDE: -81.028075	STATION:	SURFACE ELEVATION: 4.0	BOTTOM OF CASING >



THE STRATIFICATION LINES REPRESENT THE APPROXIMATE BOUNDARY LINES BETWEEN SOIL TYPES. IN-SITU THE TRANSITION MAY BE GRADUAL

WL (First Encountered)	4.00	BORING STARTED:	Apr 11 2024	CAVE IN DEPTH:
WL (Completion)		BORING COMPLETED:	Apr 11 2024	HAMMER TYPE: Auto
WL (Seasonal High Water)	3.00	EQUIPMENT:	LOGGED BY:	DRILLING METHOD:
WL (Stabilized)		Track		

GEOTECHNICAL BOREHOLE LOG

APPENDIX C – Laboratory Testing

Laboratory Testing Summary

Laboratory Testing Summary

Sample Location	Sample Number	Depth (feet)	^MC (%)	Soil Type	Atterberg Limits			**Percent Passing No. 200 Sieve	Moisture - Density		@ LBR (%)	#Organic Content (%)
					LL	PL	PI		<Maximum Density (pcf)	<Optimum Moisture (%)		
A-02	S-2	1.5-4	22.9	SP-SM				8.2				
A-03	S-3	3-5	51.7	SM/PT				14.0				10.3
B-02	S-3	4-6	23.5	SP				3.1				
B-04	S-4	6-8	27.1	SP				2.6				
B-05	S-2	2-4	34.6	SP-SM				9.6				
P-01	S-3	4-6	27.0	SP-SM				6.9				
P-02	S-3	4-6	28.4	SP-SM				6.9				
P-02	S-5	8-10	23.4	SP-SM				5.3				

Notes: See test reports for test method, ^ASTM D2216-19, *ASTM D2488, **ASTM D1140-17, @FM 5-515, #ASTM D2974-20e1 < See test report for D4718 corrected values

Definitions: MC: Moisture Content, Soil Type: USCS (Unified Soil Classification System), LL: Liquid Limit, PL: Plastic Limit, PI: Plasticity Index, CBR: California Bearing Ratio, OC: Organic Content

Project: TSS - Holly Hill
Client: Stein Investment Group

Project No.: 56:1868
Date Reported: 4/25/2024



Office / Lab

ECS Florida LLC -
Daytona Beach

Address

2330 South Nova Road
Suite A
South Daytona, FL 32119

Office Number / Fax

(386)944-9588
(386)944-9589

Tested by	Checked by	Approved by	Date Received
RRawson	RRawson	RRawson	



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

REZONE/ FUTURE LAND USE AMENDMENT

Date Received: _____ Application ID: _____ Submitted By: _____

PROJECT INFORMATION:PROJECT NAME: 148 Mason Avenue PDPARCEL ID #(S): see attached list of parcelsLOCATION: corner of Mason Avenue & Daytona AvenueEXISTING USE(S): vacant commercial/commercialPROPOSED USE(S): storage buildingTOTAL ACREAGE: 1.544 +/- acres

WATER PROVIDER: _____ SEWER PROVIDER: _____

PRIVATE WELL _____ PRIVATE SEPTIC _____

CURRENT ZONING: CC-1 PROPOSED ZONING: PUDCURRENT FUTURE LAND USE: GRC PROPOSED FUTURE LAND USE: GRC**APPLICANT INFORMATION:**Name: Mark A. Watts, Esq./Nika K. Hosseini, Esq. E-Mail: delanduse@cobbcole.comAddress: 231 N. Woodland Blvd., DeLand, FL 32720 Phone: (386) 736-7700Company: Cobb Cole Fax: _____
☐ Owner
 ☒ Agent for Owner
 ☐ Attorney for Owner
OWNER INFORMATION:Name: see attached list of owners E-Mail: _____

Address: _____ Phone: _____

Fax: _____

CONSULTANT INFORMATION:

Name: _____ E-Mail: _____

Address: _____ Phone: _____

Company: _____ Fax: _____

Attachment: PUD application with parcel information sheets (4642 : Mason Avenue Storage Facility PD)



HOLLY HILL FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

WHO SHOULD ALL COMMUNICATION BE DIRECTED TO?

☒ APPLICANT ☐ OWNER ☐ CONSULTANT

APPLICATION TYPE(S)/FEE(S)*

LAND USE AMENDMENT

- ☐ LARGE SCALE FUTURE LAND USE AMENDMENT (>10 ACRES) \$3,000.00
- ☐ SMALL SCALE FUTURE LAND USE AMENDMENT (≤10 ACRES) \$2,000.00

REZONE (NON-PD)

- ☐ STRAIGHT REZONE / LDR TEXT AMENDMENT \$1,400

REZONE (PD)

- ☒ PD REZONE \$2,000
- ☐ MAJOR AMENDMENT TO EXISTING PD \$1,250
- ☐ MINOR AMENDMENT TO EXISTING PD \$400 (This does not include changes in uses items such or density but means minor changes such as layout and landscaping that do not affect the overall intent or "spirit" of the PD.

***THERE MAY BE ADDITIONAL PASS-THROUGH FEES FOR REVIEWS DONE BY REVIEWERS OUTSIDE OF THIS AGENCY. ALL FEES ARE DUE AT THE TIME OF APPLICATION SUBMITTAL.**

ATTACHMENT CHECKLIST

REQUIRED SUBMITTALS

- ☐ COPY OF PRE-APPLICATION COMMENTS. IF YOU HAVE NOT HAD A PRE-APPLICATION MEETING TO DISCUSS THIS PROJECT PLEASE CONTACT THE CITY PLANNER TO ARRANGE AN APPOINTMENT AT 386-248-9424.
- ☒ ELECTRONIC COPY OF ALL ITEMS SUBMITTED
- ☒ APPLICATION AND FEE
- ☒ PROOF THAT TAXES ARE CURRENT
- ☒ PROPERTY APPRAISER'S PROPERTY INFORMATION PRINTOUT
- ☒ OWNERSHIP DISCLOSURE FORM (ADD'L DOCUMENTATION MAY REQUIRED IF OWNER IS A TRUST OR CORPORATION)
- ☒ OWNER'S AUTHORIZATION FORM, IF APPLICABLE (ADD'L DOCUMENTATION REQUIRED IF OWNER IS A TRUST OR CORPORATION)
- ☒ 2 CURRENT SIGNED AND SEALED BOUNDARY SURVEYS
- ☒ LEGAL DESCRIPTION IN MS WORD FORMAT (EMAIL THIS TO THE CITY PLANNER)
- ☒ SCHOOL CAPACITY REVIEW – IF PROPOSING OVER 10 RESIDENTIAL UNITS (CONTACT SCHOOL BOARD PLANNING & BUSINESS SERVICES AT 386-734-7190 FOR APPLICATION)

Attachment: PUD application with parcel information sheets (4642 : Mason Avenue Storage Facility PD)



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

- ☒ TRAFFIC IMPACT ANALYSIS FOR PROJECTS GENERATING OVER 1000 TRIPS PER DAY ACCORDING TO RATES PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS "TRIP GENERATION MANUAL" (LATEST EDITION)
- ☒ DRAFT DEVELOPMENT ORDER IN MS WORD FORMAT (*PD REZONE ONLY – CONTACT THE CITY PLANNER*)
- ☒ PRELIMINARY DEVELOPMENT PLAN (*PD REZONE ONLY - SEE CODE SEC. 114-771*)
- ☒ **REZONES ONLY:** ANSWER THE 8 QUESTIONS ATTACHED ON THE REZONING REQUIREMENTS SHEET
- ☐ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Facility Demand Comparison**. For example, for the existing Future Land Use designation, show the demands on the city's infrastructure at the highest intensity, and for the proposed Future Land Use, show what the demands would be at the highest intensity. Show this information for the following facilities:
 - Potable Water
 - Sanitary Sewer
 - Stormwater
 - Transportation (Use current year ITE Trip Generation Rates–Provide PM Peak Hour and Avg Daily)
 - Solid Waste Collection
 - School (Residential Only)
- ☐ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Demonstration of Capacity**: Show that there is capacity and ability to meet increased demands on facilities. The city's public works department can assist in providing information regarding potable water, sanitary sewer and solid waste.

Applicant's Signature: _____


(Signature)

Nika Hosseini
(Print)

04/22/24
(Date)

Applications must be complete to initiate the review process. For questions please contact the City Planner at (386) 248-9424, fax (386) 248-9498 or email at bwalker@hollyhillfl.org

Attachment: PUD application with parcel information sheets (4642 : Mason Avenue Storage Facility PD)

KBL Property Investments, LLC**Parcel Information List**

Parcel ID No.:	5337-23-00-0041
Parcel Address:	Mason Ave., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-23-00-0050
Parcel Address:	148 Mason Ave., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-23-00-0061
Parcel Address:	Daytona Ave., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-23-00-0070
Parcel Address:	105 Daytona Ave., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-23-00-0080
Parcel Address:	148 Mason Ave., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-22-01-0010
Parcel Address:	155 1 st St., Holly Hill, FL 32117
Property Owner:	KBL Property Investments, LLC PO Box 148 Flagler Beach, FL 32136
Parcel ID No.:	5337-22-01-0011
Parcel Address:	151 1 st St., Holly Hill, FL 32117

Property Owner: KBL Property Investments, LLC
PO Box 148
Flagler Beach, FL 32136

Parcel ID No.: 5337-22-01-0020
Parcel Address: 149 1st St., Holly Hill, FL 32117
Property Owner: KBL Property Investments, LLC
PO Box 148
Flagler Beach, FL 32136

Charlesdale Associates, Inc.**Parcel Information List**

Parcel ID No.:	5337-22-01-0021
Parcel Address:	145 1 st Street, Holly Hill, FL 32117
Property Owner:	Charlesdale Associates, Inc. 134 Mason Ave. Daytona Beach, FL 32117
Parcel ID No.:	5337-23-00-0020
Parcel Address:	140 Mason Ave., Holly Hill, FL 32117
Property Owner:	Charlesdale Associates, Inc. 134 Mason Ave. Daytona Beach, FL 32117
Parcel ID No.:	5337-25-00-0060
Parcel Address:	134 Mason Ave., Holly Hill, FL 32117
Property Owner:	Charlesdale Associates, Inc. 134 Mason Ave. Daytona Beach, FL 32117
Parcel ID No.:	5337-25-00-0011
Parcel Address:	120 Mason Ave., Holly Hill, FL 32117
Property Owner:	Charlesdale Associates, Inc. 134 Mason Ave. Daytona Beach, FL 32117



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

REZONING REQUIREMENTS

The following items must be completed in sufficient detail to allow the City to determine if the application complies with the City Code Chapter 114 and Section 82-372.

1. Is it consistent with all adopted elements of the comprehensive plan? ☒ YES ☐ NO Explain.

The intended use of the site clearly matches the land use in the surrounding area.

2. What is its impact upon the environment or natural resources? ☐ YES ☐ NO Explain.

The subject property is not heavily wooded and does not have any wetlands on site. The subject site is in between a gas station and an automobile service station.

3. What is its impact upon the economy of any affected area? ☐ YES ☐ NO Explain.

The property is currently vacant, undeveloped land that has not been utilized. By developing the property, it will increase the value of the subject land and the surrounding area.

4. What is its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems? ☐ YES ☐ NO Explain.

It is a commercial development and as such, does not have an impact on schools. Regarding transportation, the intended use of the site is a storage facility which is the lowest generator of vehicular traffic. The solid waste and sewage systems will be minimally impacted due to the nature of the use as a self storage facility.

