CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA ● NOVEMBER 6, 2023

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

HOLLY HILL
FLORIDA

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

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. MINUTES

1. Minutes - October 2, 2023 Board of Planning and Appeals

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

6. AGENDA ITEM(S)

1. 817 Magnolia Avenue Side Setback Variance Request

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

7. ORDINANCES

1. Ordinance An Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Described in Attachement A, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Density Residential to Low-Medium Density Residential; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And 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 ATTACHMENT a FROM R-2 (LOW-MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

2. Ordinance Ordinance an Ordinance of the City of Holly Hill, Florida, Regulating Mobile Food Vehicles; Amending Section 114-904 of the City Code; Providing for Codification; 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

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

MEETING DATE:	**November 6, 2023**
FROM:	**Leslie Montgomery**
SUBJECT:	**Minutes - October 2, 2023 Board of Planning and Appeals**
NUMBER:	**(ID # 4286)**
APPLICANT:	
PLANNER:	

DISCUSSION:

Minutes from the October 2, 2023 Board of Planning and Appeals meeting.

MOTION:

Approve the minutes as submitted by staff.

- BOPA Minutes - October 2, 2023 (PDF)

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES ● OCTOBER 2, 2023

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

1. CALL TO ORDER

Attorney Scott Simpson phoned in to the meeting due to being stuck in traffic on I-95.

2. ROLL CALL

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	
Loretta Arthur	Board Member	Present	
Lorraine Geiger	Board Member	Excused	

3. INVOCATION

Mr. Myer led the invocation.

4. PLEDGE OF ALLEGIANCE

Mr. Smith led the Pledge of Allegiance to the flag.

5. MINUTES

1. Minutes - August 7, 2023 - Board of Planning and Appeals Meeting

   (Requested by Valerie Manning, City Clerk)

   Mr. Myer mentioned that there was one change in the minutes and that was Mr. Hanger led the pledge of allegiance to the flag.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Smith, Board Member
SECONDER:	Tony Cassata, Board Member
AYES:	Myer, Smith, Cassata, Arthur
EXCUSED:	Geiger

Enacted and approved this 2nd day of October, 2023, in Holly Hill

Attachment: BOPA Minutes - October 2, 2023 (4286 : Minutes)

6. AGENDA ITEM(S) - NONE

7. ORDINANCES

1. An Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1872 N Nova Road and 1888 N Nova Road Having Parcel Numbers 4242-31-01-0290 and 4242-31-01-0291, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Mxz (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And 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 B-5 (Heavy Commercial) Volusia County, to Cc-1 (Commercial Cooridor District) Holly Hill; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

   Mr. Walker went over his staff report for both Ordinances. Both of the Ordinances will be discussed at the same time, however, they will be voted on separately. Mr. Walker stated that this agenda item is for 1872 and 1888 N Nova Road CPA and rezoning. An Ordinance enacting a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately .83 acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1872 N Nova Road and 1888 N Nova Road. The applicant petitioned for the parcels in question to be annexed into the City of Holly Hill and at its regular meeting on September 26, 2023, the City Commission voted unanimously to approve the annexation. The property now needs to receive City zoning and be included in the City of Holly Hill's Comprehensive Plan. The applicant is requesting a Small-Scale Future Land Use Map Amendment from Volusia County's future land use designation of MXZ (Mixed Use Zone) to General Commercial (Holly Hill) and a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill). Mr. Walker briefly mentioned the project information, the project analysis as it pertains to the impacts to traffic, impacts to potable water and waste water, stormwater management and solid waste. The details are within their agenda packet. Mr. Walker mentioned that this request is consistent with urban sprawl rule in Section 163.3177(6)(a)(9)(b), Florida Statutes and is consistent with the Comprehensive Plan. The appropriateness of the requested zoning category: The predominant zoning category applied along the west side of Nova Road north of 15th Street and south of Flomich Street is CC-1(Commercial Corridor District) and B-4 (Highway Business District). The existing business and property that abut the parcels under review is zoned CC-1. According to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning designation is consistent with the General Commercial land use classification. Any future development on the site will be consistent with the stated intent of the CC-1 zoning district and the general intent of the land development regulations. Mr. Walker stated staff's recommendation is to adopt the proposed Ordinance enacting a Small-Scale Future Land Use Map Amendment from MXZ (Mixed Use Zone) (Volusia County) to General Commercial (Holly Hill) for approximately .83

Attachment: BOPA Minutes - October 2, 2023 (4286 : Minutes)

acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road and are more specifically known as 1872 N Nova Road and 1888 N Nova Road **AND** adopt the proposed Ordinance enacting a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately .83 acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road and are more specifically known as 1872 N Nova Road and 1888 N Nova Road.

Mr. Myer asked if Rob Merrell, Attorney with Cobb Cole had anything he would like to add.

Attorney Rob Merrell, Cobb Cole stated that Mr. Walker did a great job in his staff report and that he is here this evening to answer any questions that the board members may have. He doesn't have anything to add tonight.

Mr. Myer stated at this time if the board members don't have any questions for staff or Attorney Merrell, they will now move forward and vote on these two Ordinances separately.

ORDINANCE AMENDING THE COMPREHENSIVE PLAN:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD HAVING PARCEL NUMBERS 4242-31-01-0290 AND 4242-31-01-0291, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Arthur made a motion ***TO ADOPT THE PROPOSED ORDINANCE ENACTING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FROM MXZ (MIXED USE ZONE) (VOLUSIA COUNTY) TO GENERAL COMMERCIAL (HOLLY HILL) FOR APPROXIMATELY .83 ACRES, LOCATED APPROXIMATELY 275 FEET SOUTH OF FLOMICH STREET BETWEEN N NOVA ROAD AND OLD KINGS ROAD AND ARE MORE SPECIFICALLY KNOWN AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD***, seconded by Mr. Smith.

Mr. Myer opened public participation. No one spoke.

PASSED, 4-0.

Mr. Myer stated the only thing he would say is the legal descriptions had some problems. Staff found some of them in the revised agenda that went out where the percentage to a degree sort of mark, there's some misspelled words and run-on words in that description. Staff should probably look at that between now and when it goes to the City Commission.

Mr. Walker stated, okay.

Mr. Walker informed Attorney Simpson that Mr. Myer suggested making the legal description changes before first reading.

Attachment: BOPA Minutes - October 2, 2023 (4286 : Minutes)

Attorney Simpson stated the only other advice he would give them separately and not a single vote because one is policy and one is quasi-judicial.
Mr. Walker stated the legal descriptions will be sent to the surveyor the city uses for review so that the legal descriptions can be cleaned up before the first reading and final adoption.

ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP:

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 B-5 (HEAVY COMMERCIAL) VOLUSIA COUNTY, TO CC-1 (COMMERCIAL CORRIDOR DISTRICT) HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Arthur made a motion ***ADOPT THE PROPOSED ORDINANCE ENACTING A REZONE FROM B-5 (HEAVY COMMERCIAL) (VOLUSIA COUNTY) TO CC-1 (COMMERCIAL CORRIDOR) (HOLLY HILL) FOR APPROXIMATELY .83 ACRES, LOCATED APPROXIMATELY 275 FEET SOUTH OF FLOMICH STREET BETWEEN N NOVA ROAD AND OLD KINGS ROAD AND ARE MORE SPECIFICALLY KNOWN AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD,*** seconded by Mr. Smith.
Mr. Myer opened public participation. No one spoke.
PASSED, 4-0.
Mr. Walker stated Attorney Merrell will come back on October 24, 2023 before the City Commission for first reading.

RESULT:	**RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]**
MOVER:	Loretta Arthur, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Myer, Smith, Cassata, Arthur
EXCUSED:	Geiger

8. OLD BUSINESS

None.

9. BOARD / STAFF COMMUNICATIONS

None.

10. ADJOURNMENT

Attachment: BOPA Minutes - October 2, 2023 (4286 : Minutes)

Ms. Arthur made a motion to adjourn the meeting, seconded by Mr. Smith. The meeting adjourned at approximately 6:20 PM.

Attachment: BOPA Minutes - October 2, 2023 (4286 : Minutes)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE:	**November 6, 2023**
FROM:	**Brian Walker**
SUBJECT:	**817 Magnolia Avenue Side Setback Variance Request**
NUMBER:	**(ID # 4292)**
APPLICANT:	
PLANNER:	**Brian Walker**

INTRODUCTION

VARIANCE - 817 Magnolia Avenue - Request a variance from the requirements of Sec. 114-765 - Schedule of dimensional requirements, requiring that principal structures in the R-3 (Medium Density Single-Family) zoning district be a minimum of 7.5 feet from the side property line. The request is made in order to construct an addition on the south side of the home. The property is located approximately one-hundred (100) feet south of Ferndale Street on the east side of Magnolia Avenue and is more particularly known as 817 Magnolia Avenue; V-2023-02 (Carlos Barbecho, Applicant) (Brian Walker, Community Development Director).

BACKGROUND

- The parcel is part of the Sherville Park Plat # 2, approved by the Holly Hill City Commission on May 16, 1924 and filed in Book 9 Page 186.
- The lot contains a home originally built in 1952.
- The property under consideration is zoned R-3 (Medium Density Single-Family) and has a Low Density Single-Family Residential future land use.

DISCUSSION: The existing home is on a lot that is approximately 5000 square feet in size. The R-3 zoning requires side setbacks of 7.5 feet. On the south side of the lot, the home is only 4.9 feet from the side property line.

The applicant would like to build an addition on the south side of the home and align it with the existing structure which is 4.9 feet from the property line. Since the code requires that structures be 7.5 feet from the side property line, the applicant is unable to build the addition as desired without a variance.

REQUESTED VARIANCE: The applicant is requesting a side setback variance from 7.5 feet to 4.9 feet for the south property line only.

In order to grant the variance request, the commission must find that the request meets the requirements of Sec. 82-317.

VARIANCE CRITERIA - Sec. 82-317

CRITERIA No. 1:
That special conditions and circumstances exist which are peculiar to the land, structure or building involved, as distinguished from the applicant himself, and which are not applicable to other lands, structures or buildings in the same zoning district:

FINDINGS OF FACT No. 1:
The home on the property was built in 1952 and is 4.9 feet from the south property line. This was done prior to the City adopting its Land Development Regulations in 1993 which now require that principal structures meet a 7.5-foot side yard setback.

Criteria met? *Yes*

CRITERIA No. 2:
That the special conditions and circumstances do not result from the actions of the applicant:

FINDINGS OF FACT No. 2:
The circumstances upon which the variance request is based were created prior to the City adopting its Land Development Regulations in 1993, and were not the result of the applicant's actions.

Criteria met? *Yes*

CRITERIA No. 3:
That granting the variance requested will not confer on the applicant any special privilege that is denied by this subpart to other lands, buildings or structures in the same zoning district:

FINDINGS OF FACT No. 3:
The lot is considered to be legal non-conforming. Construction on legal non-conforming lots is governed by Sec. 114-31 titled - Nonconformity, which states in part; "In any classification, principal and accessory structures otherwise authorized under this chapter may be erected or constructed on any single nonconforming lot …… if all classification requirements other than lot area or width are met." This means that construction on a legal nonconforming lot is permitted, but it is required to meet current setbacks. However, the applicant can seek a variance if they feel that they cannot meet the setbacks due to some special circumstances that prevent it. Staff does not feel that any special circumstances exists and therefore it is staff's opinion that granting the variance will confer a special privilege on the applicant.

Criteria met? *No*

CRITERIA No. 4:
That a literal interpretation of the provisions of this subpart would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the

terms of this subpart, and would work an unnecessary and undue hardship on the applicant:

FINDINGS OF FACT No. 4:
A literal interpretation of the provisions of this subpart will not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or work an unnecessary and undue hardship on the applicant. It is staff's opinion that the applicant is able to build the desired addition while meeting the 7.5-foot setback.

Criteria met: *No*

CRITERIA No. 5:
That the variance granted is the minimum variance necessary to make possible the reasonable use of the land, building or structure:

FINDINGS OF FACT No. 5:
The small wooden porch on the back of the home is slotted to be removed to make way for the new addition. This means that allowing 7.5 feet for the setback, and 5 feet of separation from the garage on the north, an addition approximately 17 feet wide could be built. The rear setback requirement is 20 feet. Due to the shape of the home, it is approximately 35 feet from the rear property line in some areas and 50 feet from the rear property line in others. Given these circumstances, there does not appear to be a substantial impediment to meeting the required setback.

Criteria met? *No*

CRITERIA No. 6:
That the grant of the variance will be in harmony with the general intent and purpose of this subpart and the city's comprehensive plan, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

FINDINGS OF FACT No. 6:
It is staff's opinion that granting the variance is not necessary in order for the applicant to build an addition.

Criteria met? *No*

FINDINGS OF FACT: Staff finds that the applicant has not met all of the criteria as stated above to grant the requested variance.

Additionally, the structure is an off-grade house (on pillars, not a slab) and has a flat roof. The City's Chief Building Official has reviewed the proposal for an addition to the structure and stated that in his professional opinion it would not be difficult to construct the addition and meet the required setback. His statement is attached as **CBO Opinion**.

ADDITIONAL INFORMATION:
Sec. 82-320. - Expiration.

A variance shall begin to serve the purpose for which it was granted within 18 months following the granting action by the city commission and shall otherwise become void. However, a shorter period of time may be stipulated by the city commission in an individual case as a condition imposed pursuant to Section 82-316.

STAFF RECOMMENDATION:

Staff does not recommend approval of the requested variance from the requirements of Sec. 114-765 - Schedule of dimensional requirements, requiring that principal structures in the R-3 (Medium Density Single-Family) zoning district be a minimum of 7.5 feet from the side property line for the property located approximately one-hundred (100) feet south of Ferndale Street on the east side of Magnolia Avenue and is more particularly known as 817 Magnolia Avenue.

- Application (PDF)
- Survey (PDF)
- Maps and Pictures (PDF)
- CBO Opinion (PDF)

Permit #
V# 23-106

Paid $350.00 on 5/17/23.

HOLLY HILL
FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117
TELEPHONE: (386) 248-9442 PERMITDESK@HOLLYHILLFL.ORG

VARIANCE

COMPLETE APPLICATION PACKET MUST BE SUBMITTED BY APPLICATION DUE DATE IN ORDER TO MEET THE DEADLINE FOR THE DESIRED MEETING

PROPERTY

PARCEL ID #: 533739070410

ADDRESS: 817 Magnolia Ave Holly Hill 32117

TOTAL ACREAGE: 50'x100 USE OF PROPERTY: ☒ RESIDENTIAL ☐ NON-RESIDENTIAL 5,000 Sq.ft

ZONING: R-3 FUTURE LAND USE: LDR

TYPE OF STRUCTURE: ☐ SHED ☐ FENCE ☐ POOL ☐ SCREEN ENCLOSURE ☒ ADDITION ☐ SINGLE FAMILY HOME Laundry room & bedroom

DESCRIPTION OF STRUCTURE: Single family wood frame

TYPE OF VARIANCE:

☐ FRONT YARD SETBACK	REQUIRED: ____ FT.	PROPOSED: ____ FT.
☒ SIDE YARD SETBACK	REQUIRED: 7.5 FT.	PROPOSED: 4.9 FT.
☐ SIDE STREET SETBACK	REQUIRED: ____ FT.	PROPOSED: ____ FT.
☐ REAR YARD SETBACK	REQUIRED: ____ FT.	PROPOSED: ____ FT.
☐ MINIMUM LOT SIZE	REQUIRED: ____ SQ. FT.	ACTUAL: ____ SQ. FT.
☐ WIDTH AT BUILDING LINE	REQUIRED: ____ FT.	ACTUAL: ____ FT.
☐ HEIGHT	REQUIRED: ____ FT.	PROPOSED: ____ FT.

IS THIS REQUEST FOR A STRUCTURE THAT HAS ALREADY BEEN BUILT? ☐ YES ☒ NO New addition

IS THE PROPERTY AVAILABLE FOR INSPECTION WITHOUT APPOINTMENT? ☒ YES ☐ NO

OWNER

NAME: Carlos Barbecho COMPANY:

ADDRESS: 1262 15th ST

CITY: Holly Hill STATE: FL ZIP: 32117

PHONE: 386 235 2484 EMAIL:

Revised 2018

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

V#_____

HOLLY HILL
FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117
TELEPHONE: (386) 248-9442 PERMITDESK@HOLLYHILLFL.ORG

AGENT/CONSULTANT

NAME: Cecil Moore	COMPANY: Sunburst Const		
ADDRESS: 65 Woodbourne In.			
CITY: Ormond Bch	STATE: FL	ZIP: 32174	
PHONE: 3865622200	EMAIL: CMoore@Sunburstcgmail.com		

APPLICATION TYPE/FEE

☒ **VARIANCE – RESIDENTIAL**	$350.00 PER VARIANCE
☐ **VARIANCE – COMMERCIAL**	$500.00 PER VARIANCE

ATTACHMENT CHECKLIST

- ☑ APPLICATION
- ☑ APPLICATION FEE
- ☐ LIST OF PROPERTY OWNERS REQUIRING INDIVIDUAL NOTIFICATION. THE LIST AND NOTIFICATION LETTER WILL BE PROVIDED TO THE APPLICANT BY CITY STAFF. **THE APPLICANT WILL MAIL THE NOTIFICATIONS AT THEIR EXPENSE VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED.**
- ☐ QUESTIONNAIRE
- ☑ OWNERSHIP DISCLOSURE FORM (ADD'L DOCUMENTATION REQUIRED IF OWNER IS A TRUST OR CORPORATION)
- ☐ APPLICANT AUTHORIZATION FORM, IF APPLICABLE
- ☑ ONE SIGNED AND SEALED SURVEY OF THE PROPERTY (NO MORE THAN 2 YEARS OLD).
- ☐ DETAILED CONCEPTUAL SITE PLAN (SEE ATTACHED SAMPLE SITE PLAN)
- ☐ LETTERS OF SUPPORT FROM ADJACENT PROPERTY OWNERS, IF ANY
- ☐ HOME OWNERS ASSOCIATION DRB APPROVALS, IF ANY
- ☐ PHOTOGRAPHS, IF DESIRED

Revised 2018

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

V#_____

HOLLY HILL
FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117
TELEPHONE: (386) 248-9442 PERMITDESK@HOLLYHILLFL.ORG

3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Code to other lands, buildings, or structures in the same zoning district.

The process of applying through the variance is and of itself the reason no special privilege is giving.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work an unnecessary and undue hardship on the applicant.

The current code does not allow applicant to square back off house to remainder of existing house

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The requested variance will create a larger taxable value. Creating a larger tax revenue to be generated. In addition if the varience is granted there will be an improved curb appeal

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

V#_____

HOLLY HILL
FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117
TELEPHONE: (386) 248-9442 PERMITDESK@HOLLYHILLFL.ORG

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of this subpart and the city's comprehensive plan, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Granting the variance gives a more pleasing look and adds value to the property and adjacent properties.

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

V#_____

HOLLY HILL
FLORIDA

1065 Ridgewood Avenue, Holly Hill, FL 32117
TELEPHONE: (386) 248-9442 PERMITDESK@HOLLYHILLFL.ORG

I understand that the application for variance must include all required submittals. Submission of incomplete plans may create delays.

I hereby represent that I have the lawful right and authority to file this application.

_____ 12-5-22

SIGNATURE OF OWNER/AUTHORIZED APPLICANT **DATE**

(PROOF OF PROPERTY OWNER'S AUTHORIZATION IS REQUIRED WITH SUBMITTAL IF SIGNED BY SOMEONE OTHER THAN THE PROPERTY OWNER)

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Regulations of Holly Hill Sec. 82-317 for the granting of a variance:

1. Describe the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

Existing structure is not semetrical and lacks full use in current condition

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

I have no idea what this question even means

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

AltKey: 3477740 **Parcel ID: 533739070410**
BARBECHO CARLOS **817 MAGNOLIA AVE, HOLLY HILL, FL**

Parcel Summary

Alternate Key:	3477740
Parcel ID:	533739070410
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	39 - 07 - 0410
Owner(s):	BARBECHO CARLOS - FS - Fee Simple - 100%
Mailing Address On File:	1262 15TH ST HOLLY HILL FL 32117
Physical Address:	817 MAGNOLIA AVE, HOLLY HILL 32117
Property Use:	0100 - SINGLE FAMILY
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2118
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

Officials and employees are public records available to the public and media upon request. Tl
Hill's policy does not differentiate between personal and business emails. This means email n
including your e-mail address and any attachments and information we receive online might b
any person or media making a public records request. E-mail sent on the City system will be
and will only be withheld from disclosure if deemed confidential or exempt pursuant to State L
individual whose identifying information is exempt under 119.071, Florida Statutes, please so
email or other communication. If you have any questions about the Florida public records law
119 Florida Statutes.

HOLLY HILL RECEIVEI
JUN 29 2023
COMM. DEV. DEPT.

CITY OF HOLLY HILL APPLICANT AUTHORIZATION FORM

(ORIGINAL ONLY)

An authorized applicant is:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the propert
  owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with th
  application containing a clause or clauses allowing an application to be filed).

I, CARLOS BARBECHO, the owner of record for the following described property (Legal Description or Tax/Parcel ID Number or Address) 533739070410 817 MAGNOLIA AVE hereby affirm that CECIL MOORE is hereby designated to act as my authorized agent for the filing of the attached application for a: (CHECK ONE)

□ Arbor Permit	□ Special Exception	☑ Variance	□ Development Plan
□ Special Event Permit	□ Vacate	□ Sign	□ Other _____

and make binding statements and commitments regarding the request. I certify that I hav examined the attached application and that all statements and diagrams submitted are true an accurate to the best of my knowledge. Further, I understand that this application, attachment and fees become part of the Official Records of City of Holly Hill, Florida and are not returnable

6/28/2023
Date

Owner's Signature

CARLOS BARBECHO
Owner's Name

STATE OF FLORIDA
COUNTY OF VOLUSIA

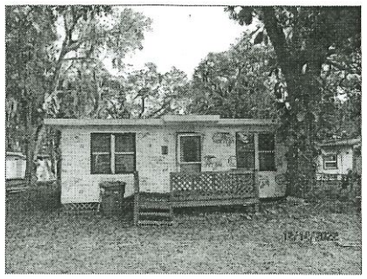
SWORN TO AND SUBSCRIBED before me, an officer duly authorized in the State of Florida to tak acknowledgements, personally appeared CARLOS BARBECHO, who i personally known to me or who has produced a PASSPORT a identification and who executed the foregoing instrument and sworn an oath on this 28 day of JUNE, 2023.

NOTARY PUBLIC

Jon-Zachary Burt
Comm.:HH 236573
Expires: March 6, 2026
Notary Public - State of Florida

Attachment: Application (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

LEGAL DESCRIPTION: LOTS 41 AND 42, BLOCK G, PLAT NO. 2, SHERVILLE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 186, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.



817 MAGNOLIA AVENUE
HOLLY HILL, FL.

LIGHTHOUSE TITLE OF EAST FLORIDA, INC.

Long Surveying, Inc.
"Specializing in Residential Surveying"
LB No. 7371
1061 S. Sun Dr. Ste. #1113
Lake Mary, FL 32746
Office 407-330-9717 or 407-330-9716
Fax 407-330-9775
www.longsurveying.com

DRAWN BY:	CHECKED BY:
RAJESH-RG	BRETT

CERTIFIED TO:
CARLOS BARBECHO
LIGHTHOUSE TITLE OF EAST FLORIDA, INC.
WESTCOR LAND TITLE INSURANCE COMPANY

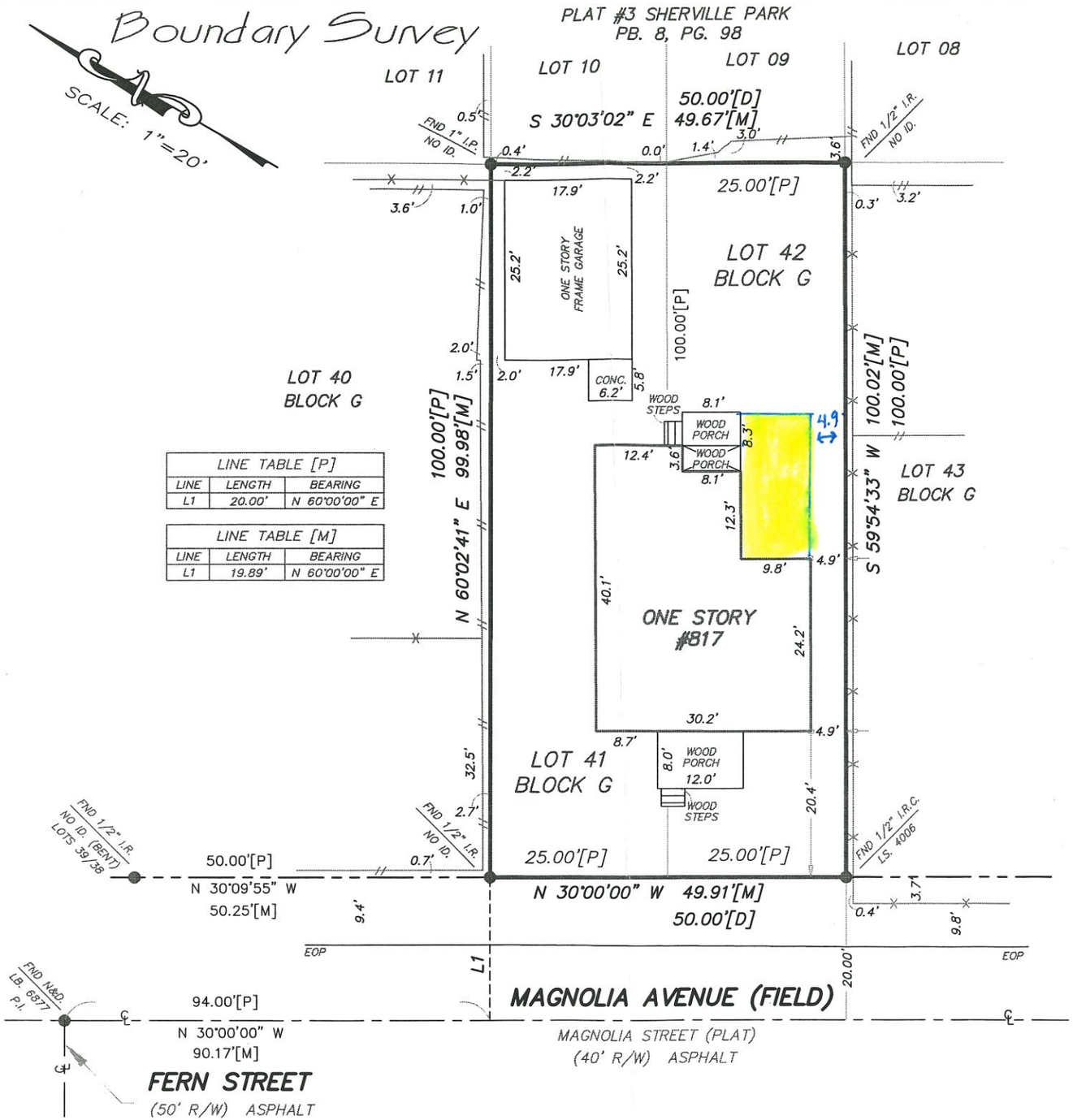
COMMUNITY NO: 125112
PANEL: 0356 SUFFIX: J F.I.R.M. DATE: 09/29/17
FLOOD ZONE: AE

SURVEY NO. 127704 FIELD DATE: 12/14/22

Boundary Survey

SCALE: 1"=20'

PLAT #3 SHERVILLE PARK
PB. 8, PG. 98



LINE TABLE [P]		
LINE	LENGTH	BEARING
L1	20.00'	N 60°00'00" E

LINE TABLE [M]		
LINE	LENGTH	BEARING
L1	19.89'	N 60°00'00" E

A/C – AIR CONDITIONER
A.E – ALLEY EASEMENT
B.C. – BLOCK CORNER
BLK – BLOCK
C.B. – CONCRETE BLOCK
C.B.S. – CONCRETE BLOCK STRUCTURE
C.M. – CONCRETE MONUMENT
CONC. – CONCRETE
D – DEED
D.E. – DRAINAGE EASEMENT
E.O.P. – EDGE OF PAVEMENT
F.C.C. – FOUND CROSS CUT
F.F.E. – FINISHED FLOOR ELEVATION
FND – FOUND
ID. – IDENTIFICATION
I.P. – IRON PIPE
I.R. – IRON ROD
I.R.C. – IRON ROD & CAP
L – ARC LENGTH
L.B. – LAND SURVEYING BUSINESS
L.S. – LAND SURVEYOR
L.E. – LANDSCAPE EASEMENT
M – MEASURED
M.E. – MAINTENANCE EASEMENT
N&D – NAIL AND DISK
P – PLAT
P.E. – PEDESTRIAN EASEMENT
P.C. – POINT OF CURVATURE
P.C.C. – POINT OF COMPOUND CURVATURE
P.C.P. – PERMANENT CONTROL POINT
P.L. – PROPERTY LINE
P.O.B. – POINT OF BEGINNING
P.O.C. – POINT OF COMMENCEMENT
P.O.L. – POINT ON LINE
P.R.C. – POINT OF REVERSE CURVE
P.R.M. – PERMANENT REFERENCE MONUMENT
P.D.A.E. – PRIVATE DRAINAGE AND ALLEY EASEMENT
P.T. – POINT OF TANGENT
R – RADIUS
R/W – RIGHT OF WAY
S/W – SIDEWALK
U.E. – UTILITY EASEMENT
W.F.S. – WOOD FRAME STRUCTURE
F.P.L.E. – FLORIDA POWER & LIGHT EASEMENT
R.P. – RADIUS POINT
PK NAIL – PARKER KALON COMPANY NAIL
RIGHT-OF-WAY LINE
℄ CENTERLINE
x BARB WIRE FENCE
// WOOD FENCE
-X- CHAIN LINK FENCE
PLASTIC FENCE

BEARINGS SHOWN HEREON ARE BASED UPON THE CENTERLINE OF MAGNOLIA AVENUE BEING N 30°00'00" W ASSUMED

NOTES:
1) This survey is based on the legal description as provided by the Client
2) This Surveyor has not abstracted the land shown hereon for easements, rights of way or restrictions of record which may affect the title or use of the land
3) Do not reconstruct property lines from building ties
4) No footing or overhangs have been located except as shown
5) No improvements or utilities have been located except as shown
6) Not valid without a signature and the authenticated electronic seal or the original raised seal of a Florida licensed Surveyor and Mapper

OFFICE #407-330-9717

Certification: I certify that this survey was made under my direction and that it meets the minimum technical standards set forth by the Board of Professional Land Surveyors and Mappers in Chapter 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

LOUIS RAMIREZ CERTIFICATE NO. 6304 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR & MAPPER

LOUIS RAMIREZ

Attachment: Survey (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

Location



Aerial



Aerial – Close Up



Front of Home



The City of Holly Hill

Brian Walker <bwalker@hollyhillfl.org>

817 Magnolia Ave

1 message

Rickie Lee <rlee@hollyhillfl.org> Thu, Oct 26, 2023 at 4:17 PM
To: Brian Walker <bwalker@hollyhillfl.org>

Brian
In my opinion it will not be difficult or a hardship with the house being an off-grade pier construction and flat roof to keep the proposed addition within the setback of the lot.

