CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA ● JULY 11, 2023

City Commission Chamber	Regular City Commission 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

CITY COMMISSION MEMBERS

Mayor
Chris Via

District 1 - Commissioner
John Penny

District 2 - Commissioner
Penny Currie

District 3 - Commissioner
John C. Danio

District 4 - Commissioner
Roy Johnson

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

a. Roll Call
b. Invocation by City Commissioner John Danio
c. Pledge of Allegiance

2. PUBLIC COMMENTS

3. APPROVAL OF MINUTES

1. Minutes - June 27, 2023 Regular City Commission Meeting

   (Requested by Valerie Manning, City Clerk)

4. CONSENT AGENDA - ITEM (1)

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items. Is there anyone in the audience who wishes to speak on any item on the Consent Agenda?

1. MOU Between Coastal Crisis Negotiations Team (CCNT) and the Holly Hill Police Department

   (Requested by Jeff Miller, Police)

5. REGULAR AGENDA

1. Request for Lien Reduction - 905 Hartford Avenue

   (Requested by Joseph Forte, City Manager)

2. Request for a Lien Reduction - 124 Daytona Avenue

   (Requested by Joseph Forte, City Manager)

6. PUBLIC HEARINGS

Please silence any cell phone, pager or noise making device as not to interrupt the meeting. Staff will introduce each item for consideration, with comments and recommendations. The applicant or appellant and supporters will be heard first. Those in opposition to the request will be heard next. Comments should be restricted to pertinent information regarding the agenda item under discussion. Out of courtesy to others, we ask that speakers keep their comments brief and try to limit these comments to information not previously discussed. Speakers should state their name and address clearly for the record. The City Clerk's office is required to retain any documents, photographs, drawings, etc. that are shown to the City Commissioners in support of a position. The City Commission may ask questions of speakers or of staff members. The Mayor will then ask the City Commission to make a recommendation or motion. Once a motion has been made and seconded, discussion will be closed to the floor. Following City Commission discussion, a vote will be taken. During voting, Commissioners who do not cast objecting votes are considered to have voted in support of the motion.

1. Ordinance –2023-O-3060 SECOND READING - ORDINANCE 3060 - 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 in Attachment "A", by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Medium-Density Residential (LMDR) to Commercial and Further Adding Text to Restrict Commercial Development on Such Parcels to Specific Storage Uses; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3061 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from CC-1 (Commercial Corridor District) and R-7 (Medium-Density Multi-Family Residential) to BPUD (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

7. COMMUNICATIONS

A. City Manager Comments
B. City Attorney Comments
C. City Commission Comments
D. Mayor's Comments

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

City Commission
Agenda Item

MEETING DATE: **July 11, 2023**
FROM: **Valerie Manning**
SUBJECT: **Minutes - June 27, 2023 Regular City Commission Meeting**
NUMBER: **(ID # 4178)**
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from June 27, 2023 regular City Commission meeting.

MOTION:

Approve the minutes as submitted by staff.

- Minutes - June 27, 2023 - Regular City Commission meeting (PDF)

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JUNE 27, 2023

City Commission Chamber **Regular City Commission 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

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Absent	
Roy Johnson	District 4 - Commissioner	Present	

b. Invocation by City Commissioner Penny Currie
Commissioner Currie led the invocation.

c. Pledge of Allegiance
Mayor Via led the Pledge of Allegiance to the Flag.

2. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners: Dawn Bolin, Holly Hill; Heidi Heller, Holly Hill; and Christina Bolin, Holly Hill.

3. APPROVAL OF MINUTES

1. -DOC-2023-7

Minutes - June 13, 2023 - Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)
Mayor Via opened public participation. No one spoke.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Johnson
ABSENT:	Danio

Enacted and approved this 27th day of June, 2023, in Holly Hill

Attachment: Minutes - June 27, 2023 - Regular City Commission meeting (4178 : Minutes)

4. CONSENT AGENDA - ITEM (1)

1.

Memorandum of Agreement between the Florida Department of Corrections And Holly Hill Police Department A5299 - 2023

(Requested by Jeff Miller, Police)
Mayor Via asked if there was any member from the audience who wished to speak to the item on the Consent Agenda or if any member of the Commission wished to discuss the item further. There was no one.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Johnson
ABSENT:	Danio

5. REGULAR AGENDA - NONE

None.

6. PUBLIC HEARINGS

1. -2023-O-3060 Ordinance

SECOND READING - ORDINANCE 3060 - 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 in Attachment "A", by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Medium-Density Residential (LMDR) to Commercial and Further Adding Text to Restrict Commercial Development on Such Parcels to Specific Storage Uses; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3061 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from CC-1 (Commercial Corridor District) and R-7 (Medium-Density Multi-Family Residential) to BPUD (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Attorney Simpson reminded the Mayor and Commissioners that these two Ordinances will be presented as one item, however, they will be voted on separately.

Commissioners Currie, Penny, Johnson and Mayor Via all disclosed that Rob Merrell's office had reached out to them through email to see if they would like to meet with the applicant to discuss these Ordinances as proposed but no one responded or met with anyone.

Attachment: Minutes - June 27, 2023 - Regular City Commission meeting (4178 : Minutes)

Mr. Walker went through the staff reports for Ordinance 3060, amending the Comprehensive Plan by amending the future land use map designation and Ordinance 3061, amending the Land Development Regulations by amending the official zoning map. Mr. Walker went through each staff report in great detail for the audience, Mayor and City Commissioners.

Rob Merrell, Cobb Cole, Daytona Beach, was present on behalf of the applicant to answer questions and for any clarifications that were needed aside from Mr. Walker's presentation from his staff report.

Mayor Via opened public participation for both Ordinances. No one spoke.

Commissioner Johnson made a motion to ***ADOPT FIRST READING OF ORDINANCE 3060, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED IN ATTACHMENT "A", BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW MEDIUM-DENSITY RESIDENTIAL (LMDR) TO COMMERCIAL AND FURTHER ADDING TEXT TO RESTRICT COMMERCIAL DEVELOPMENT ON SUCH PARCELS TO SPECIFIC STORAGE USES***, seconded by Commissioner Penny.

PASSED, 4-0. (Danio, Absent)

Commissioner Johnson made a motion to ***ADOPT FIRST READING OF ORDINANCE 3061, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) AND R-7 (MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT)***, seconded by Commissioner Penny.

PASSED, 4-0. (Danio, Absent)

(A copy of this meeting in its entirety is available on CD upon request in the City Clerk's Office or on the city's YouTube channel).

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]**	**Next: 7/11/2023 6:00 PM**
MOVER:	Roy Johnson, District 4 - Commissioner	
SECONDER:	John Penny, District 1 - Commissioner	
AYES:	Via, Penny, Currie, Johnson	
ABSENT:	Danio	

2.

Attachment: Minutes - June 27, 2023 - Regular City Commission meeting (4178 : Minutes)

1660 Ridgewood Avenue - Special Exception Special Exception Approval to Allow a Warehousing and Distribution Facility on a Parcel in the CC-1 Zoning District Within the Redevelopment Overlay.

(Requested by Brian Walker, Board of Planning and Appeals)
Mr. Walker went through his staff report with the Mayor and Commissioners for the special exception request for 1660 Ridgewood Avenue, applicant Elghali Elakram was present as well. Mr. Walker mentioned this is a special exception for approval to allow a warehousing and distribution facility on a parcel in the CC-1 Zoning District within the Redevelopment Overlay. Mr. Walker stated the subject property is a developed site with a 10,413 square foot building. The applicant would like to use the facility as a wholesale and distribution business that supply's tobacco products to other stores. There will be a retail component as well. A detailed description of the applicant's activities is provided in Exhibit A in their packets. Use of the building for wholesale and distribution activities within the Redevelopment Overlay is permitted only as a special exception. The proposed hours of operation are from 6:00 am to 5:00 pm, 5 days a week. Deliveries will primarily be provided by commercial carriers such as UPS and FEDEX. Large trucks such as 18 wheelers will not be used at the site. Deliveries will consist of boxed tobacco products and not large pallets. Mr. Walker went over Section 114-709. - Warehousing and Distribution Facilities with the Mayor and Commissioners (this is also in their agenda packets as part of the staff report).
Mayor Via asked if the applicant would like to come forward and add anything that hasn't already been said.
Elghali Elakram came forward and mentioned some of the same things that Mr. Walker had previously stated in his staff report. Mr. Elakram did agree the tobacco products will be warehoused and distributed in boxes and that no 18 wheelers will be used, just vehicles such as cars, vans and box trucks for deliveries.
Mayor Via opened public participation.
Paul Hughes, Holly Hill spoke.
Mayor Via closed public participation.
(A copy of this meeting in its entirety is available on CD upon request in the City Clerk's Office or on the city's YouTube channel).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Via, Penny, Currie, Johnson
ABSENT:	Danio

Enacted and approved this 27th day of June, 2023, in Holly Hill

3.

1340 Ridgewood Avenue Storage Facility Special Exception Special Exception Approval to Allow an Indoor, Climate-Controlled Storage Facility on a Parcel in the CC-1 Zoning District Within the Redevelopment Overlay

Attachment: Minutes - June 27, 2023 - Regular City Commission meeting (4178 : Minutes)

(Requested by Brian Walker, Board of Planning and Appeals)
Mr. Walker went over his staff report for a special exception located at 1340 Ridgewood Avenue for a storage facility. This is for approval to allow an indoor, climate-controlled storage facility on a parcel in the CC-1 Zoning District within the Redevelopment Overlay. Mr. Walker mentioned the background history of the property. The subject property is currently the site of a vacant building that once served as the offices of a Florida Healthcare Facility. It is zoned CC-1 (Commercial Corridor District) and is located within the Redevelopment Overlay. The applicant would like to convert the north portion of the building into a 3-story, indoor, climate-controlled storage facility containing approximately 86,980 square feet and 800 to 900 units. Access hours would be 6:00 am to 10:00 pm daily and the "office" hours would be from 9:30 am to 6:00 pm, Monday through Friday and 9:00 am to 5:00 pm on Saturday. In Exhibit A in their packets, will show them what the facility will look like. Development of the proposed facility, within the Redevelopment Overlay is permitted only as a special exception, subject to the provisions of Section 114-686 of the Land Development Regulations of Holly Hill. Mr. Walker went through Section 114-686. - Miniwarehouses as stated in their packets. Staff has reviewed the requirements, reasons for denial and the applicant's responses, and does not object to the application for a special exception, nor does staff find any reason to disagree with the applicant's responses.
Mayor Via asked if the applicant or someone for the applicant was present and if they wished to come forward and speak.
Corey Brown, Storch Law Firm was present on behalf of the applicant and was available for questions or clarifications.
Mayor Via opened public participation.
Heidi Heller, Holly Hill; Yessenia Gonzalez, Holly Hill; and Christina Bolin, Holly Hill.
Mayor Via closed public participation.
(A copy of this meeting in its entirety is available on CD upon request in the City Clerk's Office or on the city's YouTube channel).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Johnson
ABSENT:	Danio

Enacted and approved this 27th day of June, 2023, in Holly Hill

4.

Request a Variance from the Requirements of Sec. 114-765 - Schedule of Dimensional Requirements, Requiring that Principal Structures in the R-2 (Single-Family) Zoning District be a Minimum of Thirty-Feet (30') from the Front Property Line. Such Request is Made in Order to Install a 300 Square Foot Above-Ground Swimming Pool with Enclosure and or a 6 Foot Fence, on the West Side Property Line of the Existing House. the Property is Located on the Southeast Corner of Ridge Avenue, and Flomich Street,

Attachment: Minutes - June 27, 2023 - Regular City Commission meeting (4178 : Minutes)

and More Particularly Known as 317 Flomich Street; V-2023-01 (Kate Smith and Joe Ducati, Applicant) (Brian Walker, Community Development Director).

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

Mr. Walker went through his staff report with the Mayor and City Commissioners for the variance request located at 317 Flomich Street. The applicants, Kate Smith and Joe Ducati are requesting the variance from the requirements of Sec. 114-765 - Schedule of dimensional requirements, requiring that principal structures in the R-2 (Single-Family) zoning district be a minimum of thirty-feet (30') from the front property line. This request is made in order to install a 300 square foot above-ground swimming pool with enclosure and a 6-foot fence, on the west side property line of the existing house. The property is located on the southeast corner of Ridge Avenue and Flomich Street, and more particularly known as 317 Flomich Street where the swimming pool will be located. Mr. Walker discussed the background pertaining to the property. The property sits on a corner and therefore, is considered to have two front yards and two side yards. The property owner would like to install an above ground pool and enclosure on the west side of the home but is unable to meet the 30' rear setback as required by Sec. 114-765 - Schedule of dimensional requirements. On April 18, 2023 the property owner applied for a front yard setback variance. The property owner desires to install a pool and screen enclosure on the west side of the property. This is the most logical proposed location for the pool since it is functionally the side yard of the home and contains a 40-foot grassed ROW buffer between the road and property line. However, the applicant is unable to meet the required 30-foot front-yard setback as required and for this reason has applied for a front-yard setback variance. Should the variance request be granted, the applicant will be permitted to place a pool and enclosure, along with a 6 foot fence, on the west property line along Ridge Avenue. The request is to eliminate the setback requirement (0-foot setback) for an above ground pool and enclosure with 6-foot fence, on the property's west side. This request meets all the requirements in Section 82-317 and therefore, recommends approval of a front yard setback variance from the requirements of Section 114-765, from 30 feet to zero feet on the west property line only, to allow the construction of an up to 300 square foot pool and an enclosure and a 6 foot fence at the home located on the southeast corner of Ridge Avenue and 317 Flomich Street.

