

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • MAY 3, 2021

City Commission Chamber

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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



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

PLANNING & APPEALS BOARD MEMBERS

Chairman
Mike Myer

Board Member
Arthur J. Byrnes

Board Member
Dennis Smith

Board Member
Robin D. Hanger

Board Member
Tony Cassata

CITY PLANNER
Brian Walker

Building & Zoning
Eleni Deligianis

1. CALL TO ORDER**2. INVOCATION****3. PLEDGE OF ALLEGIANCE****4. BOPA MINUTES APPROVAL****1. Minutes - April 5Th, 2021 BOPA Meeting**

(Requested by Eleni Deligianis, Board of Planning and Appeals)

5. AGENDA ITEM(S)

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 Identified as 1860 N Nova Road and 1529 Old Kings Road Having Parcel Numbers 424231010280 and 424231010270 Respectively, 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 I-1 (Light Industrial) and B-5 (Heavy Commercial) to Cc-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

6. OLD BUSINESS**7. BOARD/STAFF COMMUNICATIONS****8. 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**

4.1

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: May 3, 2021
FROM: Eleni Deligianis
SUBJECT: Minutes - April 5Th, 2021 BOPA Meeting
NUMBER: (ID # 3287)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from April 5th, 2021

MOTION:

Approved minutes as submitted by staff.

- BOPA - April 2021 Minutes(PDF)



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • APRIL 5, 2021

Large Conference Room

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

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	Board Member	Present	
Mike Myer	Chairman	Present	
Robin D. Hanger	Board Member	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	

2. INVOCATION

Invocation was led by Mike Myer.

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mike Myer.

4. BOPA MINUTES APPROVAL

- Minutes- March 1, 2021 BOPA

(Requested by Eleni Deligianis, Board of Planning and Appeals)



5. AGENDA ITEM(S)

- AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(F)(1); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

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

Brian Walker, Community Development Director/City Planner summarized his staff report.

Attachment: BOPA - April 2021 Minutes (3287 : Minutes)

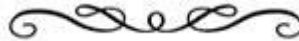
This is a request by the Community Development Department, to approve a Large Scale Comprehensive Plan Text Amendment, amending the Coastal Management/Conservation Element, addition Objectives and Policies for flood risk planning in accordance with FS 163.3178(2)(f)1.

Staff recommends approval of the proposed amendment to the Coastal Management Element to be in compliance with F.S. 163.3178(2)(f)1. The item is tentatively scheduled to be heard by the City Commission for first reading on April 13th, 2021, and the second reading (public hearing) is to be scheduled at the next available City Commission meeting subsequent to DEO and VGMC review.

Arthur Byrnes asked if this is going to be required by all cities? Brian Walker, answered that any city in the state of FL with a coastline, is required to have language in their comprehensive plan addressing flood peril.

Mike Myer questioned the language of the redevelopment components, Brian Walker stated that staff didn't have any issues with keeping all the language the same.

Motion to recommend the approval of a Large Scale Comprehensive Plan Text Amendment, amending the Coastal Management/Conservation Element, addition Objectives and Policies for flood risk planning in accordance with FS 163.3178(2)(f)1 by Robin Hanger and seconded by Dennis Smith.



6. OLD BUSINESS

None.

7. BOARD/STAFF COMMUNICATIONS

May 3rd, is the next scheduled BOPA Meeting.

8. ADJOURNMENT

BOPA Meeting Adjourned by Mike Myer at 6:16PM



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

**Board of Planning and Appeals
Ordinance**

MEETING DATE: May 3, 2021
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 Identified as 1860 N Nova Road and 1529 Old Kings Road Having Parcel Numbers 424231010280 and 424231010270 Respectively, 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 I-1 (Light Industrial) and B-5 (Heavy Commercial) to Cc-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

NUMBER: (ID # 3286)
APPLICANT: Brian Walker
PLANNER:

Introduction

1860 N NOVA ROAD AND 1529 OLD KINGS ROAD CPA AND REZONE - Consider an Ordinance enacting a Small Scale Future Land Use Map Amendment from MXZ (Mixed Use Zone) (Volusia County) to General Commercial (Holly Hill) and an Ordinance enacting a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately 1.45 acres located about 500 feet south of Flomich St. between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1529 Old Kings Road and 1860 N Nova Road. (CPA-2021-03) and (Z-2021-03) (Joseph Jaquish and Rosemary Powell, Applicant).

Background

The Applicant has petitioned for the parcels in question to be annexed into the City of Holly Hill. At its regular meeting on March 23, 2021, 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 Amendment from Volusia County's future land use designation of MXZ (Mixed Use Zone) to General Commercial

(Holly Hill) and a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill).

Project Information

Size of Property: The property is 1.45 Acres +/-

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

Parcel Identification Number: 424231010280 and 424231010270 per Property Appraiser. (Exhibit A)

General Location: The property is generally located about 500 feet south of Flomich St. between N Nova Road and Old Kings Road. (Location Map Exhibit B).

Frontage: The property has approximately 246 feet of frontage along N. Nova Road and 225 feet of frontage on Old Kings Road.

Access: Vehicular access will be provided via the abutting rights-of-way.

Aerial Photography: (Exhibit C)

Existing Development: The property is currently used as a used car lot and location of a fencing business.

Future Land Use Designation: The current FLU designation is MXZ (Mixed Use Zone) (Volusia County) and the proposed FLU designation is General Commercial (Holly Hill). (Exhibit D)

Zoning: Current Zoning is I-1 (Light Industrial) (Volusia County) and B-5 (Heavy Commercial) and the proposed zoning is CC-1 (Commercial Corridor) (Holly Hill). (Exhibit E)

Floodplain Impacts: Based on FIRM Panel 12127C0352H, there are no floodplains on the subject property. (Exhibit F)

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

Zoning and Land Uses

See the attached sheet labeled “**Zoning and Land Use Table.**”

Site Analysis

The amendment has been analyzed in terms of the infrastructure impacts. For considering a change of land use, an analysis of the maximum development potential is required.

Potable Water & Wastewater Impacts & Analysis:

Potable Water Facilities: The City of Holly Hill’s water treatment plant is located at 453 LPGA Blvd. The capacity of the plant is 2.3 MGD. The current maximum monthly average daily flow is 1.3 MGD.

Maximum Potable Water Demand from the Current FLUM Designation: The current potable water demand under the existing FLUM designation has been calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate water demand. Standard engineering practice uses sewer flows to estimate water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 63,162 square feet in size, yielding 28,423 sq. ft. of retail space (63,162 x.90)x.50) and 2 residential units. It is estimated that the retail space would have a maximum flow of 2,842 GPD. Assuming the single residential units have 3 bedrooms each, the residential flows would be a total of 600 GPD.

Existing Potable Water Demand = 3,442 GPD

Potable Water Demands from the Proposed FLUM Designation: The maximum development scenario under Holly Hill’s "General Commercial" FLU is calculated using the allowable FAR of 1.95. This yields 123,166 square feet of retail space (63,162x1.95). At this yield, the maximum flows would be 12,317 GPD.

Proposed Potable Water Demand = 12,317 GPD

Change in Potable Water Usage: The maximum change in potable water demand is projected to be an increase of **8,875 GPD**. The City's water distribution system has the excess capacity to serve the proposed development of the subject site.

Waste Water Facilities: The City of Holly Hill’s waste water treatment plant is located at 453 LPGA Blvd. The capacity of the plant is 3.0 MGD. The current maximum monthly average incoming daily flow is 1.85 MGD.

Waste Water Demand from the Current FLUM Designation: The current potable water demand under the existing FLUM designation has been calculated using the Florida Administrative Code 64E-6.008 sewer flow standards to estimate water demand.

Standard engineering practice uses sewer flows to estimate water demand. The maximum development scenario under the Volusia County "Mixed Use Zone" is 90% commercial with a FAR of .50 and 10% residential with up to 16 dwelling units per acre. The subject site is 63,162 square feet in size, yielding 28,423 sq. ft. of retail space (63,162 x.90)x.50) and 2 residential units. It is estimated that the retail space would have a maximum flow of 2,842 GPD. Assuming the single residential units have 3 bedrooms each, the residential flows would be a total of 600 GPD.