5. Are there any changes in circumstances or conditions affecting the area? ☐ YES ☒ NO



1065 Ridgewood Avenue, Holly Hill, FL 32117

Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

01/2023

Explain.

No. We are looking to develop the property.

6. Are there any mistakes in the original classification? ☐ YES ☒ NO Explain.

No. this is a PD Agreement in order to accommodate a storage facility.

7. What is its effect upon the use or value of the affected area? ☐ YES ☐ NO Explain.

The property is currently vacant, undeveloped land that has not been utilized. By developing the property, it will increase the value of the subject land and the surrounding area.

8. What is its impact upon the public health, welfare, safety or morals? ☐ YES ☐ NO Explain.

The subject property is not heavily wooded and does not have any wetlands on site. The subject site is in between a gas station and an automobile service station. A storage facility fits well in the general area of the neighborhood.

Nika Hosseini

Print Applicant Name

Applicant Signature

Print Applicant Name

Applicant Signature

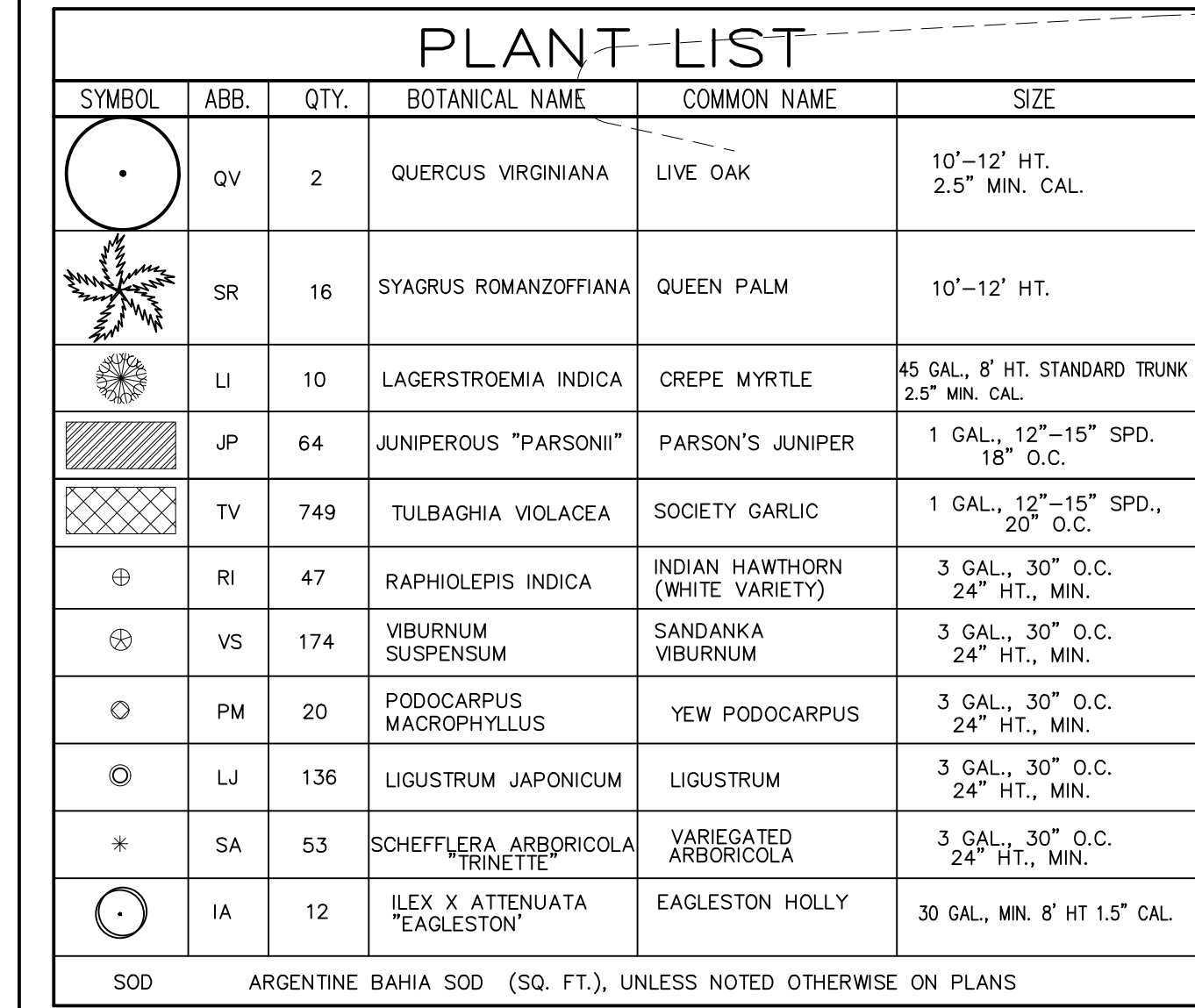
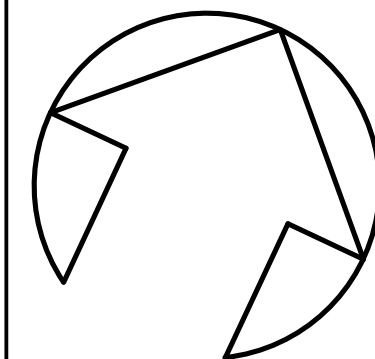
04/22/24

Date

Date

Attachment: Rezoning Requirements (4642 : Mason Avenue Storage Facility PD)



[illegible]

**PARKER MYNCHENBERG
& ASSOCIATES, INC.**
PROFESSIONAL ENGINEERS * LANDSCAPE ARCHITECTS
1729 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
(386) 677-6891 FAX (386) 677-2114 E-MAIL: info@parkermychenberg.com
PARKER MYNCHENBERG P.E. #23945 R.L.A. #0001553, STEVE BUSWELL P.E. #23985 R.L.A. #A6666
CERTIFICATE OF REGISTRATION NUMBER 0000391

148 MASON AVENUE
HOLLY HILL * FLORIDA

1
SHEET NO.

Drawn By: M .GRECC

Date: 02/20/2024

JOB #

SCALE: 1"=20'

SEAL

Renderings and Elevation

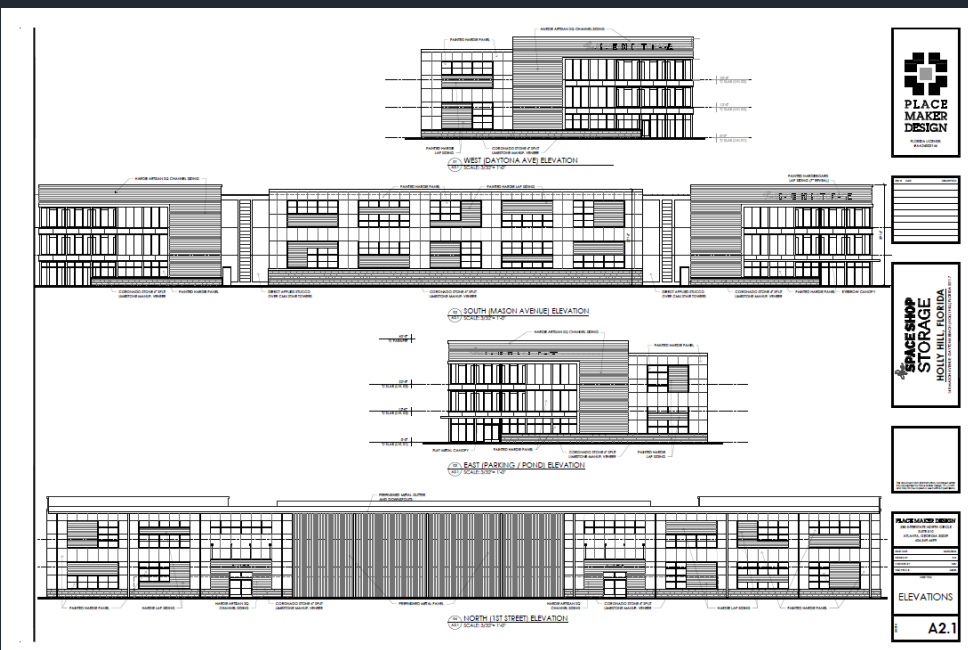


Table 1: Land Use and Zoning Table**Mason Avenue Storage**

	Existing Development	Future Land Use Designation	Zoning Classification
Site	Vacant Land and Building	Commercial	CC-1
North	Single Family Homes & Vacant Land	Commercial and Low Density Residential	CC-1 and R-5
South	Mason Ave and Single Family Homes (Volusia County)	Volusia County	Volusia County
East	Pond	Pond	Pond
West	Business and Single-Family Home	Commercial	CC-1

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Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as 148 Mason Avenue Planned Unit Development (PUD) located at the corner of Mason Avenue and Daytona Avenue in Holly Hill, Florida (hereinafter referred to as the “Subject Property”).

THIS DEVELOPMENT AGREEMENT (hereinafter referred to as the “Agreement”) is entered into and made as of the ____ day of _____, 20____, by and between the **CITY OF HOLLY HILL**, a Florida municipal corporation, with a mailing address of 1065 Ridgewood Ave. Holly Hill, FL 32117 (hereinafter referred to as the “City”), **KBL PROPERTY INVESTMENTS, LLC**, a Florida limited liability company, whose mailing address is P.O. Box 148, Flagler Beach, FL 32136, **CHARLESDALE ASSOCIATES, INC.**, a Florida profit corporation, whose mailing address is P.O. Box 148, Flagler Beach, FL 32136 (hereinafter referred to as the “Owners”), and **STEIN INVESTMENT CO, LLC**, a Foreign limited liability company, whose mailing address is 5607 Glenridge Dr., NE, Suite 200, Atlanta, GA 30342 (hereinafter referred to as the “Developer”).

W I T N E S S E T H

WHEREAS, the Owners warrant that they holds legal title to the lands located in Volusia County, Florida, and within the corporate limits of the City of Holly Hill, said lands being more particularly described in **Exhibit “A”**, Legal Description for the Subject Property, attached hereto and by this reference made a part hereof; and that the holders of any and all liens and encumbrances affecting such property will subordinate their interests to this Agreement; and

WHEREAS, the Owners/Developer have clear title of the Subject Property and the Developer is currently under contract to purchase the Subject Property and intends to develop such property; and

WHEREAS the Owners/Developer desire to facilitate the orderly development of the Subject Property in compliance with the laws and regulations of the City and of other governmental authorities, and the Owners/Developer desire to ensure that its development is compatible with other properties in the area and planned traffic patterns; and

WHEREAS the development permitted or proposed under this Development Agreement is consistent with the City’s Comprehensive Plan, concurrency management system, and all land development regulations; and

WHEREAS it is the purpose of this Agreement to clearly set forth the understanding and agreement of the parties concerning the matters contained herein; and

WHEREAS the Owners/Developer has sought the City's approval to develop the Subject

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Property, and the City approved **Ordinance No.** _____, through rezoning the Subject Property to a form of Planned Unit Development (PUD), as defined under the City's Land Development Code; and

WHEREAS, the PUD shall consist of this Agreement as the Written Development Agreement of the PUD, and a Preliminary Plan also known as the Preliminary Development Plan, attached hereto as **Exhibit, "B"**, subject to the covenants, restrictions, and easements offered by the Owner/Developer and contained herein, (hereinafter the "Master Development Plan"). Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria apply.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Recitals and Definitions.** The recitals herein contained are true and correct and are incorporated herein by reference. All capitalized terms not otherwise defined herein shall be as defined or described in the City's Land Development Code as it may be amended from time to time, unless otherwise indicated.