Mayor Via asked if the applicants were present and wished to add anything. Kate Smith and Joe Ducati were present but hand nothing else to add.

Mayor Via opened public participation.

Heidi Heller, Holly Hill; Dawn Bolin, Holly Hill; and Christina Bolin.

Mayor Via closed public participation.

(A copy of this meeting in its entirety is available on CD upon request in the City Clerk's Office or on the city's YouTube channel).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Via, Penny, Currie, Johnson
ABSENT:	Danio

Enacted and approved this 27th day of June, 2023, in Holly Hill

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7. COMMUNICATIONS

A. City Manager Comments

Mr. Forte mentioned that he received a letter from an attorney with regards to Walmart being part of the opioid settlement. The city already resolved that; turning all of our monies over to the County but Walmart is now a party to that and this settlement would allow any monies that Walmart contribute to go to the County as well. He has the document in front of him and Attorney Simpson has reviewed it and he feels it's okay for him to sign; he just wanted to bring it to the Commission's attention. Mr. Forte mentioned that the Florida League of Cities annual conference is August 10-12. He will ask the City Clerk to send the information to all of you and if you want to go get back with her. He is going to follow up tomorrow on 14th Street and State Avenue with people living in the storage facility. Mr. Forte stated the Union Congregational Church on Daytona Avenue behind City Hall is going to decommission as a church and they are asking if the city is interested in purchasing that. He met with the Historic Society last week and they have interest in going in there but before he gets into negotiations with them and he has gone over the details with some of the Commissioners, he thinks there's some opportunity for the city to own probably the last piece of property on Daytona Avenue, between 10th Street and LPGA. It might be in the city's best interest to acquire it and then work out the details for allowing the Historic Society to then lease the property. He wanted to see if there was any objection to him moving forward with that? ***There was no objection from the Commission in Mr. Forte moving forward.*** Mr. Forte stated the last thing he wanted to talk about was the Fountainhead letter. His thought was, what he put in that email, is that he would meet with the two attorneys that represent Fountainhead and get more detail and specificity about exactly what it is their looking from the city for and then bring that back to probably a work session with the Commission to get your input and Attorney Simpson's legal opinion on those because like he's told them it's not his personal opinion that matters anymore, it's the legal opinion, the four corners of the agreement, which in many cases he doesn't think have been met and he thinks if we offer a benefit that's in an expired portion of the contract, he thinks we're in violation of something. He doesn't know yet. But at this point, unless the Commission tells him otherwise, he would like to hear exactly what they have to say and once he gets that then they can have a work session and discuss how far the Commissioners want to go forward with it. At this time, he doesn't want to spend a lot of staff or attorney time in deciphering the letter. The city has done that before several times and we haven't really gotten anywhere with it. Unless anyone feels differently, let him know.

Mayor Via stated that's how he sees it too. Let's hear them out and see what their asking for and then the Commissioners can discuss it at a workshop.

Mr. Forte stated the last thing is the Volusia League of Cities dinner is supposed to be December 7th. He spoke with Rainer over at Pictona and they have an 8-day tournament that week. The following Thursday is available, December 14th. He doesn't know if the League would move it out a week and if they don't want to move it a week and they want

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to keep it on December 7th, we're really out of options other than Sica Hall if the Commissioners want to keep it within the city limits. He wanted to throw that out there. He sent an email off to the League to ask if they would consider moving it to December 14th. He will wait to hear back from them and get back with the Commissioners.

Mayor Via stated that's his first pick, at Pictona, where the city hosts it.

Mr. Forte stated as long as they move it to December 14th, he thinks they can do that.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Penny mentioned this is something that he wanted to discuss at a workshop and he brought it up at the last Commission meeting and that is some type of potential branding with Pictona and we still have to figure out what the solution is for the Dueling Pianos. The last one was free and they still couldn't get people to come. He doesn't know what the solution is. He counted 160 people there. There was no charge for parking, no charge for admission and only 160 came. It's a great venue, a great night of entertainment. The people that were there had fun he thinks but its lack of participation. He doesn't know what the answer is.

Mayor Via stated he discussed this a little bit with Mr. Forte and they've all talked about this that it's going to take some time to ramp up and he would call 160 a failure; 160 people for an event is decent but he knows we want a lot more.

Commissioner Penny stated he agrees with the Mayor but when you look at a place that seats 1500 and there's only 160, it looks like a drop in the bucket.

Mayor Via stated your exactly right. He doesn't know the answer to this question and his question is how much are we competing with the Daytona Summer Series that's free and he knows it wasn't on the same night but we're kind of pulling from the same people. This was a Thursday night so maybe not as many people could go out on that night. What he said is it's going to be interesting if it ramps up during the winter months. Anything after August, their concert series ends in August he thinks and if the city sees that as a trend we can, he doesn't think we should throw good money at bad in trying to market better than them and steal some people away. Eventually, it will be organic with people knowing and watching the concert series. He thinks this is one of those things, with time more and more people…he guarantees them out of the 160 there was at least 40 new people and they're going to tell their neighbors how great of a time that they had and it was free and that they're going to look out for future ones. Not everybody is going to be able to go to every single one. For instance, for him, there was a family thing that came up and he wasn't able to go although he was planning on going. He thinks the answer, Commissioner Penny, is that it takes a little time and he thinks that's going to be tied into our branding discussion and how we move that forward but it's an extremely valid concern. He here for the talk of it.

Commissioner Penny stated he knows they can't resolve it tonight.

Commissioner Johnson mentioned tomorrow is the TPO meeting; he attended the PACE

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Center annual breakfast at Embry-Riddle. It was very impressive and the stories that you hear and it's a great organization. The city is doing well. The weather is concerning that's coming up. The Sports Center is doing good and going well.

D. Mayor's Comments

Mayor Via stated he's been updating the Commission on a couple of things. For the publics knowledge as well, he is proud to say that the city's appropriations through the State were signed by the Governor. It's our city's first appropriations from the State for projects for this city. It's the first year we went after it and so he just publicly has to say thank you Representative Tom Leek who is the appropriations Chair for the State and he's also our State Rep here for our city and we received for the fire station $1.25 million signed by the Governor and also sewer service extension for $1.36 million. So the city got both of the appropriations that the city reached out for and Chase Tramont, his good friend, State Representative, he's the one that filed the Bill and then on the Senate side, of course, Tom Wright and all three of them went to bat for the city and he is just extremely grateful because we know how much those dollars mean to our city and to finally get some of that, we send tax payers money to the State and to get some of that money back, especially in such large bulk quantities like this, to be able to complete some really important projects is really special and he's looking forward to the next Session that will be coming up soon and maybe start thinking about some other projects that we can't afford to do right now but if we have the State's help we could go ahead and get an appropriation in and move forward on that. To better the city every chance they get. Mr. Forte always says one ring up the ladder and he thinks with this appropriations, we just went two or three up the ladder. This is a big deal for our city and he is very excited about it. On July 21st at the Daytona Tortugas, it will be Holly Hill Night. They're recognizing Holly Hill; it's open to the all the citizens who want to come out and join us.

8. ADJOURNMENT

The meeting adjourned at approximately 7:45 PM.

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HOLLY HILL
FLORIDA

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

SCHEDULED

Meeting: 07/11/23 06:00 PM
Department: Police
Category: Consent Agenda
Prepared By: Lisa O'Neal
Initiator: Jeff Miller
Sponsors:
DOC ID: 4181

CONSENT AGENDA (ID # 4181)

MOU Between Coastal Crisis Negotiations Team (CCNT) and the Holly Hill Police Department

Memorandum of Agreement
between
Coastal Crisis Negotiations Team (CCNT) Mutual Aid Agreement Between
The Cities of Port Orange, Daytona Beach Shores, Edgewater New Smyrna Beach, Ormond Beach , Holly Hill, and South Daytona 2023

DISCUSSION:

The Memorandum of Understanding between the Cities of Port Orange, Daytona Beach Shores, Edgewater, New Smyrna Beach, Ormond Beach, Holly Hill and South Daytona (collectively referred to herein as the "Cities") are so located in relation to each other that it is to the advantage of each to share specific law enforcement services and resources to adequately respond to the Cities desire to form a Joint Crisis Negotiations Team (known as the Coastal Crisis Negotiations Team "CCNT"), and hereafter referred to as "the Team", consisting of highly dedicated law enforcement personnel from each of the Cities with special skills, training and equipment to respond to exceptional situations, circumstances, and events requiring action by the Team.

The Volusia Sheriff Office (VSO) is committed to working with all Volusia County Law Enforcement agencies to protect lives, property, public peace, and the safety of all citizens. The VSO is leading the effort by entering into a Multi-Agency Voluntary Cooperation Mutual Aid Agreement with several Volusia County Law Enforcement Agencies to address the growing usage of illicit drugs and to ensure the safety of all residents. This agreement would become effective upon signing and remain in effect until May 31, 2025.

FISCAL ANALYSIS:

There is no additional cost associated with participation in this Multi-Agency Voluntary Cooperation Memorandum of Understanding Mutual Aid Agreement. This agreement would entitle the Holly Hill Police Department to participate in any recovered funds as the results of a legal seizure of property but should not be expected to fund any anticipated expense.

STAFF RECOMMENDATION:

Allow the Holly Hill Police Department to enter into the Multi-Agency Voluntary Cooperation Mutual Aid Agreement between the Participating Agencies and the Volusia Sheriff's Office to enhance Law Enforcement service in the area with targeting illegal drugs and vice related crimes.

COMMISSION GOAL:

Goal #4: Provide proficient public health and safety services in terms of police and fire protection, water, storm water, waste water, solid waste management, and disaster preparedness with a focus on intergovernmental collaboration, private partnerships and utilization of technologies and proven innovations.

MOTION:

MOTION TO APPROVE TO AUTHORIZE THE HOLLY HILL POLICE DEPARTMENT ENTERING INTO AN MOU FOR A MULTI-AGENCY VOLUNTARY COOPERATION MUTUAL AID AGREEMENT BETWEEN THE PARTICIPATING AGENCIES AND THE VOLUSIA SHERIFF'S OFFICE AND AUTHORIZE JOSEPH A. FORTE, CITY MANAGER, AND JEFFREY J. MILLER, POLICE CHIEF TO SIGN THE AGREEMENT.

COASTAL CRISIS NEGOTIATIONS TEAM (CCNT) MUTUAL AID AGREEMENT BETWEEN THE CITIES OF PORT ORANGE, DAYTONA BEACH SHORES, EDGEWATER, NEW SMYRNA BEACH, ORMOND BEACH, HOLLY HILL AND SOUTH DAYTONA

WITNESSETH

Whereas, the Cities of Port Orange, Daytona Beach Shores, Edgewater, New Smyrna Beach, Ormond Beach, Holly Hill and South Daytona (collectively referred to herein as the "Cities") are so located in relation to each other that it is to the advantage of each to share specific law enforcement services and resources to adequately respond to:

(1) Intensive law enforcement situations including, but not limited to, emergencies as defined in Section 252.34, *Florida Statutes*; and

(2) Exceptional situations, circumstances and events requiring personnel with special skills, training and equipment.

; and

Whereas, the Cities have the authority under Section 23.12 through Section 23.127, et seq., *Florida Statutes*, the "*Florida Mutual Aid Act*," to enter into a combined mutual aid agreement for law enforcement service which:

(1) Provides for rendering of assistance in a law enforcement emergency, as defined in Section 252.34, *Florida Statutes*; and

(2) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines.

; and

Whereas, the Cities desire to form a Joint Crisis Negotiations Team (known as the Coastal Crisis Negotiations Team "CCNT"), and hereafter referred to as "the Team", consisting of highly dedicated law enforcement personnel from each of the Cities with special skills, training and equipment to respond to exceptional situations, circumstances, and events requiring action by the Team.

NOW, THEREFORE, the Cities agree as follows:

SECTION 1. DEFINITIONS:

Incident Commander: The Chief of Police, or their designee, of the jurisdiction in which an incident requiring emergency response is occurring.

CCNT: The Team is made up of a group of Team Members who are specially trained, equipped and readily available to respond to high risk/critical incidents requiring crisis intervention or negotiation efforts that are beyond the scope and training of law enforcement

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

personnel generally assigned to routine patrol or law enforcement functions. Team Members shall, when acting in the capacity of the Team, be under the direct supervision of the Team Commander. The Team supports each of the Cities with a response to critical incidents requiring crisis intervention or negotiations. High risk/critical incidents requiring crisis intervention or negotiations include, but are not limited to:

(a) Barricaded subjects and/or hostage negotiations and rescues.
(b) Terrorist acts involving barricaded subjects and/or hostages.
(c) Suicide threats.
(d) Active assailants
(e) Civil unrest events
(f) Any other situations where lives are endangered and negotiations may resolve the incident without injury to those involved.