Existing Waste Water Demand = 3,442 GPD

Waste Water Demand from the Proposed FLUM Designation: The maximum development scenario under the Holly Hill "General Commercial" FLU is calculated using the allowable FAR of 1.95. This yields 123,166 square feet of retail space. At this yield, the maximum flows would be 12,317 GPD.

Proposed Waste Water Flows = 12,317 GPD.

Change in Waste Water Usage: The maximum change in waste water demand is projected to be an increase of **8,875 GPD**. The City's waste water treatment system has the excess capacity to serve the proposed development of the subject site.

Transportation: The 2019 traffic data for Nova Road, from LPGA to Hand, shows average daily volumes (ADT) of 29,000 vehicles compared to a maximum capacity at LOS D of 59,900 ADT. The maximum potential development on this property can be accomplished without degradation of the traffic level of service.

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.

Stormwater Management: Any additional development will require an engineered drainage plan to demonstrate that all government and agency regulations are being met with regard to stormwater management.

Solid Waste: The City's contracted waste hauler, Waste Pro, delivers solid waste to the 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.

Consistency with 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. 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. This amendment generally 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:

Chapter 1 - Future Land Use Element

- Policy 1.1.2 - The Future Land Use Element sets a maximum development intensity for the General Commercial Development future land use, at an F.A.R. of 1.95.

Current development is within this limitation and any future development on the subject parcel will be required to comply with this limitation.

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

Current development is consistent with the comprehensive plan and 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 1.2.17 - Properties that are annexed into the City of Holly Hill shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity.

The County's land use designation of this property is "Mixed Use Zone" which is described in the County's Future Land Use Element in part as "An area that provides for a mixture of primarily commercial and industrial development with many different property owners." It goes on to state the following: "Retail commercial, office use, and even some residential, normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses."

Designating the subject site as "General Commercial" will allow the same uses as "Mixed Use Zone" with the exception of residential which would not fit in with this highly commercialized area along Nova Road. The "General Commercial" future land use will allow that the property be developed at a greater intensity, however increased impacts to facilities can be accommodated.

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

This amendment promotes infill development for this location. The property is located on Nova Road which is classified in the City's Comprehensive Plan as a Principal Arterial. The parcel is surrounded by commercial development.

Policy 2.3.4 - Encourage the maintenance, restoration and adaptive reuse of existing urban areas, including buildings, infrastructure and other assets, to reduce energy use and Vehicle Miles Traveled (VMTs).

The subject site is not on the fringe of a developed area, but is an infill location. One of the benefits of infill development is reduced VMTs.

Policy 5.1.2. - The City shall continually work to expand the Holly Hill non-residential tax base and other revenue sources.

The proposed amendment is consistent with this policy. The property was recently annexed into the City. This will have the direct effect of expanding the City's tax base.

Objective 5.2 - The City shall ensure a sufficient amount of commercial and light industrial properties available for business recruitment and to work with property owners to redevelop vacant and underutilized properties in Holly Hill.

Staff finds that the requested small scale land use amendment is consistent with the City's Comprehensive Plan. The City has available capacity to serve any 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 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 about 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 as stated in Sec. 78-5.

Staff Recommendation

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)

and;

Adopt the proposed Ordinance enacting a Rezone from I-1 (Light Industrial) and B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately 1.45 acres located about 500 feet south of Flomich St. between N Nova Road and Old Kings Road.

ATTACHMENTS:

- Exhibit A - Property Appraiser (PDF)
- Exhibit B - Location Map (PDF)
- Exhibit C - Aerial Map (PDF)
- Exhibit D - Current and Proposed FLU of Property(PDF)
- Exhibit E - Current and Proposed Zoning of Property (PDF)
- Exhibit F - Flood Map (PDF)
- Application and Related Docs (PDF)
- Zoning and Land Use Table (PDF)
- Legal Description (PDF)
- Survey (PDF)
- FL Admin Code for Estimating Water and Sewer Useage (PDF)
- Zoning and FLU Descriptions (PDF)

Ordinance No. (ID # 3286)

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 1860 N NOVA ROAD AND 1529 OLD KINGS ROAD HAVING PARCEL NUMBERS 424231010280 AND 424231010270 RESPECTIVELY, 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 I-1 (LIGHT INDUSTRIAL) AND B-5 (HEAVY COMMERCIAL) TO CC-1 (COMMERCIAL COORIDOR DISTRICT); 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 IDENTIFIED AS 1860 N NOVA ROAD AND 1529 OLD KINGS ROAD HAVING PARCEL NUMBERS 424231010280 AND 424231010270 RESPECTIVELY, 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.

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 parcels identified as 1860 N Nova Road having parcel number 4242-3101-0280 and 1529 Old Kings Road having parcel number 4242-3101-0270 as described in Attachment A, as General Commercial.

Section 2. The City Manager 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. The proposed amendment will not become final until certification of consistency is provided by the Volusia Growth Management Commission and approval is noticed by the Florida Department of Economic Opportunity.

Section 4. 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 5. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 6. That this Ordinance shall be posted at City Hall as required by law.

ATTACHMENT A

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM I-1 (LIGHT INDUSTRIAL) AND B-5 (HEAVY COMMERCIAL) TO CC-1 (COMMERCIAL COORIDOR DISTRICT); 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 CC-1 (Commercial Corridor District.)

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

Section 3. This ordinance shall become effective following approval of the future land use map amendment designated as CPA-2021-03, by the Florida Department of Economic Opportunity and certification of the same amendment by the Volusia Growth Management Commission.

Section 4. 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 5. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 6. That this Ordinance shall be posted at City Hall as required by law.

ATTACHMENT A

Legal Description: Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public

Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

EXHIBIT A

1860 N. Nova Road

Alternate Key: 3194799
Parcel ID: 424231010280
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 31 - 01 - 0280

Business Name:
Owner(s): JAQUISH JOSEPH P - TIC - Tenancy in Common - 50
 POWELL ROSEMARY K - TIC - Tenancy in Common - 50

Mailing Address On File: 1152 LANDERS ST
 ORMOND BEACH FL 32174
[Update Mailing Address](#)

Physical Address: 1860 N NOVA RD, DAYTONA BEACH 32117

1529 Old Kings Road

Alternate Key: 3194781
Parcel ID: 424231010270
Township-Range-Section: 14 - 32 - 42
Subdivision-Block-Lot: 31 - 01 - 0270

Business Name:
Owner(s): JAQUISH JOSEPH - TIC - Tenancy in Common - 50
 POWELL ROSEMARY K - TIC - Tenancy in Common - 50

Mailing Address On File: 1152 LANDERS ST
 ORMOND BEACH FL 32174
[Update Mailing Address](#)

Physical Address: 1529 OLD KINGS RD, DAYTONA BEACH 32117

Property Appraiser Information

EXHIBIT B



Location Map

Attachment: Exhibit B - Location Map (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)