2. **Title Opinion/Certification.** The Developer will provide to the City, in advance of the City's execution and recordation of this Agreement, a title opinion from a licensed attorney in the state of Florida, or a certification by an abstractor or title company authorized to do business in the state of Florida, verifying marketable title to the Subject Property to be in the name of the Owner/Developer and any and all liens, mortgages, and other encumbrances that are either satisfied or not satisfied or released of record. A unity of title agreement may be executed to ensure the property is held by the Owners pending development as proposed by this Agreement.

3. **Subordination/Joinder.** Unless otherwise agreed to by the City and if applicable, all liens, mortgages, and other encumbrances that are not satisfied or released of record, must be subordinated to the terms of this Agreement or the Lienholder join in this Agreement. It shall be the responsibility of the Owner/Developer to promptly obtain the said subordination or joinder, in a form and substance that is acceptable to the City Attorney, prior to the execution and recordation of this Agreement.

4. **Duration.** The duration of this Agreement is binding and runs with the land in perpetuity, unless amended.

5. **Development of the Subject Property.** Development of the Subject Property shall be subject to performance standards listed in this Agreement. Where a land use listed below differs from a defined use in the City of Holly Hill's Code of Ordinances, the use listed in this Agreement

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shall prevail.

- A. Permitted principal uses allowable on the Subject Property:**
 - Administrative offices.
 - Business services.
 - General office uses.
 - Mini warehouses.
 - Self-service storage facilities.
 - Personal services.
 - Professional services offices.
 - Uses customarily associated with, dependent on and incidental to the permitted principal use.
- B. Prohibited principal uses, if any:**
 - 1. Unless a use is specifically stated as permitted, it is prohibited.
- C. Subject Property Size:** Approximately 1.544 +/- acres.
- D. Maximum FAR:** 1.5.
- E. Impervious surface** is not to exceed 80% of the gross square footage for the Subject Property, as illustrated on Exhibit "B".
- F. Minimum landscape buffer-yard requirements:**
 - 1. South Buffer Width (Mason Ave) - 15 feet
 - 2. West Buffer Width (Daytona Ave) - 15 feet
 - 3. East Buffer Width (Parking Area) - 10 feet
 - 4. North Buffer Width (1st Street) - 5 feet
- G. Maximum building length:** 325 ft.
- H. Minimum lot width (in feet):** 100 ft.
- I. Maximum lot coverage:** 50%.
- J. Minimum building setbacks:**
 - 1. South Setback (Mason Ave) - 15 feet
 - 2. West Setback (Daytona Ave) - 15 feet
 - 3. East Setback (Parking Area) - 10 feet
 - 4. North Setback (1st Street) - 40 feet

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- K.** Maximum building height (in feet): 40 feet.
- L.** Minimum parking standards are as shown and stated on the Preliminary Plan.
- M.** The project shall consist of 1 phase.
- N.** Architectural controls and development on the Subject Property shall follow a common architectural theme as listed in this Agreement by harmoniously coordinating the general appearance of all buildings and accessory structures.
- O.** Utility provision and dedication: The Owners/Developer shall connect to the City of Holly Hill's central utility systems when available, or to another approved utility provider where applicable, at their sole cost and expense. Utility fees shall be paid to City of Holly Hill or to the applicable utility provider.
- P.** Stormwater and environmental: Per parcel stormwater systems or master stormwater systems shall be owned and maintained by an established Property Owner's Association, or by the property owner in private ownership, and shall not be dedicated to or become the responsibility of the City of Holly Hill. All environmental permitting, mitigation, and/or soil and erosion control for the property shall conform to all federal, state, and local permits/requirements, and shall be the sole responsibility of the Property Owner's Association, or by the property owner, and shall be maintained in good condition/standing with the applicable permitting authorities. Best Management Practices and conformance to National Pollutant Discharge Elimination System (NPDES) criteria are required.
- Q.** Transportation, site access, and traffic devices: The Owners/Developer are responsible for all transportation improvements within the Subject Property and any off-site transportation improvements required because of the proposed development, for site function, which maintains or improves the level of service for area roadways, and ensures the public health, safety, and welfare for the community. All permits shall be obtained from appropriate permitting agencies prior to development and the City shall determine the appropriate level of service per the City Comprehensive Plan and current traffic counts.
- R.** The development criteria set forth in this Section 5 shall apply to configuration of the Property in its current configuration. In the event that additional right-of-way is needed for dedication to Volusia County, such dedication shall not impact the development footprint for the Property, which shall be measured from the existing site boundaries.
- S.** Minor adjustments to the development criteria for lot width, buffer width, and minimum setbacks set forth in this Section 5 shall be permitted as minor amendments,

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so long as such adjustments do not exceed 10% of any of the stated criteria, and shall not impact the general intent and character of the approved project.

T. The project shall provide a minimum of 19% of open space.

6. Development Permits/Fees. The Owners/Developer are responsible for obtaining permitting, and the payment of all fees for facilities and services for the Subject Property. Any site permits shall be kept current with the respective permitting agency and shall ensure the protection of the public health, safety, and welfare of the community and the development. All impact fees are applicable, and no impact fee credits shall be awarded through this Agreement; unless a cessation exists through a City moratorium that is Citywide. Proportionate fair share site improvements shall not be used in lieu of impact fees.

7. Site Plan/Plat Approval. The Master Development Plan, is the Preliminary Plan and this Written Development Agreement. The Master Development Plan shall not replace, supersede, or absolve the Owners/Developer from approvals for any site plan, preliminary plat, and/or final plat and their respective regulations. Where more detailed criteria for City required submittals exceed the criteria required for a Master Development Plan, the more detailed criteria apply.

8. Indemnification. The Owners/Developer shall indemnify and hold the City harmless from any and against all claims, demands, disputes, damages, costs, expenses, (to include attorneys' fees whether or not litigation is necessary and if necessary, both at trial and on appeal), incurred by the City as a result, directly or indirectly, of the use or development of the Subject Property, except those claims or liabilities caused by or arising from the negligence or intentional acts of the City, or its employees or agents. It is specifically understood that the City is not guaranteeing the appropriateness, efficiency, quality or legality of the use or development of the Subject Property, including but not limited to, drainage or water/sewer plans, fire safety, or quality of construction, whether inspected, approved, or permitted by the City.

9. Compliance. The Owners/Developer agree that it, and their successors and assigns, will abide by the provisions of this Agreement, the City's Comprehensive Plan and the City's Code of Ordinances, including but not limited to, the site plan regulations of the City as amended from time to time, which are incorporated herein by reference and such subsequent amendments hereto as may be applicable. Further, all required improvements, including landscaping, shall be continuously maintained by the Owners/Developer, or their successors and assigns, in accordance with the City's Code of Ordinances. The City may, without prejudice to any other legal or equitable right or remedy it may have, withhold permits, Certificates of Occupancy, or plan/plat approvals to the Subject Property, should the Owners/Developer fail to comply with the terms of this Agreement. In the event of a conflict between this Development Agreement and the City's Land Development Code, the more restrictive regulations shall govern the development of the Subject Property.

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10. **Obligations for Improvements.** Any surface improvement as described and required hereunder included, but not limited to such as signalization, walls, stormwater management facilities, medians, and utilities, or any other surface improvement shall be performed prior to the issuance of the first Certificate of Occupancy on that portion of the Subject Property that the surface improvement(s) relates or is otherwise scheduled in this Agreement. Should the Owners/Developer fail to undertake and complete its obligations as described in this Agreement and to the City's specifications, then the City shall give the Owners/Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation at the sole expense of the Owners/Developer. If the Owners/Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Owners/Developer and their successors and assigns in interest, may but shall not be required to, perform such obligations at the expense of the Owners/Developer or their successors and assigns in interest, without prejudice to any other rights or remedies the City may have under this Agreement. Further, the City is hereby authorized to immediately recover the actual and verified cost of completing the obligations required under this Agreement and any legal fees from the Owners/Developer in an action at law for damages, as well as record a lien against the Subject Property in that amount. The lien of such assessments shall be superior to all others, and all existing lienholders and mortgagees. Notice to the Owners/Developer and their successors and assigns in interest shall be deemed to have been given upon the mailing of notice as provided in **paragraph (16)** of this Agreement.

11. **Environmental and Tree Preservation.** The Owners/Developer is responsible to obtain all site related permits and approval prior to any development activity on or for the Subject Property. This may involve mitigation for habitat of threatened or endangered flora and fauna or species identified for protection (i.e., tree preservation). This Agreement does not vest or exempt the Owners/Developer from any permitting and mitigation obligations needed to develop a Subject Property.

12. **Homeowners Association or Property Owners Association.** The charter and by-laws of any Property Owner's Association ("POA") for the Subject Property and any deed restrictions related thereto shall be furnished to the City for approval by the City Attorney prior to the recording thereof in the Public Records of Volusia County, Florida. Such recording shall take place before a Certificate of Occupancy is issued for the first development project on land covered by this Agreement. The POA shall at a minimum be responsible for maintaining the common open space, any common utility systems, such as for irrigation and site lighting, and project signage. The Owners/Developer shall be responsible for establishing the POA and recording said information in the Public Records of Volusia County, Florida. The City is not responsible for the enforcement of any agreements or deed restrictions entered into between property owners or occupiers of the Subject Property. If maintenance for the Subject Property is not maintained following issuance of a Certificate of Occupancy, the property owner shall be subject to code enforcement.

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13. **Enforcement.** Both parties may seek specific performance of this Agreement and/or bring an action for damages in a court within Volusia County, Florida, if either party breaches this Agreement. If enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the Owners/Developer shall be responsible for the payment of all the City's costs and expenses, including attorney fees, whether or not litigation is necessary and, if necessary, both at trial and on appeal. Such costs, expenses and fees shall also be a lien upon the Subject Property superior to all others. Should this Agreement require the payment of any monies to the City, the recording of this Agreement shall constitute a lien upon the Subject Property for said monies, until said are paid, in addition to such other obligations as this Agreement may impose upon the Subject Property and the Owners/Developer. Interest on unpaid overdue sums shall accrue at the rate of the lesser of eighteen percent (18%) compounded annually or at the maximum rate allowed by law.

14. **Utility Easements.** For any easement not established on a plat for the Subject Property, the Owners/Developer shall provide to the City such easements and other legal documentation, in a form mutually acceptable to the City Attorney and the Owners/Developer, as the City and Developer may deem reasonably necessary or appropriate for the installation and maintenance of the utility and other services, including but not limited to, sanitary sewer, potable water, and reclaimed water services, electric, cable, gas, fire protection and telecommunications.

15. **Periodic Review.** The City reserves the right to review the Subject Property in relation to this Agreement periodically to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds that based on substantial competent evidence that there has been a failure to comply with the terms of this Agreement, the City may not issue development orders or permits until compliance with this Agreement has been established.

16. **Notices.** Where notice is herein required to be given, it shall be by certified mail return receipt requested, hand delivery or nationally recognized courier, such as Federal Express or UPS. E-mail delivery of documents shall not replace or be in lieu of the aforementioned process. Said notice shall be sent to the following, as applicable:

OWNERS/DEVELOPER'S REPRESENTATIVES:

KBL Property Investments, LLC (Owner)
Attn: Robert Goldberg
P.O. Box 148
Flagler Beach, FL 32136

With Copy To: Cobb Cole Law Firm
Attn: Mark A. Watts, Esq.
231 N. Woodland Blvd.
DeLand, FL 32720

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Charlesdale Associates, Inc. (Owner)
 Attn: Robert Goldberg
 P.O. Box 148
 Flagler Beach, FL 32136

Stein Investment Co, LLC (Developer)
 Attn: Daniel Ginburg
 5607 Glenridge Dr., NE, Suite 200
 Atlanta, GA 30342

CITY'S REPRESENTATIVES:

City Manager
 City of Holly Hill
 1065 Ridgewood Ave.
 Holly Hill, Florida 32117

With copy to:

Director
 Community Development
 City of Holly Hill
 1065 Ridgewood Ave.
 Holly Hill, Florida 32725

Should any party identified above change, it shall be said party's obligation to notify the remaining parties of the change in a fashion as is required for notices herein. It shall be the Owners/Developer's obligation to identify its lender(s) to all parties in a fashion as is required for notices herein.