--

Rickie Lee, Chief Building Official, CBO

City of Holly Hill

1065 Ridgewood Ave.

Holly Hill, FL. 32117

(386)248-9443

(386)248-9448 fax

rlee@hollyhillfl.org

www.hollyhillfl.org



Attachment: CBO Opinion (4292 : 817 Magnolia Avenue - Side Setback Variance Request)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Ordinance

MEETING DATE: **November 6, 2023**
FROM: **Brian Walker**
SUBJECT: **An Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Described in Attachement A, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Density Residential to Low-Medium Density Residential; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And 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 ATTACHMENT a FROM R-2 (LOW-MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
NUMBER: **(ID # 4293)**
APPLICANT: **Brian Walker**
PLANNER:

Introduction

Consider two Ordinances, one enacting a Small Scale Future Land Use Map Amendment from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), and another separate Ordinance, enacting a Rezone from R-2 (Low Medium-Density Single-Family Residential) to RPUD (Residential Planned Unit Development) for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue and depicted in **Exhibit A.** (CPA-2023-01) and (RZ-2023-1) (Ron & Lee, LLC - Applicant).

Background

The property is currently undeveloped. Six of the eight lots are part of the Anastasia Court Plat approved by the Holly Hill City Commission on October 11, 2005, while two lots are part of the Mason and Carswell's Plat approved sometime in the early 1900's.

The applicant has purchased the lots and desires to develop the area into a 17-lot townhome community. The subject property abuts residential homes on the south and

west, a retention pond to the north, and Center Ave with homes on the east.

The property is zoned R-2 which permits single-family residential homes only. Because the applicant is looking to do 17 townhomes arranged as a group of 4 buildings, they need to rezone the property. Although the R-4A and R-6 zoning districts allow for townhome development, the applicant is proposing a Residential Planned Unit Development for their project. This is because the R-4A and R-6 zoning districts do not allow for any flexibility with regard to development standards. For example, the R-4A zoning district allows a maximum density of 7 dwelling units per net buildable acre. However, the applicant is proposing 9.71 du per net buildable acre. The R-6 zoning district requires a 30-foot rear setback while the applicant's project proposes a 10-foot rear setback. For these reasons, the project does not qualify for the R-4A or R-6 zoning districts. Therefore, the applicant is requesting a Residential Planned Unit Development (RPUD) which allows for some flexibility with respect to development standards. They are also proposing to provide enhanced development standards in other areas of the project, such as with buffers and landscaping.

The applicant is also seeking an increase in permitted density from a maximum of 6 dwelling units (du) per net buildable acre, to a maximum of 10 du per net buildable acre.

Site Information

Size of Property: The property consists of 8 lots and is approximately 2.11 acres in size.

Survey & Legal Description: (Exhibit A)

Parcel Identification Numbers: Per Property Appraiser. (**Exhibit B**)

General Location: The property is located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue. (**Exhibit C**)

Frontage: The primary frontage of the lots will be along Anastasia Court with one lot fronting on Lillie Road.

Access: Street and vehicular access will be provided via public and/or private rights-of-way (ROW).

Aerial Photography: (**Exhibit D**)

Existing Development: The property is currently vacant.

Future Land Use Designation: The current FLU designation is Low Density Residential and the proposed FLU designation is Low-Medium Density Residential. (**Exhibits E1 and E2**)

Zoning: Current Zoning is R-2 (Low Medium-Density Single-Family Residential) and the proposed zoning is RPUD (Residential Planned Unit Development). (**Exhibits F1 and F2**).

Floodplain Impacts: According to current floodplain maps, the property is completely flood prone. (**Exhibit G**)

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

Buffers: Enhanced landscaped buffers are proposed and will be fully landscaped upon development.

Required Vacates: No vacates are required.

Zoning and Land Uses

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

Project Analysis

In addition to criteria established in the Comprehensive Plan, the amendment has been analyzed in terms of its infrastructure impacts. For considering a change of land use, an analysis comparing the maximum development potential under each land use and available capacity is required. Impacts to traffic, potable water, waste water and solid waste, have been analyzed and are summarized below.

Transportation

The proposed future land use map amendment will result in no significant increase of daily trips from the maximum allowed by the current land use. Supporting details for the analysis are shown in **Exhibit H** titled, Trip Generation.

Water and Wastewater

Pre-Development Water/Sewer Demand:

Average Water Demands: 12 Units x 350 GPD = 4,200 GPD
Peak Daily Flow = 4,200 GPD X 3 = 12,600 GPD

Post-Development Water/Sewer Demand:

Average Water Demands: 21 Units x 350 GPD = 7,350 GPD
Peak Daily Flow = 7,300 GPD X 3 = 22,050 GPD

Potable Water Capacity: The proposed amendment will result in increased water usage. The City's potable water treatment plant has a processing capacity of 2.3 MGD. The current maximum daily flow is 1.3 MGD. Therefore, the plant has sufficient capacity to accommodate the density increase permitted under the proposed future land use designation. Development will be required to connect to City water.

Sewer Capacity: The proposed amendment will result in increased demands upon our sewer system. The waste water treatment plant servicing this site has the capacity to service 3.0 MGD. Currently the plant services 1.85 MGD. Therefore, the plant has sufficient capacity to accommodate the increase anticipated by the proposed future land use designation. Development will be required to connect to City sewer.

School Concurrency

The School Board has also provided a Finding of Adequate Capacity attached as **Exhibit I.**

Solid Waste: The City's contracted waste hauler, Waste Pro, delivers solid waste to Volusia County's Tomoka Farms Road Landfill. This is a 3,400-acre Class 1 landfill and it is estimated to have excess capacity through 2052. The Tomoka Landfill has sufficient capacity to accommodate the proposed FLUM designation.

Stormwater Management: The existing drainage patterns will be maintained and all stormwater calculations will comply with current rules specified by the City of Holly Hill, Volusia County, St. Johns River Water Management District and Federal Emergency Management Agency. The site will be developed in accordance with all Local, State and Federal regulations. Post development stormwater discharge rates and volumes will not exceed pre-development discharge rates and volumes. **(See Paragraph 5 (T) of the Written Development Agreement)**

Consistency with Urban Sprawl Rule

Section 163.3177(6)(a)(9)(b), Florida Statutes, states that plan amendments shall be determined to discourage the proliferation of urban sprawl. In general terms and as directed by Florida Statutes and rules of the Florida Administrative Code, key urban sprawl indicators are leapfrog development, premature development, and development that does not make efficient use of urban services. Local governments are responsible for ensuring that their actions do not further urban sprawl.

This amendment does not represent leapfrog development or premature development, and in general promotes efficiency in the use of urban services.

Consistency with the Comprehensive Plan

A review of the goals, objectives and policies of the comprehensive plan was conducted to determine if the proposed amendment to the future land use map is consistent with the comprehensive plan. The proposed request is consistent with the comprehensive plan with particular note of the following policies:

Chapter 1 - Future Land Use Element

- Policy 1.1.2 - The Future Land Use Element sets a maximum development intensity for the Low-Medium Density Residential FLU at no more than 10 units per net buildable acre.

  The parcel is currently vacant. Future development on the subject parcel will be required to comply with this requirement.

- Policy 1.1.5 requires development to be consistent with all aspects of the comprehensive plan.

  The parcel is currently vacant. Any proposed development will be required to be consistent with the comprehensive plan and demonstrate that there will be no decline to any established levels of service.

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

Chapter 3 - Housing Element

- **Policy 1.1.1** - The City shall maintain sufficient residentially zoned land to accommodate the projected housing development with a reasonable degree of flexibility and choice in location, density, housing type and cost.

- **Policy 1.1.4 -**Land use plan amendments which increase density shall occur in areas with few environmental constraints and where adequate public infrastructure and services exist.

- **Policy 1.3.1** - The City shall continue to encourage the use of innovative land development techniques including planned-unit-development and cluster development which could reduce land development and housing construction costs while maintaining and improving the quality of housing and neighborhoods.

- **Policy 1.7.1** - The City shall ensure, through the Land Development Regulations, the availability of safe and adequate housing units of different types, sizes and price ranges to meet the needs of all current and future residents.

Staff finds that the requested small-scale future land use map amendment is consistent with the City's Comprehensive Plan. The City has available capacity to serve the increased demand on facilities and infrastructure created by the requested amendment. Additionally, the requested amendment does not encourage the proliferation of sprawl.

Appropriateness of the Requested Zoning Designation

In reviewing the appropriateness of the requested RPUD zoning designation, the Board of Planning and Appeals and City Commission, must consider the following 8 specific criteria listed in Sec. 82-372 of the Land Development Regulations. The criteria have been listed with commentary provided by the applicant in **Exhibit J**.

It is staff's opinion that the requested rezone from R-2 to RPUD is justified and appropriate for the area.

Staff Recommendation

Adopt an Ordinance of the City of Holly Hill Florida, enacting a Small-Scale Future Land Use Map Amendment from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue and depicted in Exhibit A.

and

Adopt another separate Ordinance enacting a Rezone from R-2 (Low Medium-Density

Single-Family Residential) to RPUD (Residential Planned Unit Development) and approve the associated Preliminary Plan and Written Development Agreement, for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue and depicted in Exhibit A.

ATTACHMENTS:

- PUD Application (PDF)
- Written Development Agreement (PDF)
- Preliminary Plan (PDF)
- Applicant Submittal with Exhibits (PDF)
- Plat (PDF)
- Exhibit A (Survey) (PDF)
- Exhibit B - Parcel ID #s (PDF)
- Exhibit C (Vicinity) (PDF)
- Exhibit D (Aerial) (PDF)
- Exhibit E1 (FLU) (PDF)
- Exhibit E2 Proposed (FLU) (PDF)
- Exhibit F1 (Zoning) (PDF)
- Exhibit F2 - Proposed Zoning (PDF)
- Exhibit G (Flood) (PDF)
- Exhibit H - Trip Generation (PDF)
- Exhibit I - Finding of Adequate Capacity (PDF)
- Exhibit J - Rezone Criteria (PDF)
- Zoning and Land Use Table (PDF)

Ordinance No. (ID # 4293)

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY DESCRIBED IN ATTACHEMENT A, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. AND 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 ATTACHMENT A FROM R-2 (LOW-MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL) TO RPUD (RESIDENTIAL 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 COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY DESCRIBED IN ATTACHEMENT A, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL; 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 has reviewed the future land use designation for the parcel described in Attachment A and determined that it is necessary to amend its Future Land

Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

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

Section 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the future land use of identified in Attachment A as Low-Medium Density Residential.

Section 2. The City Planner is authorized and directed to submit the proposed amendment to the Florida Department of Economic Opportunity and Volusia Growth Management Commission, as required by law.

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. The proposed amendment will not become final until thirty-one (31) days following adoption by the City Commission unless a challenge is filed per 163.3187(5) Fla. Stat. If a timely challenge is filed, the amendment will not become effective until the State Land Planning Agency issues a final order determining that the amendment is in compliance. In any event, the amendment shall not become effective until certification of consistency is provided by

the Volusia Growth Management Commission and approval is noticed by the Florida Department of Economic Opportunity.

ATTACHMENT A

LEGAL DESCRIPTION:

(ACCORDING TO OFFICIAL RECORDS BOOK 5868, PAGE 4194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.)

LOT 7, 8, AND 9, EXCEPT THE WESTERLY 81.3 FEET THEREOF, BARBOURS RE-SUB, IN LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 9, PAGE(S) 237, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE NORTHERLY 150 FEET OF THE SOUTH 1/2 OF LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE(S) 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

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 ATTACHMENT A FROM R-2 (LOW-MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL) TO RPUD (RESIDENTIAL 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 RPUD (Residential Planned Unit Development) pursuant to the provisions contained in the attached Development Agreement and associated Preliminary Plan, attached to this Ordinance 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 following approval of the future land use map amendment by the Florida Department of Economic Opportunity and certification of the same amendment by the Volusia Growth Management Commission.

ATTACHMENT A

LEGAL DESCRIPTION:

(ACCORDING TO OFFICIAL RECORDS BOOK 5868, PAGE 4194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.)

LOT 7, 8, AND 9, EXCEPT THE WESTERLY 81.3 FEET THEREOF, BARBOURS RE-SUB, IN LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 9, PAGE(S) 237, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE NORTHERLY 150 FEET OF THE SOUTH 1/2 OF LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE(S) 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

ATTACHMENT B

Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as Center Avenue Townhomes Planned Unit Development (PUD) located along Lillie Road on Anastasia Court 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 _____, 2023, 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"), and Ron & Lee, LLC

(hereinafter referred to as the "Owner" or "Owner/Developer") with a mailing address of 3 Sweetmeadow Court, Ormond Beach, FL, 32174.

W I T N E S S E T H

WHEREAS, the Owner warrants that it 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 Owner/Developer has clear title of the Subject Property or the Developer is currently under contract to purchase the Subject Property and intends to develop such property; and

WHEREAS the Owner/Developer or Developer desires 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 Owner/Developer desires 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 Owner/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 aka 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.

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.

A. Permitted principal uses allowable on the Subject Property:

1. Townhouses

B. Prohibited principal uses, if any:

1. Unless a use is specifically stated as permitted, it is prohibited.

C. Subject Property Size: 2.11 acres of development area (1.75 net acres)

D. Proposed density (in number of dwelling units per acre): 9.71 units per net acre (17 units)

E. Impervious surface is not to exceed 60% of the gross square footage for the Subject Property, as illustrated on Exhibit B and inclusive of the area illustrated for the

stormwater pond improvements.

F. Minimum open space shall be 40% of the Subject Property, as illustrated on Exhibit B and inclusive of the area illustrated for the stormwater pond improvements. Common open space will be a minimum of 15% throughout the Property and is being illustrated through the activation of the stormwater area through pedestrian enhancements in the form of benches and viewing areas.

G. Minimum landscaping and buffer-yard requirements are as shown and stated on the Preliminary Plan and as follows: Minimum perimeter landscape buffer of 10 feet, and 15 feet along Center Avenue.

H. Minimum lot size area (in acreage or square footage): 2,250 sq. ft.

I. Minimum unit size: 1,000 sq. ft.

J. Minimum lot width (in feet): 25 ft.

K. Minimum yard setbacks within individual lots:

1. Front yard: 10 ft.
2. Side yard: 0 ft. common wall, 5 ft. side
3. Street side yard: N/A
4. Rear yard: 5 ft.

L. Maximum building height (in feet): 35’

M. Minimum building separation: 10 ft.

N. Minimum parking standards are as shown and stated on the Preliminary Plan.

O. Lighting shall not exceed .5-foot candles at the property line.

P. The project shall consist of 1 phase. Phases are shown on the Preliminary Plan and described as follows:

Q. 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. All controls and variations shall be defined by a Homeowners Association or Property Owners Association, as defined within this Agreement.

R. Development within the Community Redevelopment Area shall follow one of the following architectural themes: Contemporary, Florida Vernacular, Mediterranean, Spanish.

S. Utility provision and dedication: The Owner/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.

T. Stormwater and environmental: Per parcel stormwater systems or master stormwater systems shall be owned and maintained by an established Homeowner's Association or Property Owner's Association, if such entities are required, 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 Homeowner's Association or Property Owner's Association, if such entities are required, 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. The Applicant will coordinate with the City on improvement to the City stormwater pond located to the north of the Property in order to accommodate stormwater needs for this project. The Applicant will enter into an agreement with the City regarding such expansion, including maintenance obligations of the parties. In recognition of the Applicant's adoption of maintenance obligations associated with the City stormwater pond, the parcel of land the pond is located on, and the pond areas within such parcel, shall be considered as a part of the open space associated with development of the Property, although such parcel is not included in this rezoning request. The adjacent City stormwater pond will serve as an open space amenity from a functional standpoint and will be commonly maintained by the Applicant. Owner/developer will be responsible for all cost associated with site development work on the pond as it relates to this project.

U. Transportation, site access, and traffic devices: The Owner/Developer is 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.

7. **Development Permits/Fees.** The Owner/Developer is 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.

8. **Site Plan/Plat Approval.** The Master Development Plan, is the Preliminary Plan of the PUD and this Written Development Agreement. The Master Development Plan shall not replace, supersede, or absolve the Owner/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.

9. **Indemnification.** The Owner/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.

10. **Compliance.** The Owner/Developer agrees 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 Owner/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 Owner/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.

11. **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 Owner/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 Owner/Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation at the sole expense of the Owner/Developer. If the Owner/Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Owner/Developer and their successors and assigns in interest, may but shall not be required to, perform such obligations at the expense of the Owner/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 Owner/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 Owner/Developer and their successors and assigns in interest shall be deemed to have been given upon the mailing of notice as provided in **paragraph (17)** of this Agreement.

12. **Environmental and Tree Preservation.** The Owner/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 Owner/Developer from any permitting and mitigation obligations needed to develop a Subject Property.

13. **Homeowners Association or Property Owners Association.** The charter and by-laws of any Homeowner's Association ("HOA") or 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 HOA or 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 Owner/Developer shall be responsible for establishing the HOA or 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.

14. **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 Owner/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 Owner/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.

15. **Utility Easements.** For any easement not established on a plat for the Subject Property, the Owner/Developer shall provide to the City such easements and other legal documentation, in a form mutually acceptable to the City Attorney and the Owner/Developer, as the City 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.

16. **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.

17. **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:

OWNER/DEVELOPER'S REPRESENTATIVES:

Ron & Lee, LLC

Attn: Yehuda Morali

3 Sweetmeadow CT

Ormond Beach, FL 32174

With Copy To: Cobb Cole Law Firm

Attn: Jessica Gow

149 S. Ridgewood Ave, Ste 700

Daytona Beach, FL 32114

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

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

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

20. **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.

21. **Subsequently Enacted State or Federal Law.** If either state of 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.

22. **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.

23. **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.

24. **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.

25. **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.

26. **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 Owner/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.

27. **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.

28. **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.

29. **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 Owner, the Developer and the City have executed this Agreement.

OWNER/DEVELOPER

By:

_____ _____

Signature of Witness # 1 Signature

_____ _____

Print or type name Print or type name

As:

_____ _____

Signature of Witness #2 Print or type

_____ **ATTEST:**

Print or type name

_____

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 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 _____, _____ (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

HOLLY HILL
FLORIDA
1065 Ridgewood Avenue, Holly Hill, FL 32117
Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

REZONE/ FUTURE LAND USE AMENDMENT

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

PROJECT INFORMATION:

PROJECT NAME: Anastasia Court Townhomes
PARCEL ID #(S): 4244-19-00-0050, 4244-19-00-0040, 4244-19-00-0001, 4244-19-00-0030, 4244-19-00-0020, & 4244-19-00-0010 5237-15-00-0090, 5237-15-00-0070
LOCATION: Anastasia Ct., Holly Hill FL 32117
EXISTING USE(S): Low Medium Density Single Family Residential
PROPOSED USE(S): PUD
TOTAL ACREAGE: 2.11 +/- acres
WATER PROVIDER: _____ SEWER PROVIDER: _____
PRIVATE WELL _____ PRIVATE SEPTIC _____
CURRENT ZONING: R-2 PROPOSED ZONING: _____
CURRENT FUTURE LAND USE: LD-SFR PROPOSED FUTURE LAND USE: Low Medium Density Residential

APPLICANT INFORMATION:

Name: Robert A. Merrell III, Esq. E-Mail: Rob.merrell@cobbcole.com
Address: 149 S. Ridgewood Ave. Suite 700, Datyona Beach, FL 32114 Phone: Type text here 386-323-9263
Company: Cobb Cole Fax: _____
☐ Owner ☐ Agent for Owner ☒ Attorney for Owner

OWNER INFORMATION:

Name: Ron & Lee LLC/ Yehuda Morali E-Mail: yehudamorali@hotmail.com
Address: _____ Phone: _____
Fax: _____

CONSULTANT INFORMATION:

Name: _____ E-Mail: _____
Address: _____ Phone: _____
Company: _____ Fax: _____

Attachment: PUD Application (4293 : Anastasia Court - RZ and CPA)

HOLLY HILL
FLORIDA
1065 Ridgewood Avenue, Holly Hill, FL 32117
Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

WHO SHOULD ALL COMMUNICATION BE DIRECTED TO?

_X_ 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 $1,200

REZONE (PD)

- ☒ PD REZONE $2,000
- ☐ PD AMENDMENT $1,250 (This does not mean changes in items such as uses or density but means minor changes in items such as layout and landscaping.)

***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 386-248-9492.
- ☐ 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)

Attachment: PUD Application (4293 : Anastasia Court - RZ and CPA)

HOLLY HILL
FLORIDA
1065 Ridgewood Avenue, Holly Hill, FL 32117
Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org

- ☐ SCHOOL CAPACITY REVIEW – *IF PROPOSING OVER 10 RESIDENTIAL UNITS* (*CONTACT SCHOOL BOARD PLANNING & BUSINESS SERVICES AT 386-734-7190 FOR APPLICATION*)
- ☐ 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)
  - Solid Waste Collection
  - School (Residential Only)

  Also show the net increases.
- ☐ **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: _____ 2/28/23
(Signature) *(Date)*

Jessica Gow
(Print)

Applications must be complete to initiate the preview 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 (4293 : Anastasia Court - RZ and CPA)

Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as Center Avenue Townhomes Planned Unit Development (PUD) located along Lillie Road on Anastasia Court 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 _____, 2023, 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"), and Ron & Lee, LLC (hereinafter referred to as the "Owner" or "Owner/Developer") with a mailing address of 3 Sweetmeadow Court, Ormond Beach, FL, 32174.

W I T N E S S E T H

WHEREAS, the Owner warrants that it 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 Owner/Developer has clear title of the Subject Property or the Developer is currently under contract to purchase the Subject Property and intends to develop such property; and

WHEREAS the Owner/Developer or Developer desires 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 Owner/Developer desires 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 Owner/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

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

WHEREAS, the PUD shall consist of this Agreement as the Written Development Agreement of the PUD, and a Preliminary Plan aka 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.

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.

A. Permitted principal uses allowable on the Subject Property:

1. Townhouses

B. Prohibited principal uses, if any:

1. Unless a use is specifically stated as permitted, it is prohibited.

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

C. Subject Property Size: 2.11 acres of development area (1.75 net acres)

D. Proposed density (in number of dwelling units per acre): 9.71 units per net acre (17 units)

E. Impervious surface is not to exceed 60% of the gross square footage for the Subject Property, as illustrated on Exhibit B and inclusive of the area illustrated for the stormwater pond improvements.

F. Minimum open space shall be 40% of the Subject Property, as illustrated on Exhibit B and inclusive of the area illustrated for the stormwater pond improvements. Common open space will be a minimum of 15% throughout the Property and is being illustrated through the activation of the stormwater area through pedestrian enhancements in the form of benches and viewing areas.

G. Minimum landscaping and buffer-yard requirements are as shown and stated on the Preliminary Plan and as follows: Minimum perimeter landscape buffer of 10 feet, and 15 feet along Center Avenue.

H. Minimum lot size area (in acreage or square footage): 2,250 sq. ft.

I. Minimum unit size: 1,000 sq. ft.

J. Minimum lot width (in feet): 25 ft.

K. Minimum yard setbacks within individual lots:
1. Front yard: 10 ft.
2. Side yard: 0 ft. common wall, 5 ft. side
3. Street side yard: N/A
4. Rear yard: 5 ft.

L. Maximum building height (in feet): 35’

M. Minimum building separation: 10 ft.

N. Minimum parking standards are as shown and stated on the Preliminary Plan.

O. Lighting shall not exceed .5-foot candles at the property line.

P. The project shall consist of 1 phase. Phases are shown on the Preliminary Plan and described as follows:

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

Q. 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. All controls and variations shall be defined by a Homeowners Association or Property Owners Association, as defined within this Agreement.

R. Development within the Community Redevelopment Area shall follow one of the following architectural themes: Contemporary, Florida Vernacular, Mediterranean, Spanish.

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T. Stormwater and environmental: Per parcel stormwater systems or master stormwater systems shall be owned and maintained by an established Homeowner's Association or Property Owner's Association, if such entities are required, 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 Homeowner's Association or Property Owner's Association, if such entities are required, 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. The Applicant will coordinate with the City on improvement to the City stormwater pond located to the north of the Property in order to accommodate stormwater needs for this project. The Applicant will enter into an agreement with the City regarding such expansion, including maintenance obligations of the parties. In recognition of the Applicant's adoption of maintenance obligations associated with the City stormwater pond, the parcel of land the pond is located on, and the pond areas within such parcel, shall be considered as a part of the open space associated with development of the Property, although such parcel is not included in this rezoning request. The adjacent City stormwater pond will serve as an open space amenity from a functional standpoint and will be commonly maintained by the Applicant. Owner/developer will be responsible for all cost associated with site development work on the pond as it relates to this project.

U. Transportation, site access, and traffic devices: The Owner/Developer is responsible for all transportation improvements within the Subject Property and any off-site transportation improvements required because of the proposed development, for site

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

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.

7. **Development Permits/Fees.** The Owner/Developer is 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.

8. **Site Plan/Plat Approval.** The Master Development Plan, is the Preliminary Plan of the PUD and this Written Development Agreement. The Master Development Plan shall not replace, supersede, or absolve the Owner/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.

9. **Indemnification.** The Owner/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.

10. **Compliance.** The Owner/Developer agrees 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 Owner/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 Owner/Developer fail to comply with the terms of this Agreement. In the event of a conflict between this Development

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

Agreement and the City's Land Development Code, the more restrictive regulations shall govern the development of the Subject Property.

11. **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 Owner/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 Owner/Developer thirty (30) days written notice to commence and ninety (90) days to complete said required obligation at the sole expense of the Owner/Developer. If the Owner/Developer fails to complete the obligations within the ninety (90) day period, then the City, without further notice to the Owner/Developer and their successors and assigns in interest, may but shall not be required to, perform such obligations at the expense of the Owner/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 Owner/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 Owner/Developer and their successors and assigns in interest shall be deemed to have been given upon the mailing of notice as provided in **paragraph (17)** of this Agreement.

12. **Environmental and Tree Preservation.** The Owner/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 Owner/Developer from any permitting and mitigation obligations needed to develop a Subject Property.

13. **Homeowners Association or Property Owners Association.** The charter and by-laws of any Homeowner's Association ("HOA") or 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 HOA or 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 Owner/Developer shall be responsible for establishing the HOA or 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.

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

14. **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 Owner/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 Owner/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.

15. **Utility Easements.** For any easement not established on a plat for the Subject Property, the Owner/Developer shall provide to the City such easements and other legal documentation, in a form mutually acceptable to the City Attorney and the Owner/Developer, as the City 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.

16. **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.

17. **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:

OWNER/DEVELOPER'S REPRESENTATIVES:

Ron & Lee, LLC
Attn: Yehuda Morali
3 Sweetmeadow CT
Ormond Beach, FL 32174

With Copy To: Cobb Cole Law Firm
Attn: Jessica Gow
149 S. Ridgewood Ave, Ste 700
Daytona Beach, FL 32114

CITY'S REPRESENTATIVES:
City Manager
City of Holly Hill

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

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

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

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

20. **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.

21. **Subsequently Enacted State or Federal Law.** If either state of 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.

22. **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.

23. **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

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

and assigns and any person, firm, corporation, or entity who may become the successor in interest to the Subject Property or any portion thereof.

24. **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.

25. **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.

26. **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 Owner/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.

27. **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.

28**.** **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.

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

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

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

OWNER/DEVELOPER

By:

_____
Signature of Witness # 1

_____
Signature

_____
Print or type name

_____
Print or type name

As:

_____
Signature of Witness #2

_____
Print or type

ATTEST:

_____
Print or type name

_____
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 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:

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

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

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

EXHIBIT A

LEGAL DESCRIPTION:

(ACCORDING TO OFFICIAL RECORDS BOOK 5868, PAGE 4194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.)