EXHIBIT C



Aerial Map

EXHIBIT D

MXZ - CURRENT FLU



COMMERCIAL – PROPOSED FLU

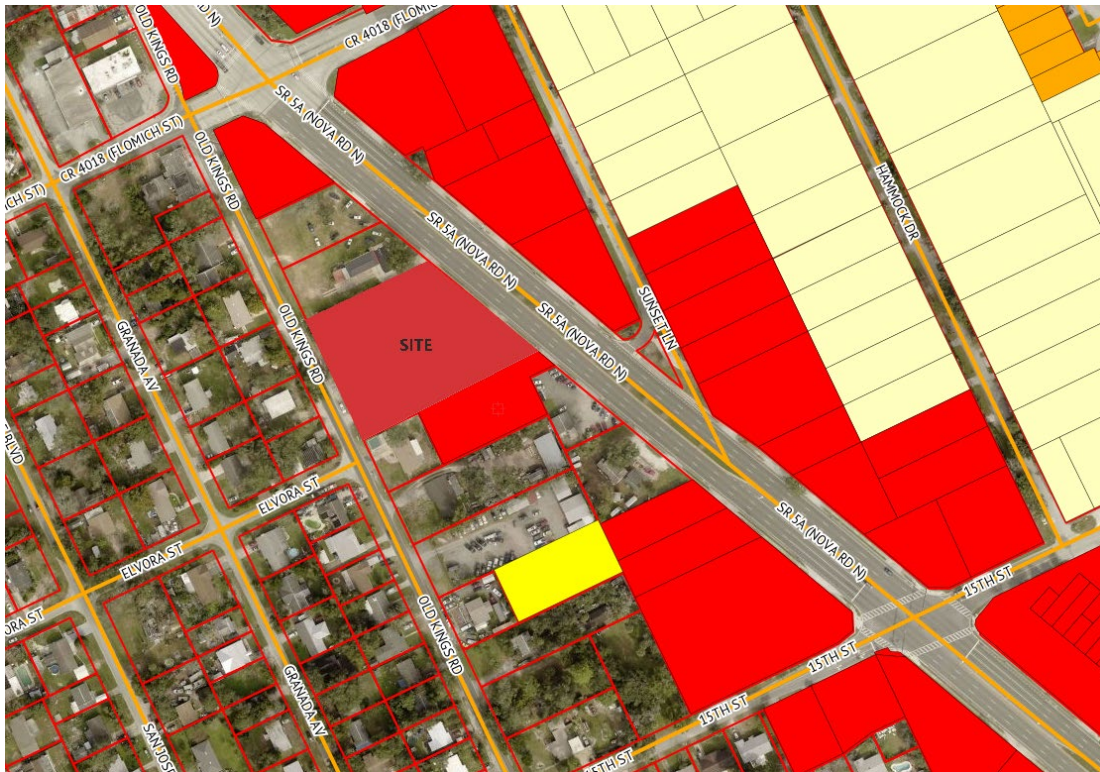
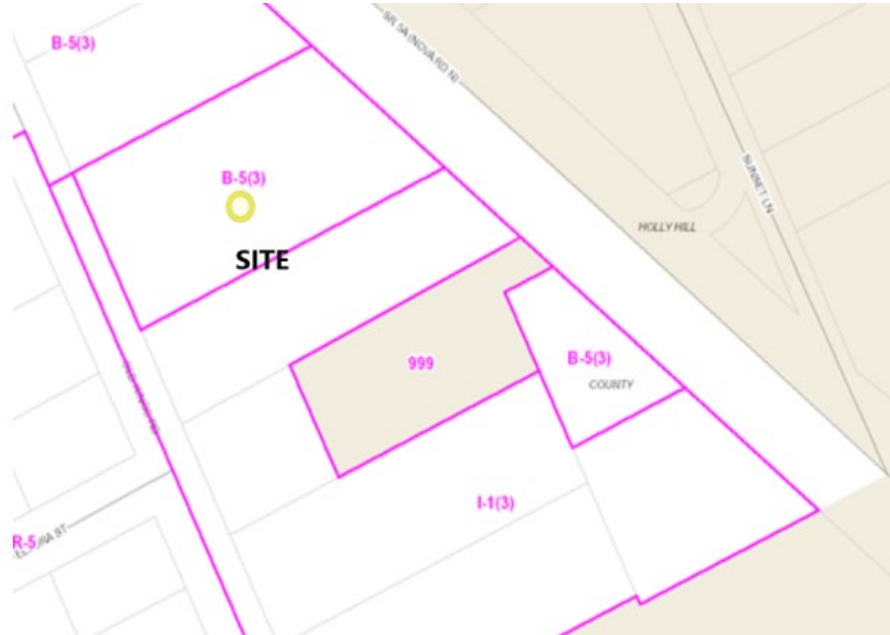


EXHIBIT E

CURRENT ZONING B-5 AND I-1 (Volusia County)



PROPOSED ZONING CC-1 (Holly Hill)

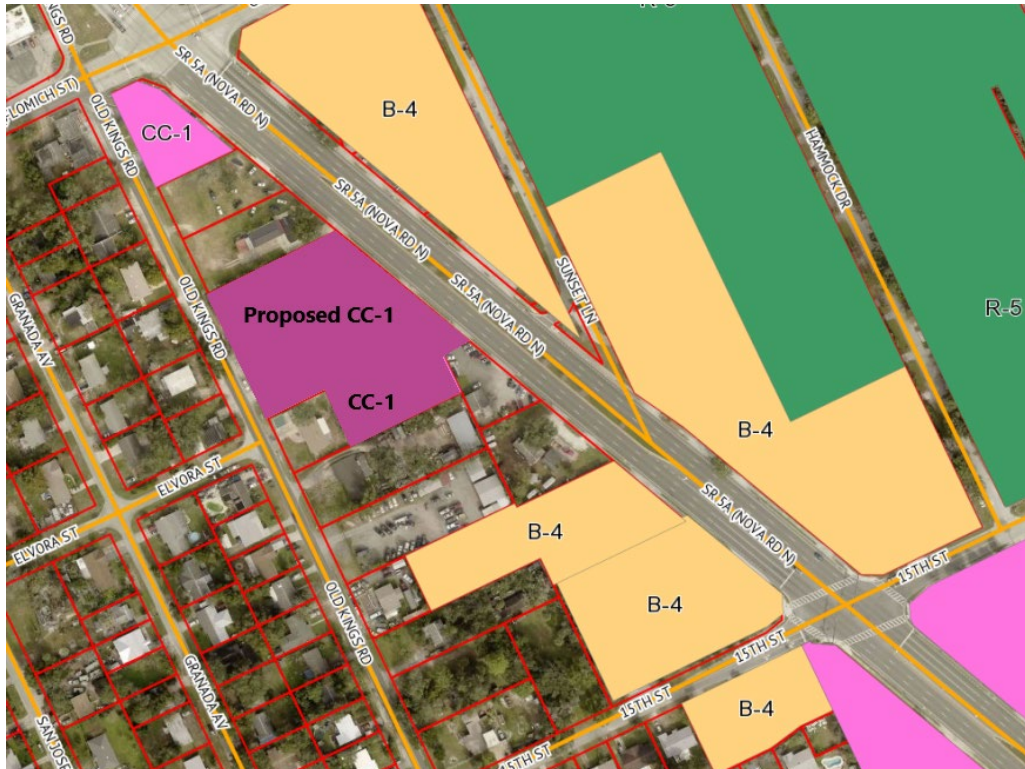


EXHIBIT F



The flood map for the selected area is number **12127C0352H**, effective on **02/19/2014**

Flood Map

HOLLY HILL RECEIVED

DEC 29 2020

COMM. DEV. DEPT.



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: 12/29/20 Application ID: 21-294 Submitted By: _____

PROJECT INFORMATION:

PROJECT NAME: Annex, Rezone, CPA
 PARCEL ID #(S): 4242-3101-0270 and 4242-3101-0280
 LOCATION: (.84) 1860 N Nova Rd and 1529 Old Kings Rd. (.6100 acres)
 EXISTING USE(S): Fence sales, Car lot
 PROPOSED USE(S): General Business
 TOTAL ACREAGE: .8390 + .6100 = 1.45 acres
 WATER PROVIDER: Daytona SEWER PROVIDER: N/A
 PRIVATE WELL: N/A PRIVATE SEPTIC: Yes
 CURRENT ZONING: B-5 and I-1 PROPOSED ZONING: CC-1
 CURRENT FUTURE LAND USE: MX2 PROPOSED FUTURE LAND USE: COM

APPLICANT INFORMATION:

Name: Joseph Jaquish E-Mail: Jakester 1964@yahoo.com
 Address: 1152 Lenders St. Ormond Phone: 386-871-6970
 Company: N/A Fax: _____
☒ Owner ☐ Agent for Owner ☐ Attorney for Owner

OWNER INFORMATION:

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

CONSULTANT INFORMATION:

Name: N/A E-Mail: _____
 Address: _____ Phone: _____
 Company: _____ Fax: _____

Attachment: Application and Related Docs (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)



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 X 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 386-248-9424.
☒ ELECTRONIC COPY OF ALL ITEMS SUBMITTED
☒ APPLICATION AND FEE
☒ PROOF THAT TAXES ARE CURRENT
☒ PROPERTY APPRAISER'S PROPERTY INFORMATION PRINTOUT
☒ OWNERSHIP DISCLOSURE FORM (ADD'L DOCUMENTATION MAY REQUIRED IF OWNER IS A TRUST OR CORPORATION)
☒ OWNER'S AUTHORIZATION FORM, IF APPLICABLE (ADD'L DOCUMENTATION REQUIRED IF OWNER IS A TRUST OR CORPORATION)
☒ 2 CURRENT SIGNED AND SEALED BOUNDARY SURVEYS
☒ LEGAL DESCRIPTION IN MS WORD FORMAT (EMAIL THIS TO THE CITY PLANNER)