The primary responsibility of the Team is to provide a systematic approach to saving lives. As such, the specific circumstances will dictate the negotiations necessary to adequately protect the public and the Team Members involved. Resolution of some incidents may require the intervention and specific application of various levels of force by the associated regional SWAT Team Members up to, and including, lethal force.

Team Commander: A Team Member designated by a majority vote of each of the Chiefs of Police for the Cities, to act as the Team Commander. The Team Commander is accountable for effectively directing, controlling, and coordinating the operational duties and related administrative tasks of the Team. During an unusual occurrence or high-risk incident, the Team Commander shall report directly to the Chief of Police, or designee, within the jurisdiction in which the Team is conducting an operation. The Team Commander shall maintain direct supervision of operational activities of Team Members.

Team Leaders: Members of the Team designated by the Team Commander to act as Team Leader. The Team Leader shall act as the Team's Commander in the absence of the Team Commander. The Team Leader shall, in concert with the Team Commander, establish a response plan for each activation of the Team and be responsible for the supervision and deployment of Team Members.

Team Member: A sworn officer trained in Hostage Negotiations, as well as additional courses of instruction as they become available to enhance their capabilities. Only members assigned to the Team by their respective Chief of Police shall be eligible to serve on the Team as a Team Member. Team Members will be assigned a specific duty/task and/or responsibility by the Team Commander or Team Leader at the scene of each activation of the Team.

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

SECTION 2. PROVISIONS FOR OPERATIONAL ASSISTANCE:

(a) The Cities hereby approve and enter into this Agreement whereby each of the Cities agrees to contribute the personnel, equipment, facilities and resources necessary for the Team to perform the functions agreed upon by the Cities and outlined in this Agreement. If one of the Cities is experiencing a law enforcement issue within the scope of the Team's expertise, that city may call upon the Team for assistance.

(b) Each of the Cities will maintain a consistent policy and procedure directive as it relates to the requirements, operation, deployment, training, and equipment of the Team.

(c) When activated, the Team Commander reports to the Incident Commander or the on-scene supervisor, unless otherwise determined by the Chief of Police, or designee, in order to conduct Team operations within the jurisdiction in which the Team is activated..

(d) All Team operations shall be consistent with the guidelines outlined by the National Council of Negotiation Associations (NCNA) and FBI Crisis Negotiation Unit (CNU).

(e) The Team Commander shall be responsible for the deployment of the Team, including the Team's equipment, decision making, and resolution of the incident.

(f) Unless the Team Commander relinquishes control to another law enforcement officer who is not a Team Member, no other person except the Chief of Police within the jurisdiction in which the Team is conducting an activation , or designee, who is not the Team Leader or Team Commander, will attempt to direct, supervise, or control any element or Team Member.

(g) In the event of a combined response of both the Team and the associated Regional SWAT Team, the Team Commander, or designee, shall coordinate efforts with the Team Commander of the associated Regional SWAT Team to ensure efficiency of the activation/operation and safety of all parties involved.

(h) Consistent with NCNA guidelines, the Team shall conduct regular and reoccurring training. Each of the Cities shall jointly develop training lesson plans and schedules and schedule the training sessions. All training shall be performance oriented and related to tasks and missions performed by the Team. On occasion, Team training may take place in conjunction with other training within one of the Cities. Should a situation arise that prevents the Team from completing the full requirements in a given quarter, the reason shall be documented in a memorandum addressed to the Chiefs of Police of the Cities. Each of the Cities shall ensure that all Team Members are properly trained and certified in the use of special equipment. Joint training of the Team shall be

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

coordinated and implemented by the Chiefs of Police of the Cities or their designees. A minimum of 40 hours of training will be completed by each Team member on an annual basis. Training records shall be completed by the Team Commander, or designee and maintained for use in Accreditation standards or other administrative functions for each of the Cities, in addition to in accordance with law.

(i) Each of the Cities shall conduct an annual inventory and inspection of all Team equipment and supplies to ensure operational readiness and provide a copy to each of the other Cities.

(j) Each of the Cities shall ensure that all Team Members have the required equipment for the operations to which the Team may be assigned.

(k) The Team Leader shall prepare an after-action report on all activations that involve the deployment of the Team. Such records shall be kept by the Team Commander with copies sent to the designated records liaison in each of the Cities and maintained in accordance with law.

(l) Requests to utilize the Team for a planned event may be made by any of the Cities by its Chief of Police. Final approval for the Team deployment shall be made by the Team Commander.

(m) At a minimum, each of the Cities shall supply its Team Members with the following equipment:

(1) Ballistic vest
(2) Handheld radio with operational frequencies
(3) Handgun
(4) Handcuffs
(5) One short sleeve CCNT shirt
(6) One long sleeved CCNT shirt with the word “negotiator” along the left sleeve and the acronym “CCNT” along the right sleeve for use under external ballistic carriers

(n) As a whole, the Cities will ensure Team members of the CCNT will have access to the following equipment for use in activations:

(1) Throw phone(s)
(2) Cellular device for use in communications
(3) Computer with internet capabilities for ease of access to social media
(4) Ballistic shield
(5) Tool kit containing at a minimum: bolt cutters, wire snips, pry bar or halogen tool, hammer, standard screwdriver set and Phillips screwdriver set.
(6) Bullhorn(s)

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

SECTION 3. PROVISIONS FOR VOLUNTARY COOPERATION:

The Cities hereby approve and enter into this Agreement whereby each of the Cities may request and render voluntary law enforcement cooperation and assistance across jurisdictional lines for the incidents outlined in this Agreement and related law enforcement situations.

SECTION 4. PROCEDURE FOR REQUESTING ASSISTANCE:

(a) If one of the Cities is in need of emergency assistance as set forth above, it shall notify the Team Commander or Team Leader and provide appropriate information (e.g., nature of the law enforcement assistance requested). Requests for assistance will be made through Central Dispatch to be sent via the Everbridge system.

(b) Each of the Cities is responsible for tracking mutual aid requests made or received in accordance with this Agreement and may revise the contact person designated above by advising the other Cities in writing.

(c) The Chief of Police in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in their jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.

SECTION 5. COMMAND AND SUPERVISORY RESPONSIBILITIES:

(a) Whenever a Team Member is rendering aid pursuant to this Agreement, they shall abide by, and be subject to, the rules and regulations, personnel policies, general orders, and standard operating procedures of their employer. If any such rule, regulation, personnel policy, general order, or standard operating procedure is contradicted, contravened, or otherwise in conflict with a direct order of a superior officer of one of the requesting Cities, then such rule, regulation, policy, general order, or standard operating procedure of their employer shall control and supersede the direct order.

(b) Whenever there is cause to believe that a complaint has arisen as a result of Team action as it may pertain to this Agreement, the city in which the Team operated and gave rise to the complaint shall be responsible for documenting the complaint to ascertain at a minimum:

(1) The identity of the complainant.
(2) An address where the complaining party can be contacted.
(3) The specific allegation.
(4) The identity of the employees accused without regard to City affiliation.

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

(c) The city responsible for documenting the complaint shall expeditiously provide the city or cities employing the subject officer(s) with this information, along with a copy of all applicable documentation. The City employing the person who is the subject of the complaint shall be responsible for conducting an appropriate review.

SECTION 6. LIABILITY:

Each of the Cities engaging in any mutual cooperation and assistance pursuant to this Agreement agree to assume responsibility for the acts, omissions, or conduct of such City's own employees while engaged in rendering such and pursuant to this Agreement, subject to the provisions of Section 768.28, *Florida Statutes*, where applicable. None of the Cities waive any sovereign immunity protection provided by law. Team Members are responsible for their own safety as well as the safety of other Team Members, and the public. This Agreement shall in no event confer upon any person, corporation, partnership, or other entity, including the Cities hereto, the right to damages or any other form of relief against any of the Cities in this Agreement for operations or omissions hereunder. Any property damage occurring during an activation, except as provided in Section 7 (b), is the responsibility of the city in whose jurisdiction the Team was operating. Uses of force by a Team Member shall be investigated by the agency of which the Team Member is employed.

SECTION 7. POWERS, PRIVILEGES, IMMUNITIES, AND COSTS:

(a) Pursuant to the provisions of Section 23.127 *Florida Statutes*, a Team Member who renders aid outside the city in which the Team Member is employed but inside the state in accordance with this Agreement shall have the same powers, duties, rights, privileges, and immunities as if performing duties inside the Team Member's political subdivision in which normally employed.

(b) Each of the Cities that furnishes equipment pursuant to this Agreement shall bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

(c) The Cities shall be responsible for providing compensation and benefits to their respective employees providing services hereunder, including but not limited to salary, overtime, health insurance, disability insurance, life insurance, liability insurance, workers compensation, pension/retirement, vacation time, sick leave, and any amounts due for personal injury or death.

(d) The privileges and immunities from liability; exemption from laws, ordinances, and rules; and all pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits that apply to the activity of an employee of a City when performing the employee's duties within the territorial limits of the employee's City apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extraterritorially under the provisions of this Mutual Aid Agreement. The provisions of this Agreement shall apply with equal effect to paid, volunteer, and auxiliary employees.

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

(e) Nothing herein shall prevent any of the Cities from seeking supplemental appropriations from the governing authority having budgeting jurisdiction, or funds from other available sources, such as grants, to reimburse any of the Cities for any actual costs or expenses incurred by its performing hereunder.

SECTION 8. TERM:

This Agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect through **September 30, 2027**, unless otherwise terminated as provided for herein.

SECTION 9. TERMINATION:

Any of the Cities may terminate its participation in this Agreement for convenience upon delivery of written notice to the other Cities no less than 90 days before the date of termination. The liability provisions of this Agreement shall survive any such termination. Termination by any one or more of the Cities does not impact the effectiveness of this Agreement as to the remaining Cities.

SECTION 10. RELATION TO OTHER AGREEMENTS:

Once this Agreement is fully executed, it shall effectively repeal and replace the current Southeast Volusia Regional Negotiations Team (SEVRNT) Mutual Aid Agreement dated _____. Nothing herein is intended to abrogate any other agreements, or portions thereof, between the Cities.

SECTION 11. MISCELLANEOUS PROVISIONS:

(a) Each of the Cities shall adopt and enforce written policy that is consistent with this Agreement and applicable law. Each of the Cities shall also train its law enforcement officers on extraterritorial jurisdiction including, but not limited to, the parameters of mutual aid agreements.

(b) All Team Members, regardless of rank or position, must maintain acceptable standards of performance.

(c) All Team Members, regardless of rank or position, must maintain firearms qualification by passing the CJSTC handgun course.

(d) All Team Members must successfully complete a Hostage Negotiations Course.

(e) Nothing in this Agreement shall be construed as any transfer or contracting away of the powers or functions of any one of the Cities to the other.

(f) This Agreement does not grant law enforcement powers for purposes of law enforcement related off-duty employment.

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

(g) In the event of a conflict between the provisions of this Agreement and the "*Florida Mutual Aid Act*," the provisions of the *Florida Mutual Aid Act* shall control.

(h) This Agreement contains the entire understanding between the Cities and shall not be renewed, amended, or extended except in writing.

(i) This Agreement shall be construed in accordance with Florida law. The venue of any litigation arising hereunder shall be Volusia County, Florida.

IN WITNESS WHEREOF, the Cities have caused this Agreement to be executed by the undersigned persons as duly authorized.

SIGNATURE PAGES FOLLOWS

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF DAYTONA BEACH SHORES

_____
Kurt Swartzlander, City Manager
Date: _____

_____
Michael Fowler
Director of Public Safety

Approved as to form and legality:

_____
Becky Vose, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF EDGEWATER

_____
Glenn Irby, City Manager
Date: _____

_____
Joe Mahoney
Chief of Police

Approved as to form and legality:

_____
Aaron Wolfe, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF NEW SMYRNA BEACH

_____
Khalid Resheidat, City Manager
Date: _____

_____
Eric Feldman
Chief of Police

Approved as to form and legality:

_____
Carrie Avallone
City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF SOUTH DAYTONA

_____
James Lester Gillis Jr., City Manager
Date: _____

_____
Mark Cheatham
Chief of Police

Approved as to form and legality:

_____
Wade Vose, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF PORT ORANGE

_____
Wayne Clark, City Manager
Date: _____

_____
Manuel “Manny” Marino
Chief of Police

Approved as to form and legality:

_____
Matthew J. Jones, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF ORMOND BEACH

_____
Joyce Shanahan, City Manager
Date: _____

_____
Jesse Godfrey
Chief of Police

Approved as to form and legality:

_____
Randy Hayes, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

Attest:

CITY OF ORMOND BEACH

_____
Joseph A. Forte, City Manager
Date: _____

_____
Jeff Miller
Chief of Police

Approved as to form and legality:

_____
Scott Simpson, City Attorney

Attachment: CCNT Mutual Aid Agreement 2023 (4181 : MOU Between CCNT and Holly Hill PD)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: **July 11, 2023**
FROM: **Joseph Forte**
SUBJECT: **Request for Lien Reduction - 905 Hartford Avenue**
NUMBER: **(ID # 4177)**
APPLICANT:
PLANNER:

DISCUSSION:

The property located at 905 Harford Ave was owned by Douglas Eugene Elrod. The property had been in a state of disrepair and neglect for an extended period of time despite repeated demands and code enforcement action by the City of Holly Hill. On May 14, 2020, the City conducted a public hearing in front of the Special Master who found that the Property was in violation of three International Property Maintenance Codes, 304.1, exterior maintenance; 304.6, exterior walls; and 304.7 roofs and drainage. Work has started on the property without the proper permits or engineering drawings.