17. **Compliance with the Law.** The failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owners/Developer of the Subject Property from the necessity of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

18. **Captions.** The captions used herein are for convenience only and shall not be relied upon in construing this Agreement.

19. **Binding Effect.** This Agreement shall run with the land, and shall be binding upon and inure to the benefit of the Owner/Developer and their successors and assigns in interest, and the City and their successor and assigns in interest. This Agreement shall become effective upon its execution and recordation with the Public Records of Volusia County, Florida. This Agreement does not, and is not intended to, prevent, or impede the City from exercising its legislative authority as the same may affect the Subject Property.

20. **Subsequently Enacted State or Federal Law.** If either state or federal law is enacted after the effective date of this Agreement that is applicable to and precludes the parties' compliance with the terms of this Agreement, this Agreement and correlating zoning amendment

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shall be modified or revoked, as is necessary, to comply with the relevant state or federal law.

21. **Severability.** If any part of this Development Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Development Agreement if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Development Agreement is declared severable.

22. **Covenant Running with the Land.** This Agreement shall run with the Subject Property and inure to and be for the benefit of the parties hereto and their respective successors and assigns and any person, firm, corporation, or entity who may become the successor in interest to the Subject Property or any portion thereof.

23. **Recordation of Agreement.** The parties hereto agree that an executed original of this Agreement shall be recorded by the City, at the Developer's expense, in the Public Records of Volusia County, Florida.

24. **Applicable Law/Venue.** This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida. Venue of any litigation relating to this Agreement shall be in the courts of Volusia County, Florida.

25. **Time of the Essence.** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this Agreement. The Owners/Developer shall execute this Agreement within ten (10) business days of City Commission adoption and agrees to pay the cost of recording this document in the Public Records of Volusia County, Florida. Failure to execute this Agreement within ten (10) business days of this ordinance adoption may result in the City not issuing development orders or permits until execution and recordation of this Agreement has occurred.

26. **Agreement; Amendment.** This Agreement constitutes the entire agreement between the parties, and supersedes all previous discussions, understandings, and agreements, with respect to the subject matter hereof; provided however, that it is agreed that this Agreement is supplemental to the City's Comprehensive Plan and does not in any way rescind or modify any provisions of the City's Comprehensive Plan. Amendments to and waivers of the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

27. **Amendments.** Amendments to the Master Development Plan (MDP) shall be subject to the requirements of Section 114-771(g)(4) of the City of Holly Hill Land Development Regulations, which state that minor amendments to the Preliminary Plan not violating any terms of the written development agreement and not altering the intent and purpose of the MDP may be approved by the Development Code Administrator after such departmental comment as he/she deems appropriate. Minor changes shall be limited to items such as small adjustments to building

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footprints, allocation of uses within a defined parcel such as retention areas, parking etc. Major amendments will require full review and shall include relocation of uses on the site, except as permitted by the MDP, changes to building styles, changes to landscaping requirements, etc. Decisions as to whether modifications are Major or Minor shall be at the sole discretion of the Development Code Administrator.

28. Effective Date. The Effective Date of this Agreement shall be the day this Agreement is recorded in the Public Records of Volusia County, Florida.

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IN WITNESS WHEREOF, the Owners, the Developer and the City have executed this Agreement.

**OWNER: KBL PROPERTY
INVESTMENTS, LLC**

By:

Signature of Witness # 1

Signature

Print or type name

Print or type name

As:

Signature of Witness #2

Print or type

Print or type name

ATTEST:

Signature

Print or Type Name

**STATE OF FLORIDA
COUNTY OF _____**

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence** or ☐ **online notarization**, this ____ day of _____, ____ (year), by _____, who is _____ of KBL Property Investments, LLC, and who is ____ personally known to me or ____ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____
My Commission Expires: _____

**OWNER: CHARLESDALE
ASSOCIATES, INC.**

By:

Signature of Witness # 1

Signature

Print or type name

Print or type name

As:

Signature of Witness #2

Print or type

Print or type name

ATTEST:

Signature

Print or Type Name

**STATE OF FLORIDA
COUNTY OF _____**

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence**
or ☐ **online notarization**, this ____ day of _____, ____ (year), by _____,
who is _____ of Charlesdale Associates, Inc. and who is ____ personally known
to me or ____ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature

Printed Name

Commission No.: _____
My Commission Expires: _____

Attachment: Development Agreement (4642 : Mason Avenue Storage Facility PD)

**DEVELOPER: STEIN INVESTMENT
CO, LLC****By:**_____
Signature of Witness # 1_____
Signature_____
Print or type name_____
Print or type name**As:**_____
Signature of Witness #2_____
Print or type_____
Print or type name**ATTEST:**_____
Signature_____
Print or Type Name**STATE OF FLORIDA****COUNTY OF** _____

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, ____ (year), by _____, who is _____ of Stein Investment Co, LLC. and who is ____ personally known to me or ____ produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA_____
Notary Signature_____
Printed Name

Commission No.: _____

My Commission Expires: _____

Attachment: Development Agreement (4642 : Mason Avenue Storage Facility PD)

CITY OF HOLLY HILL:**By:** _____**Date:** _____**ATTEST:****Date:** _____

Mailing Address:
 City of Holly Hill
 1065 Ridgewood Ave.
 Holly Hill, Florida 32117

STATE OF FLORIDA**COUNTY OF** _____

The foregoing instrument was acknowledged before me, **by means of** ☐ **physical presence**
or ☐ **online notarization**, this ____ day of _____, ____ (year), by _____,
 who is personally known to me or produced _____ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Notary Signature_____
Printed Name

Commission No.: _____

My Commission Expires: _____

Approved as to form and legality for use and
 reliance by the City of Holly Hill, Florida

Scott Simpson, City Attorney

EXHIBIT "A"
Legal Description

PARCEL A:

LOT 5, BRITTON'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITH THE STATE ROAD RIGHT OF WAY.

LOTS 4 AND 6, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITHIN THE STATE ROAD RIGHT OF WAY.

LOTS 7 AND 8, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9 PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 1, AND WESTERLY 24.9 FEET OF LOT 2, BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 2, EXCEPT THE EAST 25.3 FEET AND THE WEST 24.9 FEET BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL B:

PARCEL 1:

LOT 6, EXCEPTING THE WESTERLY 9.0 FEET THEREOF AND EXCEPTING THE WESTERLY 30 FEET OF THE NORTHERLY 60.7 FEET THEREOF, SIMPSON SUBDIVISION AS PER MAP IN MAP BOOK 11, PAGE 131, AND EXCEPTING THAT PORTION DEEDED FOR STATE ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

PART OF LOT ONE (1), SIMPSON'S SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF BLOCK THIRTY-SIX (36), MASON AND CARSWELL'S HOLLY HILL, FLORIDA, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) AT THE DISTANCE OF 158.78 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF PREMISES CONVEYED BY THE ATLANTIC REFINING COMPANY TO METROPOLITAN LIFE INSURANCE COMPANY, BY DEED DATED DECEMBER 15, 1952, AND RECORDED AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, IN DEED BOOK 479, PAGE 202; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE, SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 138.88 FEET TO A POINT IN LINE OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO

R. C. WILLIAMS, THENCE (2) ALONG SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, NORTH 26 DEGREES 32 MINUTES 14 SECONDS WEST 197.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE; THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 138.87 FEET TO A POINT IN LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY; AND THENCE (4) PARTLY ALONG LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY AND PARTLY ALONG LINE OF LANDS OF METROPOLITAN LIFE INSURANCE COMPANY, SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.83 FEET TO THE PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) THE DISTANCE OF 297.66 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 150 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID LOT NO. 1 OF "THE SIMPSON SUBDIVISION"; THENCE (2) ALONG THE WESTERLY LINE OF SAID LOT NO. 1 NORTH 26 DEGREES 30 MINUTES WEST 197.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE AT THE NORTHWESTERLY CORNER OF SAID LOT NO. 1, THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 149.87 FEET TO A POINT IN LINE OF SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, AND THENCE (4) ALONG SAID LINE OF OTHER LANDS CONVEYED TO R. C. WILLIAMS SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.67 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCEL, THAT PORTION DEEDED FOR STATE ROAD RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3899. PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL C:

PARCEL 1:

THE EASTERLY 25.3 FEET OF LOT TWO (2) AND THE WESTERLY 25 FEET OF LOT THREE (3), AS MEASURED ALONG FIRST STREET, BLOCK "A", SAULSBURY'S PLACE, A SUBDIVISION OF BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, AS PER MAP THEREOF IN MAP BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE EAST 3/4 OF LOT 3, BLOCK "A", SAULSBURY PLACE, HOLLY HILL, AND INCLUDING WEST 30 FEET OF NORTH 60 FEET OF LOT 6, SIMPSON SUBDIVISION, BLOCK 36, MASON AND CARSWELL'S HOLLY HILL AS PER MAP THEREOF IN MAP BOOK 11, PAGE 131, OF THE

PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

PARCEL 2:

LOT TWO (2), BRITTON SUBDIVISION, PER MAP IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALSO THE WESTERLY 9 FEET OF LOT ELEVEN (11), AND THE WESTERLY 9 FEET OF THE SOUTH 1/2 OF LOT TWELVE (12), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, PER MAP RECORDED IN MAP BOOK 2, PAGE 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOT THREE (3), BRITTON'S SUBDIVISION OF THE SOUTH 1/2 OF LOT NINE (9), AND ALL OF LOT TEN (10), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE MAP RECORDED IN BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN BY ORDER OF TAKING RECORDED APRIL 25, 1994 IN OFFICIAL RECORDS BOOK 3914, PAGE 427, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2 AND 3, BRITTON'S SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 143, AND LOT 6, THE SIMPSON SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA IN SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE 3" IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 8, OF SAID BRITTON'S SUBDIVISION; THENCE SOUTH 25°20'46" EAST, ALONG THE EAST LINE OF DAYTONA AVENUE, 136.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BRITTON'S SUBDIVISION; THENCE NORTH 64°29'54" EAST ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, OF SAID BRITTON'S SUBDIVISION FOR THE POINT OF BEGINNING; THENCE NORTH 25°20'46" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 37.71 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 7,685.56 FEET, AND A CHORD BEARING NORTH 63°13'46" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'14", A DISTANCE OF 47.47 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 11,414.38 FEET, AND A CHORD BEARING NORTH 63°16'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'32", A DISTANCE OF 51.56 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 9.00 FEET OF LOT 6, OF SAID THE SIMPSON SUBDIVISION; THENCE SOUTH 25°20'46" EAST ALONG SAID EAST LINE, 39.86 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430; THENCE SOUTH 64°29'54" WEST ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, 99.00 FEET, TO THE POINT OF BEGINNING.