Attachment: Application and Related Docs (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)



1065 Ridgewood Avenue, Holly Hill, FL 32117

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

- N/A ✓ 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)
- N/A ✓ DRAFT DEVELOPMENT ORDER IN MS WORD FORMAT (PD REZONE ONLY – CONTACT THE CITY PLANNER)
- N/A ✓ PRELIMINARY DEVELOPMENT PLAN (**PD REZONE ONLY** - SEE CODE SEC. 114-771)
- ✓ **REZONES ONLY:** ANSWER THE 8 QUESTIONS ATTACHED ON THE REZONING REQUIREMENTS SHEET
- ✓ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Facility Demand Comparison**. For example, for the existing Future Land Use designation, show the demands on the city's infrastructure at the highest intensity, and for the proposed Future Land Use, show what the demands would be at the highest intensity. Show this information for the following facilities:
- Potable Water
 - Sanitary Sewer
 - Stormwater
 - Transportation (Use current year ITE Trip Generation Rates—Provide PM Peak Hour and Avg Daily)
 - Solid Waste Collection
 - School (Residential Only)
- ✓ **COMPREHENSIVE PLAN AMENDMENTS ONLY:** Provide a **Demonstration of Capacity:** Show that there is capacity and ability to meet increased demands on facilities. The city's public works department can assist in providing information regarding potable water, sanitary sewer and solid waste.

Applicant's Signature: _____

Joseph P Jaguish
(Signature)

12/29/20
(Date)

Joseph P Jaguish
(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: Application and Related Docs (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)



VOLUSIA COUNTY TAX BILL
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
 2020 Paid Real Estate

5.1.g

PROPERTY ADDRESS: 1529 OLD KINGS RD, DAYTONA BEACH, 32117
LEGAL DESCRIPTION: S 85 FT OF LOT 27 & THAT PT OF LOTS 8 & 9 W OF RD 415 LYING BETWEEN N & S/LS OF S 85 FT OF
 See Additional Legal on Tax Roll

JAKUSH JOSEPH
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174



PARCEL:	424231010270
ALTERNATE KEY :	3194781
MILLAGE CODE:	200
TAX YEAR:	2020

County of Volusia
 Paid By Joseph Jakush & Douglas P
 11/03/2020 \$1,817.64

Receipt # 064-20-0000081

PAY IN U.S. DOLLARS DRAWN FROM A U.S. BANK.

WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

TAXES BECOME DELINQUENT APRIL

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAX AMOUNT
VOLUSIA COUNTY GENERAL FUND	5.45000	96,988	0	96,988	528.58
VOLUSIA COUNTY LIBRARY	0.51740	96,988	0	96,988	50.18
VOLUSIA FOREVER	0.10520	96,988	0	96,988	10.20
VOLUSIA ECHO	0.00000	96,988	0	96,988	0.00
VOLUSIA FOREVER I&S 2005	0.07830	96,988	0	96,988	7.59
VOLUSIA COUNTY MSD	2.10830	96,988	0	96,988	204.48
VOLUSIA COUNTY FIRE DISTRICT	3.84120	96,988	0	96,988	372.55
VOLUSIA COUNTY MOSQUITO CONTROL	0.17810	96,988	0	96,988	17.27
PONCE INLET PORT AUTHORITY	0.08800	96,988	0	96,988	8.53
SCHOOL	5.90700	96,988	0	96,988	572.91
ST JOHNS WATER MANAGEMENT DIST	0.22870	96,988	0	96,988	22.18
FLORIDA INLAND NAVIGATION DIST	0.03200	96,988	0	96,988	3.10
HALIFAX HOSPITAL AUTHORITY	0.98790	96,988	0	96,988	95.81

TOTAL MILLAGE RATE: 19.52210 **TOTAL TAXES:** \$1,893.38

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	TELEPHONE	RATE PER UNIT	AMOUNT
-------------------	-----------	---------------	--------

TOTAL ASSESSMENTS: \$0.00

TOTAL COMBINED TAXES AND ASSESSMENTS: \$1,893.38

Pay online at volusia.county-taxes.com

Phone: 386-736-5938
 Revenue@volusia.org

RETURN WITH PAYMENT

VOLUSIA COUNTY TAX BILL
 2020 Paid Real Estate

Make payment to:
 COUNTY OF VOLUSIA
 Mail payment to:
 County of Volusia-Revenue Division
 123 W Indiana Ave Room 103
 DeLand FL 32720

NOTE: In order to avoid a rejected payment, please verify that the legal written line of your check matches the exact amount due based on the "IF POSTMARKED BY" date.

PARCEL:	424231010270
ALTERNATE KEY :	3194781
TAX YEAR:	2020

PAY IN U.S. DOLLARS DRAWN ON A U.S. BANK
 JAKUSH JOSEPH
 POWELL ROSEMARY K
 POWELL ROSEMARY K
 1152 LANDERS ST
 ORMOND BEACH, FL 32174

PROPERTY ADDRESS:
 1529 OLD KINGS RD, DAYTONA BEACH, 32117

Please do not staple, tape, or paperclip your payment to this stub.

TAXES BECOME DELINQUENT APRIL

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

TaxSys

PLEASE DO NOT WRITE ON THIS STUB



Receipt # 064-20-0000081
 Paid 11/03/2020

\$1,817.64

Packet Pg. 27

Attachment: Application and Related Docs (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezzone)

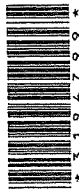


VOLUSIA COUNTY TAX BILL
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2020 Paid Real Estate

5.1.g

PROPERTY ADDRESS: 1860 N NOVA RD, DAYTONA BEACH, 32117

LEGAL DESCRIPTION: N 25 FT OF LOT 8 W OF ST RD 415 & N 15 FT OF LOT 27 & LOT 28
BLK 1 LARSEN SUB MB 11 PG 252
See Additional Legal on Tax Roll



JAKUSH JOSEPH P
POWELL ROSEMARY K
POWELL ROSEMARY K
1152 LANDERS ST
ORMOND BEACH, FL 32174



PARCEL:	424231010280
ALTERNATE KEY :	3194799
MILLAGE CODE:	200
TAX YEAR:	2020

County of Volusia County of Volusia
Paid By Joseph Jakush & Douglas P
11/03/2020 \$3,366.36

Receipt # 064-20-0000081

PAY IN U.S. DOLLARS DRAWN FROM A U.S. BANK.

WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

TAXES BECOME DELINQUENT APRIL 1

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAX AMOUNT
VOLUSIA COUNTY GENERAL FUND	5.45000	169,112	0	169,112	921.66
VOLUSIA COUNTY LIBRARY	0.51740	169,112	0	169,112	87.50
VOLUSIA FOREVER	0.10520	169,112	0	169,112	17.79
VOLUSIA ECHO	0.00000	169,112	0	169,112	0.00
VOLUSIA FOREVER I&S 2005	0.07830	169,112	0	169,112	13.24
VOLUSIA COUNTY MSD	2.10830	169,112	0	169,112	356.54
VOLUSIA COUNTY FIRE DISTRICT	3.84120	169,112	0	169,112	649.59
VOLUSIA COUNTY MOSQUITO CONTROL	0.17810	169,112	0	169,112	30.12
PONCE INLET PORT AUTHORITY	0.08800	169,112	0	169,112	14.88
SCHOOL	5.90700	169,112	0	169,112	998.95
ST JOHNS WATER MANAGEMENT DIST	0.22870	169,112	0	169,112	38.68
FLORIDA INLAND NAVIGATION DIST	0.03200	169,112	0	169,112	5.41
HALIFAX HOSPITAL AUTHORITY	0.98790	169,112	0	169,112	167.07

TOTAL MILLAGE RATE:

19.52210

TOTAL TAXES:

\$3,301.43

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	TELEPHONE	RATE PER UNIT	AMOUNT
VOLUSIA COUNTY STORMWATER	386-822-6422	72.00	205.20

TOTAL ASSESSMENTS:

\$205.20

TOTAL COMBINED TAXES AND ASSESSMENTS:

\$3,506.63

Pay online at volusia.county-taxes.com

Phone: 386-736-5938
Revenue@volusia.org

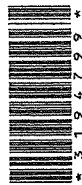
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PARCEL:	424231010280
ALTERNATE KEY :	3194799
TAX YEAR:	2020



PAY IN U.S. DOLLARS DRAWN ON A U.S. BANK
JAKUSH JOSEPH P
POWELL ROSEMARY K
POWELL ROSEMARY K
1152 LANDERS ST
ORMOND BEACH, FL 32174

PROPERTY ADDRESS:

1860 N NOVA RD, DAYTONA BEACH, 32117

Please do not staple, tape, or paperclip your payment to this stub.