The City was in contact with a proposed buyer in 2021 who was interested in buying and rehabilitating or demolishing the Property. The City was willing to allow the Buyer a reasonable opportunity to refurbish or demolish the Property in a timely manner and was willing to reduce the outstanding code enforcement fines upon completion.

The initial proposed buyer withdrew from the purchase option so the Agreement was never executed with this particular buyer.

A short time later, Mr. Don Kane inquired about the property. Mr. Kane was provided all of the information and was offered the same agreement as the previous potential buyer. Mr. Kane had agreed to the stipulations however, the agreement was never executed and Mr. Kane proceeded with making the required repairs. As of this request, the property is currently in compliance.

As part of the original agreement (attached), the City was not to proceed with foreclosure of existing code enforcement liens against the Property as long as the Buyer performs the obligations in the Agreement.

Buyer agreed to:

a) Acquire the Property within _____ days of the date of the last party to sign this Agreement.

b) Within 30 days of becoming the owner of the Property, the Buyer shall clean the Property (mowing, tree trimming and debris/trash removal), and take other action necessary to correct all existing code violations.

c) Within 60 days of becoming the owner of the Property, the Buyer shall submit

construction plans according to the letter provided by TLE Engineering date September 24, 2021 to renovate or demolish the structures on the Property. Buyer shall also promptly respond to questions and comments from the City to the construction plans and promptly submit revisions and additional information.

d) Buyer shall be substantially complete with all permitted improvements/renovations within 6 months of becoming the owner.

If Buyer satisfactorily complies with the above terms and conditions and pays the City the sum of $8,000, or demolishes the structure and pays the City $8,000.00, the City shall satisfy and release all outstanding City code enforcement liens on the Property. If the Buyer fails to comply with the above requirements, the Buyer acknowledges that the City has the right to pursue any and all remedies available to the City including the foreclosure due to existing recorded City Code enforcement liens.

FISCAL ANALYSIS:

The city will receive **$8,000.00** as settlement for the release of the liens on the property.

STAFF RECOMMENDATION:

Approve the settlement payment of **$8,000.00** to be paid to the City no later than July 29, 2023. Failure to make the payment by July 29, 2023 will result in the lien remaining on the property and the city is authorized to begin the foreclosure process to recoup the full lien amount.

COMMISSION GOAL:

Goal #2: Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

MOTION:

Approve the settlement payment of **$8,000.00** to be paid to the City no later than July 29, 2023. Failure to make the payment by July 29, 2023 will result in the lien remaining on the property and the city is authorized to begin the foreclosure process to recoup the full lien amount.

- 905 Hartford Avenue - AGREEMENT (PDF)

HOLLY HILL
FLORIDA

AGREEMENT

WHEREAS, the property located at 905 Harford (Property) has been in a state of disrepair and neglect for an extended period of time despite repeated demands and code enforcement action by the City of Holly Hill (City).

WHEREAS, on May 14, 2020, the City conducted a public hearing finding that the Property was in violation of three International Property Maintenance Codes, 304.1, exterior maintenance; 304.6, exterior walls; and 304.7 roofs and drainage.

WHEREAS, _____ (Buyer) is interested in buying and rehabilitating or demolishing the Property.

WHEREAS, the City is willing to allow the Buyer a reasonable opportunity to refurbish or demolish the Property in a timely manner and is willing to reduce the outstanding code enforcement fines upon completion.

NOW, THEREFORE, for and in consideration of mutual covenants contained herein, the sufficiency of which are hereby acknowledged, the undersigned parties hereby agree to the following:

1) The City hereby agrees to not proceed with foreclosure of existing code enforcement liens against the Property as long as the Buyer performs the obligations in this Agreement.

2) Buyer hereby agrees to:

a) Acquire the Property within _____ days of the date of the last party to sign this Agreement.

b) Within 30 days of becoming the owner of the Property, the Buyer shall clean the Property (mowing, tree trimming and debris/trash removal), and take other action necessary to correct all existing code violations.

c) Within 60 days of becoming the owner of the Property, the Buyer shall submit construction plans according to the letter provided by TLE Engineering date September 24, 2021 to renovate or demolish the structures on the Property. Buyer shall also promptly respond to questions and comments from the City to the construction plans and promptly submit revisions and additional information.

DRAFT

Attachment: 905 Hartford Avenue - AGREEMENT (4177 : Request for Lien Reduction for 905 Hartford Avenue)

HOLLY HILL
FLORIDA

d) Buyer shall be substantially complete with all permitted improvements/renovations within 6 months of becoming the owner.

3) If Buyer satisfactorily complies with the above terms and conditions and pays the City the sum of $8,000, or demolishes the structure and pays the City $8,000.00, the City shall satisfy and release all outstanding City code enforcement liens on the Property.

4) If the Buyer fails to comply with the above requirements, the Buyer acknowledges that the City has the right to pursue any and all remedies available to the City including the foreclosure due to existing recorded City Code enforcement liens.

5) Venue for any litigation arising out of or related to this Agreement shall be in State Court, Volusia County, Florida and the parties specifically waive any Federal Court jurisdiction and agree that the State court shall have jurisdiction for all claims.

City of Holly Hill

By:_____
_____

Title:_____

Date:_____

Buyer

By:_

Date:_____

DRAFT

Attachment: 905 Hartford Avenue - AGREEMENT (4177 : Request for Lien Reduction for 905 Hartford Avenue)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: **July 11, 2023**
FROM: **Joseph Forte**
SUBJECT: **Request for a Lien Reduction - 124 Daytona Avenue**
NUMBER: **(ID # 4180)**
APPLICANT:
PLANNER:

DISCUSSION:

The City has received a request for a Reduction of Code Enforcement Lien that have been placed on the real property located at 124 Daytona Avenue. The property is owned by Vermont, LLC which is a Florida Limited Liability Company whose Registered Agent and Managing Member is B. Spivey with an address of 1728 Kingsley Avenue, Ste. 22 Orange Park, FL 32073.

The property is a rental property and was presented to the Special Master on May 12, 2022. The Special Master's conclusion of law determined the following code violations were in existence, IPMC 305.1, IMPC 305.3 and IPMC 604.3 and provided a time to cure. Since the property had not been brought into compliance, fines started to accumulate at a rate of $50.00 per day, per violation. Effective June 20, 2023, all violations have been corrected therefore, the property owners is eligible to request a lien reduction according to the city's ordinance.

The City would has negotiated a settlement payment in the amount of $6,022.08 to release the lien.

FISCAL ANALYSIS:

Total lien	$55,350.00
Required Payment to Release lien	
Special Master fee for 1 meeting	$ 250.00
Recording/Release fee	$ 20.00
Certified letters	$ 8.00
Code enforcement staff time 5 hours at 20.48 + 35%	$ 138.24
Community Development Director 1 hour @ 52.48 + 35%	$ 70.84
Percentage of original lien @ 10%	$5,535.00

Total **$** 6,022.08

STAFF RECOMMENDATION:

Reduce the lien from $55,350.00 to the amount **$**6,022.08.

COMMISSION GOAL:

Goal #2: Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

MOTION:

REDUCE THE LIEN FROM $5,350.00 TO $6,022.08. PAYMENT MUST BE RECEIVED NO LATER THAN AUGUST 11, 2023. FAILURE TO PAY WILL RESULT IN THE LIEN NOT BE REDUCED OR RELEASE WITH NO OPTION FOR ANOTHER REQUEST AND THE CITY MAY FILE A FORECLOSURE ACTION AGAINST THE PROPERTY.

- 124 Daytona Ave Lien Reduction Request (PDF)

DISCUSSION:

The City has received a request for a Reduction of Code Enforcement Lien that have been placed on the real property located at 124 Daytona Ave. The property is owned by Vermont, LLC which is a Florida Limited Liability Company whose Registered Agent and Managing Member is B. Spivey with an address of 1728 Kingsley Ave. Ste 22 Orange Park, FL 32073.

The property is a rental property and was presented to the Special Master on May 12, 2022. The Special Master's conclusion of law determined the following code violations were in existence, IPMC 305.1, IMPC 305.3 and IPMC 604.3 and provided a time to cure. Since the property had not been brought into compliance, fines started to accumulate at a rate of $50.00 per day, per violation. Effective June 20, 2023, all violations have been corrected therefore, the property owners is eligible to request a lien reduction according to the city's ordinance.

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Code enforcement staff time 5 hours at 20.48 + 35%	$ 138.24
Community Development Director 1 hour @ 52.48 + 35%	$ 70.84
Percentage of original lien @ 10%	$5,535.00
Total	$ 6,022.08

STAFF RECOMMENDATION:

Reduce the lien from $55,350.00 to the amount $6,022.08.

COMMISSION GOAL:

Goal #2: Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

MEMORANDUM

DATE: JUNE 26, 2023

TO: CITY MANAGER

THROUGH: CODE ENFORCEMENT

FROM: CODE ENFORCEMENT

RE: CASE # 22-00001162 CEB
REQUEST FOR REDUCTION OF LIEN

Please find attached the Request for Reduction of Lien for your review, as well as a copy of the history of the case. The lien totals **$55,350.00** in this case.

Staff feels this application meets the requirements to proceed with the Request for Reduction of Lien.

Please review the information and issue a determination of approval or denial on this form. Pursuant to Administrative Code Section 3.20, your decision regarding approval or denial shall be based on whether the request fails any one of the established guidelines listed below:

(1) If a property owner has purchased property on which a lien was recorded, a waiver or reduction on lien shall not be granted, in such cases, the lien should have been considered in reaching a purchase price.

☐ FAILS
☒ DOES NOT FAIL

(2) If the title insurance policy is issued upon the purchase of the property and the title insurance failed to identify or consider the lien, a waiver or reduction in lien shall not be granted. In such cases, the lien should have been discovered by the title insurer and providing a reduction of waiver would place the County in the position of indemnifying the title insurer against its losses, which losses should be reflected in premium charges.

☐ FAILS
☒ DOES NOT FAIL

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

(3) A request for a waiver of reduction in lien shall not be granted if the Board of County Commissioners has previously reduced the amount of the lien. This statement applies whether or not the request is received from the original applicant for reduction or subsequent applicant.

☐ FAILS
☒ DOES NOT FAIL

_____
Joseph Forte
CITY Manager

☐ APPROVED FOR CONSIDERATION BY BCC

☐ DENIED

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

LIEN REDUCTION REQUEST PACKET

Date: 6/20/23

From: Leslie Montgomery

To: Kyle Mahanes

ADDRESS: 124 Daytona Avenue, Holly Hill

CASE #: 22-1162

Has the property been sold since the City's lien was filed? YES____ NO✓

If the property has been sold then it does not qualify for a lien reduction. Return to Peg.

What date did the property become compliant? 6/20/2023

If the property is not in compliance it does not qualify for a lien reduction. Return to Peg.

Has a lis pendins/final judgement been filed? YES____ NO✓

If a lis pendins/final judgement has been filed then it does not qualify for a lien reduction. Return to Peg.

What date was the lien filed? 11/14/2022

Who owned the property at the time our lien was filed?
Vermont LLC

What supporting documentation is attached?
VCPA Print.

Who owns the property now? Vermont LLC

What supporting documentation is attached? VCPA Print

NOTES:

Kyle M

CE Officer completing this form

6/26/2023
Date

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

APPLICANT AUTHORIZATION FORM

An authorized applicant is defined as:

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

I Vermont LLC, the fee simple owner of the following
(Owner's Name)

described property (Provided Legal Description or Tax Parcel ID Number(s) 533720010070

hereby petition the Holly Hill City Commissioners to grant a release of lien in the amount of $ 55,600 for Case No. 22-00001162, and affirm that is hereby designated to act as my / our authorized agent and to file the attached application for the above stated request and make binding statements and commitments regarding the request.

Vermont LLC
Owner's Name

Agent for Vermont LLC
Owner's Signature

Owner's Name

Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Volusia County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 20 day of June, 2023.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Erich Spivey, who is personally known to me or who has produced passport as identification and who executed the foregoing instrument and sworn oath.

WITNESS my hand and official seal in the County and State last aforesaid this 20 day of June, 2023.