EXHIBIT "B"
Preliminary Plan

SEAL

148 MASON AVENUE
HOLLY HILL, FLORIDA

CONCEPTUAL SITE PLAN
PROFESSIONAL ENGINEERS & LANDSCAPE ARCHITECTS
PARKER MYNCHENBERG & ASSOCIATES, INC.
1729 MIDSWOOD AVENUE HOLLY HILL, FLORIDA 32117
PARKER MYNCHENBERG & ASSOCIATES, INC. 00000010

NO.	DATE	DESCRIPTION
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336	12/22/2051	REVISIONS</

FILE: K:\24\240153 148 MASON\240153--IDV.DWG

ALTA / NSPS LAND TITLE SURVEY

FOR

STEIN INVESTMENT COMPANY, LLC.

A PORTION OF

SECTION 37–TOWNSHIP 15 SOUTH–RANGE 33 EAST

VOLUSIA COUNTY, FLORIDA

LOCATION

LEGAL DESCRIPTION: (PROVIDED BY CLIENT)

PARCEL A:

LOT 5, BRITTON'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITH THE STATE ROAD RIGHT OF WAY.

LOTS 4 AND 6, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITHIN THE STATE ROAD RIGHT OF WAY.

LOTS 7 AND 8, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9 PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 1, AND WESTERLY 24.9 FEET OF LOT 2, BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL B:

PARCEL 1

LOT 6, EXCEPTING THE WESTERLY 9.0 FEET THEREOF AND EXCEPTING THE WESTERLY 30 FEET OF THE NORTHERLY 60.7 FEET THEREOF, SIMPSON SUBDIVISION AS PER MAP IN MAP BOOK 11, PAGE 131, AND EXCEPTING THAT PORTION DEEDED FOR STATE ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2

PART OF LOT ONE (1), SIMPSON'S SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF BLOCK THIRTY-SIX (36), MASON AND CARSWELL'S HOLLY HILL, FLORIDA, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) AT THE DISTANCE OF 158.78 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF PREMISES CONVEYED BY THE ATLANTIC REFINING COMPANY TO METROPOLITAN LIFE INSURANCE COMPANY, BY DEED DATED DECEMBER 15, 1952, AND RECORDED AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, IN DEED BOOK 479, PAGE 202; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE, SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 138.88 FEET TO A POINT IN LINE OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, THENCE (2) ALONG SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, NORTH 26 DEGREES 32 MINUTES 14 SECONDS WEST 197.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 138.87 FEET TO A POINT IN LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY; AND THENCE (4) PARTLY ALONG LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY AND PARTLY ALONG LINE OF LANDS OF METROPOLITAN LIFE INSURANCE COMPANY, SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.83 FEET TO THE PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) THE DISTANCE OF 297.66 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 150 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID LOT NO. 1 OF "THE SIMPSON SUBDIVISION"; THENCE (2) ALONG THE WESTERLY LINE OF SAID LOT NO. 1 NORTH 26 DEGREES 30 MINUTES WEST 197.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE AT THE NORTHWESTERLY CORNER OF SAID LOT NO. 1, THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 149.87 FEET TO A POINT IN LINE OF SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, AND THENCE (4) ALONG SAID LINE OF OTHER LANDS CONVEYED TO R. C. WILLIAMS SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.67 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THAT PORTION DEEDED FOR STATE ROAD RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL C:

PARCEL 1:

THE EASTERLY 25.3 FEET OF LOT TWO (2) AND, THE WESTERLY 25 FEET OF LOT THREE (3), AS MEASURED ALONG FIRST STREET, BLOCK "A", SAULSBURY'S PLACE, A SUBDIVISION OF BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, AS PER MAP THEREOF IN MAP BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

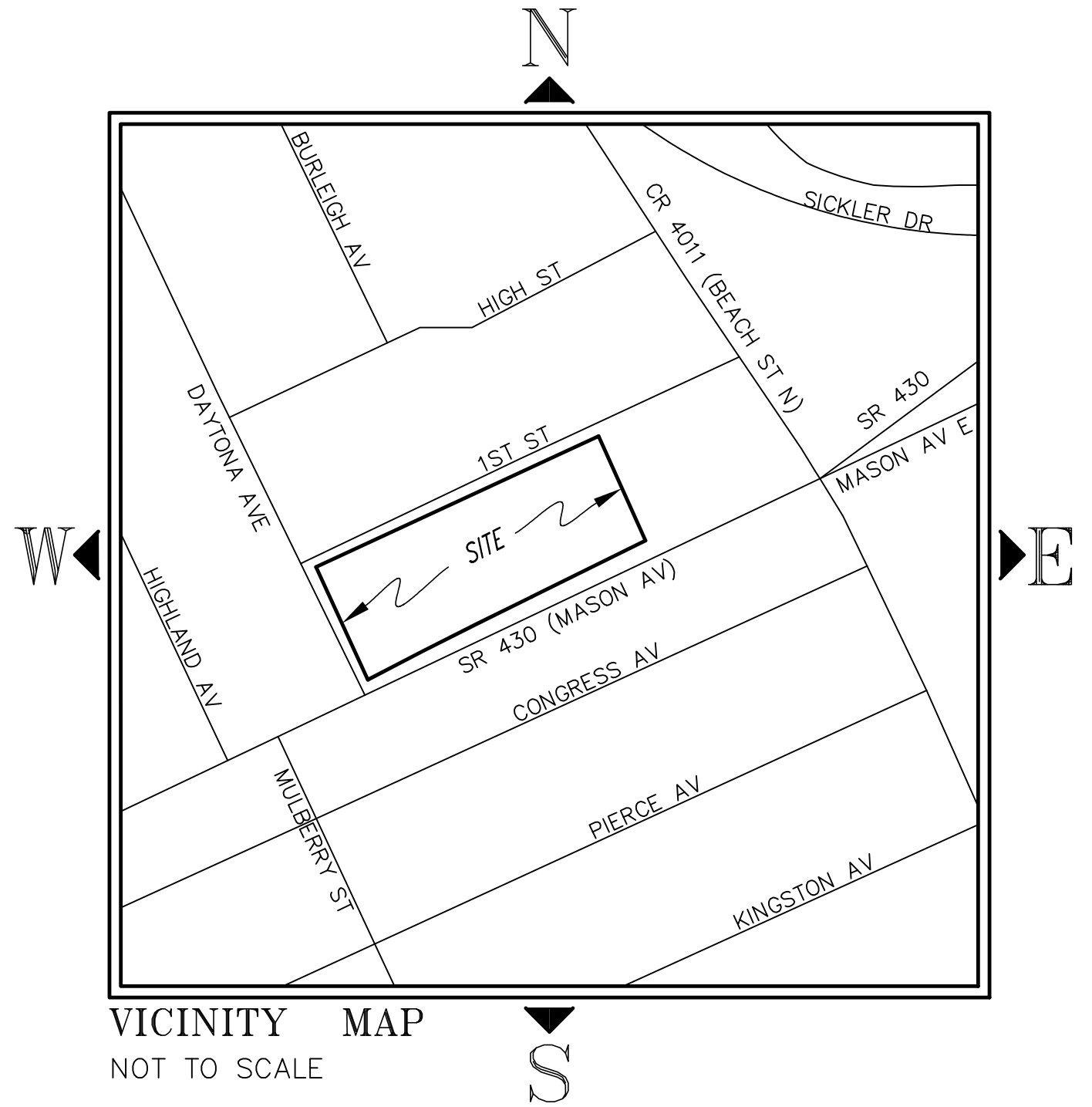
AND

THE EAST 3/4 OF LOT 3, BLOCK "A", SAULSBURY PLACE, HOLLY HILL, AND INCLUDING WEST 30 FEET OF NORTH 60 FEET OF LOT 6, SIMPSON SUBDIVISION, BLOCK 36, MASON AND CARSWELL'S HOLLY HILL AS PER MAP THEREOF IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

ZONING INFORMATION

NONE PROVIDED.



LEGAL DESCRIPTION CONTINUED:

PARCEL 2:

LOT TWO (2), BRITTON SUBDIVISION, PER MAP IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALSO THE WESTERLY 9 FEET OF LOT ELEVEN (11), AND THE WESTERLY 9 FEET OF THE SOUTH 1/2 OF LOT TWELVE (12), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, PER MAP RECORDED IN MAP BOOK 2, PAGE 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOT THREE (3), BRITTON'S SUBDIVISION OF THE SOUTH 1/2 OF LOT NINE (9), AND ALL OF LOT TEN (10), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE MAP RECORDED IN BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN BY ORDER OF TAKING RECORDED APRIL 25, 1994 IN OFFICIAL RECORDS BOOK 3914, PAGE 427, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2 AND 3, BRITTON'S SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 143, AND LOT 6, THE SIMPSON SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA IN SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE 3" IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 8, OF SAID BRITTON'S SUBDIVISION; THENCE SOUTH 25°20'46" EAST, ALONG THE EAST LINE OF DAYTONA AVENUE, 136.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BRITTON'S SUBDIVISION; THENCE NORTH 64°29'54" EAST ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, OF SAID BRITTON'S SUBDIVISION FOR THE POINT OF BEGINNING; THENCE NORTH 25°20'46" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 37.71 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 7,685.56 FEET, AND A CHORD BEARING NORTH 63°13'46" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'14", A DISTANCE OF 47.47 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 11,414.38 FEET, AND A CHORD BEARING NORTH 63°16'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'32", A DISTANCE OF 51.56 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 9.00 FEET OF LOT 6, OF SAID THE SIMPSON SUBDIVISION; THENCE SOUTH 25°20'46" EAST ALONG SAID EAST LINE, 39.86 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430; THENCE SOUTH 64°29'54" WEST ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, 99.00 FEET, TO THE POINT OF BEGINNING.

INDEX OF SHEETS:

- 1 COVER SHEET (CURRENT)
- 2 ALTA/NSPS LAND TITLE SURVEY

NOTE:

THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 2

SURVEY NOTES:

1. THIS PLAT OF SURVEY HAS BEEN PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, HAVING A COMMITMENT NUMBER OF FL252312090JC/232691ATL, AND DATED DECEMBER 26, 2023, AT 08:00 AM.

2. THE MEASURED BEARINGS SHOWN HEREON ARE (GRID BEARINGS) BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 2007 ADJUSTMENT, DERIVING A BEARING OF N25° 19' 41"W, ALONG EASTERLY RIGHT OF WAY OF DAYTONA AVENUE.

3. UNDERGROUND FOUNDATIONS, IF ANY HAVE NOT BEEN LOCATED OR SHOWN AS A PART OF THIS SURVEY.

4. EVIDENCE OF ABOVE GROUND UTILITIES HAVE BEEN LOCATED AS A PART OF THIS SURVEY. UNDERGROUND UTILITIES HAVE BEEN LOCATED BY SLIGER AND ASSOCIATES, INC. AS MARKED BY "CALL SUNSHINE", 811.

5. ELEVATIONS REFER TO N.A.V.D. OF 1988, PER THE CITY OF DAYTONA BEACH PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION BENCHMARK NUMBER RMR-17 HAVING A PUBLISHED ELEVATION OF 3.293 FEET.

6. THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE "X". THIS LOCATION IS DETERMINED BY SCALING FROM F.I.R.M. MAP NO. 12127C0357 J. MAP EFFECTIVE DATE: SEPT. 29, 2017. APPROXIMATE SCALE: 1"= 500'.