TAXES BECOME DELINQUENT APRIL 1

If Postmarked By	Nov 30, 2020				
Please Pay	\$0.00				

TaxSys

PLEASE DO NOT WRITE ON THIS STUB



Receipt # 064-20-0000081

\$3,366.36

Paid 11/03/2020

Packet Pg. 28

Attachment: Application and Related Docs (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)

Table 1: Land Use and Zoning Table

1860 N. Nova Road and 1529 Old Kings Road

	Existing Development	Future Land Use Designation	Zoning Classification
Site	Car Lot and Fence Sales	MXZ	I-1 and B-5 Volusia County
North	Parking Lot & Commercial Development	MXZ	B-5 Volusia County
South	Commercial Development	Commercial and MXZ	CC-1 Holly Hill I-1 Volusia County
East	N. Nova Road & Commercial & Multi-family Development	Commercial	B-4 Holly Hill
West	Mistletoe Drive and Single-Family Residential	UMI	R-5 Volusia County

MYER LAND SURVEYING

Incorporated

Michael M. Myer, Professional Surveyor and Mapper

Bachelor of Land Surveying, University of Florida

Phone 386 255-6304

myerlandsurveying@gmail.com

Description for parcels combination

Parcel No. 42423101280 and Parcel No. 42423101270

Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida. This parcel contains 36521.37 square feet, more or less.

And

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida. This parcel contains 26512.37 square feet, more or less.

Description prepared by:



Michael M. Myer, PSM SL4006

Attachment: Legal Description (3286 : 1860 N Nova and 1529 Old Kings - CPA and Rezone)

Boundary Survey

GENERAL LEGEND:

A/C Air conditioning pad
A/U Aerial utilities
ACLRR Atlantic Coastline Railroad
CALC Calculation
CB Catch basin
CL Centerline
C Cleanout
CM Concrete monument
CONC Concrete
C Cable riser
C Cable TV service
D Delta
D Degree
DESC Description
Doc Document
E(LY) East(ery)
E Electric meter
EMT Electrical metal tubing
FD Found
FLD Field
FPC Florida Power Corporation
FPLS Florida Professional Land Surveyor
F Fire Hydrant
G Gas VALVE
G Guy Anchor
E Electric Service
IP Iron pipe
L Arc length
LB Licensed business
MB Mailbox
N(LY) North(ery)
RLS Registered land surveyor
NAVD North American Vertical Datum
NGVD National Geodetic Vertical Datum
R/W Right of Way
PC Point of curve
PCP Permanent control point
POB Point of beginning
POC Point of commencement
PT Point of tangent
R&C Rod and cap
REC Recovered
S(LY) South(ery)
S Storm manhole
S Sign
R Telephone service
R Radius
TYP Typical
U Utility pole
U Utility services
W Well
W(LY) West(ery)
W Water meter
W Water spigot
W Water valve
L Light Pole

Legal Description:

Lot 28 and the Southerly 25 feet of an unnumbered parcel lying Northerly of Lot 28; and the Northerly 15 feet of Lot 27; and the Northerly 25 feet of Lot 8; and that part of Lot 7, Block 1, Larson Subdivision, as recorded in Map Book 11, Page 252, of the Public Records of Volusia County, Florida, lying Westerly of Nova Road (S.R. 415), excepting therefrom any said property lying within the former 100 foot right of way of Nova Road and further excepting that part of the property deeded to the Florida Department of Transportation in that Deed recorded in Official Records Book 3723, at Page 4557, of the Public Records of Volusia County, Florida.

And:

The Southerly 85 feet of Lot 27; and that part of Lots 8 and 9 West of State Road 415, lying between the North and South lines of the Southerly 85 feet of Lot 27, extended, Block 1, LARSEN, according to the plat thereof recorded in Map Book 11, Page 252, Public Records of Volusia County, Florida, less and except that portion Deeded to the State of Florida, Department of Transportation in Official Records Book 3640, page 1717, Public Records of Volusia County, Florida

Job Number 20337 CRD #87193
FB 334 © 68-70

GENERAL NOTES:

1. The field survey was completed 1/11/21.
2. Bearing Basis is assumed: N24°53'47"E along the Easterly right of way of Old Kings Road.
3. Dimensions shown are feet and decimals thereof.
4. Only visible utilities were located.
5. Dimensions are feet and decimals thereof.
6. No title search has been performed by or provided to Myer Land Surveying.

MICHAEL M. MYER, FL PSM LS4006
MYER LAND SURVEYING, INC., LICENSED BUSINESS #6877
(Not valid unless signed and embossed with surveyor's seal and/or stamped with a digital signature badge.)

This Boundary Survey is exclusively prepared for the benefit of:
Joseph Jaquish

MYER LAND SURVEYING, INC.
LICENSED BUSINESS #6877
MICHAEL M. MYER #LS 4006
PROFESSIONAL LAND SURVEYOR
316 RIDGEWOOD AVENUE HOLLY HILL, FLORIDA 32117
386 255-6304 Phone MyerLandSurveying@gmail.com

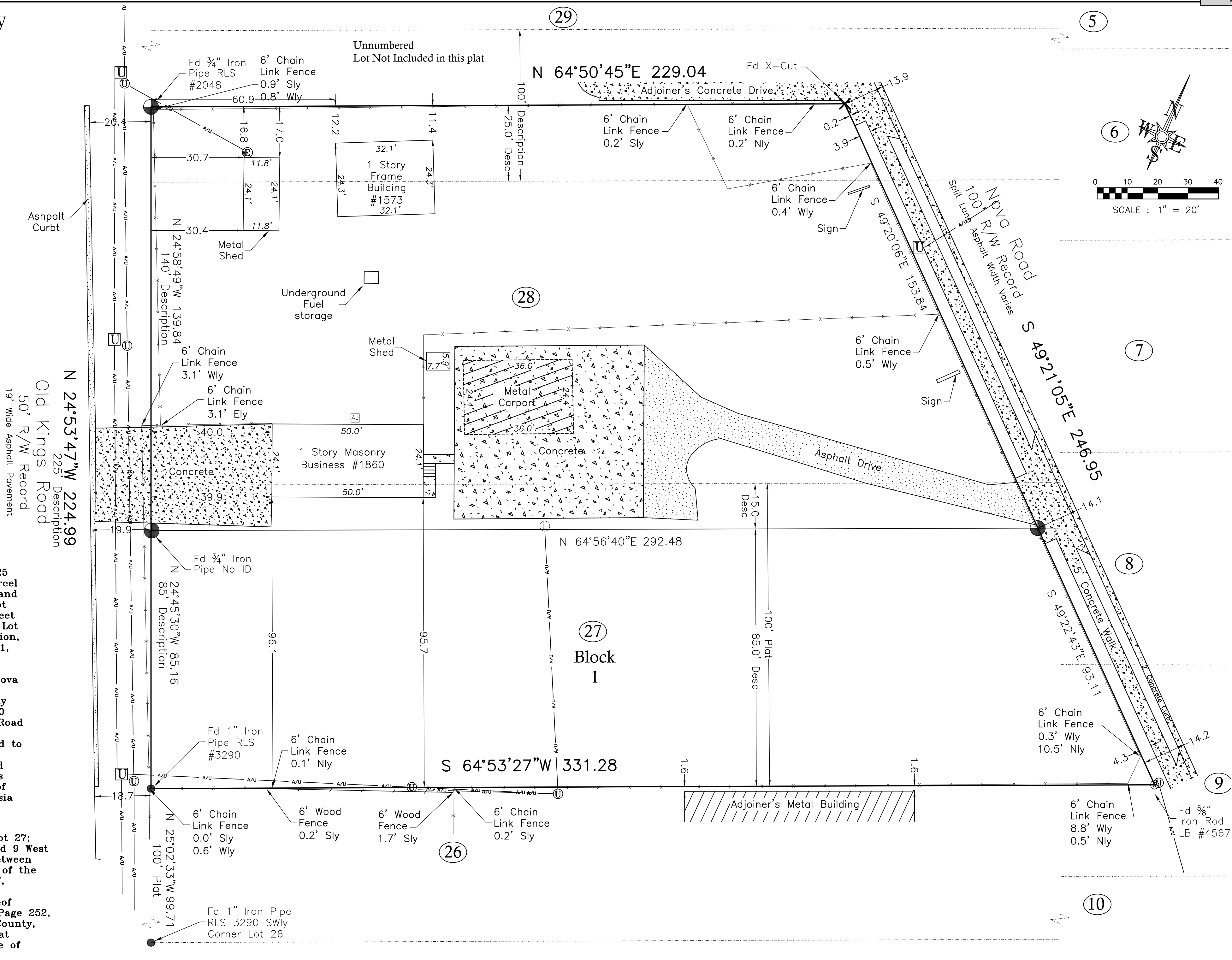
SCALE
1" = 20'

DRAWN
ALH/AJS

CHECKED
MMM

DATE
1/25/2021

Packet Pg. 31



64E-6.008 System Size Determinations.