Amanda L McCabe
Notary Public in and for the County and State Aforementioned

My Commission Expires: 11/28/2026

Notary Public State of Florida
Amanda L McCabe
My Commission HH 335817
Expires 11/28/2026

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

CITY OF HOLLY HILL

CASE # 22-00001162

REQUEST FOR REDUCTION OF LIEN

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH

INSTRUCTIONS: Please fill in all pages of this form completely. Be specific when writing your statement. Please return this form to Code Enforcement. THE REQUEST FOR REDUCTION OF LIEN will then be presented to the City Commission at their regularly scheduled hearing, or as soon thereafter as possible, any you will be notified in writing of the Board's decision within 10 days after the meeting. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a doctor's statement or proof of income). If you have any question, please call the Clerk at (386-248-9441).

Property Owner's Name: Vermont LLC

Property Address: 124 Daytona Avenue, Holly Hill, FL 32117

Contact information where you can be reached during the day:

Cell Phone (904) 276-2555 Email flvthomes@gmail.com

Is the property now in compliance? X YES ___NO

(If No, explain in detail)

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Are you claiming financial hardship? X YES ___NO

If yes, please explain:

Vermont LLC is claiming a financial hardship. There are loans on many of the properties and the company is not able to able to absorb costs totaling more than $50,000 in per day fines and fees. We apologize for the delay in getting resolve and appreciate your consideration of a reduction.

Are you claiming medical hardship? ___YES X___NO

If yes, please explain without giving details of the injury or illness.

If the property owner is unable to complete this form, list the name of the person who is legally authorized to act for the property owner and his/her relationship to the property owner:

Name: Erich Spivey - Agent

Relationship: Real Estate Agent for Vermont LLC

I, Vermont LLC, do hereby submit this REQUEST FOR REDUCTION OF LIEN to request a reduction in the total amount of lien imposed and in support of the following statement:

I respectfully request a reduction of the fine at 124 Daytona Avenue to a total of $5,000 due to financial hardship and other extenuating circumstances. The owner was not aware of the code violations until December 22, 2022. A fraud case involving Dondrick Brooks taking over Sunbiz state registration documents and mail (Duval County case 16-2021-CF-011703) resulted in our company not receiving most of our mail. We are still untangling the mess. Since December, tenants refused to provide access to the apartment to complete repairs. We had to complete

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

an eviction process to gain access into the apartment to complete the needed repairs. The writ of possession was completed with Volusia County Sheriff's Office on 6/8/23 and building permit was closed just seven work days later. We worked quickly to resolve once our crews had safe access inside. Thank you for the consideration.

Date: 6/20/23

Signed: [signature] Agent for Vermont LLC

Print Name: Erich Spivey

STATE OF Florida

COUNTY OF: Lake

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgements, Erich Spivey, who after first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally know to me and has produced passport as identification and did take an oath.

Date: 6/20/2023

Amanda L McCabe

Notary Public State of Florida
Amanda L McCabe
My Commission HH 335817
Expires 11/28/2026

Notary Public

My Commission Expires 11/28/26

RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO

CODE ENFORCEMENT DEPARTMENT

1065 RIDGEWOOD AVENUE

HOLLY HILL, FL 32117

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

POWER OF ATTORNEY/LETTER OF AUTHORIZATION

I hereby name and appoint Erich Spivey – Agent to be my lawful power of attorney in fact to act as my agent before the City of Holly Hill regarding 124 Daytona Avenue and related matters.

B. Spivey - Owner

6/20/23

B. Spivey – Owner of Vermont LLC

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

IN THE COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA

VERMONT, LLC,
Plaintiff,

CASE NO.: 2023 34586 COCI

v.

VERONICA MORRIS,
Defendant.
_____/

A TRUE COPY (SEAL)
MICHAEL J. CHITWOOD
SHERIFF/DIRECTOR PUBLIC SAFETY
VOLUSIA COUNTY, FLORIDA
DATE 06/8/23 TIME 13:20 AM
BY Dep Unit #3333 S.

WRIT OF POSSESSION

STATE OF FLORIDA
TO THE SHERIFF OF VOLUSIA COUNTY, FLORIDA:

YOU ARE COMMANDED to remove all persons from the following described property in Volusia County, Florida:

124 Daytona Avenue, Apt. 1, Holly Hill, Florida 32117

and to put Plaintiff(s), VERMONT, LLC, in possession of it **after twenty four (24) hours' notice conspicuously posted on the premises.**

Dated: JUNE 6, 2023.

Laura E. Roth
Clerk of the Court

By: /s/ Kate Nash
As Deputy Clerk

Contact Plaintiff or Plaintiff's designated agent at: 904-276-2555
Contact Plaintiff's Attorney at: Morey Law Firm, P.A. 407-426-7222

RTN TO CUSTOMER @ FRONT COUNTER P/U FOR SOP

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Jacksonville Sheriff's Office
Incident (Information)

Sheriff Mike Williams

2021-0185774

Route To

Groups: ECONOMIC CRIMES UNIT
People:

Incident Information

Incident Location
6945 MORSE AVE # 224
JACKSONVILLE, FL 32244
Sub-sector: K3 TAZ: 464
Location Type: RESIDENCE-HOME
Primary Weapon Used: NOT APPLICABLE (NONE)
School Name: School Number:
Incident Occurred: Outside Location Incident Occurred In the Parking Lot at this Location?: NO

Day/Date/Time Reported: Monday, 03/29/2021 11:57
Day/Date/Time Incident From: Monday, 01/04/2021 12:00 To: Monday, 02/22/2021 12:00
Is this a Corrections Information Report?: NO

Miscellaneous
Drug Activity: NOT APPLICABLE Drug Type: NOT APPLICABLE
of Reasons: 1
of Victims: 0
of Suspects: 0
MCI Case: NO Follow-up By:
Was Hate Crime Involved?: NO Dating Violence Involved?: NO Is Offense(s) Related to Domestic Violence?: NO
If not Domestic Violence, Is it Domestic Related?: NO Any Children under 18 Involved as a Victim?: NO

Report Reason

#1 INFORMATION

Witness/Complainant #1 - SPIVEY, ERICH SEAN-PAUL

Type: WITNESS AND COMPLAINANT
Did witness invoke right to prevent the disclosure of personal info (Marsy's Law)?: NO

Demographics
Race: WHITE Sex: MALE Date of Birth: 01/15/1982
Ethnicity: NOT OF HISPANIC ORIGIN
Age: 38

Contact Information
Home Phone #: Bus. Phone #: Ext.: Alt. Phone #:
Cell Phone #: (904) 276-2555 Cell Phone Provider:
Email Address:

Home Address
528 CODY CT ORANGE PARK
ORANGE PARK, FL 32073
Sub-sector: OJ TAZ:

Mailing Address

Employment/School
Employer: SELF EMPLOYED Occupation: REAL ESTATE AGENT
School Last Attended:

Witness/Complainant #2 - BROOKS, DONDRICK DEVRON LAMARIO

Type: WITNESS
Did witness invoke right to prevent the disclosure of personal info (Marsy's Law)?: NOT APPLICABLE

Demographics
Race: BLACK Sex: MALE Date of Birth: 10/18/1976
Ethnicity: NOT OF HISPANIC ORIGIN
Age: 44

Contact Information
Home Phone #: Bus. Phone #: Ext.: Alt. Phone #:
Cell Phone #: (904) 862-9554 Cell Phone Provider:
Email Address:

Home Address
6945 MORSE AVE # 224
JACKSONVILLE, FL 32244
Sub-sector: K3 TAZ: 464

Mailing Address

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Incident (Information) 2021-0185774 (Continued)

Employment/School
Employer:
School Last Attended: *Occupation:*

Property #1 - Documents/ Personal or Business

Quantity: 3 *Status:* SEIZED (NOT STOLEN)
Turned in at: PROPERTY ROOM
Manufacturer:
Serial Number: *Model:*
Description: Statement of Change of Registered Agent For LLC, 3 Pages *Color:* WHITE
Related Charge: 999 - INFORMATION
Value Stolen or Damaged: *Value Recovered:*
Was Property Recovered From Vehicle?: NO *Vehicle Property Recovered From:* *Victim/Complaint Signed Signature Card:* NO

Property Owner:
JACKSONVILLE SHERIFF'S OFFICE
Bus. Contact Name: J.D. CHILDERS (#82788) *Bus. Contact Phone #:* *Ext.:*

Received From:
Witness / Complainant (01) - SPIVEY, ERICH SEAN-PAUL

Property #2 - Documents/ Personal or Business

Quantity: 2 *Status:* SEIZED (NOT STOLEN)
Turned in at: PROPERTY ROOM
Manufacturer:
Serial Number: *Model:*
Description: Warranty Deed, 2 Pages *Color:* WHITE
Related Charge: 999 - INFORMATION
Value Stolen or Damaged: *Value Recovered:*
Was Property Recovered From Vehicle?: NO *Vehicle Property Recovered From:* *Victim/Complaint Signed Signature Card:* NO

Property Owner:
JACKSONVILLE SHERIFF'S OFFICE
Bus. Contact Name: J.D. CHILDERS (#82788) *Bus. Contact Phone #:* *Ext.:*

Received From:
Witness / Complainant (01) - SPIVEY, ERICH SEAN-PAUL

Additional Information

On 3/29/2021, I was dispatched to 7790 Blanding Blvd in reference to a fraud investigation.

Upon arrival, I spoke with the complainant, Erich Spivey, who stated the witness, Dondrick Brooks, submitted a fraudulent Change of Registered Agent request to the Secretary of State's office in Tallahasse. This document, once approved by the Secretary of State's office, gave Mr Brooks authority to sell the property held by Vermont LLC. Mr. Brooks then fraudulently sold the property at 7223 N Pearl St.

The complainant stated he has no knowledge of who Mr. Brooks is. He stated Mr. Brooks had no authorization or permission to act on behalf of the owner of Vermont LLC. The complainant stated the Statement of Change of Registered Agent was fraudulently submitted and contained a forged signature that was similar but not the same upon examination.

The complainant stated that sometime between 3/15 and 3/19 he visited the property at 7223 N Pearl St and discovered the property was being remodeled on behalf of a new owner. The complainant stated he had no knowledge at that time of a new owner and began investigating and then discovered the fraudulent sale. The complainant provided a copy of a Warranty Deed which showed the property to have been sold by Mr. Brooks to Synergy Home Buyers LLC for $40,000.00 on 2/22/2021.

The complainant stated he is taking legal action against the sale but required a police report.

The complainant was provided with a case information card. The documents provided by the complainant were entered in the property room.

I made contact with the witness, Dondrick D. Brooks. I the witness was read Miranda by card. He stated Ben Spivey sold him the company and that it was Mr. Spivey's signature on the Registered Agent Change form. I asked the witness how he was in contact with Mr. Spivey and he stated through Facebook and Skype. He stated he had been talking to Mr. Spivey on FB since the middle of December. He stated on Skype he observed a heavy white male in his 50's with a "round head," brown hair and a mustache. It should be noted the witness was mispronouncing the name Spivey.

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Incident (Information) 2021-0185774 (Continued)

I asked the witness how he purchased the company and he stated he sent $3,000.00 by money order to the following address: 9907 8th Street, Unit 1269, Gotha FL 34734. He stated he was instructed to make payments to the following Suntrust account # 1000183398477 to the amount of $26,000.00.

Mr. Brooks stated he had observed the company on Sunbiz.org had listed himself as the owner but that he recently observed that it had "changed back" to Ben Spivey.

I asked Mr. Brooks if he sold the property on 7223 N Pearl St and he stated he did because he was the owner of the company. He stated he called mortgage companies to find a buyer.

Mr. Brooks was provided with a case information card.

Information report closed.

Additional Question(s)

Body Worn Camera Footage

01	*Is there Body Worn Camera (BWC) footage for incident?:*	YES

Risk Protection Order

01	*Subject poses a significant danger of causing personal injury to himself/herself or others:*	NO
02	*Subject owns, has care, custody or control of, or has the ability to purchase, possess, or receive firearm(s) and/or ammunition:*	
03	*Subject was involved in a recent act or threat of violence against himself/herself or others, whether or not such violence involved a firearm:*	
04	*Subject has made a threat of violence in the past 12 months against himself/herself or others:*	
05	*Subject is seriously mentally ill or has recurring mental health issues:*	
06	*Subject was a respondent of, or violated, a previous/existing injunction related to domestic, dating, sexual, or repeat violence and/or stalking:*	
07	*The subject has previously been issued an RPO:*	
08	*Subject has previously violated the provisions of an RPO:*	
09	*Subject has been convicted of, had adjudication withheld on, or pled nolo contendere to, a crime constituting domestic violence in any state:*	
10	*Subject has used, or threatened to use, against himself/herself or others, any weapons or physical force:*	
11	*Subject has unlawfully or recklessly used, displayed, or brandished a firearm:*	
12	*Subject has stalked another person:*	
13	*Subject has been arrested for, convicted of, had adjudication withheld, or pled nolo contendere to a crime or threat of violence in any other state:*	
14	*Is evidence to demonstrate the abuse of controlled substances or alcohol by the subject:*	
15	*Is evidence to demonstrate the subject has recently acquired firearm(s) or ammunition:*	
16	*Is there any other relevant information provided by a family/household member concerning the subject. (If yes, place information into the narrative):*	

Misc Information

Clearance Status: **INFORMATION REPORT CLOSED** *Clearance Code:* **NOT APPLICABLE** *Date Case Was Cleared*

Number of Cases Cleared

Is there additional information included on a continuation report?: **NO** *Are there other Pertinent Reports?* **NO**

Did this incident qualify as a "Cargo Theft"?: **NO**

In your opinion is there significant reason to believe that the crime can be solved by a patrol follow-up investigation?