7. UNLESS OTHERWISE SHOWN, RECORDING INFORMATION IS FROM THE PUBLIC RECORDS OF VOLUSIA COUNTY.

8. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

ADDITIONAL SURVEY NOTES:

- A. THERE ARE INTERNAL OVERLAPS BASED ON THE LEGAL DESCRIPTION AS PROVIDED, THERE ARE NO GAPS, CORES, OVERLAPS OR HIATUS INHERENT TO THE SURVEYED OVERALL EXTERIOR BOUNDARY. THIS SURVEYOR RECOMMENDS A NEW DESCRIPTION AND SURVEYORS AFFIDAVIT BE COMPLETED TO REPLACE THIS LONG AND COMPLICATED DESCRIPTION.
- B. THE SURVEYED PROPERTY HAS DIRECT ACCESS TO MASON AVENUE, DAYTONA AVENUE AND RIVERSIDE AVENUE (1ST STREET).
- C. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES, BURIAL GROUNDS, OR INDIVIDUAL GRAVESITES.
- D. THIS SURVEYOR IS NOT QUALIFIED TO MAKE WETLAND DETERMINATIONS, AND DID NOT OBSERVE ANY MARKINGS PLACED BY ANY BIOLOGIST ON THE SURVEYED PROPERTIES WITH REGARDS TO WETLANDS.
- E. THERE ARE NO DIVISION OR PARTY WALLS DESIGNATED BY THE CLIENT OR LOCATED BY THE SURVEYOR WITH RESPECT TO ADJOINING PROPERTIES.
- F. NO OFFSITE EASEMENTS OR SERVITUDE BENEFITTING THE SURVEYED PROPERTIES WERE DISCLOSED IN THE RECORD DOCUMENTS PROVIDED TO THE SURVEYOR OR OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.
- G. AT THE TIME OF SURVEY, THE SURVEYOR WAS NOT AWARE OF ANY PROPOSED CHANGES IN THE STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.
- H. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- I. NOTE THAT THE TITLE LINES AND ACTUAL POSSESSION LINES ARE THE SAME.

SCHEDULE B, PART II – EXCEPTIONS

SOME HISTORICAL LAND RECORDS CONTAIN DISCRIMINATORY COVENANTS THAT ARE ILLEGAL AND UNENFORCEABLE BY LAW. THIS COMMITMENT AND THE POLICY TREAT ANY DISCRIMINATORY COVENANT IN A DOCUMENT REFERENCED IN SCHEDULE B AS IF EACH DISCRIMINATORY COVENANT IS REDACTED, REPUDIATED, REMOVED, AND NOT REPUBLISHED OR RECIRCULATED. ONLY THE REMAINING PROVISIONS OF THE DOCUMENT WILL BE EXCEPTED FROM COVERAGE. THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND CONDITIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET.
2. TAXES AND ASSESSMENTS FOR THE YEAR 2024 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.
3. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW, AND NOT SHOWN BY THE PUBLIC RECORDS.
4. INTENTIONALLY DELETED.
5. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.
6. UNPAID CHARGES FOR PUBLIC UTILITIES FURNISHED BY ANY COUNTY, MUNICIPALITY, OR PUBLIC SERVICE CORPORATION, WHICH MAY BE OR MAY BECOME A LIEN UPON THE LAND INSURED HEREBY UNDER ANY PROVISION OF THE FLORIDA STATUTES, INCLUDING SECTION 159.17, AND/OR ANY COUNTY, MUNICIPAL, OR SPECIAL TAXING DISTRICT ASSESSMENT, INCLUDING THOSE LEVED UNDER THE PROVISIONS OF CHAPTER 190, FLORIDA STATUTES, ITEMS #1-6 ARE STANDARD EXCEPTIONS.
7. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA AS SET FORTH IN THE DEED BOOK 315, PAGE 283, HOWEVER THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATION HAS BEEN RELEASED PURSUANT TO SECTION 270.11, F.S.
8. MATTERS AS SHOWN ON THE SURVEY BY SLIGER & ASSOCIATES, INC. DATED FEBRUARY 21, 2024, LAST REVISED _____, 2024, UNDER JOB NO. 24-0153, PROJECT NO. 08716, AS FOLLOWS:

- a) 2 OVERHEAD POWER LINES AND A POWER POLE ENCROACH INTO THE SUBJECT PROPERTY ALONG NORTH BOUNDARY.
- b) 2 UNDERGROUND SEWER LINES AND A CLEAN OUT ENCROACH ONTO THE SUBJECT PROPERTY ALONG THE NORTHERLY BOUNDARY.
- c) UNDERGROUND FIBER OPTIC CABLE LINE AND FIBER OPTIC CABLE BOX ENCROACH ONTO THE SUBJECT PROPERTY ALONG THE SOUTHWEST CORNER/ SOUTHERLY BOUNDARY
- d) SIGN FOR BIKE LANE ENCROACHES INTO THE SUBJECT PROPERTY ALONG THE SOUTHWEST CORNER ALL SHOWN HEREON.

SURVEYOR'S REPORT:

PURPOSE OF SURVEY:

PREPARE AN ALTA / NSPS LAND TITLE SURVEY AS DIRECTED BY THE CLIENT & FOR THE CLIENTS USE.
ADDRESSES INCLUDE:
120, 134, 140 & 148 MASON AVENUE, HOLLY HILL, FLORIDA.
105 DAYTONA AVENUE, HOLLY HILL, FLORIDA.
145, 149, 151 & 155 1ST STREET, HOLLY HILL, FLORIDA.

METHODOLOGY:

HORIZONTAL DATUM – NORTH AMERICAN 1983. COORDINATES – STATE PLANE, FLORIDA EAST ZONE.
HORIZONTAL CONTROL POINT RMR 17, HAVING PUBLISHED COORDINATES OF NORTH 1,780,211.953 AND EAST 647,115.933 WAS OCCUPIED USING GLOBAL POSITIONING SATELLITE RECEIVER, AND ON SITE SECONDARY CONTROL WAS ESTABLISHED. THEN, CONVENTIONAL TOTAL STATION SURVEYING TECHNIQUES USED FOR LOCATIONS.

VERTICAL DATUM – NORTH AMERICAN 1988.
REFERENCE BENCHMARK RECOVERED 4"x4" CONCRETE MONUMENT WITH 3" BRASS DISC IN CENTER, STAMPED "CONTROL MONUMENT RMR-17".
PUBLISHED ELEVATION 3.293 FEET.

ON SITE VERTICAL CONTROL WAS ESTABLISHED BY A 3 WIRE LEVEL LOOP THROUGH THE HORIZONTAL CONTROL ESTABLISHED HEREON.

ERROR OF CLOSURE

HORIZONTAL ERROR OF CLOSURE:
THE PREDICTED RELATIVE POSITIONAL ACCURACY FOR THE GLOBAL POSITIONING AND CONVENTIONAL TOTAL STATION EQUIPMENT USED TO PERFORM THIS SURVEY DOES NOT EXCEED 0.07 FEET PLUS 50 PARTS PER MILLION HORIZONTAL AND WAS VERIFIED BY REDUNDANT FIELD OBSERVATIONS.

ADJUSTMENT METHOD:
A STATISTICALLY SIGNIFICANT PORTION OF THE FIELD DATA WAS VERIFIED BY REDUNDANT GPS OBSERVATIONS AS MEETING THE ABOVE MENTIONED POSITIONAL TOLERANCE AND NOT ADJUSTED.

VERTICAL ERROR OF CLOSURE:
ON SITE VERTICAL CONTROL WAS ESTABLISHED BY A 3 WIRE LEVEL LOOP THROUGH THE HORIZONTAL CONTROL ESTABLISHED HEREON WITH AN ERROR OF CLOSURE OF 1:20,000.

REFERENCE MATERIAL:

NATIONAL GEODETIC DATABASE
THE CITY OF DAYTONA BEACH PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION DATABASE
F.E.M.A. ONLINE FLOOD MAP SERVICE CENTER
VOLUSIA COUNTY PROPERTY APPRAISER WEBSITE
FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD 430,SECTION 79220-2510 SHEETS 2 & 14 OF 20, DATED 7/2/1993.
SURVEY BY SLIGER & ASSOCIATES, INC. JOB No. 22-0962, DATED JULY 18, 2022
INFORMATION PROVIDED WITHIN FIDELITY NATION TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT NUMBER:
FL252312090JC/232691ATL, DATED DECEMBER 26, 2023 AT 08:00 AM.

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE" (UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770 TICKET NO. 045400754, 045400811 & 045400821 AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

- PEOPLES GAS SYSTEM – MARKED
- CHARTER-TIME WARNER CABLE – NOT MARKED
- FLORIDA POWER & LIGHT – NOT MARKED
- UNITI FIBER – NOT MARKED
- CITY OF HOLLY HILL – MARKED
- WIRE 3, LLC – MARKED
- HOTWIRE COMMUNICATIONS – NOT MARKED
- METRO FIBERNET LLC – NOT MARKED

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY, STEIN INVESTMENT COMPANY, LLC., KBL PROPERTY INVESTMENTS, LLC & CHARLESDALE ASSOCIATES, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 11(b), 13, 16, 17, 18 & 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 21, 2024.
DATE OF PLAT OR MAP: MARCH 12, 2024 (SURVEYOR'S SIGNATURE, PRINTED)

Jeffrey S Hattendorf
Digitally signed by Jeffrey S Hattendorf
Date: 2024.03.14 07:47:22 -0400
DATE:

JEFFREY HATTENDORF
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

1880 78th Avenue SE
HOLLY HILL, FLORIDA 32069
www.sligerandassociates.com
LICENSED BUSINESS CERTIFICATION NUMBER 3019
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FIELD DATE:	FEB. 21, 2024	FIELD BOOK: 1627	PARTY CHIEF: S. STRICKLAND	PAGE (S): 95-99	DIAGN BY: IDY	CHECKED BY: J. HATTENDORF
No.						
Date						
Revision						

ALTA / NSPS LAND TITLE SURVEY

134 MASON AVENUE
HOLLY HILL, FLORIDA

CLIENT: STEIN INVESTMENT COMPANY, LLC.