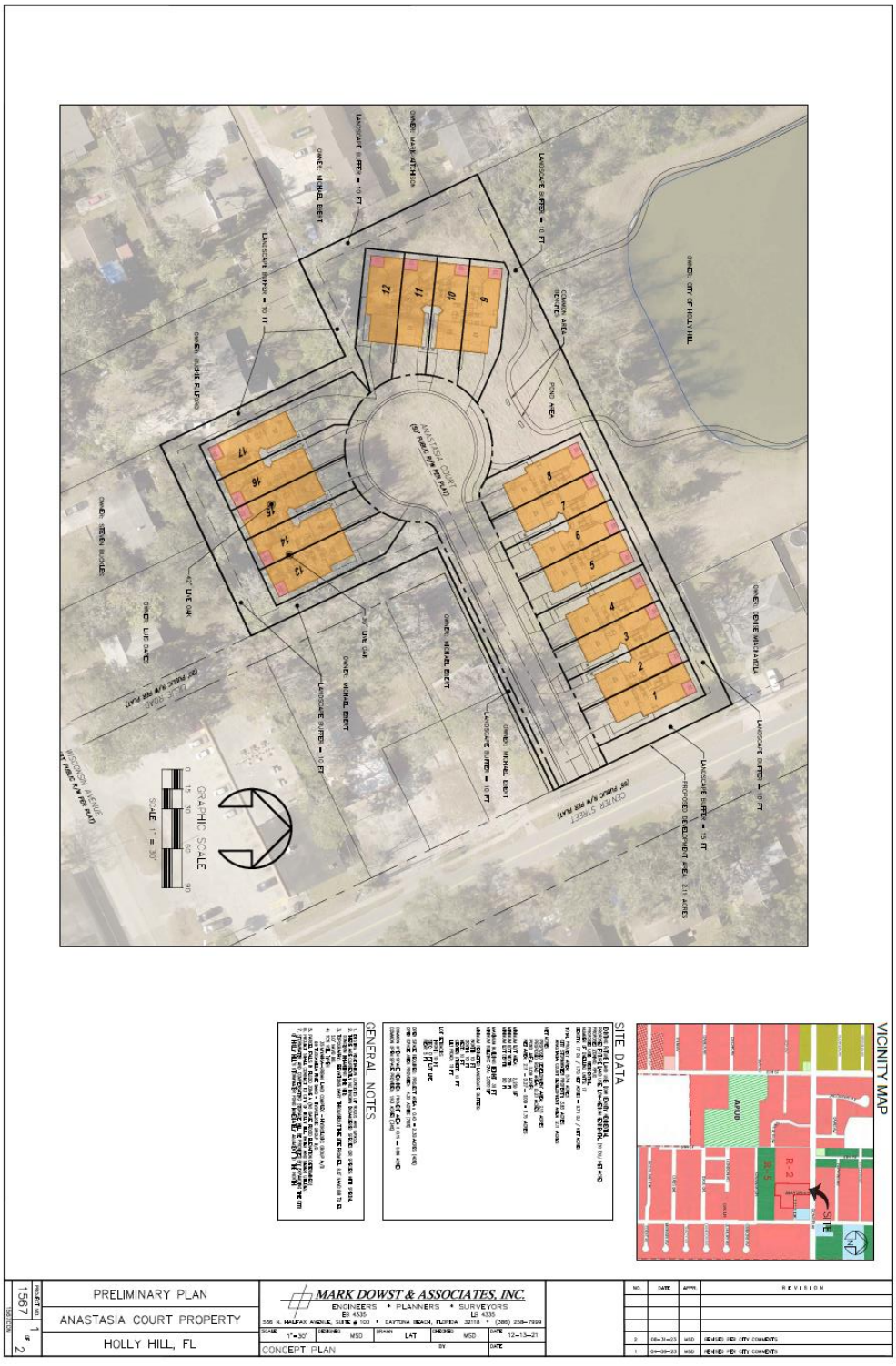
LOT 7, 8, AND 9, EXCEPT THE WESTERLY 81.3 FEET THEREOF, BARBOURS RE-SUB, IN LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 9, PAGE(S) 237, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE NORTHERLY 150 FEET OF THE SOUTH 1/2 OF LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE(S) 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)

EXHIBIT B



Attachment: Written Development Agreement (4293 : Anastasia Court - RZ and CPA)



VICINITY MAP



SITE DATA

EXISTING FUTURE LAND USE: LOW DENSITY RESIDENTIAL
PROPOSED FUTURE LAND USE: LOW-MEDIUM RESIDENTIAL (10 DU/ NET ACRE)
PROPOSED ZONING: RPUD
PROPOSED USE: RESIDENTIAL
NUMBER OF DWELLING UNITS: 17
DENSITY: 17 DU / 1.75 NET ACRES = 9.71 DU / NET ACRES

TOTAL PROJECT AREA: 5.74 ACRES
- CITY STORMWATER PROPERTY: 3.63 ACRES
- ANASTASIA COURT DEVELOPMENT AREA: 2.11 ACRES

NET ACRES
- PROPOSED DEVELOPMENT AREA: 2.11 ACRES
- PROPOSED ROAD AREA: 0.27 ACRES
- POND AREA: 0.09 ACRES
- NET AREA: 2.11 – 0.27 – 0.09 = 1.75 ACRES

MINIMUM LOT AREA: 2,250 SF
MINIMUM LOT WIDTH: 25 FT
MINIMUM LOT DEPTH: 90 FT

MAXIMUM BUILDING HEIGHT: 35 FT
MINIMUM BUILDING GFA: 2,000 SF

MINIMUM PERIMETER LANDSCAPE BUFFERS:
- NORTH: 10 FT
- SOUTH: 10 FT
- WEST: 10 FT
- CENTER STREET: 15 FT
- LILY ROAD: 10 FT

LOT SETBACKS
- FRONT: 10 FT
- SIDE: 0 FT LOT LINE
- REAR 5 FT

OPEN SPACE REQUIRED: PROJECT AREA x 0.40 = 2.30 ACRES (40%)
OPEN SPACE AREA PROVIDED: 4.30 ACRES (75%)

COMMON OPEN SPACE REQUIRED: PROJECT AREA X 0.15 = 0.86 ACRES
COMMON OPEN SPACE PROVIDED: 1.93 ACRES (34%)

GENERAL NOTES

1. EXISTING VEGETATION CONSISTS OF WOODS AND GRASS.
2. THERE ARE CURRENTLY NO KNOWN ENDANGERED SPECIES OR SPECIES WITH SPECIAL CONCERN INHABITING THE SITE.
3. TOPOGRAPHY: ELEVATIONS VARY THROUGHOUT THE SITE FROM EL. 8.0' NAVD 88 TO EL. 5.0' NAVD 88.
4. SCS SOIL TYPES:
   - 35 MYAKKA–URBAN LAND COMPLEX – HYDROLOGIC GROUP A/D
   - 69 TUSCAWILLA FINE SAND – HYDROLOGIC GROUP B/D
5. PARCEL FALLS IN FLOOD ZONE A (NO BASE FLOOD ELEVATION DETERMINED)
6. PROJECT SHALL CONNECT TO CITY OF HOLLY HILL WATER AND SEWER UTILIZES.
7. STORMWATER AND COMPENSATING STORAGE WILL BE PROVIDED BY EXPANDING THE CITY OF HOLLY HILL'S STORMWATER POND IMMEDIATELY ADJACENT TO THE NORTH.

NO.	DATE	APPR.	REVISION
2	08-31-23	MSD	REVISED PER CITY COMMENTS
1	04-06-23	MSD	REVISED PER CITY COMMENTS

MARK DOWST & ASSOCIATES, INC.
ENGINEERS * PLANNERS * SURVEYORS
EB 4335 LB 4335
536 N. HALIFAX AVENUE, SUITE # 100 * DAYTONA BEACH, FLORIDA 32118 * (386) 258-7999

SCALE	DESIGNED	DRAWN	CHECKED	DATE
1"=30'	MSD	LAT	MSD	12-13-21

CONCEPT PLAN

PRELIMINARY PLAN
ANASTASIA COURT PROPERTY
HOLLY HILL, FL

PROJECT NO. 1567 — 1 OF 2
1567CON

Attachment: Preliminary Plan (4293 : Anastasia Court - RZ and CPA)

Anastasia Court Townhomes
Small Scale Comprehensive Plan Amendment

1. APPLICANT INFORMATION

1.1 Applicant Name and Address

Ron & Lee, LLC

1.2 Primary Contact for Applicant

Yehuda Morali
3 Sweetmeadow Ct
Ormond Beach, FL 32174

1.3 Applicant's Authorized Representatives

Robert A. Merrell III, Esquire
Cobb Cole
149 S. Ridgewood Avenue
Daytona Beach, FL 32114
Office: 386/323-9263
Fax: 386/944-7955
Robert.Merrell@CobbCole.com

2. Property Information

2.1 Nature of Applicant's Interest

Applicant is the record owner of the proposed property.

2.2 Size of Property and Survey

The size of the Property is 2.11 +/- acres. See the copy of the Survey attached as Exhibit "A".

2.3 Legal Description

See Legal Description and copies of Property Appraiser Information Cards and Warranty Deed attached as Exhibit "B".

2.4 Parcel Identification Numbers

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

424419000050, 424419000040, 424419000001, 424419000030, 424419000020, 424419000010, 523715000070, 523715000090

2.5 General Location

The Property is generally located along Center Street in Holly Hill, Florida. See Location Map attached as Exhibit "C".

2.7 Access + Frontage

Street access and vehicular circulation will be provided via public and/or private rights of way within the Property. The Property has frontage on Center Street and Lillie Road.

3. Land Use Information

3.1 Aerial Photography

See Exhibit "D", attached.

3.2 Existing Development

The Property is currently made up of undeveloped land.

3.3 Current Zoning

The current zoning designation is R-2. See Existing Zoning Map attached as Exhibit "E". Applicant submitted an application to rezone the Property to PUD concurrently with this application, which is consistent with the City's Comprehensive Plan, as amended herein.

3.4 Future Land Use Map Designation

The current FLU designation is Low Density Residential. See Current Future Land Use Map attached as Exhibit "F."

3.5 Proposed Future Land Use Map Designation

The proposed FLU designation is "Low-Medium Density Residential." See Proposed Future Land Use Map attached as Exhibit "G".

3.6 Text-Specific Policy

A comprehensive plan amendment shall be allowed for parcels numbers 424419000050, 424419000040, 424419000001, 424419000030, 424419000020, 424419000010to change the future land use from the Low Density Residential to the Low-Medium Density Residential designation subject to a limitation on development of the site for townhome or single-family residential uses.

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

4. Consistency and Compatibility

4.1 Consistency with Plan Goals, Policies and Objectives of the Volusia County Comprehensive Plan

The proposed amendment is consistent with several of the Goals, Policies and Objectives of the Comprehensive Plan, as outlined below.

Policy 1.2.12 - The City shall promote superior design for new development and redevelopment, and the inclusion of special amenities through the use of innovative development techniques which may include planned-unit development, mixed use development, cluster development, transfer of development rights, and density and intensity bonuses.

Policy 1.2.15 – The City shall enact and enforce zoning and other land development regulations in such a way as to provide transitional uses between areas of widely disparate land use density or intensity.

Objective 1.1 - The City shall continue to facilitate the private production of a housing supply, including adequate sites for mobile homes or manufactured housing and low and moderate income housing, which will meet future community needs and offset housing deficiencies as noted in this Element

Policy 1.1.1 - The City shall maintain sufficient residentially zoned land to accommodate the projected housing development with a reasonable degree of flexibility and choice in location, density, housing type and cost.

Policy 1.1.4 -Land use plan amendments which increase density shall occur in areas with few environmental constraints and where adequate public infrastructure and services exist.

Response: ***The proposed development utilizes the planned unit development process to allow for design of a townhome subdivision that will create a transitional residential use in an appropriate scale and location within the City. The development will create a range of housing types within the area supported by public services and utilities.***

4.2 Consistency with the Urban Sprawl Rule

Section 163.3177(6)(a)(9)(b), Florida Statutes, provides that plan amendments shall be determined to discourage the proliferation of urban sprawl if they incorporate a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Response: ***The proposed development is located along a City thoroughfare and directs growth in an area planned for urban services and away from environmentally sensitive areas.***

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Response: ***The proposed development is located along a City thoroughfare and directs growth in an area planned for urban services.***

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

Response: ***The proposed project is located in close proximity to existing support and transit services along Nova Road.***

(IV) Promotes conservation of water and energy.

Response: ***The proposed development will be built to modern standards inclusive of improved water and energy system maintenance.***

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Response: N/A

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Response: N/A

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Response: The proposed development utilizes the planned unit development process to allow for design of a townhome subdivision that will create a transitional residential use in an appropriate scale and location within the City. The development will create a range of housing types within the area supported by public services and utilities.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

<u>Response</u>: The proposed development utilizes the planned unit development process to allow for design of a townhome subdivision that will create a transitional residential use in an appropriate scale and location within the City. The development will create a range of housing types within the area supported by public services and utilities.

The proposed amendment promotes a development pattern and urban form that achieves six of the preceding eight general policies. Accordingly, the proposed amendment exceeds the urban sprawl standards set forth in Section 163.3177(6)(a)(9)(b), Florida Statutes.

4.3 <u>Land Use Compatibility Analysis</u>

The proposed amendment seeks to amend a 2.11 +/- acre portion of the Holly Hill FLU Map to the Low-Medium Density Residential FLU provided for in the Comprehensive Plan. The proposed amendment will not negatively alter the character that exists in the area at the present time. The amendment is intended to allow for improved planning and coordination for development of the Property.

5. Concurrency Analysis

5.1 <u>Traffic Data and Analysis</u> –

Please see the attached "Exhibit H" prepared by Mark Dowst & Associates.

5.2 <u>Utility Data and Analysis</u> –

PRE-DEVELOPMENT WATER/SEWER DEMAND:

Average Water Demands: 12 Units x 350 GPD = 4,200 GPD

Peak Daily Flow = 4,200 GPD X 3 = 12,600 GPD

POST-DEVELOPMENT WATER/SEWER DEMAND:

Average Water Demands: 21 Units x 350 GPD = 7,350 GPD

Peak Daily Flow = 7,300 GPD X 3 = 22,050 GPD

6. Environmental Analysis

Please see the attached "Exhibit J" and "Exhibit I" illustrating environmental site features, prepared by Mark Dowst & Associates.

7. Conclusion –

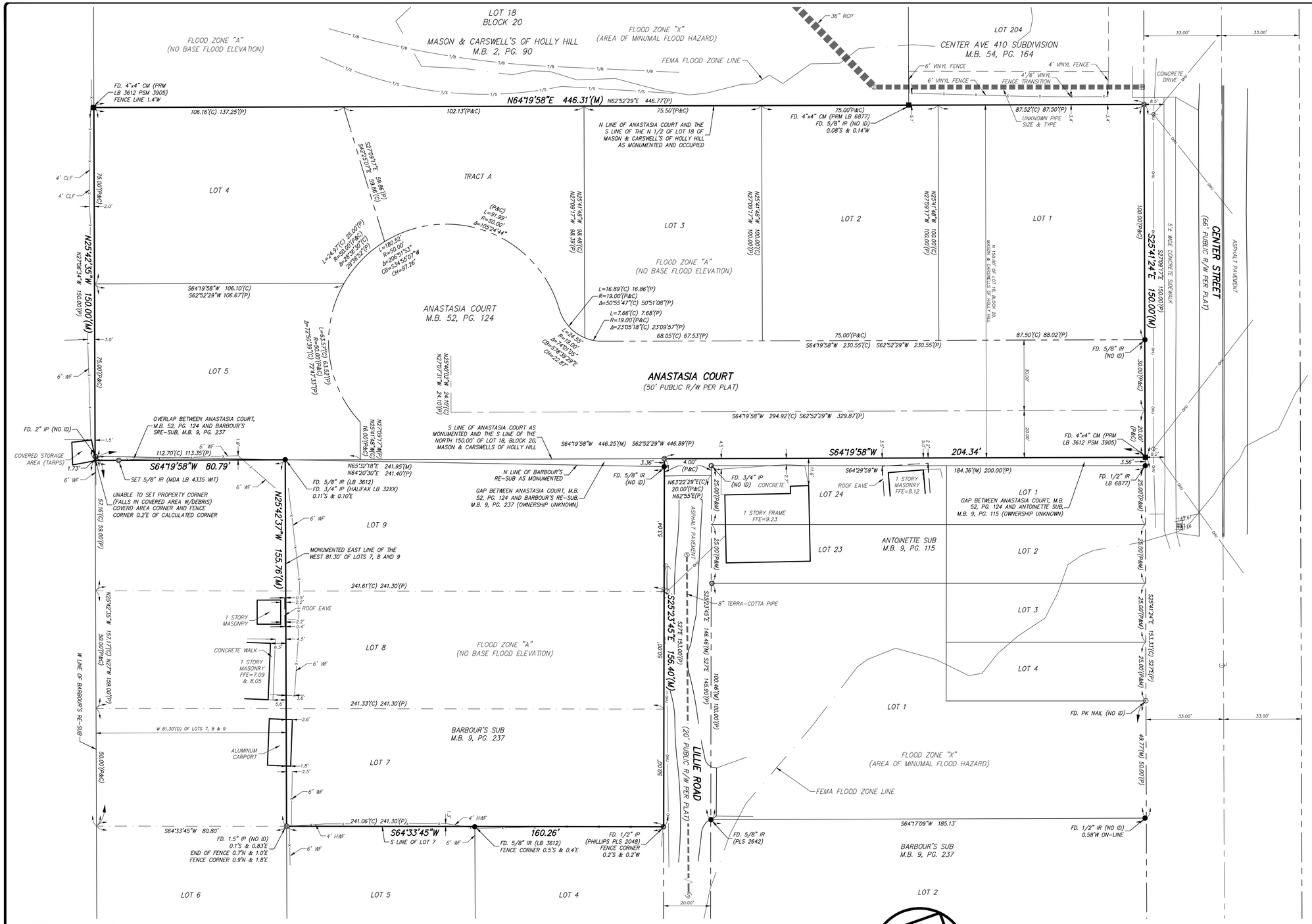
The proposed amendment is consistent with the Holly Hill Comprehensive Plan as detailed herein. The amendment will permit the efficient integration of planning and management of the Property. The amendment will allow residential uses in an appropriate location where it will be consistent with surrounding uses.

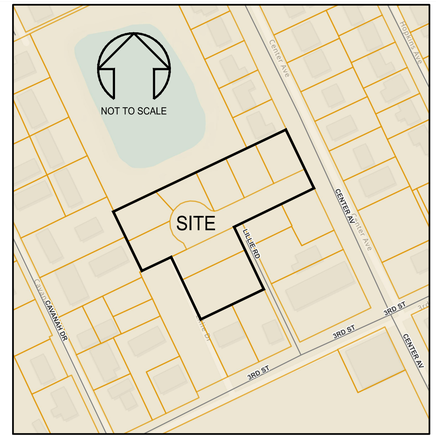
Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

EXHIBIT A

SURVEY

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)





VICINITY MAP

LEGAL DESCRIPTION:

(ACCORDING TO OFFICIAL RECORDS BOOK 5868, PAGE 4194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.)

LOT 7, 8, AND 9, EXCEPT THE WESTERLY 81.3 FEET THEREOF, BARBOURS RE-SUB, IN LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 9, PAGE(S) 237, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE NORTHERLY 150 FEET OF THE SOUTH 1/2 OF LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE(S) 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE GRID COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD 83), WITH A BEARING OF S25°41'24"E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CENTER STREET.
2. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "A" (WITHOUT BASE FLOOD ELEVATION (BFE)) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO. 12127C0356J, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF 09/29/2017.
4. UNDERGROUND FOUNDATIONS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY. THOSE SHOWN HEREON WERE OBTAINED FROM ABOVE GROUND EVIDENCE AND/OR STRUCTURE DETAILS.
5. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
6. THERE MAY BE ADDITIONAL MATTERS AFFECTING THIS PROPERTY THAT EXIST IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
7. NORTH-SOUTH AND EAST-WEST TIES TO FOUND MONUMENTATION AND IMPROVEMENTS ARE BASED ON CARDINAL DIRECTION.
8. WETLAND AREAS, IF ANY, WERE NOT ADDRESSED AS A PART OF THIS SURVEY.
9. THE ACCURACY OF THE SURVEY MEASUREMENTS USED FOR THIS SURVEY MEETS OR EXCEEDS THE EXPECTED USE OF THE PROPERTY DESCRIBED HEREON. (COMMERCIAL/HIGH RISK) 1 FOOT IN 10,000 FEET.
10. THE REVIEW OF THE PLAT FOR ANASTASIA COURT, RECORDED IN MAP BOOK 52, PAGE 124, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY REVEALED THAT THE OVERALL PLAT DIMENSIONS DID NOT MATCH THE SUM OF DISTANCES FOR THE LOTS ALONG THE NORTH AND SOUTH LINES. THE ERROR IN DISTANCES WAS TAKEN FROM LOTS 4 AND 5. THERE ARE OTHER DISTANCE INCONSISTENCIES AND TYPOS IN THE PLAT AS WELL.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THIS SURVEY MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LEE H. DOWST. P.L.S. NO. 6860
www.mdaeng.com

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

LEGEND AND ABBREVIATIONS:

( )	PLAT/DEED	L	ARC LENGTH
±	MORE OR LESS	LB	LICENSED BUSINESS
AC	ACRES	M.B.	MAP BOOK
A/C	AIR CONDITIONER	MES	MITERED END SECTION
BWF	BARBED-WIRE FENCE	NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988
C&G	CURB & GUTTER	N/D	NAIL & DISK
CB	CHORD BEARING	NO.	NUMBER
CH	CHORD DISTANCE	(NR)	NON-RADIAL
℄	CENTER LINE	O.R.B.	OFFICIAL RECORDS BOOK
CLF	CHAIN-LINK FENCE	OHU	OVER-HEAD UTILITIES
CM	CONCRETE MONUMENT	P.B.	PLAT BOOK
CMP	CORRUGATED METAL PIPE	PC	POINT OF CURVATURE
FIRM	FLOOD (FLORIDA) INSURANCE RATE MAP	PCP	PERMANENT CONTROL POINT
FNC	FENCE	PG(S).	PAGE/PAGES
FD.	FOUND	PLS	PROFESSIONAL LAND SURVEYOR
HWF	HOG-WIRE FENCE	PRC	POINT OF REVERSE CURVATURE
ID	IDENTIFICATION	PRM	PERMANENT REFERENCE MONUMENT
INV	INVERT ELEVATION	PSM	PROFESSIONAL SURVEYOR MAPPER
IP	IRON PIPE	PT	POINT OF TANGENCY
IR	IRON ROD	PVC	POLYVINYL CHLORIDE PIPE
R	RADIUS		
(R)	RADIAL		
R/W	RIGHT OF WAY		
RCP	REINFORCED CONCRETE PIPE		
SEC	SECTION-TOWNSHIP-RANGE		
Δ	CENTRAL ANGLE		
T/B	APPROXIMATE TOP OF BANK		
T/S	APPROXIMATE TOE OF SLOPE		
TBM	TEMPORARY BENCH MARK		
U.E.	UTILITY EASEMENT		
(TYP)	TYPICAL		
WF	WOOD FENCE		
W/	WITH		
WV	WATER VALVE		
IRR	IRRIGATION CONTROL VALVE		
SSV	SANITARY SEWER VALVE		
AR	AIR RELEASE VALVE		
CO	CLEAN OUT		
GV	GAS VALVE		
BFP	BACK FLOW PREVENTOR		
FH	FIRE HYDRANT		
	FIRE PLUG/CONNECTION		GAS METER
	SINGLE POLE SIGN		TELEPHONE JUNCTION BOX
	DOUBLE POLE SIGN		WATER METER
	BOLLARD		UTILITY VAULT
	CENTRAL ANGLE		WOOD UTILITY POLE
	BREAK LINE		CONCRETE UTILITY POLE
	SET 4"x4" CM (LB 4335)		METAL UTILITY POLE
	FOUND 4"x4" CM (AS NOTED)		GUY POLE
	SET N/D (LB 4335)		GUY ANCHOR
	FOUND N/D (AS NOTED)		LIGHT POLE
	SET 5/8" IRC (LB 4335)		GUTTER INLET/GRATE
	FOUND IRON ROD (AS NOTED)		CATCH BASIN/YARD DRAIN
	FOUND IRON PIPE (AS NOTED)		STORM MANHOLE
	FOUND PK NAIL (NO ID)		SANITARY MANHOLE
	AIR CONDITIONER		WELL
	ELECTRIC PANEL		FIBER-OPTIC CABLE MARKER
	CABLE TELEVISION RISER BOX		GAS LINE MARKER
	ELECTRIC METER		MITERED END SECTION
	ELECTRIC JUNCTION BOX		
	FIBER-OPTIC JUNCTION BOX		

REVISIONS				
F.B. / PG.	DATE	BY	DESCRIPTION	CKD

MARK DOWST & ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS LB#4335
536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 PH:386-258-7999

BOUNDARY SURVEY				PROJECT #	1567
DRAWN BY: LAT	DRAW DATE: 11/15/22	CHECKED BY: LHD	SCALE: 1" = 20'	FILE NAME:	1567_surbase.dwg
CREW: SC,JB,JY	FIELD DATE: 11/07/22	F.B./PG.: 244/20,23,26-27,33-34,37,41		SHEET	1 OF 1

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)
Drawing Name: H:\JOBS\1567 Center Ave_Survey\Dist 3D-2022\1567_surbase.dwg Nov 21, 2022 10:19am

EXHIBIT B

PROPERTY APPRAISER INFORMATION CARDS AND DEEDS

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536775
Parcel ID:	424419000050
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0050
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 5 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$15,000	$15,000	$8,900
Just/Market Value:	$15,000	$15,000	$8,900

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

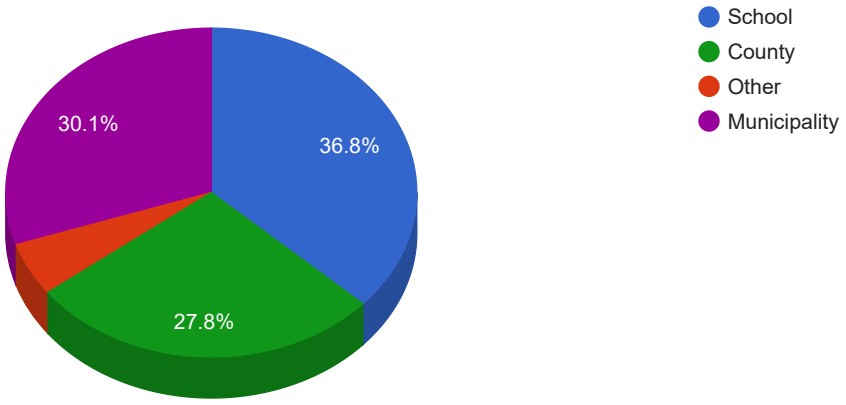
Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$15,000	$15,000	$0	$15,000	1.5000	$22.50
0012	DISCRETIONARY	$15,000	$15,000	$0	$15,000	0.7480	$11.22
0011	REQ LOCAL EFFORT	$15,000	$15,000	$0	$15,000	3.2340	$48.51
0050	GENERAL FUND	$15,000	$10,769	$4,231	$10,769	4.8499	$52.23
0055	LIBRARY	$15,000	$10,769	$4,231	$10,769	0.4635	$4.99
0520	MOSQUITO CONTROL	$15,000	$10,769	$4,231	$10,769	0.1781	$1.92
0530	PONCE INLET PORT AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.0760	$0.82
0058	VOLUSIA ECHO	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0057	VOLUSIA FOREVER	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,000	$10,769	$4,231	$10,769	0.0320	$0.34
0100	HALIFAX HOSPITAL AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.8606	$9.27
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,000	$10,769	$4,231	$10,769	0.1974	$2.13
0200	HOLLY HILL	$15,000	$10,769	$4,231	$10,769	6.2500	$67.31
						18.7895	$225.54

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$225.54
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$225.54**
Estimated Tax Amount without SOH/10CAP ⓘ	$281.84

Where your tax dollars are going:



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$15,000	$0	$15,000	$9,790	$0	$9,790	$0
2021	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2020	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2019	$8,900	$0	$8,900	$8,470	$0	$8,470	$0
2018	$8,900	$0	$8,900	$7,700	$0	$7,700	$0
2017	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2016	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2015	$6,600	$0	$6,600	$6,600	$0	$6,600	$0
2014	$6,600	$0	$6,600	$6,600	$0	$6,600	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	U-UNIT	1					15,000	$15,000

Total Land Value: $15,000

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value

Total Miscellaneous Value: $0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 5 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0050	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536767
Parcel ID:	424419000040
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0040
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 4 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$15,000	$15,000	$8,900
Just/Market Value:	$15,000	$15,000	$8,900