(1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the estimated daily sewage flow as determined from Table I or the following:

(a) The DOH county health department shall accept, for other than residences and food operations, metered water use data in lieu of the estimated sewage flows set forth in Table I. For metered flow consideration, the applicant shall provide authenticated monthly water use data documenting water consumption for the most recent 12 month period for at least six similar establishments. Similar establishments are those like size operations engaged in the same type of business or service, which are located in the same type of geographic environment, and which have approximately the same operating hours. Metered flow values will not be considered to be a reliable indicator of typical water use where one or more of the establishments utilized in the sample has exceeded the monthly flow average for all six establishments by more than 25 percent or where the different establishments demonstrate wide variations in monthly flow totals. When metered flow data is accepted in lieu of estimated flows found in Table I, the highest flow which occurred in any month for any of the six similar establishments shall be used for system sizing purposes. Except for food operations which exceed domestic sewage waste quality parameters as defined in subsection 64E-6.002(15), F.A.C., where an existing establishment which has been in continuous operation for the previous 24 months seeks to utilize its own metered flows, the applicant shall provide authenticated monthly water use data documenting water consumption for the most recent 24 month period. The highest monthly metered flow value for an existing establishment shall be used for system sizing purposes.

(b) When onsite systems use multiple strategies to reduce the total estimated sewage flow or the drainfield size, only one reduction method shall be credited.

TABLE I
For System Design
ESTIMATED SEWAGE FLOWS

TYPE OF ESTABLISHMENT COMMERCIAL:	GALLONS PER DAY
Airports, bus terminals, train stations, port & dock facilities, Bathroom waste only	
(a) Per passenger	4
(b) Add per employee per 8 hour shift	15
Barber & beauty shops per service chair	75
Bowling alley bathroom waste only per lane	50
Country club	
(a) Per resident	100
(b) Add per member or patron	25
(c) Add per employee per 8 hour shift	15
Doctor and Dentist offices	
(a) Per practitioner	250
(b) Add per employee per 8 hour shift	15
Factories, exclusive of industrial wastes gallons per employee per 8 hour shift	
(a) No showers provided	15
(b) Showers provided	25
Flea Market open 3 or less days per week	
(a) Per non-food service vendor space	15
(b) Add per food service establishment using single service articles only per 100 Square feet of floor space	50
(c) Per limited food service establishment	25
(d) For flea markets open more than 3 days per week estimated flows shall be doubled	
Food operations	
(a) Restaurant operating 16 hours or less per day per seat	40
(b) Restaurant operating more than 16 hours per day per seat	60
(c) Restaurant using single service articles only and operating 16 hours or less per day per seat	20
(d) Restaurant using single service articles only and operating more than 16 hours per day per seat	35
(e) Bar and cocktail lounge per seat	20

add per pool table or video game	15
(f) Drive-in restaurant per car space	50
(g) Carry out only, including caterers	
1. Per 100 square feet of floor space	50
2. Add per employee per 8 hour shift	15
(h) Institutions per meal	5
(i) Food Outlets excluding deli's, bakery, or meat department per 100 square feet of floor space	10
1. Add for deli per 100 square feet of deli floor space	40
2. Add for bakery per 100 square feet of bakery floor space	40
3. Add for meat department per 100 square feet of meat department floor space	75
4. Add per water closet	200
Hotels & motels	
(a) Regular per room	100
(b) Resort hotels, camps, cottages per room	200
(c) Add for establishments with self service laundry facilities per machine	750
Mobile Home Park	
(a) Per single wide mobile home space, less than 4 single wide spaces connected to a shared onsite system	250
(b) Per single wide mobile home space, 4 or more single wide spaces are connected to a shared onsite system	225
(c) Per double wide mobile home space, less than 4 double wide mobile home spaces connected to a shared onsite system	300
(d) Per double wide mobile home space, 4 or more double wide mobile home spaces connected to a shared onsite system	275
Office building	
per employee per 8 hour shift, or	15
per 100 square feet of floor space, whichever is greater	15
Transient Recreational Vehicle Park	
(a) Recreational vehicle space for overnight stay, without water and sewer hookup per vehicle space	50
(b) Recreational vehicle space for overnight stay, with water and sewer hookup per vehicle space	75
Service stations per water closet	
(a) Open 16 hours per day or less	250
(b) Open more than 16 hours per day	325
Shopping centers without food or laundry per square foot of floor space	0.1
Stadiums, race tracks, ball parks per seat	4
Stores per bathroom	200
Swimming and bathing facilities, public	10
per person	
Theatres and Auditoriums, per seat	4
Veterinary Clinic	
(a) Per practitioner	250
(b) Add per employee per 8 hour shift	15
(c) Add per kennel, stall or cage	20
Warehouse	
(a) Add per employee per 8 hour shift	15
(b) Add per loading bay	100
(c) Self-storage, per unit (up to 200 units)	1
add 1 gallon for each 2 units or fraction thereof, for over 200 units, and shall be in addition to	

employees, offices or living quarters flow rates.

INSTITUTIONAL:

Churches per seat which includes kitchen wastewater flows unless meals prepared on a routine basis	3
If meals served on a regular basis add per meal prepared	5
Hospitals per bed which does not include kitchen wastewater flows	200
add per meal prepared	5
Nursing, rest homes, adult congregate living facilities per bed which does not include kitchen wastewater flows	100
add per meal prepared	5
Parks, public picnic	
(a) With toilets only per person	4
(b) With bathhouse, showers & toilets per person	10
Public institutions other than schools and hospitals per person which does not include kitchen wastewater flows	100
add per meal prepared	5
Schools per student	
(a) Day-type	10
(b) Add for showers	4
(c) Add for cafeteria	4
(d) Add for day school workers	15
(e) Boarding-type	75
Work/construction camps, semi-permanent per worker	50
RESIDENTIAL:	
Residences	
(a) Single or multiple family per dwelling Unit	
1 Bedroom with 750 sq. ft. or less of building area	100
2 Bedrooms with 751-1,200 sq. ft. of building area	200
3 Bedrooms with 1,201-2,250 sq. ft. of building area	300
4 Bedrooms with 2,251-3,300 sq. ft. of building area	400
For each additional bedroom or each additional 750 square feet of building area or fraction thereof in a dwelling unit, system sizing shall be increased by 60 gallons per dwelling unit.	
(b) Other per occupant	50

Footnotes to Table I:

1. For food operations, kitchen wastewater flows shall normally be calculated as 66 percent of the total establishment wastewater flow.

2. Systems serving high volume establishments, such as restaurants, convenience stores and service stations located near interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I figures.

3. For residences, the volume of wastewater shall be calculated as 50 percent blackwater and 50 percent graywater.

4. Where the number of bedrooms indicated on the floor plan and the corresponding building area of a dwelling unit in Table I do not coincide, the criteria which will result in the greatest estimated sewage flow shall apply.

5. Convenience store estimated sewage flows shall be determined by adding flows for food outlets and service stations as appropriate to the products and services offered.

6. Estimated flows for residential systems assumes a maximum occupancy of two persons per bedroom. Where residential care facilities will house more than two persons in any bedroom, estimated flows shall be increased by 50 gallons per each additional occupant.