PROJECT: 08716
JOB: 24-0153
SCALE: N/A
SHEET: 1 OF 2

ABBREVIATIONS:

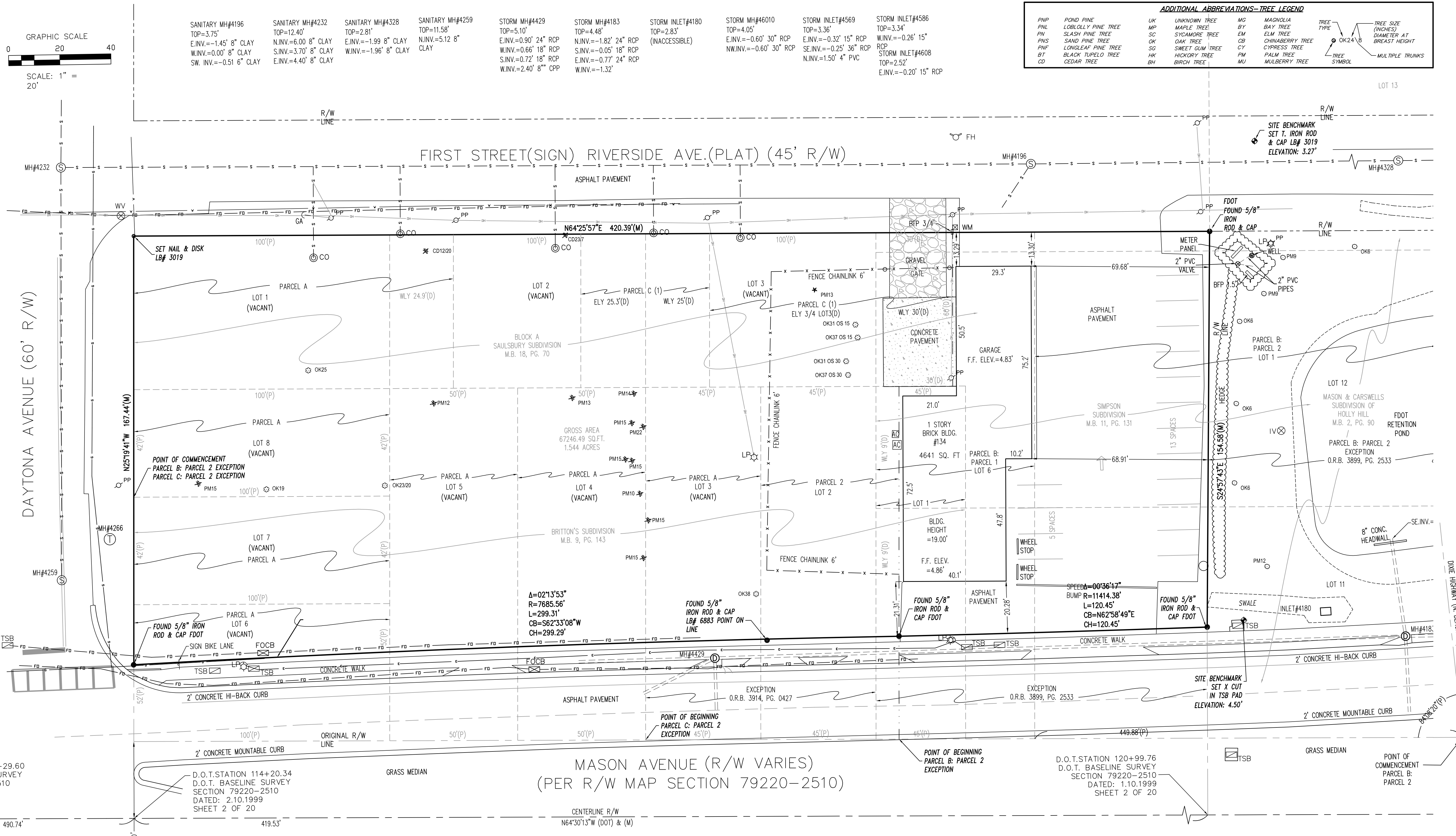
W/ WITH	ILLEG. ILLEGIBLE	GLM GAS LINE MARKER	LB LICENSED BUSINESS	LP LIGHT POLE	-FO- BURIED FIBER OPTIC CABLE
IRC IRON ROD & CAP	MB MAP BOOK	D CENTRAL ANGLE	DIP DUCTILE IRON PIPE	PP POWER POLE	-T- BURIED TELEPHONE CABLE
IR IRON ROD (NO CAP)	PG PAGE	R RADIUS	PVC POLYVINYL CHLORIDE	GA GUY ANCHOR	-W- BURIED WATER LINE
IPC IRON PIPE & CAP	ORB OFFICIAL RECORDS BOOK	L ARC LENGTH	CONC CONCRETE	TSP TRAFFIC SIGNAL POLE	-E- BURIED ELECTRIC LINE
IP IRON PIPE (NO CAP)	(P) PLATTED DIMENSION	CB CHORD BEARING	RES RESIDENCE	R/W RIGHT OF WAY	-G- BURIED GAS LINE
CM CONCRETE MONUMENT	(D) DEED DIMENSION	CH CHORD DISTANCE	CO CLEANOUT	DW DRIVEWAY	-TV- BURIED TELEVISION LINE
N&D NAIL & DISK	(M) MEASURED DIMENSION	SAN SANITARY	ES ELECTRIC SERVICE	TOB TOP OF BANK	-FM- BURIED FORCEMAIN
FND FOUND	(C) CALCULATED DIMENSION	MH MANHOLE	CV CHECK VALVE	TOE TOE OF SLOPE	-OH- AERIAL UTILITY LINE
MW MONITORING WELL	(R) RADIAL	MES MITERED END SECTION	IV IRRIGATION VALVE	CLS CENTERLINE OF SWALE	-ST- STORM WATER LINE
ID IDENTIFICATION	(NR) NON RADIAL	HDPE HIGH DENSITY POLYETHYLENE PIPE	WV WATER VALVE	A/C AIR CONDITIONER	FP&L CO FLORIDA POWER & LIGHT COMPANY
(TYP) TYPICAL	STA STATION	RCP REINFORCED CONCRETE PIPE	RV REUSE VALVE	FNC FENCE	NGVD NATIONAL GEODETIC VERTICAL DATUM
SEC SECTION	EL ELEVATION	CMP CORRUGATED METAL PIPE	WM WATER METER	EOW EDGE OF WATER	NAVD NORTH AMERICAN VERTICAL DATUM
TWP TOWNSHIP	INV INVERT	CPP CORRUGATED PLASTIC PIPE	FH FIRE HYDRANT	U.E. UTILITY EASEMENT	FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
RGE RANGE	CL CENTERLINE	VCP VITREOUS CLAY PIPE	TC TOP COVER	A.E. ACCESS EASEMENT	FDNR FLORIDA DEPARTMENT OF NATURAL RESOURCES
					USC & GS UNITED STATES COAST & GEODETIC SURVEY

LEGEND:

● IRON ROD WITH CAP	⊗ GV GAS VALVE	⊗ FOCB FIBER OPTIC CABLE BOX	⊗ SSMH SANITARY SEWER MANHOLE
○ IRON ROD	⊗ RUV REUSE VALVE	⊗ FOCV FIBER OPTIC CABLE VAULT	⊗ SDMH STORM DRAIN MANHOLE
○ IRON PIPE WITH CAP	⊗ SSV SANITARY SEWER VALVE	⊗ ELP ELECTRIC PANEL	⊗ GTMH GREASE TRAP MANHOLE
○ IRON PIPE	⊗ HHE HAND HOLE (ELECTRIC)	⊗ FOCM FIBER OPTIC CABLE MARKER	⊗ EMH ELECTRIC MANHOLE
○ NAIL & DISK	⊗ WM WATER METER	⊗ TPM TELEPHONE CABLE MARKER	⊗ UMH UTILITY MANHOLE
○ FD "X"/CUT IN CONCRETE	⊗ GM GAS METER	⊗ LP LIGHT POLE	⊗ CO CLEAN OUT
○ CONCRETE MONUMENT	⊗ TB TELEPHONE BOX	⊗ YL YARD LIGHT	⊗ FOC FIBER OPTIC CABLE MANHOLE
○ DENOTES PC / PT	⊗ MB MAIL BOX	⊗ GA GUY ANCHOR	⊗ RBO REUSE BLOWOFF ASSEMBLY
○ PERMANENT CONTROL POINT	⊗ TV CABLE TELEVISION BOX	⊗ UTILITY POLE	⊗ WETLANDS LOCATION
○ SITE BENCHMARK	⊗ TSB TRAFFIC SIGNAL BOX	⊗ SYE SITE YARD LIGHT	⊗ EXISTING CONCRETE
○ FIRE HYDRANT	⊗ WV WATER VALVE	⊗ EB ELECTRIC SERVICE BOX	⊗ EXISTING ELEVATION
○ CHANGE OF DIRECTION			

ADDITIONAL ABBREVIATIONS-TREE LEGEND

PNP POND PINE	UK UNKNOWN TREE	MG MAGNOLIA	TR TREE TYPE	TR TREE SIZE (INCHES)
PNL LOBLOLLY PINE TREE	MP MAPLE TREE	BY BAY TREE	TR TREE TYPE	TR TREE SIZE (INCHES)
PN SLASH PINE TREE	SC Sycamore Tree	EM ELM TREE	TR TREE TYPE	TR TREE SIZE (INCHES)
PNS SAND PINE TREE	OK OAK TREE	CB CHINABERRY TREE	TR TREE TYPE	TR TREE SIZE (INCHES)
PNF LONGLEAF PINE TREE	OK SWEET GUM TREE	CY CYPRESS TREE	TR TREE TYPE	TR TREE SIZE (INCHES)
BT BLACK TUPELO TREE	HK HICKORY TREE	PM PALM TREE	TR TREE TYPE	TR TREE SIZE (INCHES)
CD CEDAR TREE	BH BIRCH TREE	MU MULBERRY TREE	TR TREE TYPE	TR TREE SIZE (INCHES)



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 2

SEE SHEET 1 OF 2 FOR:
SURVEYORS NOTES
BOUNDARY DESCRIPTION

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
15801 NW 25th Ave, Suite 100
Miami, FL 33187
Phone: (305) 751-2335
Fax: (305) 751-2336
www.sligerandassociates.com
LICENSED BUSINESS CERTIFICATION NUMBER 3019
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Field Book: 1627	Field Date: FEB. 21, 2024	Party Chief: S. STRICKLAND	Party: IDY	Checked By: J. HATTEIDORF	Client: STEIN INVESTMENT COMPANY, LLC.
Page (S): 35-39 <td></td> <td></td> <td></td> <td></td> <td></td>					
Revision	Date	No.			
Approved					

PROJECT: 08716

JOB: 24-0153

SCALE: 1" = 20'

SHEET: 2 OF 2

Attachment: Exhibit A - Legal & Survey (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473876

Parcel ID: 533722010021

CHARLESDALE ASSOCIATES INC

145 1ST ST, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473876
Parcel ID:	533722010021
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	22 - 01 - 0021
Owner(s):	CHARLESDALE ASSOCIATES INC - FS - Fee Simple - 100%
Mailing Address On File:	134 MASON AVE DAYTONA BEACH FL 32117
Physical Address:	145 1ST ST, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B1 - Charlesdale Assoc, Inc (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473931

Parcel ID: 533723000020

CHARLESDALE ASSOCIATES INC

140 MASON AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473931
Parcel ID:	533723000020
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0020
Owner(s):	CHARLESDALE ASSOCIATES INC - FS - Fee Simple - 100%
Mailing Address On File:	134 MASON AVE DAYTONA BEACH FL 32117
Physical Address:	140 MASON AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B1 - Charlesdale Assoc, Inc (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3474147

Parcel ID: 533725000060

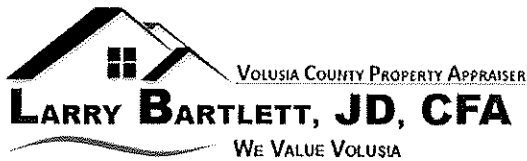
CHARLESDALE ASSOCIATES INC

134 MASON AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3474147
Parcel ID:	533725000060
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	25 - 00 - 0060
Owner(s):	CHARLESDALE ASSOCIATES INC - FS - Fee Simple - 100%
Mailing Address On File:	134 MASON AVE HOLLY HILL FL 32117
Physical Address:	134 MASON AVE, HOLLY HILL 32117
Property Use:	2700 - AUTO SALES
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	SIMPSONS
Homestead Property:	No

Attachment: Exhibit B1 - Charlesdale Assoc, Inc (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3474104

Parcel ID: 533725000011

CHARLESDALE ASSOCIATES INC

120 MASON AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3474104
Parcel ID:	533725000011
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	25 - 00 - 0011
Owner(s):	CHARLESDALE ASSOCIATES INC - FS - Fee Simple - 100%
Mailing Address On File:	134 MASON AVE HOLLY HILL FL 32117
Physical Address:	120 MASON AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	SIMPSONS
Homestead Property:	No

Attachment: Exhibit B1 - Charlesdale Assoc, Inc (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 5439011