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

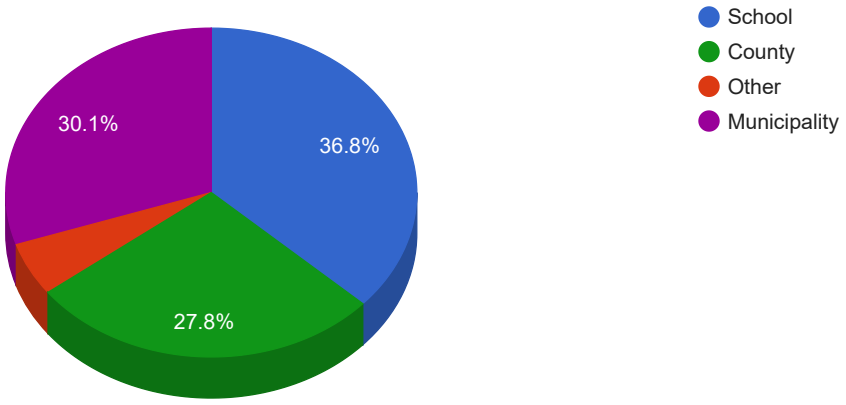
Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$15,000	$15,000	$0	$15,000	1.5000	$22.50
0012	DISCRETIONARY	$15,000	$15,000	$0	$15,000	0.7480	$11.22
0011	REQ LOCAL EFFORT	$15,000	$15,000	$0	$15,000	3.2340	$48.51
0050	GENERAL FUND	$15,000	$10,769	$4,231	$10,769	4.8499	$52.23
0055	LIBRARY	$15,000	$10,769	$4,231	$10,769	0.4635	$4.99
0520	MOSQUITO CONTROL	$15,000	$10,769	$4,231	$10,769	0.1781	$1.92
0530	PONCE INLET PORT AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.0760	$0.82
0058	VOLUSIA ECHO	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0057	VOLUSIA FOREVER	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,000	$10,769	$4,231	$10,769	0.0320	$0.34
0100	HALIFAX HOSPITAL AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.8606	$9.27
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,000	$10,769	$4,231	$10,769	0.1974	$2.13
0200	HOLLY HILL	$15,000	$10,769	$4,231	$10,769	6.2500	$67.31
						18.7895	$225.54

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$225.54
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$225.54**
Estimated Tax Amount without SOH/10CAP ⓘ	$281.84

Where your tax dollars are going:



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$15,000	$0	$15,000	$9,790	$0	$9,790	$0
2021	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2020	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2019	$8,900	$0	$8,900	$8,470	$0	$8,470	$0
2018	$8,900	$0	$8,900	$7,700	$0	$7,700	$0
2017	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2016	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2015	$6,600	$0	$6,600	$6,600	$0	$6,600	$0
2014	$6,600	$0	$6,600	$6,600	$0	$6,600	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	U-UNIT	1					15,000	$15,000

Total Land Value: $15,000

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value

Total Miscellaneous Value: $0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 4 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0040	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536724
Parcel ID:	424419000001
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0001
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0900 - RES COMMON ELEMENTS
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	COMMON AREA FOR ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$0	$0	$1
Just/Market Value:	$0	$0	$1

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$0	$0	$0	$0	1.5000	$0.00
0012	DISCRETIONARY	$0	$0	$0	$0	0.7480	$0.00
0011	REQ LOCAL EFFORT	$0	$0	$0	$0	3.2340	$0.00
0050	GENERAL FUND	$0	$0	$0	$0	4.8499	$0.00
0055	LIBRARY	$0	$0	$0	$0	0.4635	$0.00
0520	MOSQUITO CONTROL	$0	$0	$0	$0	0.1781	$0.00
0530	PONCE INLET PORT AUTHORITY	$0	$0	$0	$0	0.0760	$0.00
0058	VOLUSIA ECHO	$0	$0	$0	$0	0.2000	$0.00
0057	VOLUSIA FOREVER	$0	$0	$0	$0	0.2000	$0.00
0065	FLORIDA INLAND NAVIGATION DISTRICT	$0	$0	$0	$0	0.0320	$0.00
0100	HALIFAX HOSPITAL AUTHORITY	$0	$0	$0	$0	0.8606	$0.00
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$0	$0	$0	$0	0.1974	$0.00
0200	HOLLY HILL	$0	$0	$0	$0	6.2500	$0.00
						18.7895	$0.00

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$0.00
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$0.00**
Estimated Tax Amount without SOH/10CAP ⓘ	$0.00

Where your tax dollars are going:

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$0	$0	$0	$0	$0	$0	$0
2021	$1	$0	$1	$1	$0	$1	$0
2020	$1	$0	$1	$1	$0	$1	$0
2019	$1	$0	$1	$1	$0	$1	$0
2018	$1	$0	$1	$1	$0	$1	$0
2017	$1	$0	$1	$1	$0	$1	$0
2016	$1	$0	$1	$1	$0	$1	$0
2015	$1	$0	$1	$1	$0	$1	$0
2014	$1	$0	$1	$1	$0	$1	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0997-RES - COMMON AREA	N	U-UNIT	1					0	$0

Total Land Value: $0

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value

Total Miscellaneous Value: $0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

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Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
COMMON AREA FOR ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0001	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536759
Parcel ID:	424419000030
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0030
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 3 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$15,000	$15,000	$8,900
Just/Market Value:	$15,000	$15,000	$8,900

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

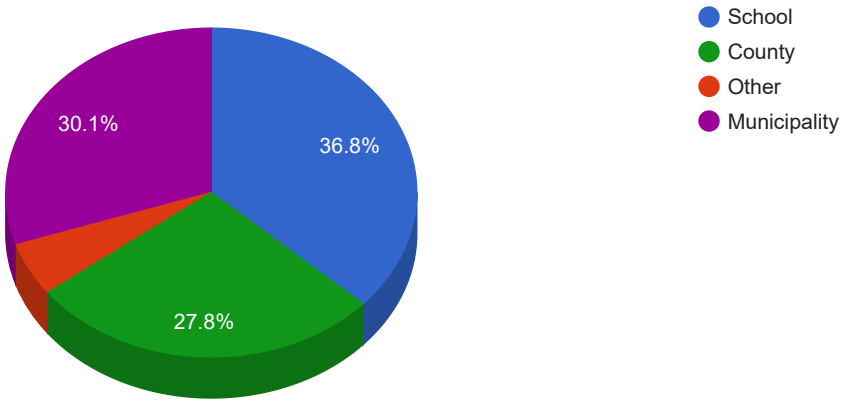
Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$15,000	$15,000	$0	$15,000	1.5000	$22.50
0012	DISCRETIONARY	$15,000	$15,000	$0	$15,000	0.7480	$11.22
0011	REQ LOCAL EFFORT	$15,000	$15,000	$0	$15,000	3.2340	$48.51
0050	GENERAL FUND	$15,000	$10,769	$4,231	$10,769	4.8499	$52.23
0055	LIBRARY	$15,000	$10,769	$4,231	$10,769	0.4635	$4.99
0520	MOSQUITO CONTROL	$15,000	$10,769	$4,231	$10,769	0.1781	$1.92
0530	PONCE INLET PORT AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.0760	$0.82
0058	VOLUSIA ECHO	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0057	VOLUSIA FOREVER	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,000	$10,769	$4,231	$10,769	0.0320	$0.34
0100	HALIFAX HOSPITAL AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.8606	$9.27
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,000	$10,769	$4,231	$10,769	0.1974	$2.13
0200	HOLLY HILL	$15,000	$10,769	$4,231	$10,769	6.2500	$67.31
						18.7895	$225.54

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$225.54
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$225.54**
Estimated Tax Amount without SOH/10CAP ⓘ	$281.84

Where your tax dollars are going:



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$15,000	$0	$15,000	$9,790	$0	$9,790	$0
2021	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2020	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2019	$8,900	$0	$8,900	$8,470	$0	$8,470	$0
2018	$8,900	$0	$8,900	$7,700	$0	$7,700	$0
2017	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2016	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2015	$6,600	$0	$6,600	$6,600	$0	$6,600	$0
2014	$6,600	$0	$6,600	$6,600	$0	$6,600	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	U-UNIT	1					15,000	$15,000
								Total Land Value:		$15,000

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value
					Total Miscellaneous Value:	$0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 3 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0030	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536741
Parcel ID:	424419000020
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0020
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 2 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$15,000	$15,000	$8,900
Just/Market Value:	$15,000	$15,000	$8,900

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

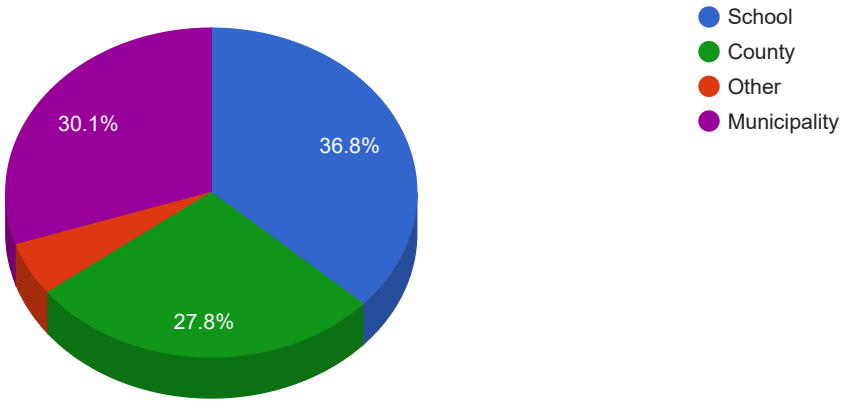
Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$15,000	$15,000	$0	$15,000	1.5000	$22.50
0012	DISCRETIONARY	$15,000	$15,000	$0	$15,000	0.7480	$11.22
0011	REQ LOCAL EFFORT	$15,000	$15,000	$0	$15,000	3.2340	$48.51
0050	GENERAL FUND	$15,000	$10,769	$4,231	$10,769	4.8499	$52.23
0055	LIBRARY	$15,000	$10,769	$4,231	$10,769	0.4635	$4.99
0520	MOSQUITO CONTROL	$15,000	$10,769	$4,231	$10,769	0.1781	$1.92
0530	PONCE INLET PORT AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.0760	$0.82
0058	VOLUSIA ECHO	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0057	VOLUSIA FOREVER	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,000	$10,769	$4,231	$10,769	0.0320	$0.34
0100	HALIFAX HOSPITAL AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.8606	$9.27
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,000	$10,769	$4,231	$10,769	0.1974	$2.13
0200	HOLLY HILL	$15,000	$10,769	$4,231	$10,769	6.2500	$67.31
						18.7895	$225.54

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$225.54
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$225.54**
Estimated Tax Amount without SOH/10CAP ⓘ	$281.84

Where your tax dollars are going:



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$15,000	$0	$15,000	$9,790	$0	$9,790	$0
2021	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2020	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2019	$8,900	$0	$8,900	$8,470	$0	$8,470	$0
2018	$8,900	$0	$8,900	$7,700	$0	$7,700	$0
2017	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2016	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2015	$6,600	$0	$6,600	$6,600	$0	$6,600	$0
2014	$6,600	$0	$6,600	$6,600	$0	$6,600	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	U-UNIT	1					15,000	$15,000

Total Land Value: $15,000

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value

Total Miscellaneous Value: $0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

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Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 2 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0020	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

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

Property Summary

Alternate Key:	6536732
Parcel ID:	424419000010
Township-Range-Section:	14 - 32 - 44
Subdivision-Block-Lot:	19 - 00 - 0010
Business Name:	
Owner(s):	RON & LEE LLC - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	ANASTASIA CT, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2002 - MASON & CARSWELL HOLLY HILL
Subdivision Name:	ANASTASIA COURT
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 1 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194

Property Values

Tax Year:	2023 Working	2022 Final	2021 Final
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$15,000	$15,000	$8,900
Just/Market Value:	$15,000	$15,000	$8,900

Working Tax Roll Values by Taxing Authority

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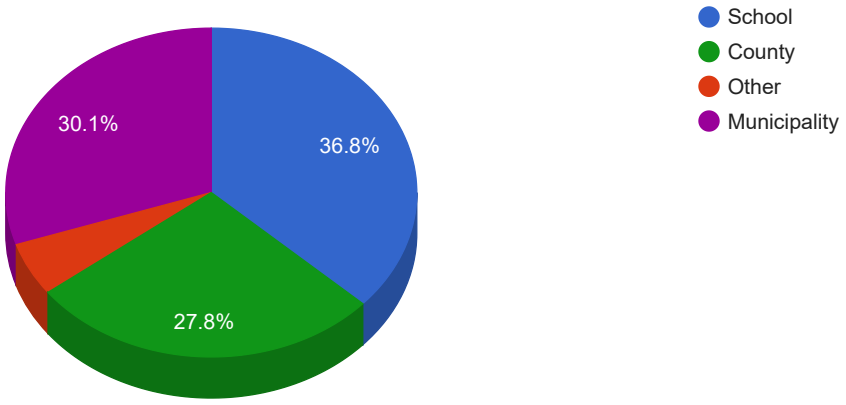
Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$15,000	$15,000	$0	$15,000	1.5000	$22.50
0012	DISCRETIONARY	$15,000	$15,000	$0	$15,000	0.7480	$11.22
0011	REQ LOCAL EFFORT	$15,000	$15,000	$0	$15,000	3.2340	$48.51
0050	GENERAL FUND	$15,000	$10,769	$4,231	$10,769	4.8499	$52.23
0055	LIBRARY	$15,000	$10,769	$4,231	$10,769	0.4635	$4.99
0520	MOSQUITO CONTROL	$15,000	$10,769	$4,231	$10,769	0.1781	$1.92
0530	PONCE INLET PORT AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.0760	$0.82
0058	VOLUSIA ECHO	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0057	VOLUSIA FOREVER	$15,000	$10,769	$4,231	$10,769	0.2000	$2.15
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,000	$10,769	$4,231	$10,769	0.0320	$0.34
0100	HALIFAX HOSPITAL AUTHORITY	$15,000	$10,769	$4,231	$10,769	0.8606	$9.27
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,000	$10,769	$4,231	$10,769	0.1974	$2.13
0200	HOLLY HILL	$15,000	$10,769	$4,231	$10,769	6.2500	$67.31
						18.7895	$225.54

Non-Ad Valorem Assessments

Project	#Units	Rate	Amount

Estimated Ad Valorem Tax:	$225.54
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$225.54**
Estimated Tax Amount without SOH/10CAP ⓘ	$281.84

Where your tax dollars are going:



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$15,000	$0	$15,000	$9,790	$0	$9,790	$0
2021	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2020	$8,900	$0	$8,900	$8,900	$0	$8,900	$0
2019	$8,900	$0	$8,900	$8,470	$0	$8,470	$0
2018	$8,900	$0	$8,900	$7,700	$0	$7,700	$0
2017	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2016	$7,000	$0	$7,000	$7,000	$0	$7,000	$0
2015	$6,600	$0	$6,600	$6,600	$0	$6,600	$0
2014	$6,600	$0	$6,600	$6,600	$0	$6,600	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	U-UNIT	1					15,000	$15,000
								Total Land Value:		$15,000

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value
					Total Miscellaneous Value:	$0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000

Property Description

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Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 1 ANASTASIA COURT MB 52 PG 124 PER OR 5868 PG 4194	203	14 - 32 - 44	19 - 00 - 0010	02-DEC-05

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

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

Property Summary

Alternate Key:	3267940
Parcel ID:	523715000090
Township-Range-Section:	15 - 32 - 37
Subdivision-Block-Lot:	15 - 00 - 0090
Business Name:	
Owner(s):	RON & LEE LLC - FS - Fee Simple - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	LILLIE RD, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2104 - WOLFF SUB 5237-11 DUBBERLY
Subdivision Name:	BARBOURS RESUB
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOT 9 EXC W 81.3 FT BARBOURS SUB BLK 20 M & C HOLLY HILL MB 2 PG 90 PER OR 4541 PG 2596 PER OR 5713 PGS 1983-1984 PER OR 5868 PG 4194

Property Values

	2023 Working	2022 Final	2021 Final
Tax Year:			
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$7,563	$7,563	$5,596
Just/Market Value:	$7,563	$7,563	$5,596

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$7,563	$7,563	$0	$7,563	1.5000	$11.34
0012	DISCRETIONARY	$7,563	$7,563	$0	$7,563	0.7480	$5.66
0011	REQ LOCAL EFFORT	$7,563	$7,563	$0	$7,563	3.2340	$24.46
0050	GENERAL FUND	$7,563	$5,625	$1,938	$5,625	4.8499	$27.28
0055	LIBRARY	$7,563	$5,625	$1,938	$5,625	0.4635	$2.61
0520	MOSQUITO CONTROL	$7,563	$5,625	$1,938	$5,625	0.1781	$1.00
0530	PONCE INLET PORT AUTHORITY	$7,563	$5,625	$1,938	$5,625	0.0760	$0.43
0058	VOLUSIA ECHO	$7,563	$5,625	$1,938	$5,625	0.2000	$1.13
0057	VOLUSIA FOREVER	$7,563	$5,625	$1,938	$5,625	0.2000	$1.13
0065	FLORIDA INLAND NAVIGATION DISTRICT	$7,563	$5,625	$1,938	$5,625	0.0320	$0.18
0100	HALIFAX HOSPITAL AUTHORITY	$7,563	$5,625	$1,938	$5,625	0.8606	$4.84
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$7,563	$5,625	$1,938	$5,625	0.1974	$1.11
0200	HOLLY HILL	$7,563	$5,625	$1,938	$5,625	6.2500	$35.16
						18.7895	$116.32

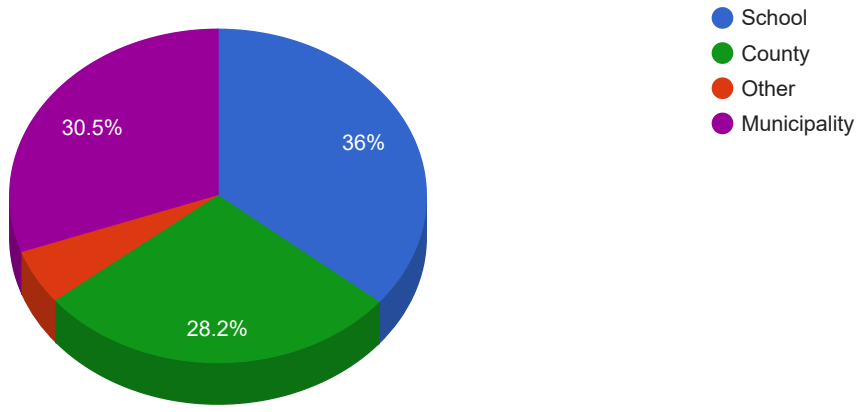
Non-Ad Valorem Assessments

Project	#UnitsRate	Amount

Estimated Ad Valorem Tax:	$116.32
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$116.32**
Estimated Tax Amount without SOH/10CAP ⓘ	$142.10

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Where your tax dollars are going:



Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$7,563	$0	$7,563	$5,114	$0	$5,114	$0
2021	$5,596	$0	$5,596	$4,649	$0	$4,649	$0
2020	$4,386	$0	$4,386	$4,226	$0	$4,226	$0
2019	$4,386	$0	$4,386	$3,842	$0	$3,842	$0
2018	$4,084	$0	$4,084	$3,493	$0	$3,493	$0
2017	$3,176	$0	$3,175	$3,175	$0	$3,175	$0
2016	$3,326	$0	$3,326	$3,326	$0	$3,326	$0
2015	$3,326	$0	$3,326	$3,326	$0	$3,326	$0
2014	$6,653	$0	$6,653	$6,653	$0	$6,653	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	F-FRONT FOOT				55.0	160	250	$7,563
									Total Land Value:	$7,563

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value
					Total Miscellaneous Value:	$0

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description and/or recorded and indexed with the Clerk of the Court.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
5868 / 4194	2006172792	07/03/2006	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$320,000
5713 / 1983	2005332509	10/26/2005	WD-WARRANTY DEED	UNQUALIFIED	VACANT	$40,000
4541 / 2596	2000064856	04/15/2000	QC-QUIT CLAIM DEED	UNQUALIFIED	VACANT	$10

Property Description

NOTE: This property description may be a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Volusia County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property descriptions found on this site.

Legal Description	Millage Group	Township-Range-Section	Subdivision-Block-Lot	Date Created
LOT 9 EXC W 81.3 FT BARBOURS SUB BLK 20 M & C HOLLY HILL MB 2 PG 90 PER OR 4541 PG 2596 PER OR 5713 PGS 1983-1984 PER OR 5868 PG 4194	203	15 - 32 - 37	15 - 00 - 0090	27-DEC-81

Permit Summary

NOTE: Permit data does not originate from the Volusia County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

Date	Number	Description	Amount

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

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

Property Summary

Alternate Key:	3267931
Parcel ID:	523715000070
Township-Range-Section:	15 - 32 - 37
Subdivision-Block-Lot:	15 - 00 - 0070
Business Name:	
Owner(s):	RON & LEE LLC - FS - Fee Simple - 100%
Mailing Address On File:	3 SWEETMEADOW CT ORMOND BEACH FL 32174
Physical Address:	LILLIE RD, HOLLY HILL 32117
Building Count:	0
Neighborhood:	2104 - WOLFF SUB 5237-11 DUBBERLY
Subdivision Name:	BARBOURS RESUB
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No
Agriculture Classification:	No
Short Description:	LOTS 7 & 8 EXC W 81.3 FT BARBOURS SUB BLK 20 M & C HOLLY HIL L MB 9 PG 90 PER OR 4541 PG 2596 PER OR 5713 PG 1983-1984 PE R OR 5868 PG 4194

Property Values

	2023 Working	2022 Final	2021 Final
Tax Year:			
Valuation Method:	1-Market Oriented Cost	1-Market Oriented Cost	1-Market Oriented Cost
Improvement Value:	$0	$0	$0
Land Value:	$24,750	$24,750	$18,315
Just/Market Value:	$24,750	$24,750	$18,315

Working Tax Roll Values by Taxing Authority

Values shown below are the 2023 WORKING TAX ROLL VALUES that are subject to change until certified. Millage Rates below that are used in the calculation of the Estimated Taxes are the 2022 FINAL MILLAGE RATES. The Just/Market listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority		Just/Market Value	Assessed Value	Ex/10CAP	Taxable Value	Millage Rate	Estimated Taxes
0017	CAPITAL IMPROVEMENT	$24,750	$24,750	$0	$24,750	1.5000	$37.13
0012	DISCRETIONARY	$24,750	$24,750	$0	$24,750	0.7480	$18.51
0011	REQ LOCAL EFFORT	$24,750	$24,750	$0	$24,750	3.2340	$80.04
0050	GENERAL FUND	$24,750	$18,407	$6,343	$18,407	4.8499	$89.27
0055	LIBRARY	$24,750	$18,407	$6,343	$18,407	0.4635	$8.53
0520	MOSQUITO CONTROL	$24,750	$18,407	$6,343	$18,407	0.1781	$3.28
0530	PONCE INLET PORT AUTHORITY	$24,750	$18,407	$6,343	$18,407	0.0760	$1.40
0058	VOLUSIA ECHO	$24,750	$18,407	$6,343	$18,407	0.2000	$3.68
0057	VOLUSIA FOREVER	$24,750	$18,407	$6,343	$18,407	0.2000	$3.68
0065	FLORIDA INLAND NAVIGATION DISTRICT	$24,750	$18,407	$6,343	$18,407	0.0320	$0.59
0100	HALIFAX HOSPITAL AUTHORITY	$24,750	$18,407	$6,343	$18,407	0.8606	$15.84
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$24,750	$18,407	$6,343	$18,407	0.1974	$3.63
0200	HOLLY HILL	$24,750	$18,407	$6,343	$18,407	6.2500	$115.04
						18.7895	$380.63

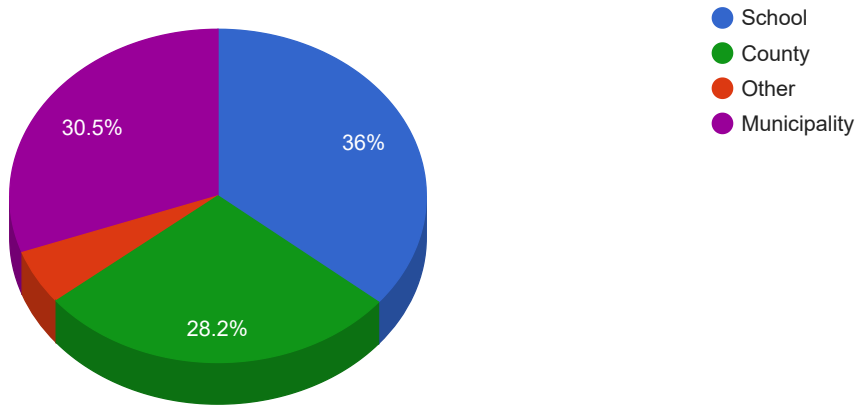
Non-Ad Valorem Assessments

Project	#UnitsRate	Amount

Estimated Ad Valorem Tax:	$380.63
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$380.63**
Estimated Tax Amount without SOH/10CAP ⓘ	$465.04

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Year	Land Value	Impr Value	Just Value	Non-Sch Assd	County Exemptions	County Taxable	HX Savings
2022	$24,750	$0	$24,750	$16,734	$0	$16,734	$0
2021	$18,315	$0	$18,315	$15,213	$0	$15,213	$0
2020	$14,355	$0	$14,355	$13,830	$0	$13,830	$0
2019	$14,355	$0	$14,355	$12,573	$0	$12,573	$0
2018	$13,365	$0	$13,365	$11,430	$0	$11,430	$0
2017	$10,395	$0	$10,391	$10,391	$0	$10,391	$0
2016	$10,886	$0	$10,886	$10,886	$0	$10,886	$0
2015	$10,886	$0	$10,886	$10,886	$0	$10,886	$0
2014	$10,886	$0	$10,886	$10,886	$0	$10,886	$0

Land Data

#	Land Use	Ag	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	N	F-FRONT FOOT				100.0	160	250	$24,750
									Total Land Value:	$24,750

Miscellaneous Improvement(s)

#	Type	Year	Area	Units	L x W	Depreciated Value
					Total Miscellaneous Value:	$0

Sales History

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Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
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Permit Summary

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07/10/2006 10:24 AM
Doc stamps 2240.00
(Transfer Amt $ 320000)
Instrument# 2006-172792 # 1
Book: 5868
Page: 4194

Prepared by
Susan Frazier, an employee of
First American Title Insurance Company
555 West Granada Boulevard, Suite H-12
Ormond Beach, Florida 32174
(386)673-6114

Return to: Grantee

File No.: 1061-1228076

CORPORATE WARRANTY DEED

This indenture made on **July 3, 2006** A.D., by

T.T. Investments of Volusia County, Inc., a Florida Corporation

whose address is: **PO Box 731257, Ormond Beach, FL 32173**
hereinafter called the "grantor", to

Ron & Lee, LLC, a Florida Limited Liability Company

whose address is: **3 Sweetmeadow Ct., Ormond Beach, FL 32174**
hereinafter called the "grantee":

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Volusia** County, **Florida**, to-wit:

Lot 7, 8, and 9, except the Westerly 81.3 feet thereof, BARBOURS RE-SUB, in Lot 18, Block 20, MASON AND CARSWELL'S HOLLY HILL, according to the plat thereof as recorded in Map Book 9, Page(s) 237, of the Public Records of Volusia County, Florida.

AND

The Northerly 150 feet of the South 1/2 of Lot 18, Block 20, MASON AND CARSWELL'S HOLLY HILLI, according to the plat thereof as recorded in Map Book 2, Page(s) 90, of the Public Records of Volusia Copunty, Florida.

Parcel Identification Number: **5237-15-00-0070 and 5237-15-00-0090 and 4244-01-20-0181**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

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

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

7.1.d

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

T.T. Investments of Volusia County, Inc., a Florida Corporation, a Florida Corporation

Wanda Lade

By: Wanda Lade, President

(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

State of **Florida**

County of **Volusia**

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me on 7-3-06, by **Wanda Lade, as President , and , as on behalf of T.T. Investments of Volusia County, Inc., a Florida Corporation,** existing under the laws of the State of **Florida**, who is/are personally known to me or who has/have produced a valid drivers license as identification.

SUSAN FRAZIER
Notary Public - State of Florida
My Commission Expires Jul 20, 2008
Commission # DD 339443
Bonded By National Notary Assn.

NOTARY PUBLIC

Printed Name of Notary

My Commission Expires: _____

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T.T. Investments of Volusia County, Inc., a Florida Corporation, a Florida Corporation

Wanda Lade

By: Wanda Lade, President

(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

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My Commission Expires Jul 20, 2008
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Bonded By National Notary Assn.

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Wanda Lade

By: Wanda Lade, President

(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

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Return to: Grantee

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T.T. Investments of Volusia County, Inc., a Florida Corporation, a Florida Corporation

Wanda Lade

By: Wanda Lade, President

(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

State of **Florida**

County of **Volusia**

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me on 7-3-06, by **Wanda Lade, as President , and , as on behalf of T.T. Investments of Volusia County, Inc., a Florida Corporation,** existing under the laws of the State of **Florida**, who is/are personally known to me or who has/have produced a valid drivers license as identification.

SUSAN FRAZIER
Notary Public - State of Florida
My Commission Expires Jul 20, 2008
Commission # DD 339443
Bonded By National Notary Assn.

NOTARY PUBLIC

Printed Name of Notary

My Commission Expires: _____

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

07/10/2006 10:24 AM
Doc stamps 2240.00
(Transfer Amt $ 320000)
Instrument# 2006-172792 # 1
Book: 5868
Page: 4194

Prepared by
Susan Frazier, an employee of
First American Title Insurance Company
555 West Granada Boulevard, Suite H-12
Ormond Beach, Florida 32174
(386)673-6114

Return to: Grantee

File No.: 1061-1228076

CORPORATE WARRANTY DEED

This indenture made on **July 3, 2006** A.D., by

T.T. Investments of Volusia County, Inc., a Florida Corporation

whose address is: **PO Box 731257, Ormond Beach, FL 32173**
hereinafter called the "grantor", to

Ron & Lee, LLC, a Florida Limited Liability Company

whose address is: **3 Sweetmeadow Ct., Ormond Beach, FL 32174**
hereinafter called the "grantee":

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Volusia** County, **Florida**, to-wit:

Lot 7, 8, and 9, except the Westerly 81.3 feet thereof, BARBOURS RE-SUB, in Lot 18, Block 20, MASON AND CARSWELL'S HOLLY HILL, according to the plat thereof as recorded in Map Book 9, Page(s) 237, of the Public Records of Volusia County, Florida.