Neighborhood Canvass Conducted?:

Case Card Information Left with: Person

Witness / Complainant (01) - SPIVEY, ERICH SEAN-PAUL

Handouts

#1: **Case Information Card**

Bias Motivation(s)

Investigation Time #1

Hour(s): **02** *Minute(s):* **15** *Cost Amount:* **$108.54**

Signature

Signature(s)

Reporting Officer #1:	J.D. CHILDERS (#82788)	*Division:*	PATROL	*Section/Unit*	ZONE 4
Reporting Officer #2:	N/A	*Division:*		*Section/Unit*	
Report submitted on:	03/29/2021 15:49				

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Stay on top of sales! Recent sales data now available for viewing on our website.

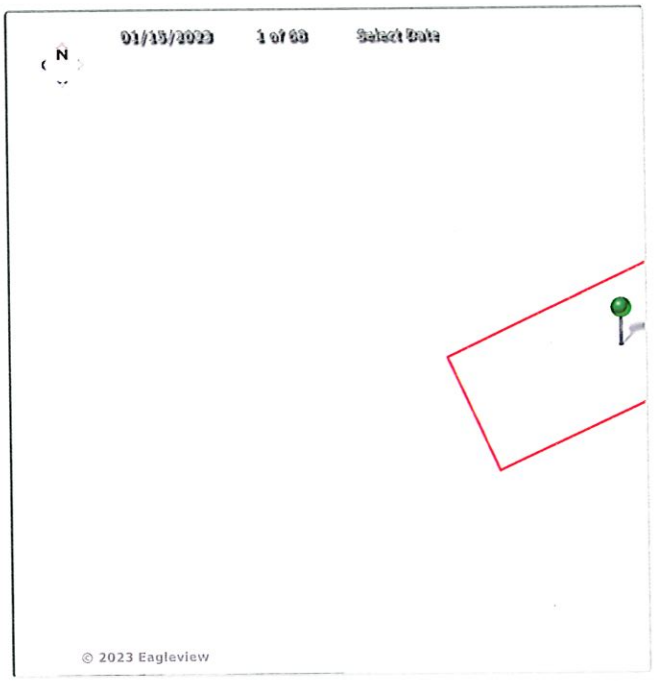
VOLUSIA COUNTY PROPERTY APPRAISER
LARRY BARTLETT, JD, CFA
WE VALUE VOLUSIA

Select Language

Home / Parcel Summary for 3473337

Summary | Tax Estimate | Permits | Map | Pictometry | Print

Alternate Key:	3473337
Parcel ID:	533720010070
Township-Range-Section:	15 - 33 - 37
Subdivision-Block-Lot:	20 - 01 - 0070
Physical Address:	124 DAYTONA AVE, HOLLY HILL 32117
Business Name:	
Owner(s):	VERMONT LLC - FS - Fee Simple - 100%
Mailing Address On File:	9907 8TH ST #1269 GOTHA FL 34734 *Update Mailing Address*
Building Count:	1
Living Units:	0
Neighborhood:	2208 - DAYTONA/HIGHLAND/BURLEIGH/HIGH - HH *Neighborhood Sales*
Subdivision Name:	
Property Use:	0800 - MFR <10 UNITS
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Homestead Property:	No - *Apply for Homestead Online*
Agriculture Classification:	No - *Additional Information*
Short Description:	LOT 7 BLK A AUDUBON PARK HOLLY HILL MB 6 PG 190 PER OR 3926 PG 3060 PER OR 7494 PG 1591 PER OR 7766 PG 3446 PER OR 7767 PG 0319



Values & Exemptions

Land & Buildings | Sales | Legal

Property Tax Bill

Sales History

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

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. Follow this link to search all documents by owner's name.

Book/Page	Instrument No.	Sale Date	Deed Type	Qualified/Unqualified	Vacant/Improved	Sale Price
7767 / 0319	2019213146	10/22/2019	WD-WARRANTY DEED	UNQUALIFIED	IMPROVED	$134,000
7766 / 3446	2019212620	10/22/2019	WD-WARRANTY DEED	QUALIFIED	IMPROVED	$127,000
7494 / 1591	2018006453	01/03/2018	WD-WARRANTY DEED		IMPROVED	$100,000
3926 / 3060	1994084600	05/15/1994	WD-WARRANTY DEED	UNQUALIFIED	IMPROVED	$58,000
3868 / 0912	1993151655	10/15/1993	WD-WARRANTY DEED	UNQUALIFIED	IMPROVED	$25,000
3075 / 1096		11/15/1985	PR-vcpa pr	UNQUALIFIED	IMPROVED	$100
2670 / 0126		02/15/1985	WD-WARRANTY DEED	UNQUALIFIED	IMPROVED	$47,000
2318 / 1462		12/15/1981	WD-WARRANTY DEED	UNQUALIFIED	IMPROVED	$30,000

Home / Parcel Summary for 3473337

Volusia County Property Appraiser
Larry Bartlett, JD, CFA
We Value Volusia

123 W. Indiana Ave. Room 102
DeLand, FL 32720
(386) 736-5901

from 7:30 a.m. to 5:00 p.m
Monday through Friday

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Exh. 5.2.a

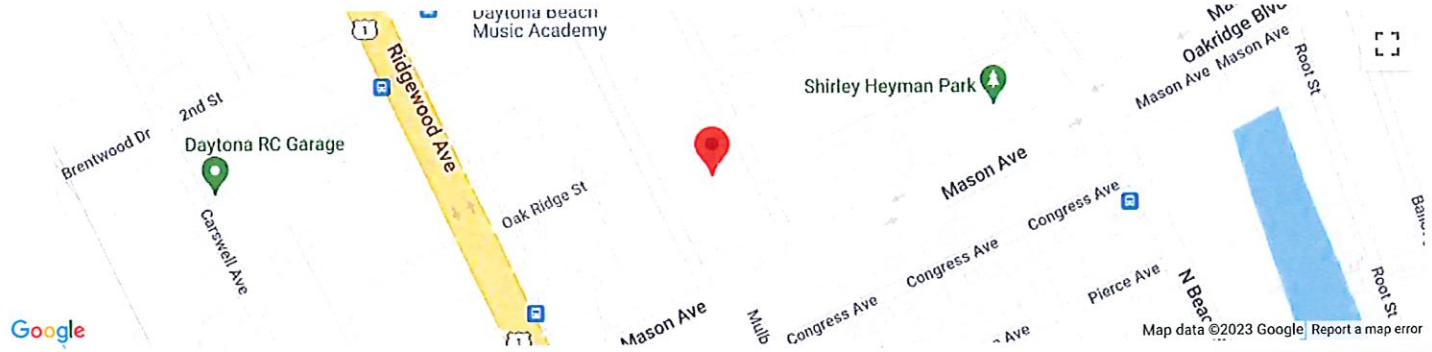
Case Master Inquiry

Case 22-00001162 Collapse All

Property Information

Address: 124 DAYTONA AVE #1
HOLLY HILL, FL 321175012
Location ID: 4246
PARCEL NUMBER: 5 3 37 20 01 0070
Short Parcel ID:
Zoning: R-5 R5 TWO-FAMILY RESIDENTIAL
Subdivision:

Property Address Map



Case General Information

Case status: LN LIEN OPEN/CASE CLOSED
Status date: 12/20/2022
Case type: CPM COMMERCIAL PROPERTY MAINT
Reported date: 3/24/2022
Origination: CC CITIZEN COMPLIANT
Default inspector: KAM Kyle Mahanes
Credit balance: .00

Owner Information

Owner name: VERMONT LLC
Address: 9907 8TH STREET #1269
City: GOTHA, FL 347347051
Phone: 0
Notice: Y
Flip:

Violations

Type	Status	Location	Quantity	Date Established	Date Resolved
INTERIOR STRUCTURE	LI		1	3/24/2022	12/20/2022
INTERIOR SURFACES	LI		1	3/24/2022	12/20/2022
ELECTRICAL HAZARDS	LI		1	3/24/2022	12/20/2022

Case Data

Description	Data
CN CORRECTION DATE	
NOV POTENTIAL HEARING DA	
SPECIAL MASTER HEARING D	

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

2ND MAILING ADDRESS
FINE

Active Inspections

Type	Insp ID	Schedule Date
No scheduled inspections exist		

All Actions | Board Meetings | Data Actions | Fees | Inspections | Liens | Names | Notices | Other Actions | Receipts | Text | Work Requests

Type	Description	Transaction	Amount Due	Amount Billed	Starting Date	Ending Date	Daily Fee
40	SPEC MAG ADM FEE	250.00	.00	.00	9/26/2022		.00
50	SPEC MAG DAILY FINE	55350.00	55350.00	.00	6/16/2022	6/20/2023	150.00
		55600.00	55350.00	.00			

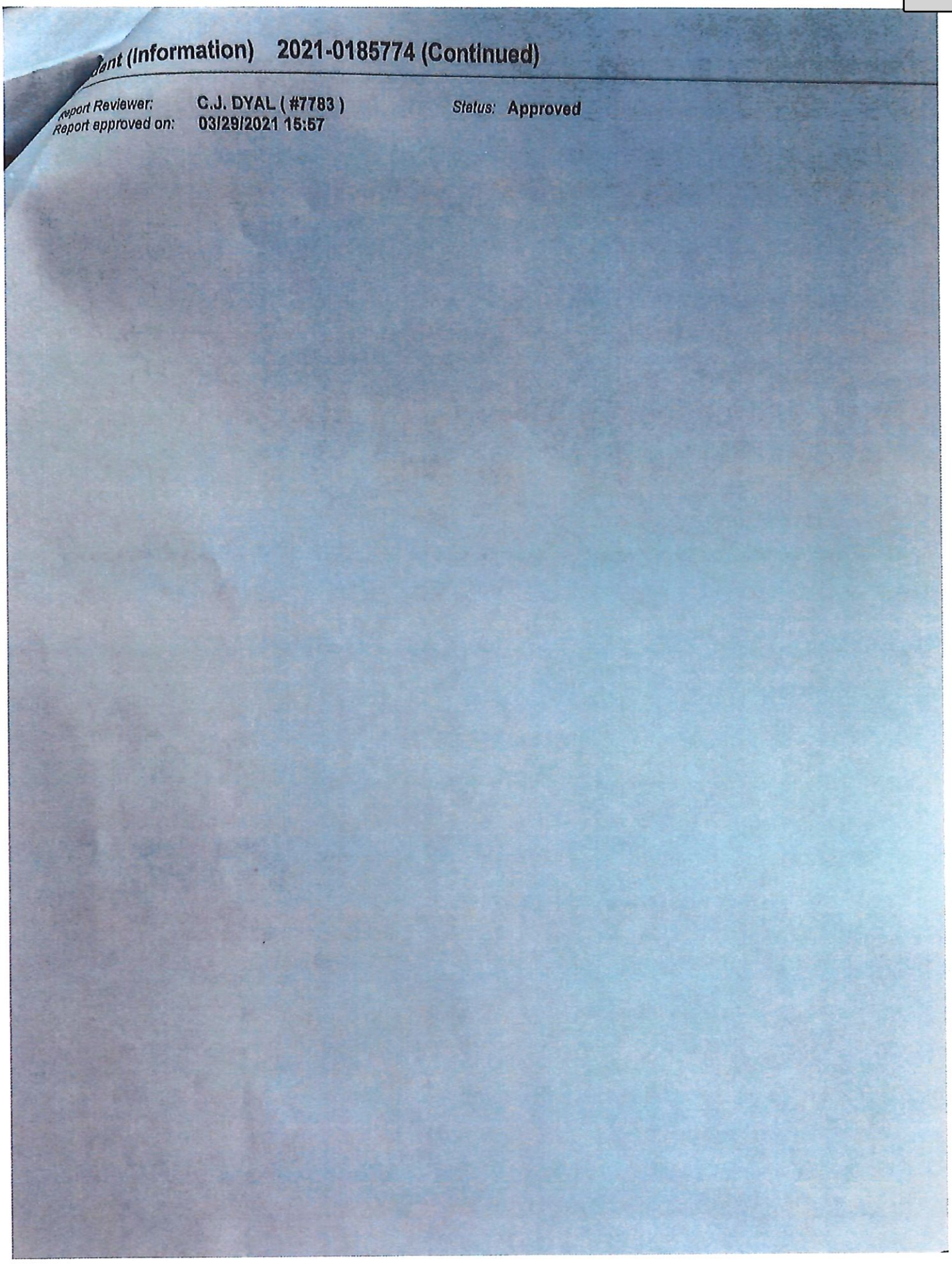
1

* Special Magistrate Fine Paid on 6/13/2023

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

ant (Information) 2021-0185774 (Continued)

Report Reviewer: C.J. DYAL (#7783) Status: Approved
Report approved on: 03/29/2021 15:57



Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

HOLLY HILL
FLORIDA

Building, Zoning, Licensing & Inspections
386-248-9442
Fax 386-248-9498

City Clerk
386-248-9441
Fax 386-248-9448

City Manager
386-248-9425
Fax 386-248-9448

Community Services
386-248-9435
Fax 386-248-9448

Economic Development
386-248-9444
Fax 386-248-9448

Finance
386-248-9427
Fax 386-248-9497

Human Resources
386-248-9440
Fax 386-248-9448

Information Technology
386-248-9459
Fax 386-248-9448

Public Works
386-248-9463
Fax 386-248-9499

Utility Billing
386-248-9432
Fax 386-248-9458

Mayor & City Commission
386-248-9441
Fax 386-248-9448

November 7, 2022

Clerk of Circuit Court – Volusia County
Records Management Center
P.O. Box 6043
DeLand, FL 32721-6043

RE: Parcel # 533720010070 (124 Daytona Ave. #1)
Parcel # 424245020040 (1302 Holly Ave.)