(2) Minimum effective septic tank capacity and total dosing tank capacity shall be determined from Table II. However, where multiple family dwelling units are jointly connected to a septic tank system, minimum effective septic tank capacities specified in the table shall be increased 75 gallons for each dwelling unit connected to the system. With the exception noted in paragraph 64E-6.013(2)(a), F.A.C., all septic tanks shall be multiple chambered or shall be placed in series to achieve the required effective capacity. The use of an approved outlet filter device shall be required. Outlet filters shall be installed within or following the last septic tank or septic tank compartment before distribution to the drainfield. The outlet filter device requirement includes blackwater tanks, but does not include graywater tanks or grease interceptors or laundry tanks. Outlet filter devices shall be placed to allow accessibility for routine maintenance. Utilization and sizing of outlet filter devices shall be in accordance with the manufacturers' recommendations. The approved outlet filter device shall be installed in accordance with the manufacturers' recommendations. The Bureau of Onsite Sewage Programs shall approve outlet filter devices per the department's Policy on Approval Standards For Onsite Sewage Treatment And Disposal Systems Outlet Filter Devices, November 2008, which is herein incorporated by reference.

TABLE II
SEPTIC TANK AND PUMP TANK CAPACITY

AVERAGE SEWAGE FLOW GALLONS/DAY	SEPTIC TANK MINIMUM EFFECTIVE CAPACITY GALLONS	PUMP TANK MINIMUM TOTAL CAPACITY GALLONS	
		Residential	Commercial
0-200	900	150	225
201-300	900	225	375
301-400	1,050	300	450
401-500	1,200	375	600
501-600	1,350	450	600
601-700	1,500	525	750
701-800	1,650	600	900
801-1,000	1,900	750	1,050
1,001-1,250	2,200	900	1,200
1,251-1,750	2,700	1,350	1,900
1,751-2,500	3,200	1,650	2,700
2,501-3,000	3,700	1,900	3,000
3,001-3,500	4,300	2,200	3,000
3,501-4,000	4,800	2,700	3,000
4,001-4,500	5,300	2,700	3,000
4,501-5,000	5,800	3,000	3,000

(3) Where a separate graywater tank and drainfield system is used, the minimum effective capacity of the graywater tank shall be 250 gallons with such system receiving not more than 75 gallons of flow per day. For graywater systems receiving flows greater than 75 gallons per day, minimum effective tank capacity shall be based on the average daily sewage flow plus 200 gallons for sludge storage. Design requirements for graywater tanks are described in subsection 64E-6.013(2), F.A.C. Where separate graywater and blackwater systems are utilized, the size of the blackwater system can be reduced, but in no case shall the blackwater system be reduced by more than 25 percent. However, the minimum capacity for septic tanks disposing of blackwater shall be 900 gallons.

(4) Where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and setbacks allow system construction, the applicant may request a separate laundry waste tank and drainfield system. Where an aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

(a) The minimum laundry waste trench drainfield absorption area for slightly limited soil shall be 75 square feet for a one or two bedroom residence with an additional 25 square feet for each additional bedroom. If an absorption bed drainfield is used the minimum drainfield area shall be 100 square feet with an additional 50 square feet for each additional bedroom over two bedrooms. The DOH county health department shall require additional drainfield area based on moderately limited soils and other site specific conditions, which shall not exceed twice the required amount of drainfield for a slightly limited soil.

(b) The laundry waste interceptor shall meet requirements of subsections 64E-6.013(2) and (8), F.A.C.

(c) The drainfield absorption area serving the remaining wastewater fixtures in the residence shall be reduced by 25 percent.

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

TABLE III
For Sizing of Drainfields Other Than Mounds

U.S. DEPARTMENT OF AGRICULTURE SOIL TEXTURAL CLASSIFICATION	SOIL TEXTURE LIMITATION (PERCOLATION RATE)	MAXIMUM SEWAGE LOADING RATE TO TRENCH & BED ABSORPTION SURFACE INGALLONS PER SQUARE FOOT PER DAY	
		TRENCH	BED
Sand; Coarse Sand not associated with a seasonal water table of less than 48 inches; and Loamy Coarse Sand	Slightly limited (Less than 2 min/inch)	0.80	0.60
Loamy Sand; Sandy Loam; Coarse Sandy Loam; and Fine Sand Loam;	Slightly limited (2-4 min/inch)	0.80	0.60
Fine Sandy Loam; Silt Loam; Very Fine Sand; Very Fine Sandy Loam; Loamy Fine Sand; Loamy Very Fine Sand; and Sandy Clay Loam	Moderately limited (5-10 min/inch)	0.65	0.35
Clay Loam; Silty Clay Loam; Sandy Clay; Silty Clay; and Silt	Moderately limited (Greater than 15 min/inch but not exceeding 30 min/inch)	0.35	0.20
Clay; Organic Soils; Hardpan; and Bedrock	Severely limited (Greater than 30 min/inch)	Unsatisfactory for standard subsurface system	
Coarse Sand with an estimated wet season high water table within 48 inches of the bottom of the proposed drainfield; Gravel or Fractured Rock or Oolitic Limestone	Severely limited (Less than 1 min/inch and a water table less than 4 feet below the drainfield)	Unsatisfactory for standard subsurface system	

Footnotes to Table III:

1. U.S. Department of Agriculture major soil textural classification groupings and methods of field identification are explained in Rule 64E-6.016, F.A.C. Laboratory sieve analysis of soil samples may be necessary to confirm field evaluation of specific soil textural classifications. The USDA Soil Conservation Service "Soil Textural Triangle" shall be used to classify soil groupings based on the proportion of sand, silt and clay size particles.

2. The permeability or percolation rate of a soil within a specific textural classification may be affected by such factors as soil structure, cementation and mineralogy. Where a percolation rate is determined using the falling head percolation test procedure described in the United States Environmental Protection Agency Design Manual for Onsite Wastewater Treatment and Disposal Systems, October, 1980, incorporated by reference into this rule, the calculated percolation test rate shall be used with Table III and evaluated by the DOH county health department with other factors such as history of performance of systems in the area in determining the minimum sizing for the drainfield area.

3. When all other site conditions are favorable, horizons or strata of moderately or severely limited soil may be replaced with slightly limited soil or soil of the same texture as the satisfactory slightly limited permeable layer lying below the replaced layer. The slightly limited permeable layer below the replaced layer shall be identified within the soil profile which was submitted as part of the permit application. The resulting soil profile must show complete removal of the moderately or severely limited soil layer being replaced and must be satisfactory to a minimum depth of 54 inches beneath the bottom surface of the proposed drainfield. The

width of the replacement area shall be at least 2 feet wider and longer than the drain trench and for absorption beds shall include an area at least 2 feet wider and longer than the proposed bed. Drainfields shall be centered in the replaced area. Where at least 33 percent of the moderately limited soils at depths greater than 54 inches below the bottom of the drainfield have been removed to the depth of slightly limited soil, drainfield sizing shall be based on the following sewage loading rates. Where severely limited soils are being removed at depths greater than 54 inches below the bottom of the drainfield, 100 percent of the severely limited soils at depths greater than 54 inches shall be removed down to the depth of an underlying slightly limited soil. Maximum sewage loading rates for standard subsurface systems installed in replacement areas shall be 0.80 gallons per square foot per day for trench systems and 0.60 gallons per square foot per day for absorption beds in slightly limited soil textures. Where moderately limited soil materials are found beneath the proposed drainfield, and where system sizing is based on that moderately limited soil, soil replacements of less than 33% may be permitted.

4. Where coarse sand, gravel, or oolitic limestone directly underlies the drainfield area, the site shall be approved provided a minimum depth of 42 inches of the rapidly percolating soil beneath the bottom absorption surface of the drainfield and a minimum 12 inches of rapidly percolating soil contiguous to the drainfield sidewall absorption surfaces, is replaced with slightly limited soil material. Where such replacement method is utilized, the drainfield size shall be determined using a maximum sewage application rate of 0.80 gallons per square foot per day of drainfield in trenches and 0.60 gallon per square foot per day for drainfield absorption beds.

5. Where more than one soil texture classification is encountered within a soil profile and it is not removed as part of a replacement, drainfield sizing for standard subsurface drainfield systems and fill drainfield systems shall be based on the most restrictive soil texture encountered within 24 inches of the bottom of the drainfield absorption surface.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09, 7-16-13.