AND

The Northerly 150 feet of the South 1/2 of Lot 18, Block 20, MASON AND CARSWELL'S HOLLY HILLI, according to the plat thereof as recorded in Map Book 2, Page(s) 90, of the Public Records of Volusia Copunty, Florida.

Parcel Identification Number: **5237-15-00-0070 and 5237-15-00-0090 and 4244-01-20-0181**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

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

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

7.1.d

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

T.T. Investments of Volusia County, Inc., a Florida Corporation, a Florida Corporation

Wanda Lade

By: Wanda Lade, President

(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

State of **Florida**

County of **Volusia**

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(Corporate Seal)

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Susan Frazier

Witness Signature

Print Name: CATHY PULLIAM

State of **Florida**

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Print Name: Susan Frazier

Witness Signature

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My Commission Expires Jul 20, 2008
Commission # DD 339443
Bonded By National Notary Assn.

NOTARY PUBLIC

Printed Name of Notary

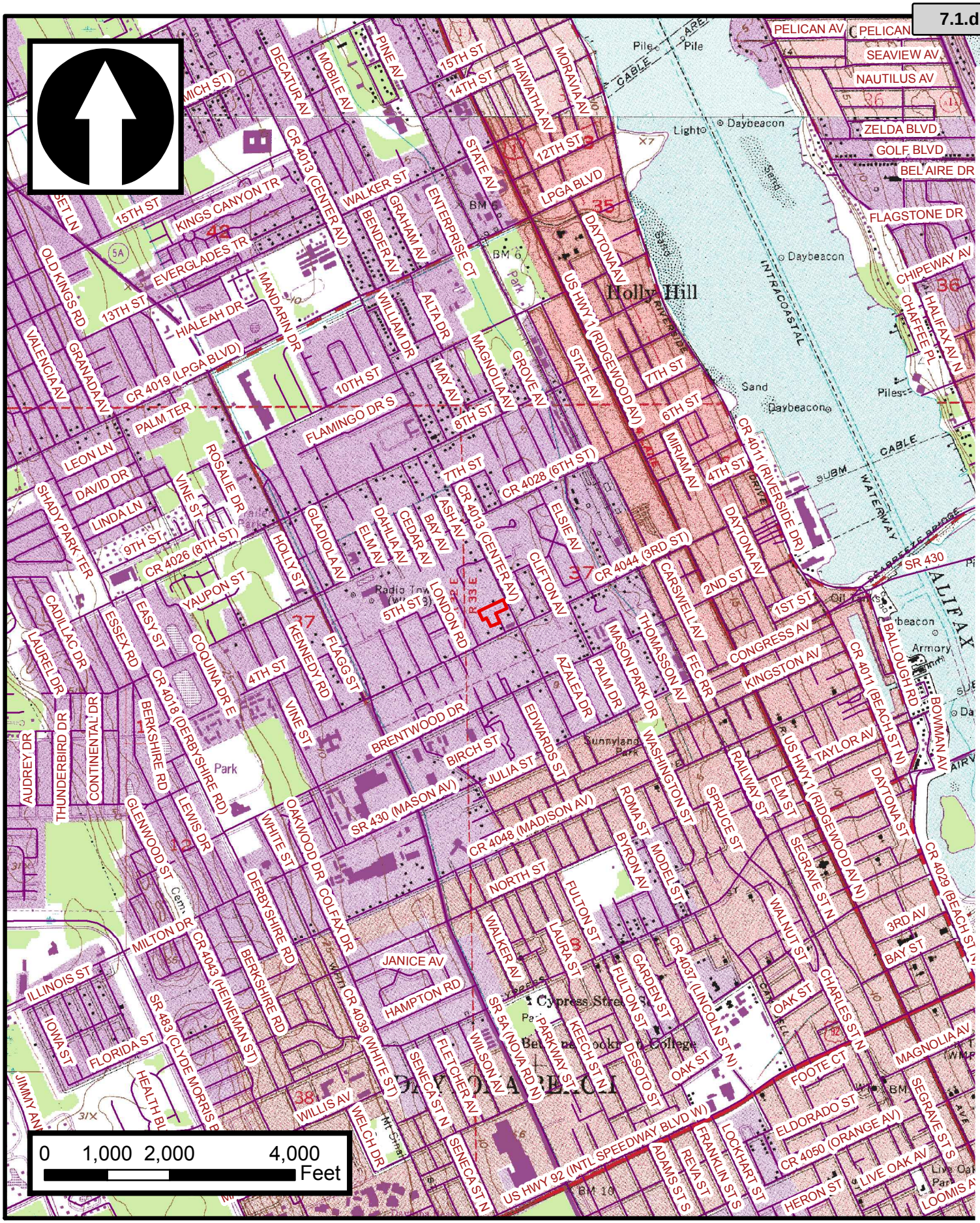
My Commission Expires: _____

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

EXHIBIT C

LOCATION MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Legend

SITE

ANASTASIA COURT
VICINITY MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

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EXHIBIT D

AERIAL MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
AERIAL MAP

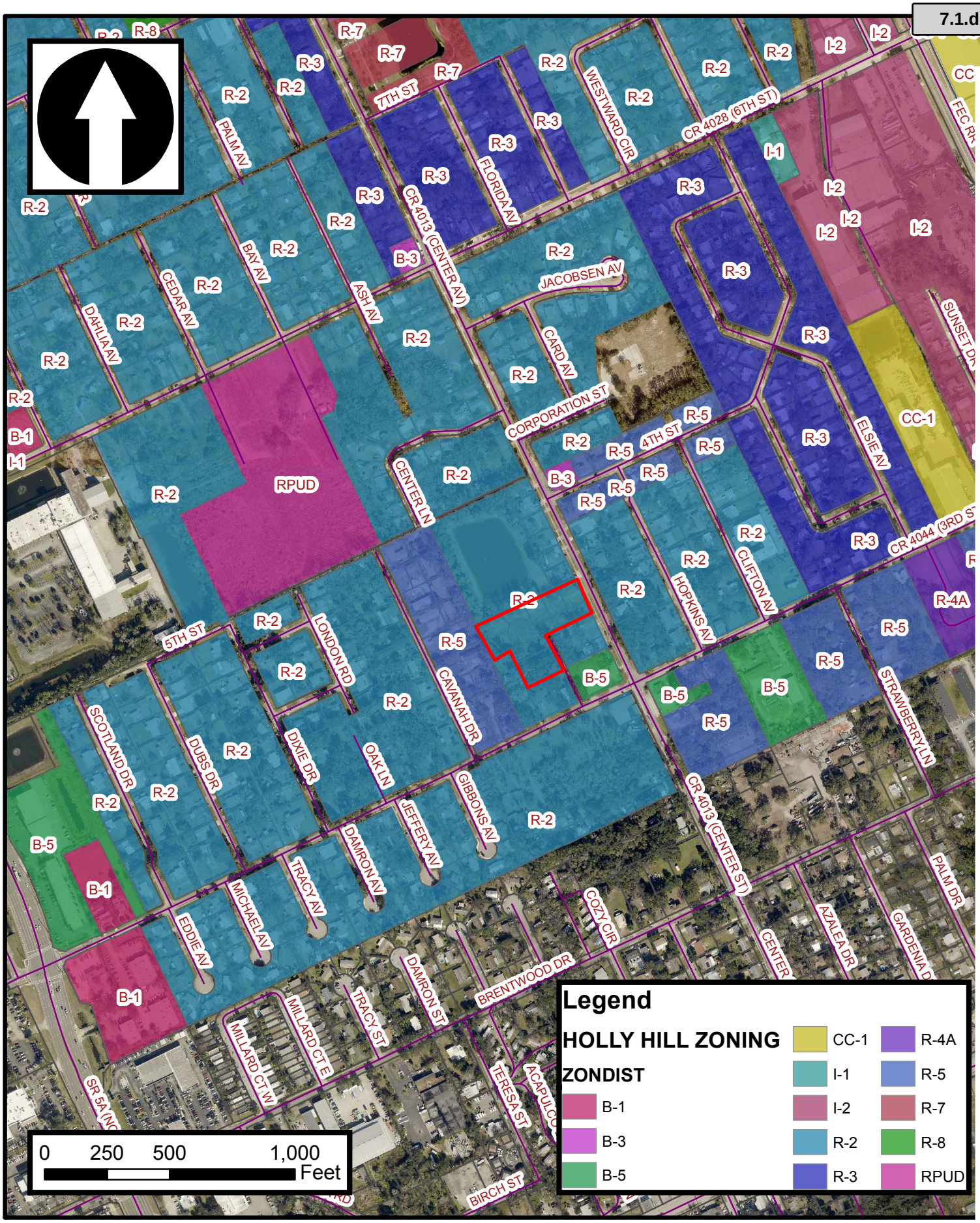
MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

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EXHIBIT E

EXISTING ZONING MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
ZONING MAP

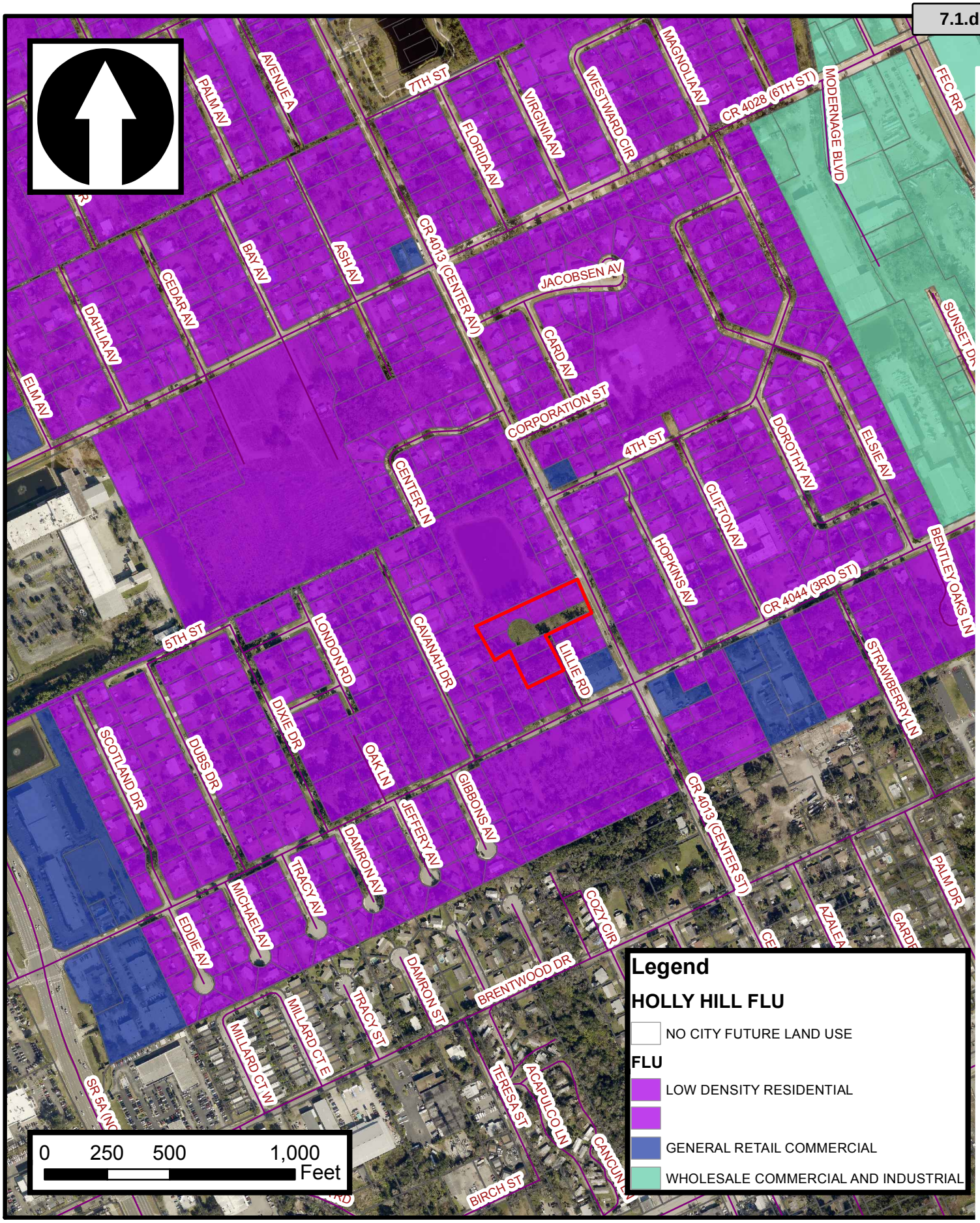
MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

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EXHIBIT F

EXISTING FUTURE LAND USE MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
FUTURE LAND USE MAP

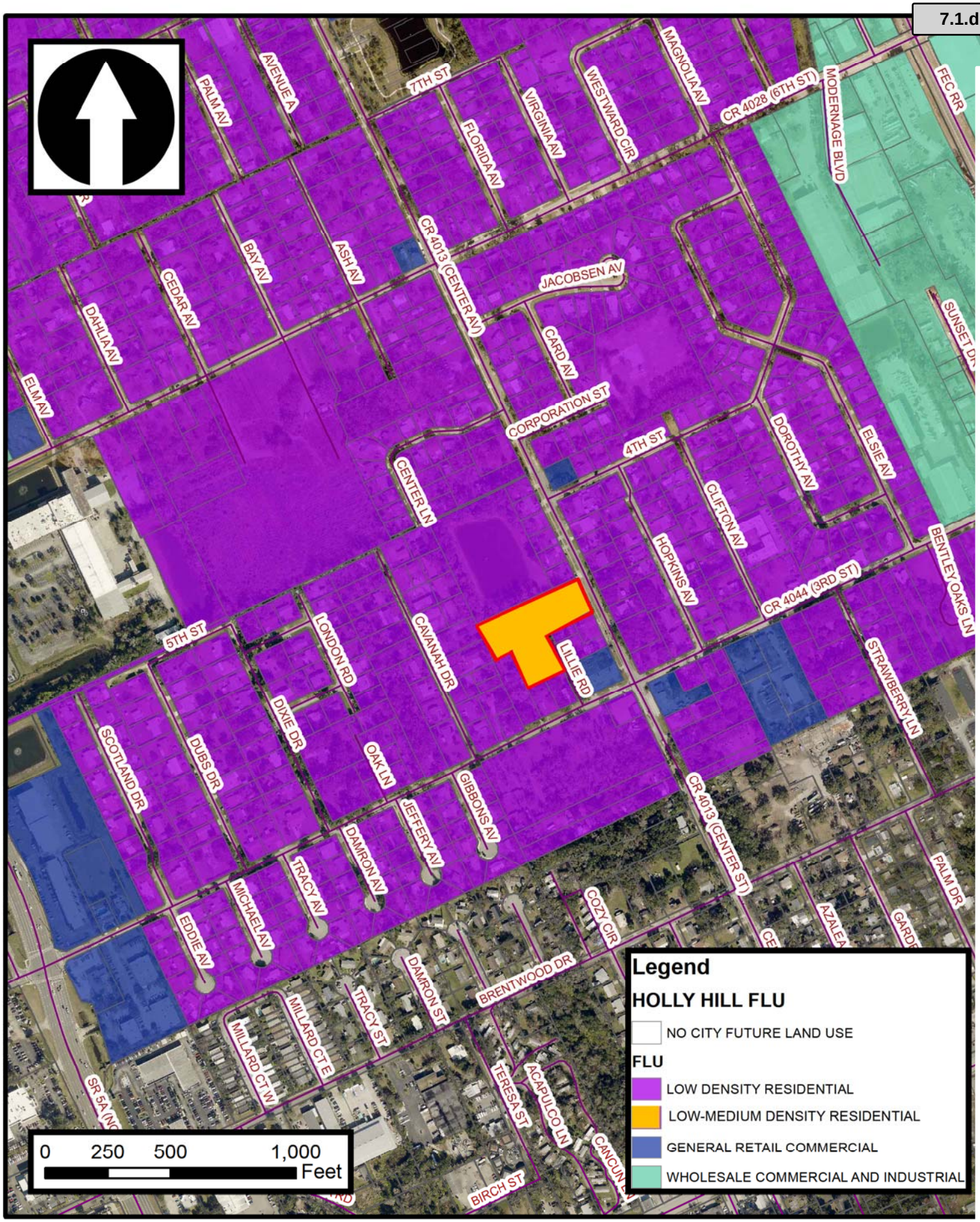
MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 4.fld (Letter).mxd

EXHIBIT G

PROPOSED FUTURE LAND USE MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Legend

SITE

ANASTASIA COURT PROPOSED FLU MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

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Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

EXHIBIT H

TRANSPORTATION TECHNICAL MEMO AND PARKING ANALYSIS

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Mark Dowst & Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS

TECHNICAL MEMORANDUM

To: Jessica Gow

From: Matt Dowst, P.E.

Date: February, 10th 2023

Subject: Holly Hill
Anastasia Court Townhomes
MDA #1621

INTRODUCTION

Mark Dowst and Associates, Inc has been retained to prepare a trip generation comparison for the proposed project known as Anastasia Court Townhomes to determine the change in project trip generation as a result of the proposed Comp Plan and Rezoning Applications. The project is located on Center Ave, directly North of 3rd Street in Holly Hill, Florida.

The Trip Generation Memo has been requested due to a requirement of the Comp Plan Amendment and Rezoning process. The proposed site will change the comp plan from ***Low Density Residential*** to ***Low-Medium Density Residential***. The methodology and procedures used in this analysis are consistent with Florida Statues and analysis guidelines adopted by the City of Holly Hill.

PROJECT TRIP GENERATION PRE vs. POST CONDITIONS

The existing and proposed project trip generation was determined using the Institute of Transportation Engineers (ITE) document, Trip Generation Manual, 11th Edition. The existing Low Density Residential zoning allowed for a maximum of 6 dwelling units per acres. The proposed Low-Medium Density Residential zoning allowed for a maximum of 10 dwelling units per aces.

The Low Density Residential (ITE Code 210) was used for the existing development conditions.

The proposed intended uses for the Comp Plan will consist of a max 21 units (ITE Code 220). The existing and proposed trip generation for the daily, a.m., and p.m. peak-hours are shown in **Table 1** and **Table 2**, respectively.

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Table 1
Existing Comp Plan Trip Generation
(Low Density Residential)

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Total Trips
Daily	Low Density Residential	210	Ln(T) = 0.92 Ln(X) + 2.68 T = 9.43(X)	12	UNITS	143 113
AM Peak Hour	Low Density Residential	210	Ln(T) = 0.91 Ln(X) + 0.12 T = 0.70(X)	12	UNITS	11 8
PM Peak Hour	Low Density Residential	210	Ln(T) = 0.94 Ln(X) + 0.27 T = 0.94(X)	12	UNITS	14 11

Table 2
Proposed Comp Plan Trip Generation
(Low-Medium Density Residential)

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Total Trips
Daily	Low-Medium Density Residential	220	T = 6.74(X)	21	UNITS	142
AM Peak Hour	Low-Medium Density Residential	220	T = 0.40(X)	21	UNITS	8
PM Peak Hour	Low-Medium Density Residential	220	T = 0.51(X)	21	UNITS	11

CONCLUSION

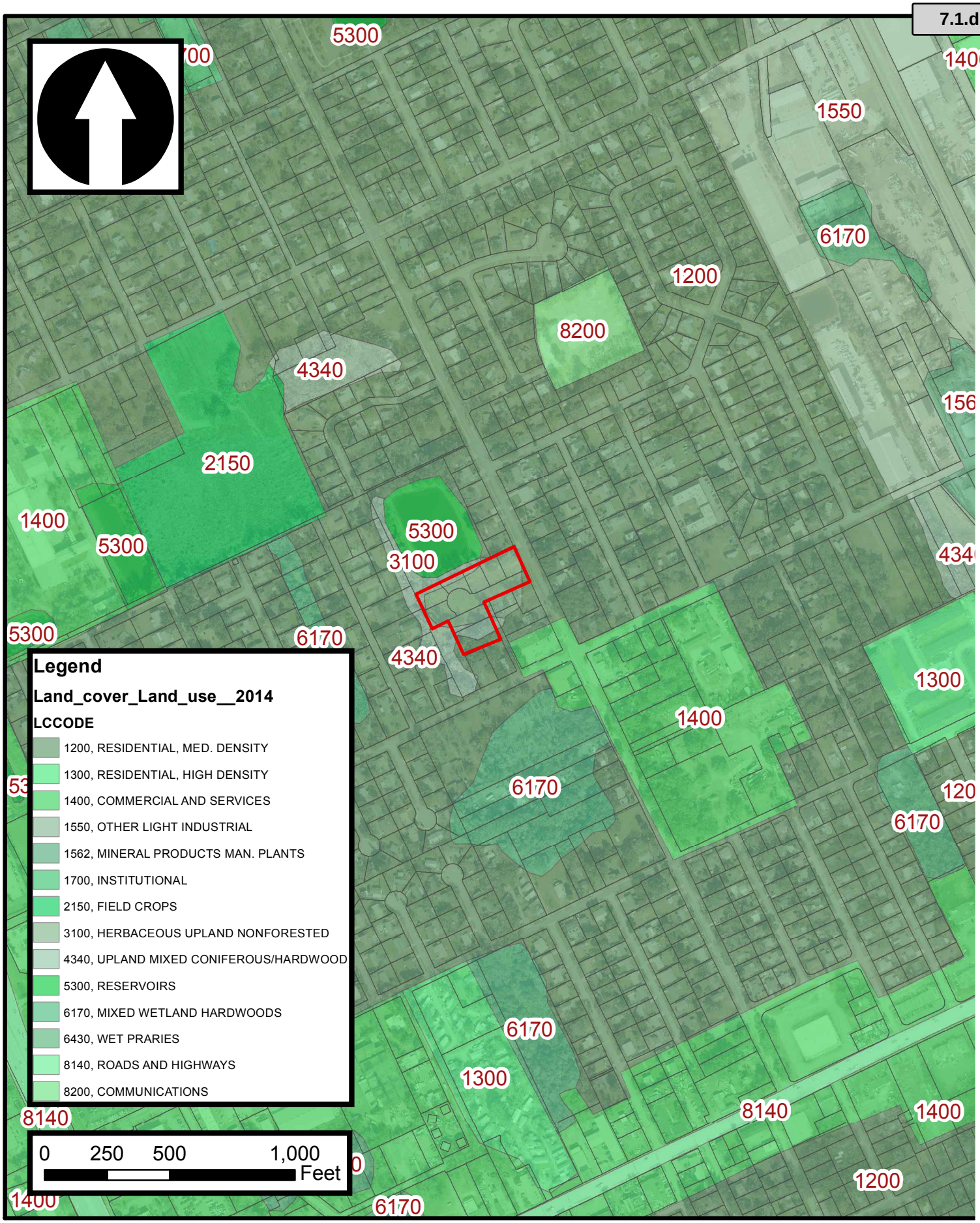
The study was conducted to evaluate the potential impact of the proposed Comp Plan change from ***Low-Density Residential*** to ***Low-Medium Density Residential***. Based on this comparative analysis, there would be no significant change from ***Low-Density Residential*** to ***Low-Medium Density Residential*** *for the 2.11 ac Site*.

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

EXHIBIT I

FLUCCS MAP

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
FLUCCS MAP

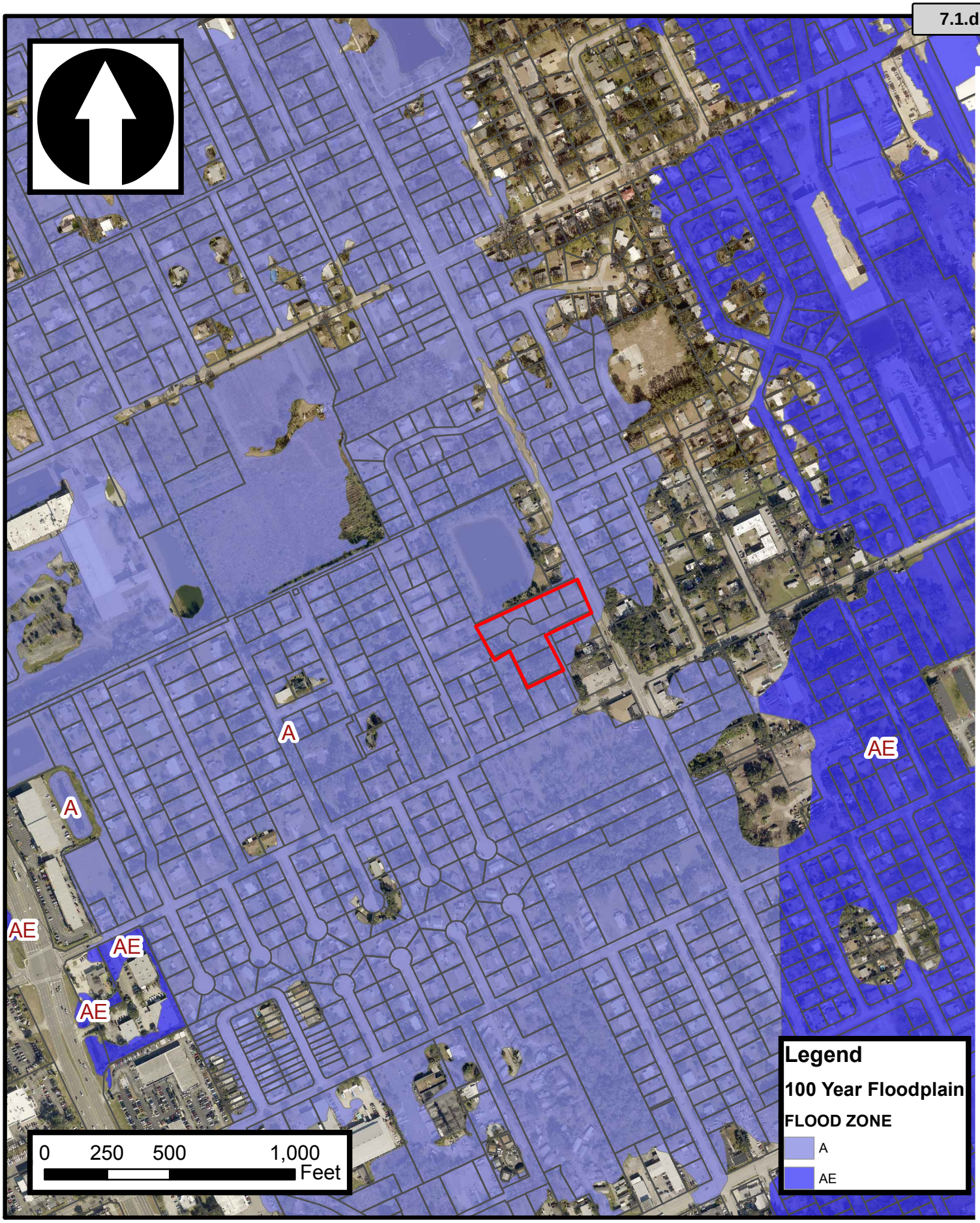
MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

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EXHIBIT J

FLOOD MAP ANALYSIS

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)



Legend

SITE

ANASTASIA COURT
FLOOD MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

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EXHIBIT K

UTILITY ANALYSIS

Attachment: Applicant Submittal with Exhibits (4293 : Anastasia Court - RZ and CPA)

Diane W. Matousek
Volusia County - Clerk of Court

ANASTASIA COURT

SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST

CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA

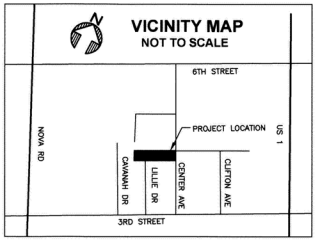
A PORTION OF LOT 18, BLOCK 20, MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL AS RECORDED IN MAP BOOK 2, PAGE 90, PUBLIC RECORDS OF VOLUSIA COUNTY ALSO RECORDED IN MAP BOOK 12, PAGES 3 AND 4, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

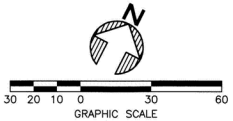
LEGAL DESCRIPTION:

BEING A PORTION OF LOT 18, BLOCK 20, MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL, AS RECORDED IN MAP BOOK 2, PAGE 90, ALSO RECOREDED IN MAP BOOK 12, PAGES 3 AND 4, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF LOT 1, ANTOINETTE SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 116, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND THE WESTERLY RIGHT-OF-WAY LINE OF CENTER STREET (A 66 FOOT RIGHT-OF-WAY); RUN THENCE NORTH 27 DEGREES 09 MINUTES 17 SECONDS WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CENTER STREET, A DISTANCE OF 6.09 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID WESTERLY LINE SOUTH 62 DEGREES 52 MINUTES 29 SECONDS WEST, A DISTANCE OF 446.89 FEET TO A POINT ON THE WESTERLY LINE OF LOT 18, BLOCK 20 OF AFORESAID MASON AND CARSWELL'S SUBDISION; THENCE NORTH 27 DEGREES 06 MINUTES 34 SECONDS WEST ALONG THE SAID WESTERLY LINE, A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID WEST LINE NORTH 62 DEGREES 52 MINUTES 29 SECONDS EAST, A DISTANCE OF 446.77 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF AFORESAID CENTER STREET; THENCE SOUTH 27 DEGREES 09 MINUTES 17 SECONDS EAST ALONG THE SAID WESTERLY LINE, A DISTANCE OF 150.00 TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 1.540 ACRES MORE OR LESS.