To whom it may concern:

Enclosed are two (2) Claim of Liens for recording with the Clerk of Court. Once recorded please forward a time stamped copy of each lien and the receipt for recording them to:

City of Holly Hill
Attn: Peg Collier, Code Enforcement
1065 Ridgewood Avenue
Holly Hill, FL 32117-2807

Sincerely,

Peg Collier
Code Enforcement Clerk
386-248-9433

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

HOLLY HILL
FLORIDA

CITY OF HOLLY HILL

1065 Ridgewood Avenue Holly Hill, Florida 32117

COURTESY NOTICE

Date: December 22, 2022 **Case Number:** 23-00003020

HOLLY HILL MHC LLC
C/O SARATOGA GROUP INC
195 PARK STREET
AUBURN, CA 956035014

Violation Location: 240 7TH ST
Sort Parcel ID: 4 2 44 01 14 0081
Property Owner: HOLLY HILL MHC LLC
Date of Violation(s): December 22, 2022
Violation(s) of Land Development Code / Code of Ordinances:

Violation Detail
00010 26-61 (2) 26-61 (2) SANITARY (TRASH)
Date Est: December 22, 2022 Location: Qty: 001

Violation Text
12/22/2022, 10:11:22 AM HLLHKXM
Please be advised you must have your property manager/tenants contact local waste collection services to pick up bulk trash items like sofas and mattresses, you cannot just leave them out on the right of way.

Violation Description
The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature;

This violation(s) must be corrected by: **January 03, 2023**

Please contact the Code Enforcement Officer once the violation(s) have been correct

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

11/14/2022 9:21:19 AM
Instrument# 2022252929 1 pa
Book: 8333 Page: 3842
Electronically Recorded By
Volusia County Clerk of the Court

Return To:	
Name:	Brian M. Walker, Community Development Director
Address:	1065 Ridgewood Ave
	Holly Hill, FL 32117-2807
This instrument Prepared by:	
Name:	**Peggy Collier**
Address:	1065 Ridgewood Ave
	Holly Hill, FL 32117-2807
Property Appraisers Parcel ID Number(s): 533720010070	

Claim of Lien

State of Florida, County of Volusia

Before me, the undersigned Notary Public, personally appeared Brian M. Walker, Community Development Director
Who was duly sworn and says he/she is the lienor herein.

City of Holly Hill

whose address is 1065 Ridgewood Ave, Holly Hill, Florida 32117

Respondent ordered to pay fines, fees and cost as follows:
Special Magistrate Administrative Hearing Fine of $250.00 ordered on May 17, 2022, which remains unpaid as of October 27, 2022.
Case # 22-1162

Daily fine of $50 per day, per violation commencing on June 16, 2022, for three (3) violations which have not been corrected.

on the following described real property in Volusia County, Florida: LOT 7 BLK A AUDUBON PARK HOLLY HILL MB 6 PG 190 PER OR 3926 PG 3060 PER OR 7494 PG 1591 PER OR 7766 PG 3446 PER OR 7767 PG 0319

124 Daytona Ave. #1, Holly Hill FL 32117.

owned by Vermont LLC. Fine, fees and cost of Fifty Dollars ($50) per day per violation (3 violations) commencing on June 16, 2022, along with a Special Master hearing fine of Two Hundred Fifty Dollars ($250.00), which remains unpaid as of October 27, 2022.

Failure to timely pay the fine and costs; may result in a certified copy of this Order, being recorded in the Public Records of Volusia County, Florida. Which if so recorded shall constitute a lien against the subject property; and upon any other real or personal property owned by Respondent. Respondent shall be responsible for all charges incurred to record any lien, or satisfaction of lien, with the Clerk of Court.

Lienor: City of Holly Hill

By _____ (Agent)

Print Name: Brian M. Walker, Community Development Director

Sworn to and subscribed before me this 7th day of November, 2022.

Peggy C Collier
Comm. #GG971072
Expires: March 18, 2024
Bonded Thru Aaron Notary

Peggy C. Collier
Notary Public

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

Return To:	
Name:	Brian M. Walker, Community Development Director
Address:	1065 Ridgewood Ave
	Holly Hill, FL 32117-2807
This instrument Prepared by:	
Name:	**Peggy Collier**
Address:	1065 Ridgewood Ave
	Holly Hill, FL 32117-2807
Property Appraisers Parcel ID Number(s): 533720010070	

Claim of Lien

State of Florida, County of Volusia

Before me, the undersigned Notary Public, personally appeared Brian M. Walker, Community Development Director
Who was duly sworn and says he/she is the lienor herein.

City of Holly Hill

whose address is 1065 Ridgewood Ave, Holly Hill, Florida 32117

Respondent ordered to pay fines, fees and cost as follows:
Special Magistrate Administrative Hearing Fine of $250.00 ordered on May 17, 2022, which remains unpaid as of October 27, 2022.
Case # 22-1162

Daily fine of $50 per day, per violation commencing on June 16, 2022, for three (3) violations which have not been corrected.

on the following described real property in Volusia County, Florida: LOT 7 BLK A AUDUBON PARK HOLLY HILL MB 6 PG 190 PER OR 3926 PG 3060 PER OR 7494 PG 1591 PER OR 7766 PG 3446 PER OR 7767 PG 0319

124 Daytona Ave. #1, Holly Hill FL 32117.

owned by Vermont LLC. Fine, fees and cost of Fifty Dollars ($50) per day per violation (3 violations) commencing on June 16, 2022, along with a Special Master hearing fine of Two Hundred Fifty Dollars ($250.00), which remains unpaid as of October 27, 2022.

Failure to timely pay the fine and costs; may result in a certified copy of this Order, being recorded in the Public Records of Volusia County, Florida. Which if so recorded shall constitute a lien against the subject property; and upon any other real or personal property owned by Respondent. Respondent shall be responsible for all charges incurred to record any lien, or satisfaction of lien, with the Cler of Court.

Lienor: City of Holly Hill

By _____ (Ager

Print Name: Brian M. Walker, Community Development Director

Sworn to and subscribed before me this 7th day of November 2022.

Peggy C Collier
Comm.#GG971072
Expires: March 18, 2024
Bonded Thru Aaron Notary

Peggy C. _____
Notary Public

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

CITY OF HOLLY HILL CODE ENFORCEMENT
SPECIAL MAGISTRATE'S HEARING
HOLLY HILL, FLORIDA

City of Holly Hill, a Political Sub-division of the State of Florida

Petitioner,

-vs-

Vermont LLC, Owner

Respondent.

Parcel No. 5337-2001-0070
Case No. 22-00001162

ORDER OF NON-COMPLIANCE

The Holly Hill Code Enforcement Special Magistrate has heard testimony under oath at a hearing on the above styled case on the 12th of May, 2022, and based on the evidence received, the Special Magistrate, thereupon issues its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER as follows:

FINDINGS OF FACT

That Vermont LLC, Owner and Respondent of the property located at 124 Daytona Avenue, Unit #1, Holly Hill, FL 32117 was issued a Violation Notice on the 24th of March, 2022 and the Notice to Appear on the 28th of April, 2022 for the violation of International Property Maintenance Code (hereinafter referred to as IPMC) 305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition; IPMC 305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected; and IPMC 604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

At the hearing, the Code Enforcement Officer Mahanes provided evidence through testimony and photographs that there are electrical hazards, bowing walls, improperly enclosed holes, open holes, and molding and peeling paint in the property. There are weeds growing through a switch box on the exterior of the property. In the interior, there is an exposed power conduit on a water heater, and there is rust and corrosion on the same water heater. There is illegal and faulty grounding wires that run to two faucets and also cause sparking when being used. Very few outlets or switches work due to either burnt wires or faulty wiring. There is a hole cut in the wall that has not been properly

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

closed up to cover a pipe line, and another hole that was covered with chopped particle board that needs to be corrected. Due to a leak upstairs, the interior surface shows mold and flaking and peeling paint. There is also build up behind the walls causing swelling in various parts of the interior and around the windows. No one appeared on behalf of the Owner at the hearing.

CONCLUSIONS OF LAW

That Owner and Respondent of the property located at 124 Daytona Avenue, Unit #1, Holly Hill, FL 32117 is in violation of Holly Hill Zoning and Ordinances: IPMC 305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition; IPMC 305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected; and IPMC 604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the authority of Chapter 162, Florida Statutes and the Holly Hill Code Enforcement Ordinance, Chapter 2 Section 2-116, it is duly ORDERED by this Special Magistrate that the Respondent shall pay an administrative fine of two hundred fifty dollars ($250.00), which if not paid in ninety (90) days from the date of this order shall be recorded as a lien and such recordation shall constitute a lien against the Respondent's real (except homestead) and personal property in Volusia County, Florida, said property to include, but not necessarily limited to that described above.

The Respondent must bring all violations listed above into compliance within thirty (30) days of this Order. Failure to comply with this deadline shall result in a daily fine, per violation. The Respondent shall be required to pay a fine of fifty dollars ($50.00) a day, PER VIOLATION until the property comes into compliance.

According to IPMC 111.6 – Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

corrections or repairs required by such compliance order or notice of violation. If the Respondent violates IPMC 111.6, Respondent shall be required to pay an additional fine of fifty dollars ($50.00) a day PER VIOLATION for each and every day any of the aforementioned violations exist.

DONE AND ORDERED this 17th day of May 2022, in Holly Hill, County of Volusia, Florida.

CITY OF HOLLY HILL
CODE ENFORCEMENT

By, _____
Melody Pullen, Special Magistrate

Attest: _____
Code Enforcement Official

This instrument prepared by Melody Pullen, Special Magistrate for the Code Enforcement, 1065 Ridgewood Avenue, Holly Hill, Florida 32117, Telephone number: (386) 248-9490.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 17th day of May, 2022 a true and accurate copy of the foregoing has been furnished by U.S. Mail to:

Vermont LLC
124 Daytona Avenue, Unit #1
Holly Hill, FL 32117

Vermont LLC
9907 8th Street, #1269
Gotha, FL 34734-7051

_____
Code Enforcement Official

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

IMPORTANT NOTICE

The Respondent must notify the Code Enforcement Officer, when this order is complied with. Until the Code Enforcement Officer verifies the property is in compliance the fine will continue to accrue. This order will be recorded in the Official Records of the Office of the Clerk of the Court in Volusia County, Florida, and such recordation shall constitute a lien against the Respondent's real and personal property in Volusia County, Florida, said property to include, but not necessarily limited to that described above (EXCEPT HOMESTEAD)

The Respondent has the right to appeal whether the property is in compliance. The Respondent must file their appeal for a hearing within 20 days from the date the fine goes into effect. If the property is found to be still in non-compliance the fine will begin on the original date the fine was to go into effect. This hearing will only cover whether the property is now in compliance. It will not be a rehearing of the whole case which was previously ruled on.

Attachment: 124 Daytona Ave Lien Reduction Request (4180 : Request for a Lien Reduction at 124 Daytona Avenue)

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Ordinance

MEETING DATE: **July 11, 2023**
FROM: **Brian Walker**
SUBJECT: **SECOND READING - ORDINANCE 3060 - 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 in Attachment "A", by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Medium-Density Residential (LMDR) to Commercial and Further Adding Text to Restrict Commercial Development on Such Parcels to Specific Storage Uses; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3061 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from CC-1 (Commercial Corridor District) and R-7 (Medium-Density Multi-Family Residential) to BPUD (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.**
NUMBER: **2023-O-3060**
APPLICANT: **Brian Walker**
PLANNER:

INTRODUCTION

Consider an Ordinance enacting a Small Scale Future Land Use Map Amendment from Low Medium-Density Residential (LMDR) to Commercial, and a separate Ordinance enacting a Rezone from CC-1 (Commercial Corridor District) and R-7 (Medium-Density Multi-Family Residential) to BPUD (Business Planned Unit Development), together totaling approximately 8.05 acres, located in the general area of the northeast corner of 13th Street and Old Kings Road with a parcel touching N Nova Road addressed as 1704 N Nova Road. (CPA-2022-02) (RZ-2022-02) (Cobb Cole, Applicant).