KBL PROPERTY INVESTMENTS LLC

Parcel ID: 533723000041

MASON AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	5439011
Parcel ID:	533723000041
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0041
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	MASON AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473957

Parcel ID: 533723000050

KBL PROPERTY INVESTMENTS LLC

148 MASON AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473957
Parcel ID:	533723000050
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0050
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	148 MASON AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 5439071

Parcel ID: 533723000061

KBL PROPERTY INVESTMENTS LLC

DAYTONA AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	5439071
Parcel ID:	533723000061
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0061
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	DAYTONA AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473973

Parcel ID: 533723000070

KBL PROPERTY INVESTMENTS LLC

105 DAYTONA AVE, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473973
Parcel ID:	533723000070
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0070
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	105 DAYTONA AVE, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473981

Parcel ID: 533723000080

KBL PROPERTY INVESTMENTS LLC

148 MASON AVE, DAYTONA BEACH, FL

Parcel Summary

Alternate Key:	3473981
Parcel ID:	533723000080
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	23 - 00 - 0080
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	148 MASON AVE, DAYTONA BEACH 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	BRITTONS
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473841

Parcel ID: 533722010010

KBL PROPERTY INVESTMENTS LLC

155 1ST ST, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473841
Parcel ID:	533722010010
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	22 - 01 - 0010
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	155 1ST ST, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473850

Parcel ID: 533722010011

KBL PROPERTY INVESTMENTS LLC

151 1ST ST, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473850
Parcel ID:	533722010011
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	22 - 01 - 0011
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	151 1ST ST, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)



Volusia County Property Appraiser
 123 W. Indiana Ave., Rm. 102
 DeLand, FL. 32720
 Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3473868

Parcel ID: 533722010020

KBL PROPERTY INVESTMENTS LLC

149 1ST ST, HOLLY HILL, FL

Parcel Summary

Alternate Key:	3473868
Parcel ID:	533722010020
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	22 - 01 - 0020
Owner(s):	KBL PROPERTY INVESTMENTS LLC - FS - Fee Simple - 100%
Mailing Address On File:	PO BOX 148 FLAGLER BEACH FL 32136
Physical Address:	149 1ST ST, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2023 Final Millage Rate:	18.223
Neighborhood:	7230
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B2 - KBL Property Investments, LLC (4642 : Mason Avenue Storage Facility PD)

EXHIBIT C

LOCATION MAP



EXHIBIT D AERIAL MAP



EXHIBIT E
FLU IS COMMERCIAL

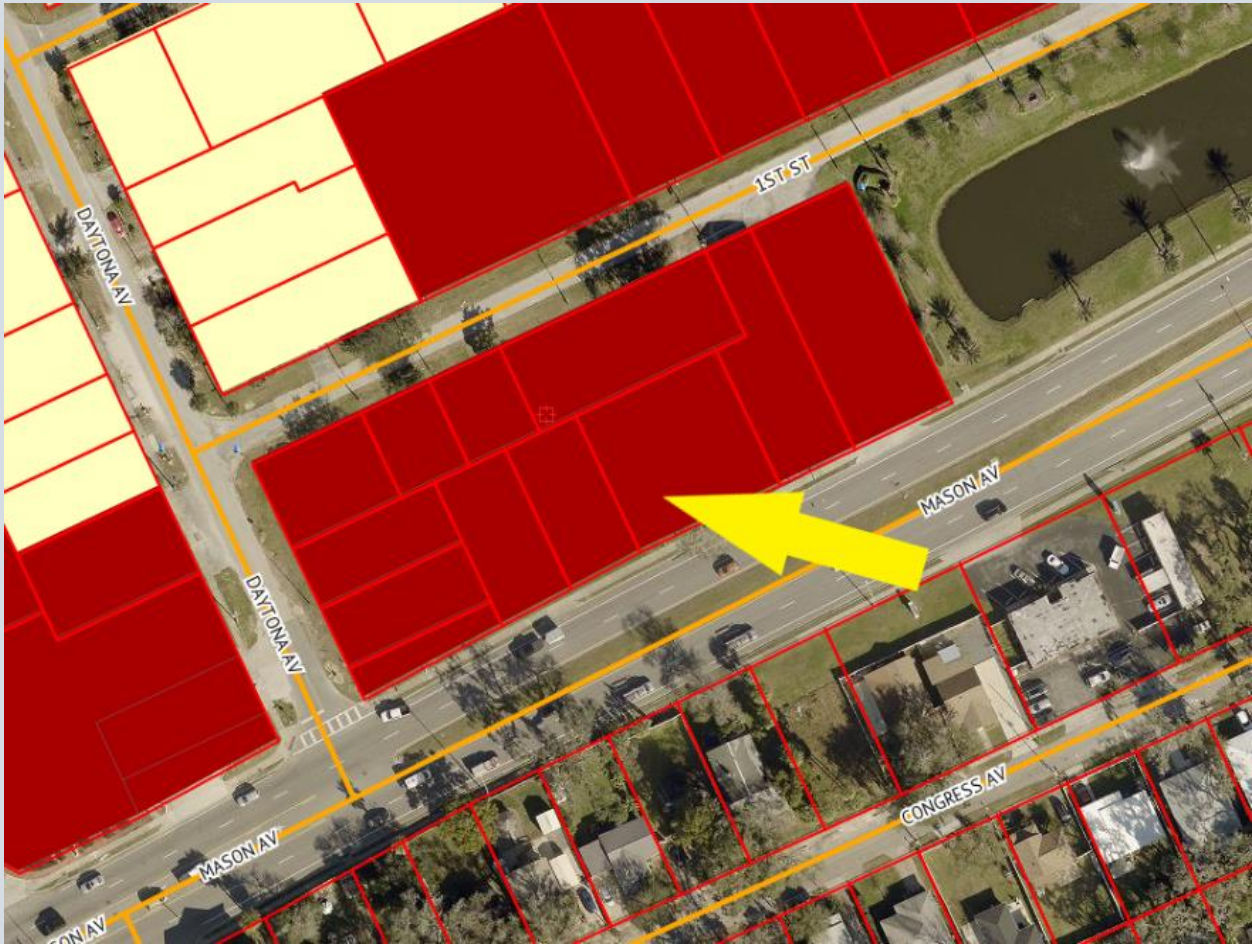
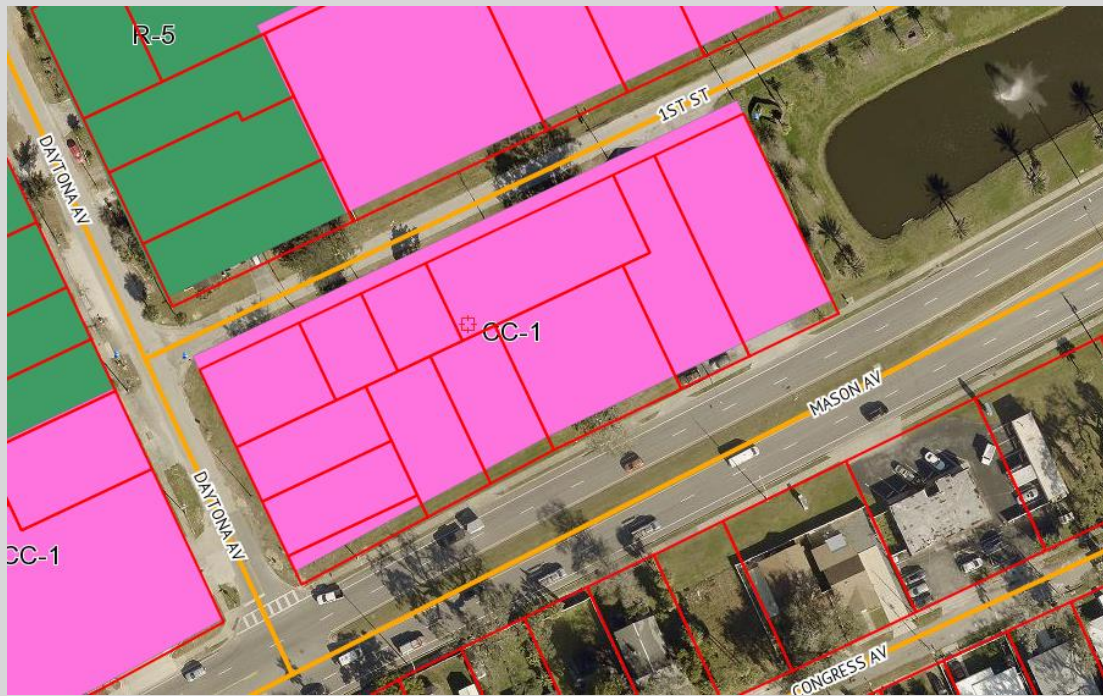
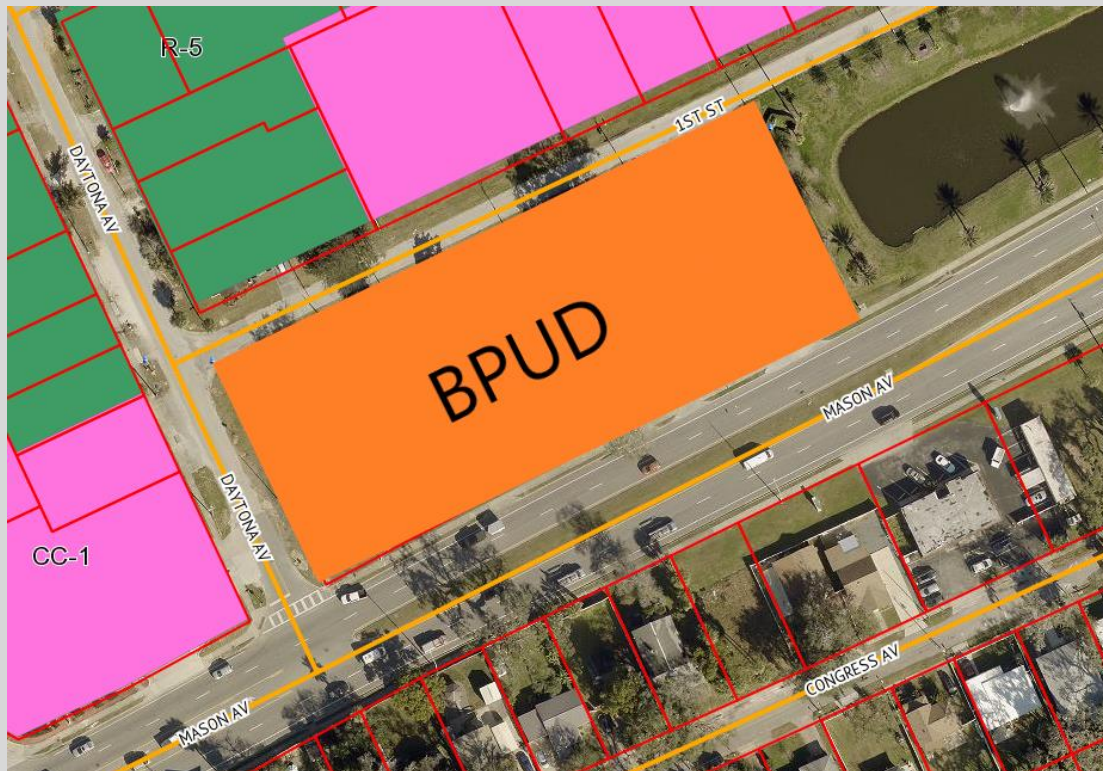


EXHIBIT F

CURRENT ZONING – CC-1



PROPOSED ZONING – BUSINESS PLANNED UNIT DEVELOPMENT





Not within a SFHA