GENERAL NOTES:

1.) MONUMENTATION
- ▣ – DENOTES PERMANENT REFERENCE MONUMENT FOUND STAMPED PRM PSM 3905 AND LB 3612
- △ – DENOTES PERMANENT CONTROL POINT SET PARKER KALON NAIL AND BRASS DISK STAMPED PSM 3905
- ⊙ – DENOTES PERMANENT CONTROL POINT FOUND PARKER KALON NAIL AND BRASS DISK STAMPED PSM 3905
- ○ – DENOTES FOUND IRON PIPE

2.) PNT – POINT OF NON TANGENT CURVE
NR – DENOTES A LINE NOT RADIAL RELATIVE TO ADJACENT CURVE.
R – DENOTES A LINE RADIAL RELATIVE TO ADJACENT CURVE.
NT – DENOTES A LINE NOT TANGENT RELATIVE TO ADJACENT CURVE.
PC – DENOTES POINT OF CURVE.
PRC – DENOTES POINT OF REVERSE CURVE.

℄	.... CENTER LINE	R	.... RADIUS
Δ	.... CENTRAL ANGLE	CB	.... CHORD BEARING
CH	.... CHORD	AC	.... ACRES
FD	.... FOUND	FL	.... FLORIDA
INC.	.... INCORPORATED	R/W	.... RIGHT-OF-WAY
P.O.	.... POST OFFICE BOX	PUD	.... PLANNED URBAN DEVELOPMENT
O.R.	.... OFFICIAL RECORD BOOK		
FPL	.... FLORIDA POWER & LIGHT		
PSM	.... PROFESSIONAL SURVEYOR AND MAPPER		

3.) DIMENSIONS SHOWN ARE IN FEET AND DECIMALS PARTS THEREOF.

4.) ACCURACY
THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1 : 10,000. THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

5.) BEARING STRUCTURE ASSUMED (S 27°00'00" E) BASED ON PLAT OF BARBOUR'S RE-SUB AS RECORDED IN MAP BOOK 9, PAGE 237, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

6.) ALL MEASUREMENTS ON THIS PLAT IS IN UNITED STATES FOOT AND DECIMALS THEREOF.
NOTE: ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE UNITED STATES SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE 39.37/12=3.2808333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.

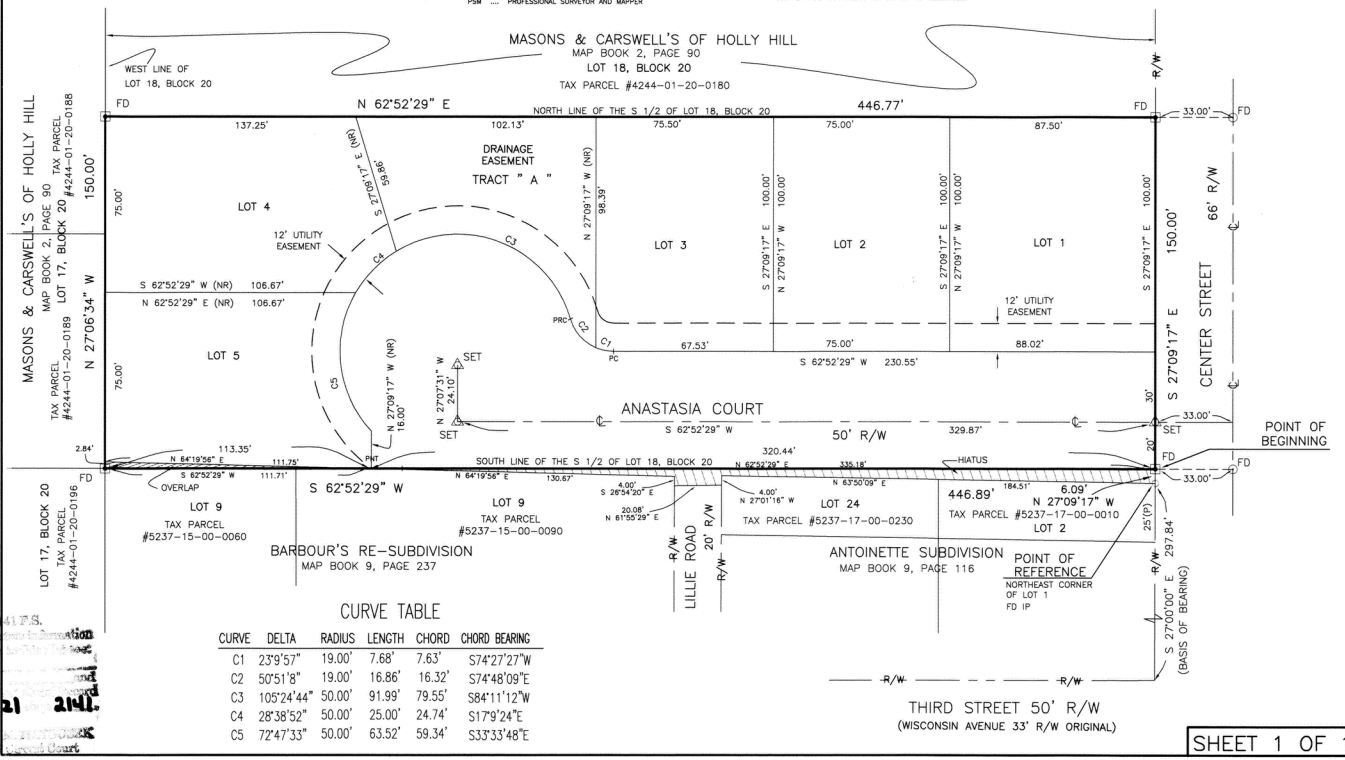
7.) NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

8.) THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD, RESERVATION OF EASEMENTS INCLUDING BUT NOT LIMITED TO A DRAINAGE AND UTILITY EASEMENTS DEDICATED OR GRANTED HEREON WHICH SHALL BE LOCATED AS FOLLOWS EXCEPT AS OTHERWISE NOTED ON THE PLAT. ALL DRAINAGE EASEMENTS WITH COMMON LOT LINES INCLUDE MAINTENANCE AND ACCESS AS DEFINED IN DEDICATION.

9.) UTILITIES INCLUDE BUT ARE NOT LIMITED TO SANITARY SEWER, POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC, TELEPHONE, CABLE TELEVISION, SECURITY, TELECOMMUNICATIONS AND AND NATURAL GAS.

10.) UTILITY EASEMENTS PROVIDED ON THIS PLAT INCLUDE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT ANY UTILITY COMPANY WHO DAMAGES THE FACILITIES OF A PUBLIC UTILITY SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.
THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OF OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

11.) MONUMENTS SHALL BE SET AT ALL LOT CORNERS, POINTS OF INTERSECTION, AND CHANGES OF DIRECTION OF LINES WITHIN FLORIDA STATUTES CHAPTER 177.091(9).



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	23°9'57"	19.00'	7.68'	7.63'	S74°27'27"W
C2	50°51'8"	19.00'	16.86'	16.32'	S74°48'09"E
C3	105°24'44"	50.00'	91.99'	79.55'	S84°11'12"W
C4	28°38'52"	50.00'	25.00'	24.74'	S17°9'24"E
C5	72°47'33"	50.00'	63.52'	59.34'	S33°33'48"E

SHEET 1 OF 1

MAP BOOK 52 PAGE 124

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT "T.T. INVESTMENTS OF VOLUSIA COUNTY, INC.", A FLORIDA CORPORATION, BEING THE OWNER IN FEE SIMPLE OF THE LANDS SHOWN AND DESCRIBED HEREON AS THE PLAT ENTITLED "ANASTASIA COURT", LOCATED IN THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, HEREBY DEDICATES THE SAID LANDS AND PLAT FOR THE USES AND PURPOSES HEREON EXPRESSED. ALL ROADS, SIDEWALKS, AND OTHER RIGHTS-OF-WAY SHOWN OR DESCRIBED ON THE PLAT ARE DEDICATED TO THE CITY OF HOLLY HILL, FLORIDA. ALL POTABLE WATER AND SANITARY SEWER MAINS CONSTRUCTED WITHIN THE AREA ENCOMPASSED WITHIN THE PLAT ARE DEDICATED TO THE CITY OF HOLLY HILL, FLORIDA. ALL UTILITY AND DRAINAGE EASEMENTS SHOWN OR DESCRIBED ON THE PLAT ARE GRANTED TO THE CITY OF HOLLY HILL, FLORIDA.

IN WITNESS WHEREOF, T.T. INVESTMENTS OF VOLUSIA COUNTY INC., A FLORIDA CORPORATION, HAS CAUSED THESE PRESENTS TO BE EXECUTED IN IT'S NAME AND IN IT'S CORPORATE SEAL TO BE HEREUNTO AFFIXED BY IT'S OFFICERS THEREUNTO DULY AUTHORIZED ON THIS 16 DAY OF NOVEMBER, 2005.

BY: _____ T.T. INVESTMENTS OF VOLUSIA COUNTY, INC. A FLORIDA CORPORATION
PRINTED NAME: HENRY NEWKIRK
BY: _____ BY: _____
PRINTED NAME: BRAD BAUKNECHT PRINTED NAME: Wanda Lade

STATE OF FLORIDA, COUNTY OF VOLUSIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 16 DAY OF November 2005, BY LINDA LANE AS PRESIDENT OF T.T. INVESTMENTS OF VOLUSIA COUNTY, INC. A FLORIDA CORPORATION, AND WHO ACKNOWLEDGED THAT HE HAS FULL AUTHORITY TO EXECUTE THE FOREGOING PLAT ENTITLED "ANASTASIA COURT" ON BEHALF OF THE CORPORATION. THAT HE IS [X] PERSONALLY KNOWN TO ME, OR [ ] HAS PRODUCED _____ AS INDENTIFICATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE ABOVE DATE.

Marlee Collins
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES:

Marlee Collins
My Commission DD282389
Expires February 02, 2008

TITLE/RANK:
COMMISSION NUMBER:
(AFFIX NOTARY STAMP OR SEAL)

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A PROFESSIONAL SURVEYOR AND MAPPER IN THE STATE OF FLORIDA, DOES HEREBY CERTIFY THAT ON Nov. 15, 2005 HE COMPLETED THE SURVEY OF THE LANDS SHOWN IN THE FOREGOING PLAT. THAT SAID PLAT IS THE CORRECT REPRESENTATION OF THE LANDS THEREIN DESCRIBED AND PLATTED, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS SHOWN THEREON AS REQUIRED BY CHAPTER 177, FLORIDA STATUTES, AND THAT SAID LAND IS LOCATED IN VOLUSIA COUNTY, FLORIDA.

Nov. 15, 2005
DATE

William S Hart
WILLIAM S HART, PSM #3905

UPHAM INC.
265 KENILWORTH AVENUE
ORMOND BEACH, FLORIDA. 32174
(385) 672-9515

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY

I HEREBY CERTIFY TO THE CITY, THAT I HAVE REVIEWED THE FOREGOING PLAT FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT I HAVE PROVIDED BOTH THE CITY AND THE SURVEYOR AND MAPPER OF RECORD A LIST OF DEVIATIONS, IF ANY, FROM SUCH REQUIREMENTS.

DATE: 11/22/05
(SIGNATURE) Michael M. Myer
(PRINT NAME): Michael M. Myer P.S.M. NO. LS 4006

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT ON _____ THE FOREGOING PLAT WAS APPROVED.
BY: Edward P. Simpson
~~CITY ENGINEER~~ CITY ATTORNEY

THIS IS TO CERTIFY THAT ON 11-22-05 THE FOREGOING PLAT WAS APPROVED.
BY: _____
CITY ~~ATTORNEY~~ ENGINEER

THIS IS TO CERTIFY THAT ON 11/22/05 THE FOREGOING PLAT WAS APPROVED.
BY: _____
CITY SURVEYOR FL PSM LS4006

CERTIFICATE OF APPROVAL BY THE CITY COMMISION OF THE CITY OF HOLLY HILL

THIS STATEMENT HEREBY CERTIFIES ON OCTOBER 11, 2005 THE FOREGOING PLAT WAS APPROVED BY THE CITY COMMISION OF THE CITY OF HOLLY HILL
BY: Wm D. Arthur
MAYOR OF THE CITY OF HOLLY HILL

FILED FOR RECORD ON
ATTEST: Valerie Manning
CITY CLERK OF THE CITY OF HOLLY HILL

CERTIFICATE OF CLERK

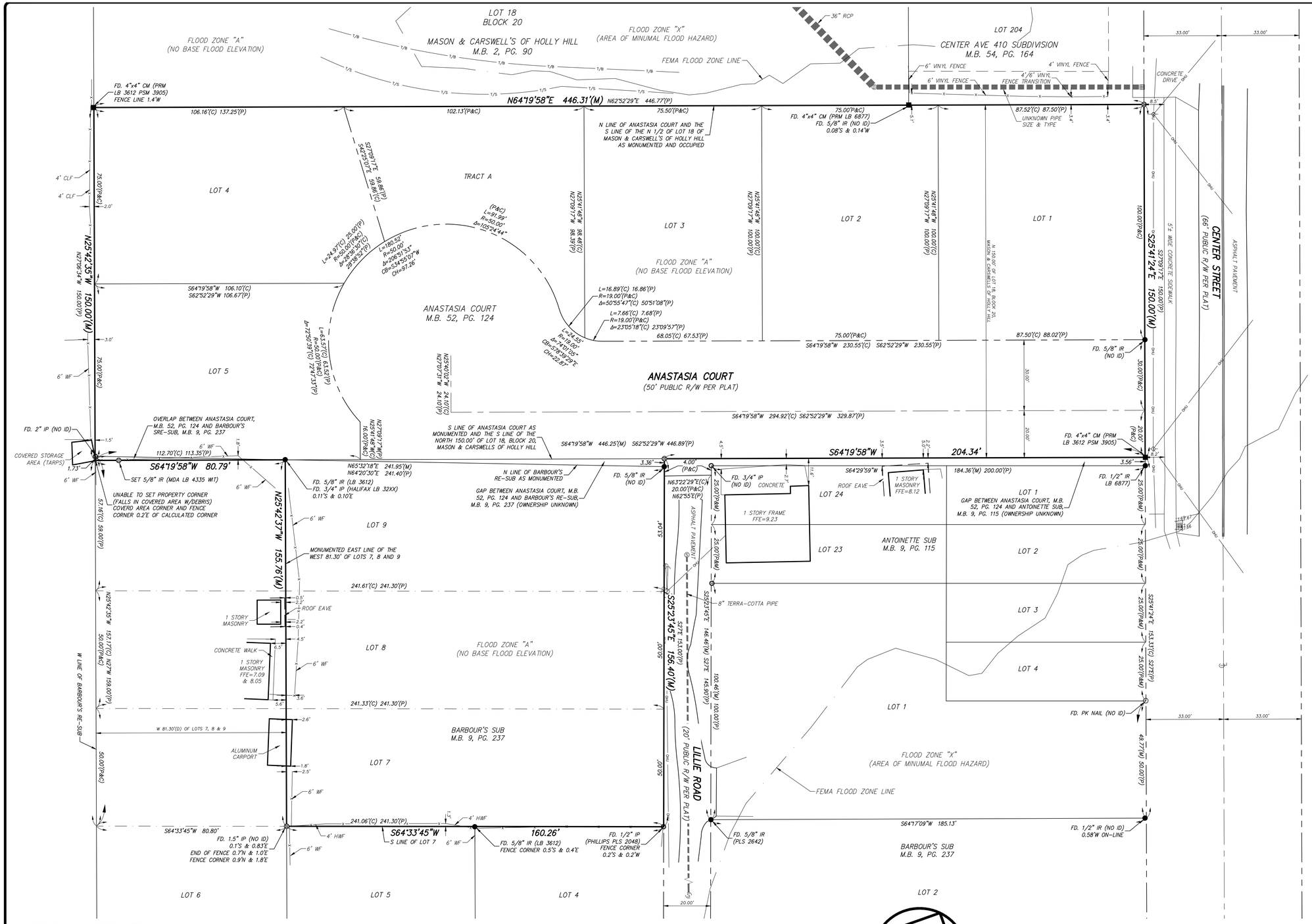
I HEREBY CERTIFY THAT I HAVE EXAMINED THE FOREGOING PLAT AND FOUND THAT IT COMPLIES, IN FORM, WITH ALL REQUIREMENTS STATED IN CHAPTER 177, FLORIDA STATUTES, AND THAT IT WAS FILED FOR RECORD ON 2005-329872 AT _____ A.M./P.M.

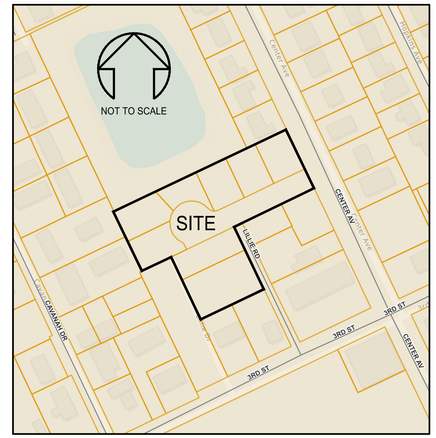
BY: Carey Innuzzata Deputy Clerk
CLERK OF CIRCUIT COURT & AND FOR
VOLUSIA COUNTY, FLORIDA

Upham, Inc.
Organization of Engineers, Surveyors & Landscape Architects
P.O. Box 1105 • 265 Kenilworth Avenue • Ormond Beach, Florida 32174
(904)672-9515 • FAX (904)673-6554 • LB# 0003612 • LC# 0000357
Visit us at: www.uphaminc.com

Sec. 177.141 F.S.
For [illegible] information [illegible]
pertaining [illegible]
File [illegible]
recorded [illegible]
Book 5721 Page 2141
DIANE [illegible]
Clerk of Circuit Court
E.W. Brothers D.C.

Attachment: Plat (4293 : Anastasia Court - RZ and CPA)





VICINITY MAP

LEGAL DESCRIPTION:

(ACCORDING TO OFFICIAL RECORDS BOOK 5868, PAGE 4194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.)

LOT 7, 8, AND 9, EXCEPT THE WESTERLY 81.3 FEET THEREOF, BARBOURS RE-SUB, IN LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 9, PAGE(S) 237, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE NORTHERLY 150 FEET OF THE SOUTH 1/2 OF LOT 18, BLOCK 20, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2, PAGE(S) 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE GRID COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD 83), WITH A BEARING OF S25°41'24"E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CENTER STREET.
2. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "A" (WITHOUT BASE FLOOD ELEVATION (BFE)) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO. 12127C0356J, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF 09/29/2017.
4. UNDERGROUND FOUNDATIONS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY. THOSE SHOWN HEREON WERE OBTAINED FROM ABOVE GROUND EVIDENCE AND/OR STRUCTURE DETAILS.
5. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
6. THERE MAY BE ADDITIONAL MATTERS AFFECTING THIS PROPERTY THAT EXIST IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
7. NORTH-SOUTH AND EAST-WEST TIES TO FOUND MONUMENTATION AND IMPROVEMENTS ARE BASED ON CARDINAL DIRECTION.
8. WETLAND AREAS, IF ANY, WERE NOT ADDRESSED AS A PART OF THIS SURVEY.
9. THE ACCURACY OF THE SURVEY MEASUREMENTS USED FOR THIS SURVEY MEETS OR EXCEEDS THE EXPECTED USE OF THE PROPERTY DESCRIBED HEREON. (COMMERCIAL/HIGH RISK) 1 FOOT IN 10,000 FEET.
10. THE REVIEW OF THE PLAT FOR ANASTASIA COURT, RECORDED IN MAP BOOK 52, PAGE 124, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY REVEALED THAT THE OVERALL PLAT DIMENSIONS DID NOT MATCH THE SUM OF DISTANCES FOR THE LOTS ALONG THE NORTH AND SOUTH LINES. THE ERROR IN DISTANCES WAS TAKEN FROM LOTS 4 AND 5. THERE ARE OTHER DISTANCE INCONSISTENCIES AND TYPOS IN THE PLAT AS WELL.

LEGEND AND ABBREVIATIONS:

( )	PLAT/DEED	L	ARC LENGTH	R	RADIUS		GAS METER
±	MORE OR LESS	LB	LICENSED BUSINESS	(R)	RADIAL		TELEPHONE JUNCTION BOX
AC	ACRES	M.B.	MAP BOOK	R/W	RIGHT OF WAY		WATER METER
A/C	AIR CONDITIONER	MES	MITERED END SECTION	RCP	REINFORCED CONCRETE PIPE		UTILITY VAULT
BWF	BARBED-WIRE FENCE	NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988	SEC	SECTION-TOWNSHIP-RANGE		WOOD UTILITY POLE
C&G	CURB & GUTTER	N/D	NAIL & DISK	T/B	APPROXIMATE TOP OF BANK		CONCRETE UTILITY POLE
CB	CHORD BEARING	NO.	NUMBER	T/S	APPROXIMATE TOE OF SLOPE		METAL UTILITY POLE
CH	CHORD DISTANCE	(NR)	NON-RADIAL	TBM	TEMPORARY BENCH MARK		GUY POLE
℄	CENTER LINE	O.R.B.	OFFICIAL RECORDS BOOK	U.E.	UTILITY EASEMENT		GUY ANCHOR
CLF	CHAIN-LINK FENCE	OHU	OVER-HEAD UTILITIES	(TYP)	TYPICAL		LIGHT POLE
CM	CONCRETE MONUMENT	P.B.	PLAT BOOK	WF	WOOD FENCE		GUTTER INLET/GRATE
CMP	CORRUGATED METAL PIPE	PC	POINT OF CURVATURE	W/	WITH		CATCH BASIN/YARD DRAIN
FIRM	FLOOD (FLORIDA) INSURANCE RATE MAP	PCP	PERMANENT CONTROL POINT		FIRE PLUG/CONNECTION		STORM MANHOLE
FNC	FENCE	PG(S).	PAGE/PAGES		SINGLE POLE SIGN		SANITARY MANHOLE
FD.	FOUND	PLS	PROFESSIONAL LAND SURVEYOR		DOUBLE POLE SIGN		WELL
HWF	HOG-WIRE FENCE	PRC	POINT OF REVERSE CURVATURE		BOLLARD		FIBER-OPTIC CABLE MARKER
ID	IDENTIFICATION	PRM	PERMANENT REFERENCE MONUMENT		CENTRAL ANGLE		GAS LINE MARKER
INV	INVERT ELEVATION	PSM	PROFESSIONAL SURVEYOR MAPPER		BREAK LINE		MITERED END SECTION
IP	IRON PIPE	PT	POINT OF TANGENCY		SET 4"x4" CM (LB 4335)		
IR	IRON ROD	PVC	POLYVINYL CHLORIDE PIPE		FOUND 4"x4" CM (AS NOTED)		
					SET N/D (LB 4335)		
					FOUND N/D (AS NOTED)		
					SET 5/8" IRC (LB 4335)		
					FOUND IRON ROD (AS NOTED)		
					FOUND IRON PIPE (AS NOTED)		
					FOUND PK NAIL (NO ID)		
					AIR CONDITIONER		
					ELECTRIC PANEL		
					CABLE TELEVISION RISER BOX		
					ELECTRIC METER		
					ELECTRIC JUNCTION BOX		
					FIBER-OPTIC JUNCTION BOX		

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THIS SURVEY MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Digitally signed by Lee H Dowst
DN: c=US, o=Florida, dnQualifier=A01410C00000182A7666697 00011B25, cn=Lee H Dowst
Date: 2022.11.21 10:34:31 -05'00'

LEE H. DOWST. P.L.S. NO. 6860
www.mdaeng.com

PSM 6860 STATE OF FLORIDA LEE H DOWST LICENSED PROFESSIONAL SURVEYOR & MAPPER

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

REVISIONS				
F.B. / PG.	DATE	BY	DESCRIPTION	CKD

MARK DOWST & ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS LB#4335
536 NORTH HALIFAX AVENUE, SUITE 100, DAYTONA BEACH, FLORIDA 32118 PH:386-258-7999

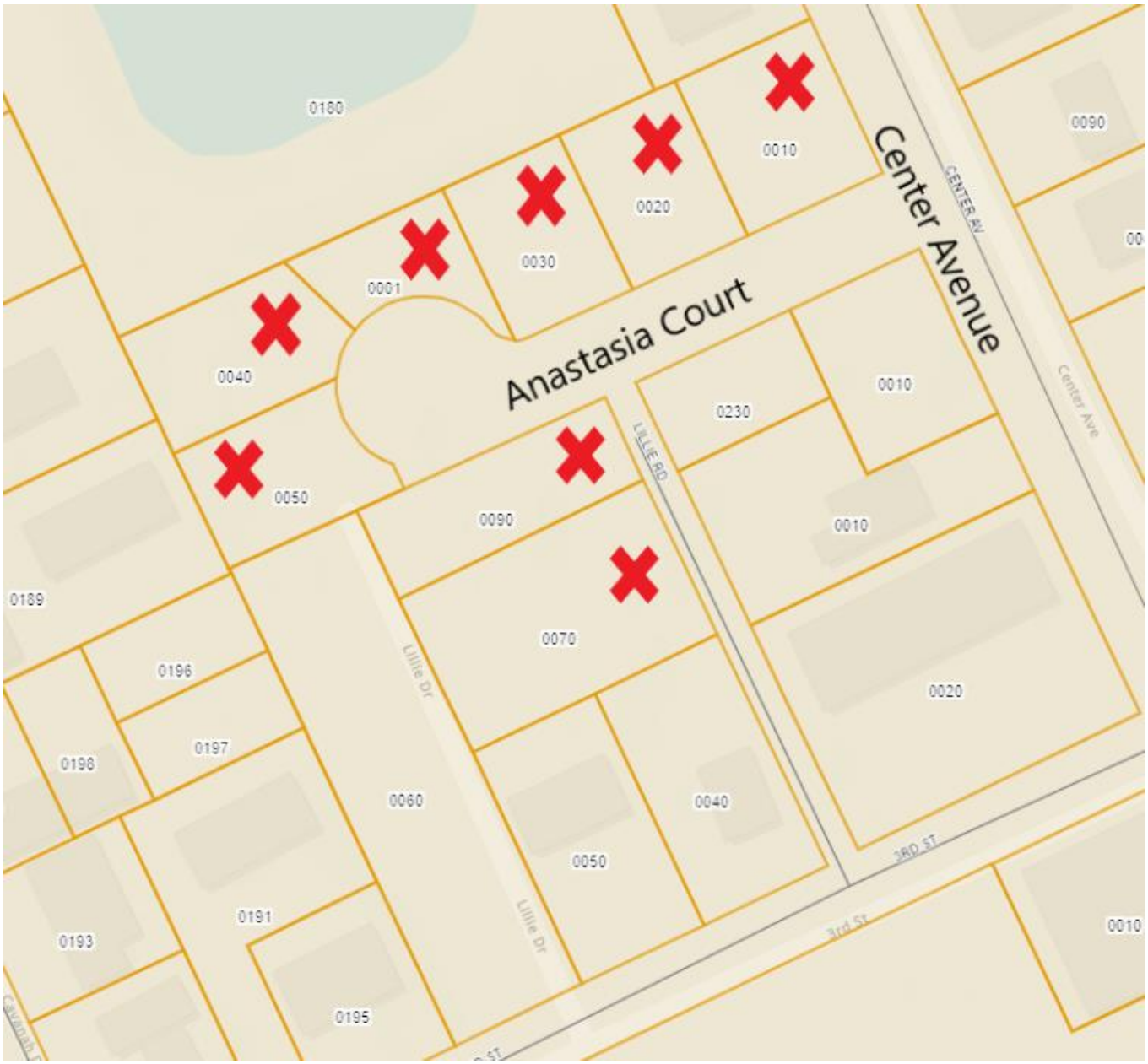
BOUNDARY SURVEY				PROJECT #	1567
DRAWN BY: LAT	DRAW DATE: 11/15/22	CHECKED BY: LHD	SCALE: 1" = 20'	FILE NAME:	1567_surbase.dwg
CREW: SC,JB,JY	FIELD DATE: 11/07/22	F.B./PG.: 244/20,23,26-27,33-34,37,41		SHEET	1 OF 1

Drawing Name: H:\JOBS\1567 Center Ave_Survey\Dist 3D-2022\1567_surbase.dwg Nov 21, 2022 10:10am

Attachment: Exhibit A (Survey) (4293 : Anastasia Court - RZ and CPA)