FUTURE LAND USES

Mixed Use Zone (MXZ) - Volusia County - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

UMI - Urban Medium Intensity – Volusia County

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial.

All requests for nonresidential uses within one- quarter ($\frac{1}{4}$) mile of another jurisdiction shall require notification to that jurisdiction.

Proposed FLU**General Commercial (Holly Hill)**

General commercial development - the ratio of building floor area to total site area shall not exceed 1.95 except for properties fronting on Ridgewood Avenue where a ratio of 4.55 may be permitted. (The ratio is calculated by dividing building floor area by site area.)

ZONING DISTRICTS**I-1 Light Industrial Zoning (Volusia County)**

This classification is to provide sufficient space in appropriate locations for industrial operations engaged in the fabricating, repair, or storage of manufactured goods of such a nature that objectionable by-products of the activity (such as odors, smoke, dust, refuse, electromagnetic interference, noise in excess of that customary to loading, unloading, and handling of goods and materials) are not nuisances beyond the lot on which the facility is located. Minimum 1 acre per lot.

B-5 Heavy Commercial (Volusia County)

This classification is to provide areas for commercial uses and structures that are not generally compatible with B-4 uses and structures. Minimum 1 acre per lot.

R-5 Urban Single Family Residential (Volusia County)

This classification is to provide medium-density residential developments, preserving the character of existing or proposed residential neighborhoods. Single family standard or manufactured modular dwelling are permitted. Minimum 5,000 sq. ft. per lot; minimum 750 sq. ft. livable floor area.

B-4 (Holly Hill)**Sec. 114-443. - Permitted principal uses and structures.****Permitted principal uses and structures in the B-4 district are as follows:**

(1)Any use permitted in the B-1 professional office/hospital-medical district.(2)Administrative offices.(3)Retail sales and services.(4)Personal services.(5)Restaurants, type A and B, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.(6)Bars and nightclubs, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.(7)Houses of worship.(8)Application of permanent makeup.(9)Adult day care centers.

Sec. 114-444. - Prohibited uses.

Prohibited uses in the B-4 district are as follows:

(1)Blood banks.(2)Tattoo parlors except that tattoo parlors shall be permitted on B-4 zoned property only within the redevelopment district overlay if approved by special exception. (Ord. No. 2454, § 1, 3-11-97; Ord. No. 2460, § 1, 3-25-97; Ord. No. 2999, § 2, 3-13-18)

Sec. 114-445. - Permitted accessory uses and structures.

Permitted accessory uses and structures in the B-4 district are as follows:

(1)Uses customarily associated with, dependent on and incidental to the permitted principal use.(2)Outside display, storage or sale of goods and objects that are customarily associated with and incidental to a permitted principal use. (Refer to section 114-767.) (Ord. No. 2352, § 2(5.5.16.D), 7-13-93; Ord. No. 2454, § 1, 3-11-97)

Sec. 114-446. - Special exceptions.

Special exceptions in the B-4 district are as follows:

(1)City-owned and quasipublic service and safety facilities. (Refer to section 114-669.)(2)Child day care centers. (Refer to section 114-667.)(3)Meeting places for civic, fraternal and service organizations. (Refer to section 114-663.)(4)Self-service automobile fuel stations and accessory self-service fuel pumps. (Refer to section 114-682.)(5)Motor vehicle rentals. (Refer to section 114-675.)(6)Type A and B service stations. (Refer to section 114-682.)(7)Flea markets and farmers' markets. (Refer to section 114-676.)(8)Restaurants, type A and B, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-690.)(9)Bars and nightclubs, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-691.)(10)New and used car lots. (Refer to section 114-683.)(11)Indoor shooting ranges. (Refer to section 114-697.)(12)Schools (public, private, parochial or technical) (Refer to section 114-698.)(13)Amusement center. (Refer to section 114-701.) (Ord. No. 2352, § 2(5.5.16.E), 7-13-93; Ord. No. 2361, § 1(V), 11-9-93; Ord. No. 2471, § 1, 6-24-97; Ord. No. 2454, § 1, 3-11-97; Ord. No. 2495, § 1, 1-13-98; Ord. No. 2561, § 1, 5-11-99; Ord. No. 2680, § 2, 1-27-04)

(Proposed Zoning)

CC-1, COMMERCIAL CORRIDOR DISTRICT

Sec. 114-591. - Scope.

This division shall apply to the CC-1 commercial corridor district.

Sec. 114-592. - Intent.

The CC-1 district regulations are intended to promote a relatively intense mix of uses along Ridgewood Avenue, including general retail, wholesale commercial, light industrial and limited residential uses, that are compatible and functionally related so as to enhance the economy of the area; to promote functionally efficient and visually attractive open spaces along the street and between buildings; and to promote the efficient use of Ridgewood Avenue and to minimize the deleterious effects of vehicle turning movements on its traffic-carrying capacity through reasonable access controls.

Sec. 114-593. - Permitted principal uses and structures.

Permitted principal uses and structures in the CC-1 district are as follows:

- (1) Administrative offices.
- (2) Adult congregate living facilities not exceeding 65 clients per acre (licensed capacity).
- (3) Adult day care centers.
- (4) Banks and savings and loans.
- (5) Barbershops.
- (6) Bars and nightclubs, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.
- (7) Beauty salons.
- (8) Business services.
- (9) Carwash facilities, except when located on property adjacent to Ridgewood Avenue or LPGA Blvd., in which case such use is allowed by special exception.
- (10) Child day care centers.
- (11) Civic, fraternal and service organizations.

- (12) Clubs, private.
- (13) Convenience grocery stores.
- (14) General office uses.
- (15) Hospitals.
- (16) Hotels/motels.
- (17) Houses of worship.
- (18) Laboratories: biological, optical, medical, dental and X-ray, but not including research and development laboratories related to the manufacturing of drugs for distribution and sale.
- (19) Manufacturing (light industrial).
- (20) Marinas.
- (21) Medical and dental clinics.
- (22) Miniwarehouses.
- (23) Motor vehicle sales and rentals.
- (24) Newsstands.
- (25) Personal services.
- (26) Prescription pharmacies.
- (27) Professional services offices.
- (28) Public uses.
- (29) Public utility uses and structures.
- (30) Recreational vehicles and equipment sales (including boat sales).
- (31) Residential dwelling units (not more than ten dwelling units per acre in conjunction with a nonresidential use only).
- (32) Rest and convalescent homes.
- (33) Restaurants, type A or B, except when such uses are located on a parcel abutting any R-1 through R-9 zoned property.
- (34) Retail sales and services.
- (35) Retail specialty shops.
- (36) Self-service laundromats.
- (37) Shopping centers.
- (38) Veterinary clinics.
- (39) Warehousing and distribution.
- (40) Motor vehicle and marine sales, services, parts and repair.
- (41) Paint and body shops, except when such uses are located on a parcel abutting Ridgewood Avenue (U.S. 1/S.R. 5) or abutting any R-1 through R-9 zoned property.

Sec. 114-594. - Prohibited uses.

The following uses are prohibited in the CC-1 district:

- (1) Asphalt batching plants.
- (2) Blood plasma centers.
- (3) Bulk storage of petroleum products and other flammable substances.
- (4) Concrete plants.
- (5) Truck and automobile salvage yards.
- (6) Temporary labor halls and similar uses, but not including employment services.
- (7) Tattoo parlors, except that tattoo parlors shall be permitted on CC-1 zoned property only within the redevelopment district overlay if approved by special exception.

Sec. 114-596. - Special exceptions.

Special exceptions in the CC-1 district are as follows:

- (1) Automobile service stations (type A and B) (Refer to section 114-682.)
- (2) Bars and nightclubs, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-691.)
- (3) Fence manufacturing and assembly. (Refer to section 114-684.)
- (4) Flea markets and farmers' markets. (Refer to section 114-676.)
- (5) Restaurants, types A and B, when such uses are located on a parcel abutting any R-1 through R-9 zoned property. (Refer to section 114-690.)
- (6) Self-service automobile fuel stations and accessory self-service fuel pumps. (Refer to section 114-682.)
- (7) Transmission repair services. (Refer to section 114-681.)
- (8) Truck and rail freight terminals.