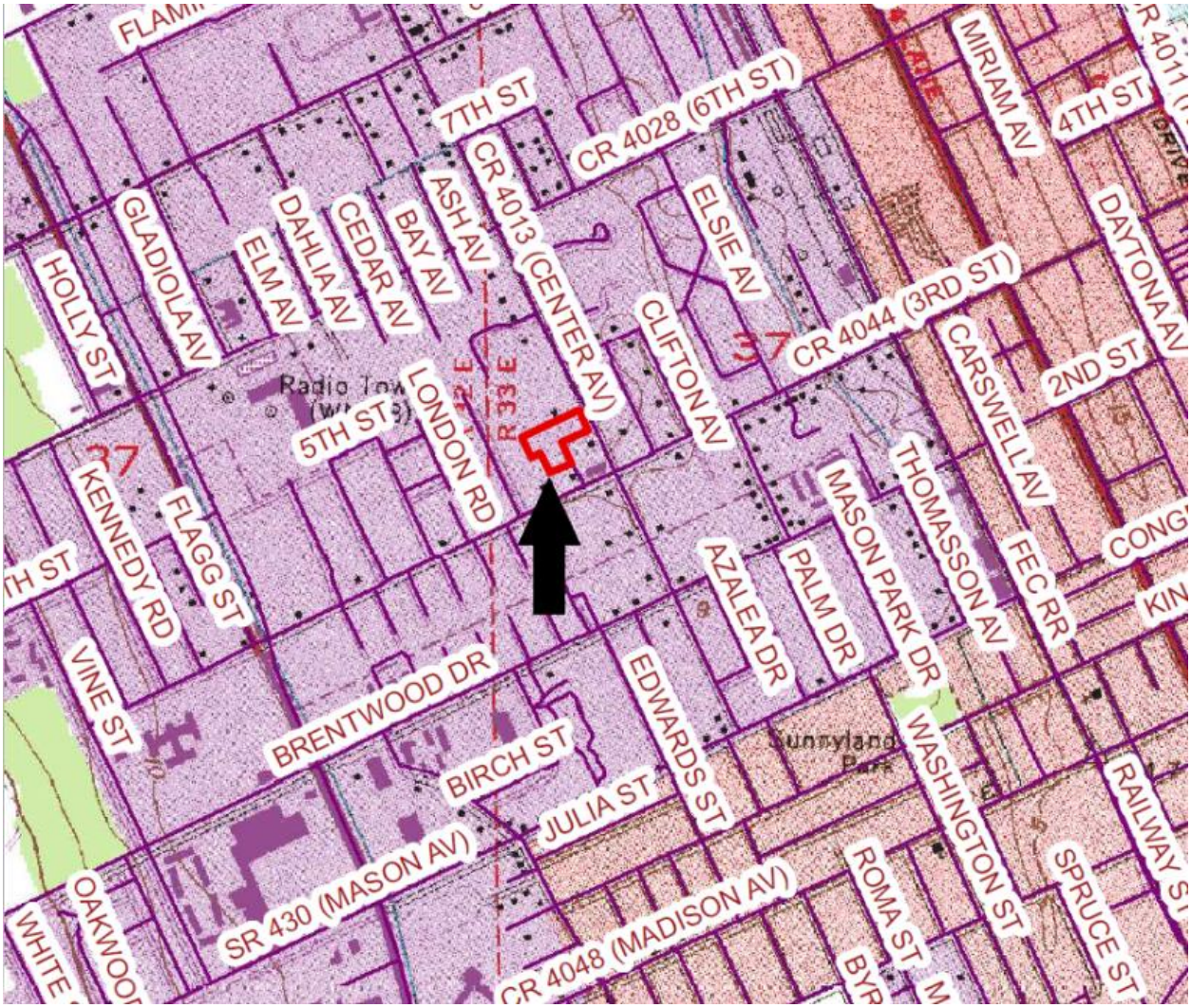
EXHIBIT B
Parcel Id Numbers of Subject Properties

424419000050, 424419000040, 424419000001, 424419000030,
424419000020, 424419000010, 523715000070, 523715000090



Attachment: Exhibit B - Parcel ID #s (4293 : Anastasia Court - RZ and CPA)

Vicinity Map



Attachment: Exhibit C (Vicinity) (4293 : Anastasia Court - RZ and CPA)



Attachment: Exhibit D (Aerial) (4293 : Anastasia Court - RZ and CPA)

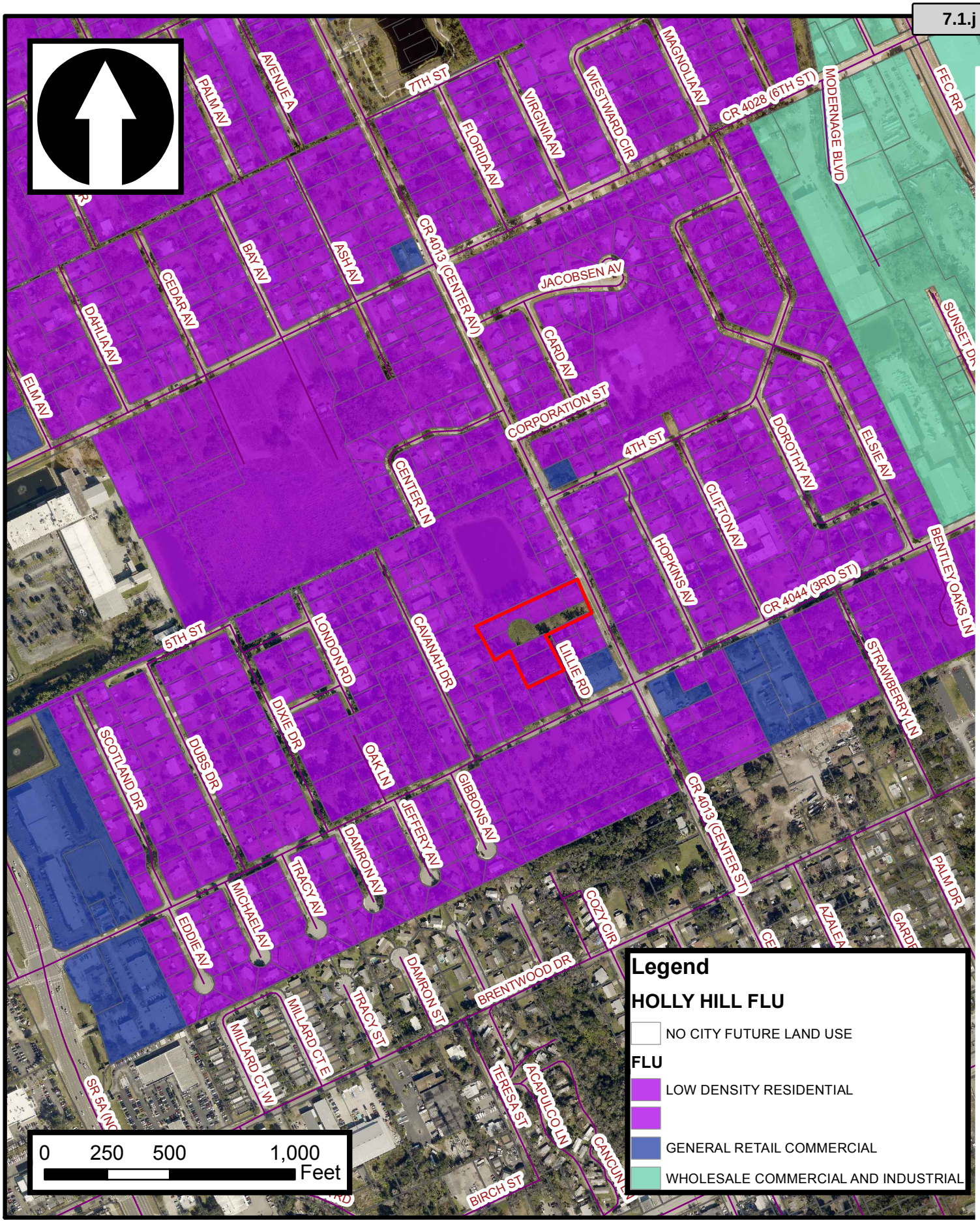
Legend

SITE

ANASTASIA COURT
AERIAL MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 1 AERIAL (Letter).mxd



Attachment: Exhibit E1 (FLU) (4293 : Anastasia Court - RZ and CPA)

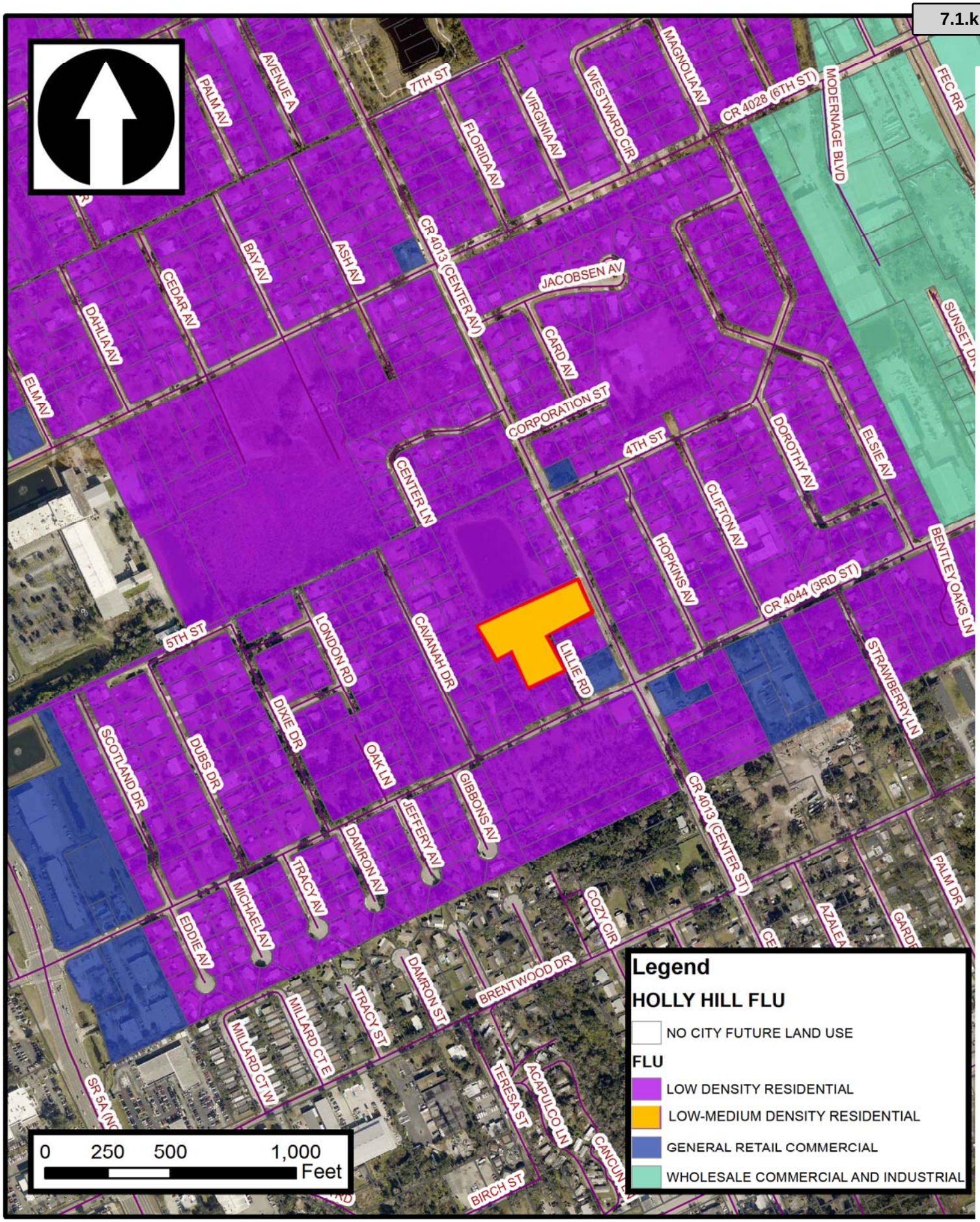
Legend

SITE

ANASTASIA COURT
FUTURE LAND USE MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 4.fld (Letter).mxd



Attachment: Exhibit E2 Proposed (FLU) (4293 : Anastasia Court - RZ and CPA)

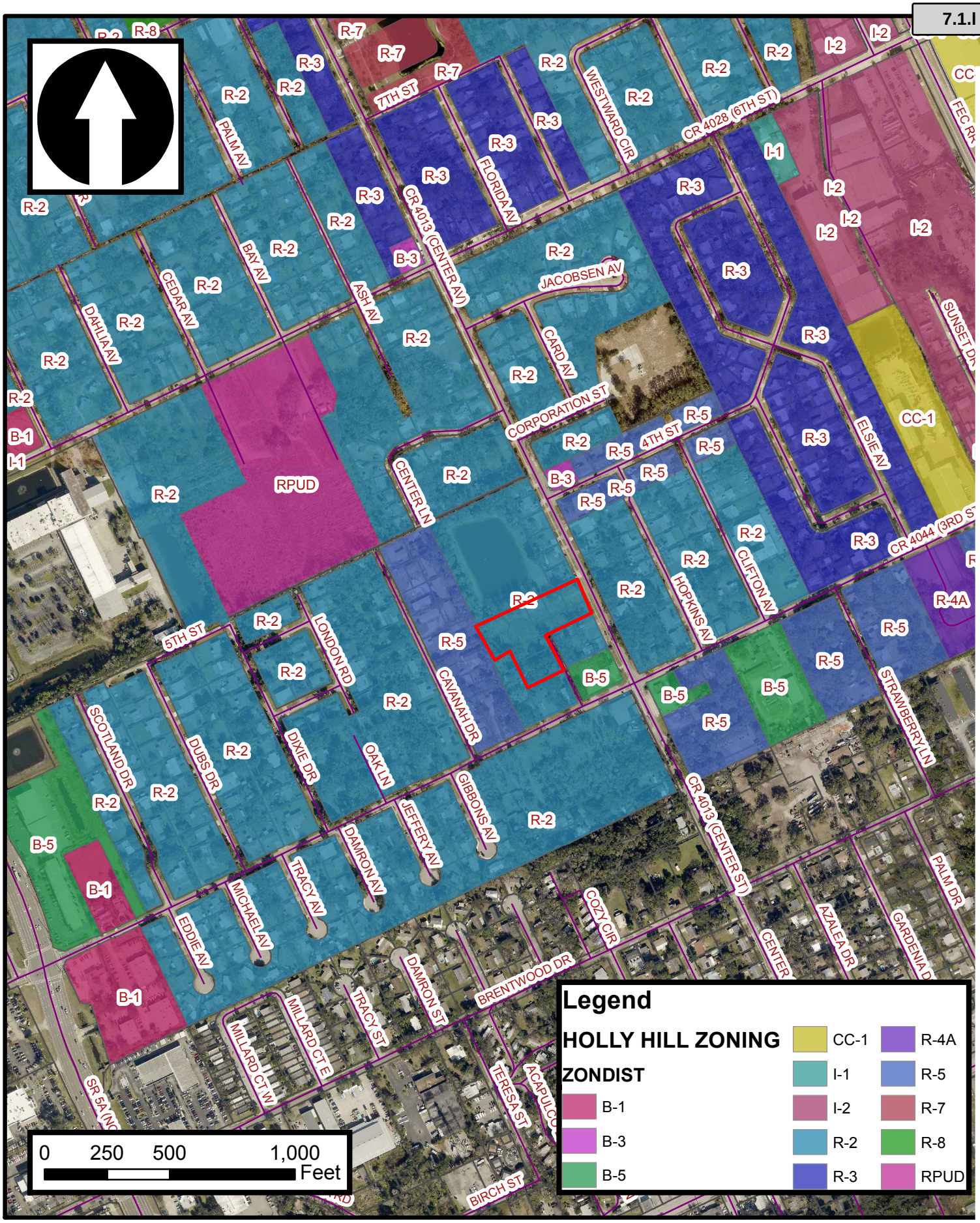
Legend

SITE

ANASTASIA COURT PROPOSED FLU MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 4 fla (Letter).mxd



Attachment: Exhibit F1 (Zoning) (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
ZONING MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

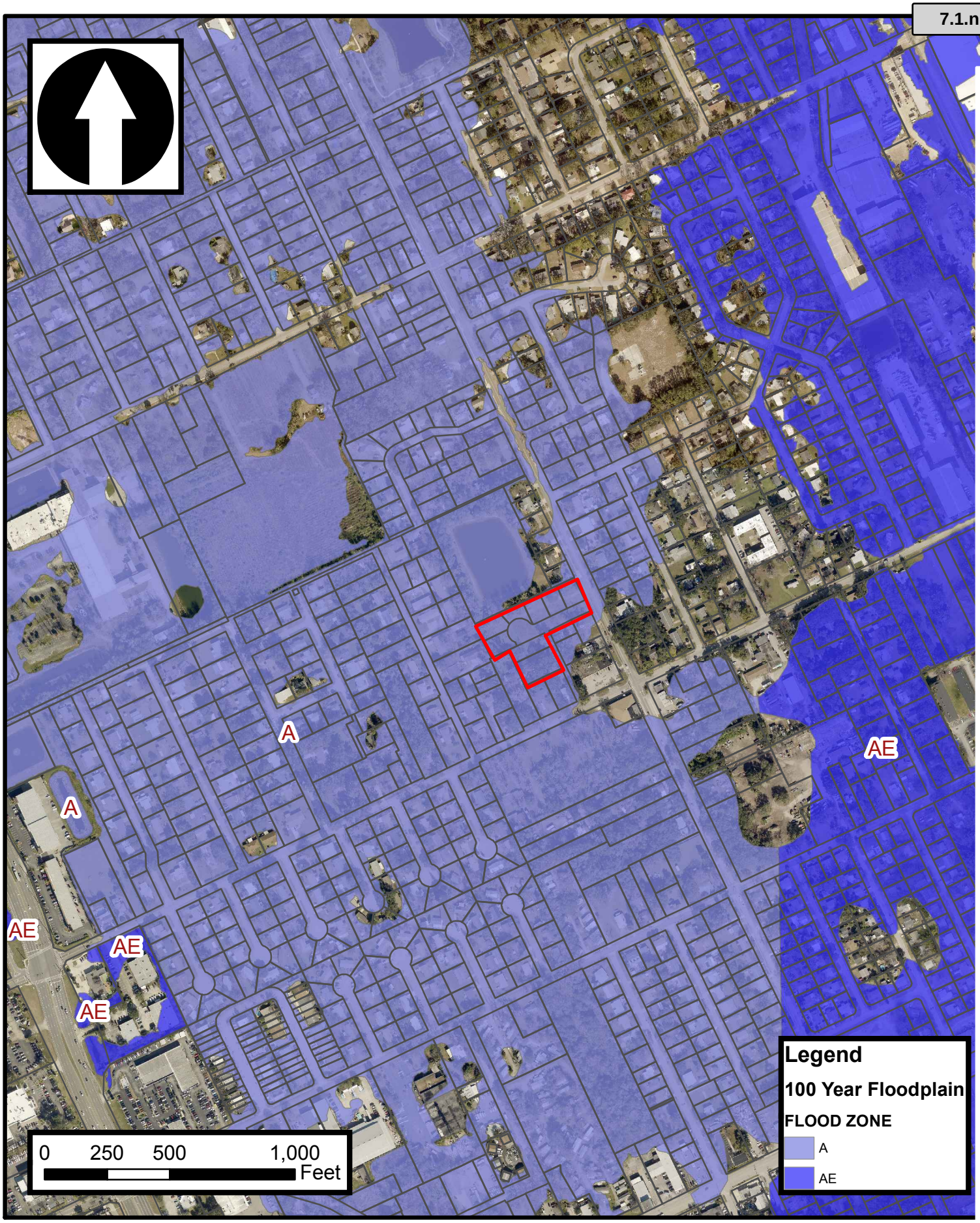
Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 3 ZONING (Letter).mxd

Proposed Zoning

Residential Planned Unit Development



Attachment: Exhibit F2 - Proposed Zoning (4293 : Anastasia Court - RZ and CPA)



Attachment: Exhibit G (Flood) (4293 : Anastasia Court - RZ and CPA)

Legend

SITE

ANASTASIA COURT
FLOOD MAP

MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1567 ANASTASIA COURT\SHEET 8 FLOOD (Letter).mxd

Mark Dowst & Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS

TECHNICAL MEMORANDUM

To: Jessica Gow

From: Matt Dowst, P.E.

Date: February, 10th 2023

Subject: Holly Hill
Anastasia Court Townhomes
MDA #1621

INTRODUCTION

Mark Dowst and Associates, Inc has been retained to prepare a trip generation comparison for the proposed project known as Anastasia Court Townhomes to determine the change in project trip generation as a result of the proposed Comp Plan and Rezoning Applications. The project is located on Center Ave, directly North of 3rd Street in Holly Hill, Florida.

The Trip Generation Memo has been requested due to a requirement of the Comp Plan Amendment and Rezoning process. The proposed site will change the comp plan from ***Low Density Residential*** to ***Low-Medium Density Residential***. The methodology and procedures used in this analysis are consistent with Florida Statues and analysis guidelines adopted by the City of Holly Hill.

PROJECT TRIP GENERATION PRE vs. POST CONDITIONS

The existing and proposed project trip generation was determined using the Institute of Transportation Engineers (ITE) document, Trip Generation Manual, 11th Edition. The existing Low Density Residential zoning allowed for a maximum of 6 dwelling units per acres. The proposed Low-Medium Density Residential zoning allowed for a maximum of 10 dwelling units per aces.

The Low Density Residential (ITE Code 210) was used for the existing development conditions.

The proposed intended uses for the Comp Plan will consist of a max 21 units (ITE Code 220). The existing and proposed trip generation for the daily, a.m., and p.m. peak-hours are shown in **Table 1** and **Table 2**, respectively.

Attachment: Exhibit H - Trip Generation (4293 : Anastasia Court - RZ and CPA)

Table 1
Existing Comp Plan Trip Generation
(Low Density Residential)

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Total Trips
Daily	Low Density Residential	210	Ln(T) = 0.92 Ln(X) + 2.68 T = 9.43(X)	12	UNITS	143 113
AM Peak Hour	Low Density Residential	210	Ln(T) = 0.91 Ln(X) + 0.12 T = 0.70(X)	12	UNITS	11 8
PM Peak Hour	Low Density Residential	210	Ln(T) = 0.94 Ln(X) + 0.27 T = 0.94(X)	12	UNITS	14 11

Table 2
Proposed Comp Plan Trip Generation
(Low-Medium Density Residential)

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Total Trips
Daily	Low-Medium Density Residential	220	T = 6.74(X)	21	UNITS	142
AM Peak Hour	Low-Medium Density Residential	220	T = 0.40(X)	21	UNITS	8
PM Peak Hour	Low-Medium Density Residential	220	T = 0.51(X)	21	UNITS	11

CONCLUSION

The study was conducted to evaluate the potential impact of the proposed Comp Plan change from ***Low-Density Residential*** to ***Low-Medium Density Residential***. Based on this comparative analysis, there would be no significant change from ***Low-Density Residential*** to ***Low-Medium Density Residential*** *for the 2.11 ac Site.*

Attachment: Exhibit H - Trip Generation (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY SCHOOLS

Carmen J. Balgobin, Ed.D
Superintendent of Schools

School Board of Volusia County

Ms. Jamie M. Haynes, Chairman
Mrs. Anita Burnette, Vice Chairman
Mr. Ruben Colón
Mr. Carl Persis
Mrs. Jessie Thompson

School Adequate Capacity Determination
Finding of Adequate Capacity Letter

July 19, 2023

Mr. Robert A. Merrell III, Esq
Cobb Cole
149 S Ridgewood Ave, Suite 700
Daytona Beach, FL 32114

RE : Anastasia Court Townhomes – City of Holly Hill
School Concurrency Case # 23-06-26-001-A

Dear Mr. Merrell:

The County Charter requires any Comprehensive Plan Amendment or Rezoning that allows increased residential density to be effective only when adequate public schools can be timely planned and constructed to serve the projected increase in student population. The district uses this requirement as the guiding principle behind the school adequate capacity review.

District staff reviewed the information for the proposed project known as Anastasia Court Townhomes associated with 2.11+/- acres of property located at or near the intersection of N Nova Rd and 3rd St within Holly Hill city limits. Proposed project would provide seventeen (17) multi-family townhome units.

The district uses a county wide Student Generation Rate (SGR) of (0.137) per multi-family dwelling unit to calculate projected students. By applying the SGR to the use types in Table 1 below, the project could generate three (3) full time students.

Table 1

UNIT TYPE	SGR	UNIT COUNT	STUDENTS GENERATED
Single Family Dwelling Unit	0.258	0	0
Multifamily Dwelling Unit	0.137	17	3
Manufactured Home Dwelling Unit	0.052	0	0
	Total	**17**	**3**

When performing adequate capacity review district staff evaluates the effects of the proposed change compared to any remaining permanent capacity within the impacted schools, up to 100%, Table 2 (next page). The projected increase in student population may be over 100% if there are plans to serve increased student population in that planning area within the long-term planning horizon. A finding of adequate capacity may be issued in either case.

FACILITIES SERVICES
3750 OLSON DRIVE • DAYTONA BEACH, FL 32124
PHONE: (386) 947-8786 • FAX (386) 506-5056

Attachment: Exhibit I - Finding of Adequate Capacity (4293 : Anastasia Court - RZ and CPA)

Table 2

Schools	SY 2022/23 Enrollment	% of Permanent Capacity	Plans for Capacity Increase Long-Term	Traditional K-12 students projected
Holly Hill School (K8)	1,154	102%	No	2
Halifax CSA (Mainland High)	1,866	107%	No	1
Other				0

The student projections generated by this project **will** increase the existing percentage above 100% permanent capacity at all school levels. However, the concurrency service area (CSA) for Holly Hill School is at or over 100% but below 115% for elementary and middle school level of service (LOS) standards. Likewise, the CSA for Mainland High is at or over 100% but below 120% for high school utilization standards. Based on this, the school district has no objections to the proposed development plan. Minimum planning considerations should include pedestrian and vehicular access, safety, connectivity, and buffering.

All future development orders, such as site plans and subdivisions, are subject to school concurrency review. School concurrency will be evaluated at the time when the impact of development is specifically quantified and known. Only funded school improvements and then current capacity will be considered at that time.

No student reservations have been made at this time.

Please note the School Board has the right to adjust the attendance boundaries to balance the student enrollment populations at these area schools. Consequently, students generated from this project may not attend the current assigned schools.

Should you need additional information, please contact me at (386) 947-8786, extension 50806.

Sincerely,

Leineriza V. Divina
Coordinator, Planning

CC: Carmen J. Balgobin, Ed.D, Superintendent of Schools
Ron Young, Director of Planning & Construction
Brian Walker, City Planner, City of Holly Hill
James F. Roberts, VCSB Planning Services Project File

Attachment: Exhibit I - Finding of Adequate Capacity (4293 : Anastasia Court - RZ and CPA)

VOLUSIA COUNTY SCHOOLS

Finding of Adequate School Capacity

VOLUSIA COUNTY SCHOOL BOARD

Project Information	
Project Name	Anastasia Court Townhomes
VCSB Project #	**23-06-26-001-A**
Jurisdiction Project #	
Parcel ID Numbers	4244-19-00-0050; 4244-19-00-0040; 4244-19-00-0001; 4244-19-00-0030; 4244-19-00-0020; 4244-19-00-0010; 5237-15-00-0090; 5237-15-00-0070
Project Location	N Nova Rd and 3rd St
Potential Residential Units	17 Multi-Family Units
Property Owner/Applicant	Robert A. Merrell III Esq, Cobb Cole
Notes: Additional review will be required at the time of subdivision/site plan submittal(s). No Student Reservations have been made.	

Based upon the Findings of Fact, pursuant to School Board Policy 612 and Section 206 of the County Charter, the school district has determined at this time that school capacity is adequate to serve the proposed increase in residential density. This Finding shall constitute competent substantial evidence that adequate public school capacity is likely to be available at the time it is required to serve the planned new development.

Capacity is not being reserved with this Finding unless otherwise noted on this document. This Finding of Adequate School Capacity allows this subject project to continue through the Comprehensive Plan Amendment and/or rezoning process; however, it may be subject to additional school capacity review in the future.

Leineriza V. Divina
Coordinator, Planning

July 19, 2023
Issue Date

Created: 9/2007
Owner: Facilities Services

2007-073-VCS
Print Locally

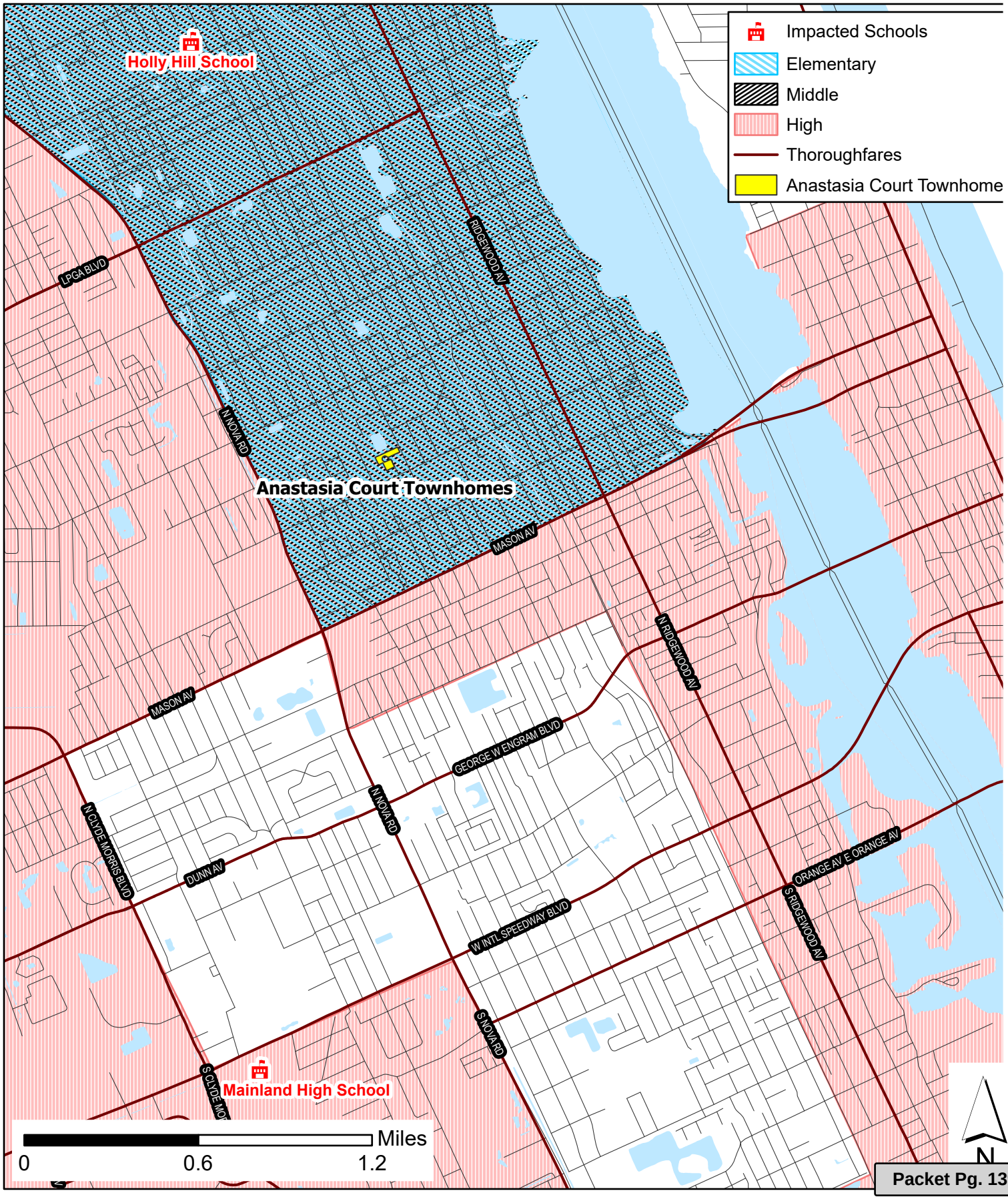
Attachment: Exhibit I - Finding of Adequate Capacity (4293 : Anastasia Court - RZ and CPA)

VCSB Schools Impacted by Development

School Concurrency Review - Anastasia Court Townhomes

VOLUSIA COUNTY SCHOOL

Created by Facilities Serv
June 2



Attachment: Exhibit I - Finding of Adequate Capacity (4293 : Anastasia Court - RZ and CPA)

EXHIBIT J

REVIEW OF THE REZONE APPLICATION

Sec. 82-372. - provides the following criteria, which the Board of Planning and Appeals and City Commission shall utilize in reviewing a rezoning request:

1. Is it consistent with all adopted elements of the comprehensive plan?
   a. **Response:** The proposed rezoning is consistent with the Comprehensive Plan, as amended, concurrently with the review of this rezoning request. The proposed small-scale comprehensive plan amendment application package, being submitted alongside this application, includes an overview of constituency at the Comprehensive Plan level.

2. What is its impact upon the environment or natural resources?
   a. **Response:** The current zoning designation of the property allows for development of the site for residential uses. The applicant is requesting a rezoning to a Planned Unit Development to allow for development of a townhome subdivision within the property. While the product type will change, the use as a single family, fee-simple home will remain. As a result, no additional impact is contemplated to the environment or natural resources. The property is located in a developed corridor of the City in close proximity to urban services.

3. What is its impact upon the economy of any affected area?
   a. **Response:** Development of the property for residential uses will provide additional housing stock for a growing area of our community. The proposed development of the property will result in an increased ad valorem taxation value for the City as well.

4. What is its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems?
   a. **Response:** The current zoning designation of the property allows for development of the site for residential uses. The applicant is requesting a rezoning to a Planned Unit Development to allow for development of a townhome subdivision within the property. While the product type will change, the use as a single family, fee-simple home will remain. As a result, no additional impact is contemplated to the environment or natural resources. The property is located in a developed corridor of the City in close proximity to urban services.

5. Are there any changes in circumstances or conditions affecting the area?
   a. **Response:** The proposed townhome use will create a transitional housing type from the commercial use located at the corner of Center Avenue and 3rd Street to the surrounding single family residential uses.

6. Are there any mistakes in the original classification?
   a. **Response:** We do not believe there is necessarily an error in the original classification – we believe the Planned Unit Development zoning classification will allow for a

Attachment: Exhibit J - Rezone Criteria (4293 : Anastasia Court - RZ and CPA)

unique design and product type within this area of the site that is appropriate in scale and location for this Property.

7. What is its effect upon the use or value of the affected area?
    a. **Response:** Development of the property for residential uses will provide additional housing stock for a growing area of our community. The proposed development of the property will result in an increased ad valorem taxation value for the City as well.

8. What is its impact upon the public health, welfare, safety, or morals?
    a. **Response:** The current zoning designation of the property allows for development of the site for residential uses. The applicant is requesting a rezoning to a Planned Unit Development to allow for development of a townhome subdivision within the property. While the product type will change, the use as a single family, fee-simple home will remain. As a result, no additional impact is contemplated to the environment or natural resources. The property is located in a developed corridor of the City in close proximity to urban services.

Attachment: Exhibit J - Rezone Criteria (4293 : Anastasia Court - RZ and CPA)

Table 1: Land Use and Zoning Table

Anastasia Court - Townhomes

	Existing Development	Future Land Use Designation	Zoning Classification
Site	**Vacant Land**	**Low Density Single-Family Residential**	**R-2 (Residential)**
North	**Retention Pond and Residential Development**	**Low Density Single-Family Residential**	**R-2 (Residential)**
South	**Residential Development**	**Low Density Single-Family Residential**	**R-2 (Residential)**
East	**Residential Development**	**Low Density Single-Family Residential**	**R-2 (Residential)**
West	**Residential Development**	**Low Density Single-Family Residential**	**R-5 (Two-Family Residential)**

Attachment: Zoning and Land Use Table (4293 : Anastasia Court - RZ and CPA)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Ordinance

MEETING DATE: **November 6, 2023**
FROM: **Brian Walker**
SUBJECT: **Ordinance an Ordinance of the City of Holly Hill, Florida, Regulating Mobile Food Vehicles; Amending Section 114-904 of the City Code; Providing for Codification; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.**
NUMBER: **(ID # 4291)**
APPLICANT: **Brian Walker**
PLANNER:

INTRODUCTION:

This proposed Ordinance amends Section 114-904 of the Land Development Regulations titled, Mobile food vehicle and vendor regulations.

BACKGROUND:

On October 25, 2016 in response to the growing popularity of the mobile food market, the city adopted Ordinance 2981. That Ordinance created section 114-904 of the City code to establish permitting and operating procedures for mobile food vending within the City. An update to section 114-904 was adopted by the City Commission on March 10, 2020 (Ordinance # 3024) to add definitions, establish enforcement procedures and update permitting requirements. In July of 2020, the State adopted legislation preempting certain powers of local government to regulate mobile food dispensing vehicles. Updates to the City's code are needed in order to comply with State requirements and consider other general changes to the mobile food vending code.

DISCUSSION:

Since mobile food vending has been permitted to operate in the city for approximately seven years, we have had the opportunity to reflect on the activity's effect on the City and whether or not any updates to the current regulations would be appropriate.

Based on feedback and changes required by the State, the City finds that it is necessary to refine the current regulations. That is the purpose of this Ordinance.

While much of the current Ordinance is preserved in the proposed Ordinance, there are some key changes proposed. Perhaps the largest change has to do with the number of days that a site can host a mobile food vendor. Current regulations state that no site may host a mobile food vendor for more than three days per week, and for no more than four hours per day. The proposed Ordinance allows an additional day for a total of four days per week, and further allows the mobile food vendor to operate from 8 am to 11 pm on Saturday or Sunday. This means a mobile food vendor can operate during a four-day period and on one of those days, either a Saturday or

Sunday, can operate from 8 am to 11 pm. Weekday activities are still restricted to a maximum of four hours of operation.

The proposed Ordinance also clarifies and simplifies language, and makes changes to come into compliance with State law. Specifically, it eliminates the City's requirement that mobile food vendors register with the City and pay a permit fee to operate within the City. These activities are preempted to the State.

FISCAL ANALYSIS:

Adopting the Ordinance will have minimal fiscal impact on the City.

STAFF RECOMMENDATION:

Staff recommends that the City Commission adopt an Ordinance of the City of Holly Hill, Florida, regulating mobile food vehicles; amending section 114-904 of the city code; providing for codification; providing for conflicting ordinances; providing for severability; and providing an effective date.

ATTACHMENTS:

- Types of Mobile Food Vending Vehicles (PDF)
- Sec. 114-904. Underlined and Strike-thru Version (PDF)
- F.S. Statutes (PDF)

Ordinance No. (ID # 4291)

ORDINANCE AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REGULATING MOBILE FOOD VEHICLES; AMENDING SECTION 114-904 OF THE CITY CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REGULATING MOBILE FOOD VEHICLES; AMENDING SECTION 114-904 OF THE CITY CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that food service from mobile food vehicles has become a popular food service venue; and

WHEREAS, mobile food vehicles can be a source of business development and provide dining options for residents and visitors; and

WHEREAS, the City Commission desires to clearly define mobile food vehicles, mobile food vendors, and related terms, and adopt regulations addressing their allowed operations within the city; and

WHEREAS, the City Commission recognizes the need for reasonable regulations intended to provide economic development and entrepreneurial opportunities for mobile food vendors protecting and promoting the health, welfare, and safety of the citizens of and visitors to the City of Holly Hill by properly regulating the location and operation of mobile food vehicles.

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

SECTION 1. Incorporation of Recitals. The above recitals are incorporated herein by reference and form an integral part of the Ordinance.

SECTION 2. That the entire language of Section 114-904 is repealed and replaced with the following:

Sec. 114-904. Mobile food vehicle and vendor regulations.

(a) *Definitions.*

Catering is the business of providing food for a private event, as a professional service, for a fee.

Commissary is a licensed or permitted food service establishment that provides required services to a mobile food vehicle (MFV). A commissary may provide anything from a source for obtaining potable water and disposing of wastewater; storage for food and supplies; or cooking facilities to prepare the food for sale and consumption. A commissary provides the necessary support for the MFV to operate in a safe and sanitary manner.

Hosting site is the property upon which a mobile food vehicle is parked and operating.

Hosting site property owner is the owner of the property upon which the mobile food vehicle is located and operating.

Mobile food vehicle is a truck, or van, including an enclosed food concession trailer, but excluding food carts and kiosk, that are approved to vend food and non-alcoholic beverage products and are classified as follows:

(1) *Class I-Mobile kitchens.* In addition to the vending of products allowed for class II and class III mobile food vehicles, these vehicles may cook, prepare and assemble food items in the unit and serve a full menu. Such vehicles may have a relationship with a commissary.

(2) *Class II-Canteen trucks.* These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations.

(3) *Class III-Ice cream trucks.* These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages. These vehicles operate exclusively within public rights of way and do not park or stand at one location except when approved to do so as part of a special event.

Mobile food vehicle rally is where two or more mobile vehicles congregate to offer food or beverages for sale to the public, functioning as a single business and may provide restrooms, tables, play areas, a structure for alcohol sales, and other outdoor entertainment open to the customers of all vendors. These events must receive a special event permit, or they can be approved as part of a city sponsored event.

Mobile food vendor is a person who prepares, dispenses, or otherwise sells food from a mobile food vehicle.

(b) *Licensing and permitting requirements.*

(1) Prior to setting up at a location, a Class I or II mobile food vendor must provide the following to the city:

a. A copy of the mobile food dispensing vehicle license from the Florida Division of Hotels and Restaurants.

b. A completed indemnification statement for city files. To be updated annually.

c. A copy of the city approved permit from the property owner, or authorized tenant, to operate at the proposed location.

d. Evidence that the vehicle has passed any safety inspections required by the state, county or city.

(2) Mobile food vehicles must be inspected by the city's fire marshal or fire chief or their designee, and comply with all city safety regulations.

(3) The mobile food vendor must permanently display to the public in a clearly visible area, their license from the Florida Division of Hotels and Restaurants.

(4) The hosting site property owner, or authorized tenant, shall obtain a permit from the city at least five days prior to hosting the mobile food vendor. The permit application shall be on a form issued by the city and contain at a minimum the following information:

a. Location address

b. A signed indemnification statement.

c. A sketch plan showing the subject property and the proposed location of the mobile food vehicle.

d. Owner contact information.

e. Vendor contact information.

f. License from the Florida Division of Hotels and Restaurants.

(5) The hosting site property owner shall pay a fee as established by the city commission. All permits expire on September 29th of each year and must be renewed.

(6) The hosting site property owner must have an active business tax receipt.

(c) *Prohibitions and restrictions.*

(1) It is prohibited and unlawful for a mobile food vendor to create a nuisance condition to include, but not be limited to, loud noises, shouting or amplified music or sound. Any noise generated shall comply with the city's standard noise ordinance.

(2) The mobile food vendor shall not cause or allow any grease or liquid wastes used in the operation to be discharged from the mobile food vehicle.

(3) The mobile food vendor shall not sell anything other than food and non-alcoholic beverages.

(4) The hosting site property owner, tenant, and mobile food vendor, must not conduct business in such a manner that would restrict or interfere with proper ingress and egress for vehicles and pedestrians or constitute a traffic hazard.

(5) Except with permission of the city and as otherwise stated, mobile food vendors may not operate between the hours of 1:00 a.m. and 7:00 a.m.

(6) Overnight parking of mobile food vehicles on the hosting site or sidewalk is prohibited. Overnight parking and storage of the mobile food vehicle shall follow all applicable laws and regulations.

(7) A mobile food vehicle may not be located on private property upon which uncorrected code violations exist, or where there exist unpaid fines, fees or citations, or which is under citation for code violations.

(8) No mobile food vehicle may be located on a vacant lot, provided however this restriction shall not apply to an approved mobile food vehicle rally, also known as food truck courts or truck rallies, approved as a special event.

(9) Mobile food vehicles are not allowed in residential areas or the residential portion of a mixed-use PUD. This restriction shall not apply when the mobile food vendor is hired to cater a private event in a residential zone.

(10) The mobile food vehicle, or its seating areas, may disrupt parking area operation. Mobile food vehicles may not be located in landscaped areas, right-of-way or designated public safety lanes.

(11) The same address, site or overall property, is prohibited from hosting a mobile food vehicle for more than four days in any calendar week, meaning Sunday through Saturday. Food truck operations approved as part of a city-sponsored special event or under a special event permit will not count against the day limitations of this section. A multiple tenant location is considered one property for purposes of this code provision.

(12) A hosting site property owner shall not permit a mobile food vehicle that does not meet all of the requirements of this section, to operate on property they own, nor shall they allow a mobile food vendor to set up on property they own without first having obtained a permit.

(13) A site may not host a mobile food vehicle for more than four hours on any permitted calendar day except:

a) When a special event permit has been issued for the site that provides different hours of operations;

b) If a permitted date is a Saturday or Sunday, on only one of those dates, the hours of operation can be between 8:00 AM and 11:00 PM;

c) If a licensed food establishment owns and operates a mobile food vehicle on the same site as the licensed food establishment, the mobile food vendor can be operated during the same hours of operation as the licensed food establishment.

d) As otherwise provided in the City's regulations.

(d) *Operating requirements.*

(1) *Zoning requirements.* Except as otherwise stated in the previous section, the property on which the mobile food vehicle and vendor propose to locate, must be business, commercial, or industrially zoned. If the property is zoned as a PUD, the mobile food vehicle shall be located only in the nonresidential portion of the PUD. Churches and civic organizations in residential areas may host a mobile food vendor by obtaining a special event permit.

(2) Mobile food vending is an accessory use and shall only be allowed on properties that are developed with active permitted uses.

(3) Mobile food vehicles shall be equipped with a suitable trash container readily accessible to the public, in which the mobile food vendor's customers may deposit any litter, trash or waste. Prior to moving a mobile food vehicle from a sales location, the mobile food vendor shall pick up and remove all litter, trash and waste related to the mobile vendor's sales and within an area encompassing a radius of 50 feet from the sales area.

(4) Property owners hosting a mobile food vendor for more than one hour must provide readily accessible restroom facilities.

(5) All mobile food vehicles must park on a hard-stabilized surface such as a paved or asphalt surface.

(6) Signage on the mobile food vehicle must be mounted flat against the vehicle and cannot project from the vehicle. However, the mobile food vendor shall be permitted to place one sign, not to exceed six square feet on the subject property where the mobile food vendor is conducting business.

(7) All exterior body work of any mobile food vehicle, shall be maintained in good and clean condition and free of substantial scratches, chips, rust, dents, abrasions, or excessive wear or damage, as determined by the city.

(8) A mobile food vendor may not locate on any property that abuts a property with an active restaurant except with the written approval of the restaurant owner.

(9) Mobile food vehicles must be self-contained when operating including all utilities, power, water, and cooking fuel sources. Class I mobile food vendors must be associated with a commissary if available.

(e) *Enforcement.* Failure of a hosting site property owner or tenant, to comply with the provisions of this section shall be grounds for denial or revocation of a permit. Violations of these regulations, including operating without a permit, or allowing a mobile food vendor to operate without a mobile food vendor certificate, shall be grounds to bring code enforcement action against the hosting property owner or tenant or both. Upon imposition of a mobile food vendor's third offense, the mobile food vendor will not be permitted to operate within the city for a period of 90 days. The special magistrate will have jurisdiction to enforce these provisions pursuant to F.S. Ch. 162, and any person determined to be in violation will be subject to penalties and remedies available as provided by law.

SECTION 6. SEVERABILITY.
If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid,

unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. CONFLICTS

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed consistent, however, with the provisions of this Ordinance relative to the transitional application of the land development regulations.

SECTION 8. EFFECTIVE DATE

That this Ordinance shall become effective immediately upon its adoption.

PERMITTED MOBILE FOOD VENDING VEHICLES

Class I
Mobile Kitchen, (most commonly referred to as a "food truck")



A mobile kitchen typically operates on private property with service to the general public. Mobile kitchens generally include a full-service, commercial kitchen accommodating the production of specialized and gourmet cuisine in large quantities. The food is cooked, prepared and then distributed directly from the vehicle through a side-access window. Unlike an ice-cream truck, which is constantly in motion and responds to customers waiting along the side of a public right-of-way, mobile kitchens are typically stationary through the meal period and advertise their daily location using social networking services, such as Facebook and Twitter.

Mobile Food Vending Trailer



Class II
Mobile Canteen Truck



A mobile canteen truck is a self-propelled vehicle that typically sells products on private property, to employees of a private client or contracted business. Food sales are conducted from the exterior of the vehicle.

Class III
Mobile Ice Cream Truck



A mobile ice cream truck is a vehicle serving only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand dipped frozen dairy products and pre-packaged beverages.

Sec. 114-904. Mobile food vehicle and vendor regulations.

(a) *Definitions.*

Catering is the business of providing food for a private event, as a professional service, for a fee.

Commissary is a licensed or permitted food service establishment that provides required services to a mobile food vehicle (MFV). A commissary may provide anything from a source for obtaining potable water and disposing of wastewater; storage for food and supplies; or cooking facilities to prepare the food for sale and consumption. A commissary provides the necessary support for the MFV to operate in a safe and sanitary manner.

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Hosting site property owner is the owner of the property upon which the mobile food vehicle is located and operating.

Mobile food vehicle is a truck, or van, including an enclosed food concession trailer, but excluding food carts and kiosk, that are approved to vend food and non-alcoholic beverage products and are classified as follows:

(1) *Class I-Mobile kitchens.* In addition to the vending of products allowed for class II and class III mobile food vehicles, these vehicles may cook, prepare and assemble food items in the unit and serve a full menu. Such vehicles **may** have a relationship with a commissary. ~~**A mobile food vehicle permit is required for class I mobile food vehicles.**~~

(2) *Class II-Canteen trucks.* These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. ~~**A mobile food vehicle permit is not required.**~~

(3) *Class III-Ice cream trucks.* These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages. These vehicles operate exclusively within public rights of way and do not park or stand at one location except when approved to do so as part of a special event. ~~**A mobile food vehicle permit is not required.**~~

Mobile food vehicle rally is where two or more mobile vehicles congregate to offer food or beverages for sale to the public, functioning as a single business and may provide restrooms, tables, play areas, a structure for alcohol sales, and other outdoor entertainment open to the customers of all vendors. These events must receive a special event permit, or they can be approved as part of a city sponsored event.

Mobile food vendor is a person who prepares, dispenses, or otherwise sells food from a mobile food vehicle.

(b) *Licensing and permitting requirements.*

(1) Prior to setting up at a location, a ~~**c**~~**C**lass I **or II** mobile food vendor must provide the following to the city:

~~**a. A mobile food vendor must register with the city and receive a mobile food vendor certificate. Mobile food vendor certificates expire on September 29th and must be renewed each year. The fee will be prorated on a quarterly basis.**~~

~~**b.**~~ **a.** A copy of the mobile food dispensing vehicle license from the Florida Division of Hotels and Restaurants.

~~**c.**~~ **b.** A completed indemnification statement for city files. To be updated annually.

~~**d. A copy of the operator's driver license and photos of the mobile food vehicle including the license plate.**~~

Attachment: Sec. 114-904. Underlined and Strike-thru Version (4291 : Mobile Food Vendors)

~~e.~~ **c.** A copy of the city approved permit from the property owner, or authorized tenant, to operate at the proposed location.

d. Evidence that the vehicle has passed any safety inspections required by the state, county or city.

(2) Mobile food vehicles must be inspected by the city's fire marshal or fire chief or their designee, and comply with all city safety regulations.

(3) The mobile food vendor must permanently display to the public in a clearly visible area, their ~~**mobile food vendor certificate**~~ **license from the Florida Division of Hotels and Restaurants.**

(4) The hosting site property owner, or authorized tenant, shall obtain a permit from the city at least five days prior to hosting the mobile food vendor. The permit application shall be on a form issued by the city and contain at a minimum the following information:

a. Location address ~~**and hosting dates**~~.

b. A signed indemnification statement.

c. A sketch plan showing the subject property and the proposed location of the mobile food vehicle.

d. Owner contact information.

e. Vendor contact information.

f. ~~**The mobile food vehicle's MFDV #.**~~ **License from the Florida Division of Hotels and Restaurants**.

(5) The hosting site property owner shall pay a fee as established by the city commission. All permits expire on September 29th of each year and must be renewed.

(6) The hosting site property owner must have an active business tax receipt.

(c) *Prohibitions and restrictions.*

(1) It is prohibited and unlawful for a mobile food vendor to create a nuisance condition to include, but not be limited to, loud noises, shouting or amplified music or sound. Any noise generated shall comply with the city's standard noise ordinance.

(2) The mobile food vendor shall not cause or allow any grease or liquid wastes used in the operation to be discharged from the mobile food vehicle.

(3) The mobile food vendor shall not sell anything other than food and non-alcoholic beverages.

(4) The hosting site property owner, tenant, and mobile food vendor, must not conduct business in such a manner that would restrict or interfere with proper ingress and egress for vehicles and pedestrians or constitute a traffic hazard.

(5) Except with permission of the city **and as otherwise stated**, mobile food vendors may not operate between the hours of 1:00 a.m. and 7:00 a.m.

(6) Overnight parking of mobile food vehicles on the hosting site or sidewalk is prohibited. Overnight parking and storage of the mobile food vehicle shall ~~**be in compliance with**~~ **follow** all applicable laws and regulations.

(7) A mobile food vehicle may not be located on private property upon which uncorrected code violations exist, or where there exist unpaid fines, fees or citations, or which is under citation for code violations.

(8) No mobile food vehicle may be located on a vacant lot, provided however this restriction shall not apply to an approved mobile food vehicle rally, also known as food truck courts or truck rallies, approved as a special event.

Attachment: Sec. 114-904. Underlined and Strike-thru Version (4291 : Mobile Food Vendors)

(9) Mobile food vehicles are not allowed in residential areas or the residential portion of a mixed-use PUD. This restriction shall not apply when the mobile food vendor is hired to cater a private event in a residential zone.

(10) The mobile food vehicle, or its seating areas, may ~~not occupy more than 20 percent of the vehicular use area or~~ disrupt parking area operation. Mobile food vehicles may not be located in landscaped areas, **right-of-way** or designated public safety lanes.

(11) The same address, site or overall property, is prohibited from hosting a mobile food vehicle for more than ~~three~~ **four** days in any calendar week, meaning Sunday through Saturday. Food truck operations approved as part of a city-sponsored special event or under a special event permit will not count against the day limitations of this section. A multiple tenant location is considered one property for purposes of this code provision.

(12) A hosting site property owner shall not permit a mobile food vehicle that does not meet all of the requirements of this section, to operate on property they own, nor shall they allow a mobile food vendor to set up on property they own without first having obtained a permit.

(13) A site may not host a mobile food vehicle for more than four hours ~~within a~~ **on any** permitted calendar day **except**~~, unless operating with a special event permit specifically stating otherwise.~~

a) When a special event permit has been issued for the site that provides different hours of operations;

b) If a permitted date is a Saturday or Sunday, on only one of those dates, the hours of operation can be between 8:00 AM and 11:00 PM;

c) If a licensed food establishment owns and operates a mobile food vehicle on the same site as the licensed food establishment, the mobile food vendor can be operated during the same hours of operation as the licensed food establishment.

d) As otherwise provided in the City's regulations.

(d) *Operating requirements.*

(1) *Zoning requirements.* Except as otherwise stated in the previous section, the property on which the mobile food vehicle and vendor propose to locate, must be business, commercial, or industrially zoned. If the property is zoned as a PUD, the mobile food vehicle shall be located only in the nonresidential portion of the PUD. Churches and civic organizations in residential areas may host a mobile food vendor by obtaining a special event permit.

(2) Mobile food vending is an accessory use and shall only be allowed on properties that are developed with active permitted uses.

(3) Mobile food vehicles shall be equipped with a suitable trash container readily accessible to the public, in which the mobile food vendor's customers may deposit any litter, trash or waste. Prior to moving a mobile food vehicle from a sales location, the mobile food vendor shall pick up and remove all litter, trash and waste related to the mobile vendor's sales and within an area encompassing a radius of 50 feet from the sales area.

(4) Property owners hosting a mobile food vendor for more than one hour must provide readily accessible restroom facilities.

(5) All mobile food vehicles must park on a hard-stabilized surface such as a paved or asphalt surface.

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(6) Signage on the mobile food vehicle must be mounted flat against the vehicle and cannot project from the vehicle. However, the mobile food vendor shall be permitted to place one sign, not to exceed six square feet on the subject property where the mobile food vendor is conducting business.

(7) All exterior body work of any mobile food vehicle, shall be maintained in good and clean condition and free of substantial scratches, chips, rust, dents, abrasions, or excessive wear or damage, as determined by the city.

(8) A mobile food vendor may not locate on any property that abuts a property with an active restaurant ~~,~~ except ~~that the mobile food vendor may locate closer,~~ with the written approval of the restaurant owner.

(9) Mobile food vehicles must be self-contained when operating including all utilities, power, water, and cooking fuel sources. Class I mobile food vendors must be associated with a commissary **if available**.

(e) *Enforcement.* Failure of a hosting site property owner or tenant, to comply with the provisions of this section shall be grounds for denial or revocation of a permit. Violations of these regulations, including operating without a permit, or allowing a mobile food vendor to operate without a mobile food vendor certificate, shall be grounds to bring code enforcement action~~, including a citation, or civil action~~ against the hosting property owner or tenant or both. Upon imposition of a mobile food vendor's third offense, the mobile food vendor will not be permitted to operate within the city for a period of 90 days. The special magistrate will have jurisdiction to enforce these provisions pursuant to F.S. Ch. 162, and any person determined to be in violation will be subject to penalties and remedies available as provided by law.

(Ord. No. 2981, § 1, 10-25-16; Ord. No. 3024, § 2, 3-10-20)

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The 2023 Florida Statutes

Title XXXIII	Chapter 509	View Entire Chapter
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS	LODGING AND FOOD SERVICE ESTABLISHMENTS; MEMBERSHIP CAMPGROUNDS	

509.102 Mobile food dispensing vehicles; temporary commercial kitchens; preemption.—

(1)(a) As used in this section, the term "mobile food dispensing vehicle" means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

(b) As used in this section, the term "temporary commercial kitchen" means any kitchen that is a public food service establishment used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle-mounted, that include self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. Such kitchens are subject to all provisions of this chapter except as may be provided herein. The term does not include a tent.

(2)(a) Regulation of mobile food dispensing vehicles, and temporary commercial kitchens, involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle or temporary commercial kitchen within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles or temporary commercial kitchens from operating within the entirety of the entity's jurisdiction.

(b) Any mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment may operate during the same hours of operation as the separately licensed public food service establishment that operates such mobile food dispensing vehicle or temporary commercial kitchen.

(3)(a) A temporary commercial kitchen may be used in conjunction with a permanent food service establishment licensed under this chapter for the purpose of supplementing the kitchen operations of the licensed permanent food service establishment. A temporary commercial kitchen may operate in this capacity as follows:

1. On the premises of the licensed permanent food service establishment for 60 consecutive days. Upon request of the operator of a temporary commercial kitchen, the division may grant one extension of up to 60 additional consecutive days.

2. During a period of renovation, repair, or rebuilding, on the premises of the licensed permanent food service establishment or off the premises within the line of sight of, and not to exceed 1,320 feet from, the licensed permanent food service establishment for 120 consecutive days. The division may exercise discretion to grant an additional extension of time upon a reasonable and reliable demonstration by the licensed permanent food service establishment that additional time is needed to complete the renovation, repair, or rebuilding.

(b) If a permanent food service establishment licensed under this chapter, or the land upon which that establishment is sited, is rendered uninhabitable due to a natural disaster that is the subject of a declared state of emergency, a temporary commercial kitchen may operate on the premises of, or as near as reasonably practicable to, the location of the licensed permanent food service establishment. A temporary commercial kitchen may

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operate in this capacity only during the period of repair and rebuilding of the permanent establishment with which it is associated. The operators of a temporary commercial kitchen operating in this capacity must notify the division of the kitchen's location and renew the notification every 90 days for the duration of its operation.

(c) Except as authorized under paragraphs (a) and (b), a temporary commercial kitchen may not operate in one location for longer than 30 consecutive days. The operators of a temporary commercial kitchen must notify the division within 48 hours after commencing operation in a location.

(4) This section may not be construed to affect a municipality, county, or other local governmental entity's authority to regulate the operation of mobile food dispensing vehicles or temporary commercial kitchens other than the regulations described in subsection (2).

(5) This section does not apply to any port authority, aviation authority, airport, or seaport.

History.—s. 75, ch. 2020-160; s. 2, ch. 2023-48.

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