BACKGROUND

The Applicant is requesting an amendment and rezone in order to develop a 3 story, indoor climate-controlled storage facility on N Nova Road with covered and uncovered vehicle, boat and RV parking to the west, in back of the facility. The overall project area consists of a

commercial parcel used as a parking lot on N Nova Road that is approximately 2.4 acres in size, and a vacant, wooded residential area to the west that, is approximately 5.65 acres in size. The applicant has submitted renderings and a proposed signage plan.

The vacant wooded property abuts residential homes on 3 sides and commercial on the east, while the commercial portion abuts commercial on three sides and residential to the west.

While the wooded residential area proposed for boat and RV storage is primarily surrounded by homes in unincorporated Volusia County, it can currently be developed as an apartment community. The applicant feels that boat and RV storage would be a quieter, and less intense use.

The boat and RV storage area will be a paved area with carport type structures. The applicant is tying the boat and RV storage use on the west to a more robust storage development project along Nova Road. The proposed BPUD will require that the indoor storage building on Nova Road obtain a certificate of occupancy prior to the boat and RV storage area being approved and opened for use. However, both projects may be built simultaneously.

A comprehensive plan text amendment is also proposed to limit the commercial use on the parcels for which a FLU map amendment is proposed. The text amendment shall be allowed for parcels, 424204340220, 424286030260, 424286030250, 424286030240, 424286020060, 424286020070, 424286020050, 424286020040, 424286020030, 424286020011, to change the future land use from Low Medium-Density Residential (LMDR) to the General Retail Commercial designation, subject to a limitation on development of the site for Miniwarehouses, vehicle/trailer, and outdoor covered storage uses, limited to the traffic generating equivalent of 700 personal storage units.

SITE INFORMATION

Size of Property: The property consists of approximately 8.05 acres.

Legal Description: (Exhibit A)

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

General Location: See Location Map **(Exhibit C**)

Frontage: The property has approximately 266 feet of frontage along N Nova Road.

Access: Vehicular access will be from N Nova Road.

Aerial Photography: (**Exhibit D**)

Existing Development: The property is vacant with the commercial portion paved.

Future Land Use Designation: The current FLU designation is Low Medium-Density Residential on the residential parcels and Commercial on the commercial parcel and the proposed FLU designation is Commercial on the residential parcels. (**Exhibit E**)

Zoning: Current Zoning is R-7 (Medium-Density Multi-Family Residential) and CC-1 (Commercial Corridor), and the proposed is zoning is BPUD (Business Planned Unit Development). (**Exhibit F**)

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

Wetland Impacts: Based on aerial photos and County wetland map analysis, there are wetlands on the subject property. **(Exhibit H)**

Buffers: Buffering will be provided between commercial and residential uses.

Required Vacates: The underlying residential plat will be vacated.

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 and waste water is shown in **Exhibit I** and **Exhibit J** titled, Utility Impact Analysis and Traffic Impact Analysis respectively.
The change in land use will not result in any increased utility or traffic impacts.

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 proposed use is commercial development. Drainage patterns 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. This project will attenuate and treat the stormwater for the mean annual, 25-year, 24-hour and 100-year, 24-hour storm events. 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.

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. Staff finds that the requested small-scale future land use map amendment is consistent with the City's Comprehensive Plan with particular emphasis on the following:

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

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

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

Response: The proposed development utilizes the planned unit development process to allow for design of a commercial self-storage use that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City. The development will locate a low-intensity use within the area supported by public services and utilities.

CONSISTENCY WITH THE URBAN SPRAWL RULE AS REQUIRED BY FLORIDA STATUTES

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.

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 for self-storage uses that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City.
(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.

Response: The proposed development utilizes the planned unit development process for self-storage uses that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City.

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.

Appropriateness of the Requested Zoning Category
In reviewing the appropriateness of the requested BPUD zoning designation, the Board of Planning and Appeals and City Commission, must consider the 8 specific criteria listed in Sec. 82-372 of the Land Development Regulations. The applicant has reviewed the criteria and provided a narrative in attachment **Exhibit K.**

It is staff's opinion that the requested rezone from R-7 and CC-1 to BPUD is justified and appropriate for the area.

STAFF RECOMMENDATION

Adopt Ordinance (**ORDINANCE 3060**) for second and final reading of the City of Holly Hill Florida, amending the comprehensive plan by amending the future land use map designation of certain properties totaling 5.19 acres, listed and legally described in **Exhibit L** titled; Comprehensive Plan Properties, by virtue of a small scale future land use map amendment;

changing the future land use map designation from low medium density residential to Commercial and to further limit permitted commercial activity on such parcels to miniwarehouse storage, covered and uncovered vehicle, boat and RV storage, via a comprehensive plan text amendment; providing for conflicting ordinances; providing for severability; and providing an effective date.

And A Separate Ordinance

Adopt Ordinance (**ORDINANCE 3061**) for second and final reading enacting a Rezone from CC-1 (Commercial Corridor District) and R-7 (Medium-Density Multi-Family Residential) to BPUD (Business Planned Unit Development) for parcels and the area legally described in **Exhibit A**, titled; Legal Description, together totaling approximately 8.05 acres.

ATTACHMENTS:

- Application (PDF)
- Applicant Submittal (PDF)
- List of Included Parcels (PDF)
- Development Agreement - Braintree - Nova Storage (PDF)
- Survey (PDF)
- Preliminary Development Plan - Exhibit B to the Development Agreement (PDF)
- Proposed Signage Plan (PDF)
- Renderings (PDF)
- Legal Description of Parcels with Commercial Use Limitation (PDF)
- Zoning and Land Use Table (PDF)
- Exhibit A - Legal Description (PDF)
- Exhibit B - Property Appraiser Info Sheets (PDF)
- Exhibit C - Location Map (PDF)
- Exhibit D - Aerial Map (PDF)
- Exhibit E - Current and Proposed FLU Map (PDF)
- Exhibit F - Current and Proposed Zoning (PDF)
- Exhibit G - Flood Map (PDF)
- Exhibit H - Wetland Map (PDF)
- Exhibit K - Appropriateness Requested Zoning (PDF)
- Exhibit L - Comp Plan Parcels (PDF)
- Exhibit I - Utility Impact Analysis (PDF)
- Exhibit J - Traffic Impact Analysis (PDF)

HISTORY:

06/27/23	**City Commission**	**APPROVED AT 1ST READING**

Next: 07/11/23

Attorney Simpson reminded the Mayor and Commissioners that these two Ordinances will be presented as one item, however, they will be voted on separately.

Commissioners Currie, Penny, Johnson and Mayor Via all disclosed that Rob Merrell's office had reached out to them through email to see if they would like to meet with the applicant to discuss these Ordinances as proposed but no one responded or met with anyone.

Mr. Walker went through the staff reports for Ordinance 3060, amending the Comprehensive Plan by amending the future land use map designation and Ordinance 3061, amending the Land Development Regulations by amending the official zoning map. Mr. Walker went through each staff report in great detail for the audience, Mayor and City Commissioners.

Rob Merrell, Cobb Cole, Daytona Beach, was present on behalf of the applicant to answer questions and for any clarifications that were needed aside from Mr. Walker's presentation from his staff report.

Mayor Via opened public participation for both Ordinances. No one spoke.

Commissioner Johnson made a motion to ***ADOPT FIRST READING OF ORDINANCE 3060, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED IN ATTACHMENT "A", BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW MEDIUM-DENSITY RESIDENTIAL (LMDR) TO COMMERCIAL AND FURTHER ADDING TEXT TO RESTRICT COMMERCIAL DEVELOPMENT ON SUCH PARCELS TO SPECIFIC STORAGE USES***, seconded by Commissioner Penny.

PASSED, 4-0. (Danio, Absent)

Commissioner Johnson made a motion to ***ADOPT FIRST READING OF ORDINANCE 3061, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) AND R-7 (MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT)***, seconded by Commissioner Penny.

PASSED, 4-0. (Danio, Absent)

(A copy of this meeting in its entirety is available on CD upon request in the City Clerk's Office or on the city's YouTube channel).

Ordinance No. 2023-3060

SECOND READING - ORDINANCE 3060 - 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 IN ATTACHMENT "A", BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW MEDIUM-DENSITY RESIDENTIAL (LMDR) TO COMMERCIAL AND FURTHER ADDING TEXT TO RESTRICT COMMERCIAL DEVELOPMENT ON SUCH PARCELS TO SPECIFIC STORAGE USES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. AND SECOND READING - ORDINANCE 3061 - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) AND R-7 (MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 3060

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 IN ATTACHMENT "A", BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW MEDIUM-DENSITY RESIDENTIAL (LMDR) TO COMMERCIAL AND FURTHER ADDING TEXT TO RESTRICT COMMERCIAL DEVELOPMENT ON SUCH PARCELS TO SPECIFIC STORAGE USES; 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 parcels 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 COMMISSION OF 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 in ATTACHMENT A Commercial.

SECTION 2. The City's Comprehensive Plan is hereby amended by adding text to policy 1.1.2, to read as follows (**bold** and underline indicates added text):

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.) ***Certain parcels with the General Commercial Development land use shall be restricted to development (commercial use limitation) consisting of mini-warehouse, vehicle/trailer, and outdoor covered storage uses, limited to the traffic generating equivalent of 700 personal storage units and shall only be developed as part of a planned development for a storage unit project encompassing said parcels along with the adjacent parcel on Nova Road currently identified as parcel 42420M000020.***

Parcels subject to the commercial use limitation are identified as 424204340220, 424286030260, 424286030250, 424286030240, 424286020060, 424286020070, 424286020050, 424286020040, 424286020030, 424286020011, with the subject parcels and area further legally described and shown in the attachment named "Legal Description of Parcels with Commercial Use Limitation."

Unless said parcels having the commercial use limitation are developed as part of a planned development storage unit project on the Nova Road parcel currently known as 42420M000020, then such parcels shall not be developable until a future land use amendment to the Comprehensive Plan for such parcels is adopted by the City.

SECTION 3. 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 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. 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.

APPROVED AND AUTHENTICATED on the 11th of JULY, 2023 for second and final reading.

ATTACHMENT "A"

LEGAL DESCRIPTION OF PARCELS SUBJECT TO FLU MAP AMENDMENT AND COMMERCIAL USE LIMITATION

Parcels

4242-86-03-0240, 4242-86-02-0040, 4242-04-34-0220, 4242-86-02-0070, 4242-86-02-0030 4242-86-03-0260, 4242-86-02-0060, 4242-86-03-0250, 4242-86-02-0050, 4242-86-02-0011

LEGAL DESCRIPTION:

(NO. 1 - ORIGINAL OWNERSHIP OF REAR PARCEL.)

PARCEL 1:

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT PER MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT AS PER MAP BOOK 1, PAGE 1, THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG SAID NORTH LINE OF LOTS 22 AND 23, A DISTANCE OF 470.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, THENCE S 17 DEGREES 57 MINUTES 09 SECONDS E ALONG THE EAST LINE OF THE NORTH 1/2 OF LOT 23, A DISTANCE OF 329.24 FEET TO THE SOUTHEAST COMER OF THE NORTH 1/2 OF LOT 23;

THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOTS 22 AND 23, A DISTANCE OF 470.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W A DISTANCE OF 139.14 FEET; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E, A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

PART OF THE NORTH ONE-HALF OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 40.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF OLD KINGS ROAD PER

OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 129.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHERLY 129.14 FEET OF SAID LOT 22, A DISTANCE OF 150.00 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST, PARALLEL WITH THE EAST RIGHT- OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD, A DISTANCE OF 60.24 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 150 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT:

THE SOUTHERLY 60 FEET OF THE NORTHERLY 129.14 FEET OF THE WESTERLY 190.00 FEET OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE WESTERLY 40.00 FEET THEREOF NOW A PART OF THAT RIGHT-OF-WAY EASEMENT PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

LOT 1, EXCEPT THE NORTH 50.22 FEET, AND ALL OF LOTS 3, 4, 5, 6 AND 7, BLOCK B, AND LOTS 24, 25 AND 26, BLOCK C, AMENDED PLAN OF FLEMING PARK, AS RECORDED IN MAP BOOK 26, PAGE 110, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. ALL CONTAINING 5.19 ACRES, MORE OR LESS.

ORDINANCE NO. 3061

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) AND R-7 (MEDIUM-DENSITY MULTI-FAMILY RESIDENTIAL) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County,

Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

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

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

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

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

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in **Attachment A** as BPUD (Business Planned Unit Development) pursuant to the provisions contained in the attached Development Agreement, 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. This ordinance shall become effective upon approval of the future land use map and text amendment by the Florida Department of Economic Opportunity and certification of the same amendment by the Volusia Growth Management Commission.

APPROVED AND AUTHENTICATED on the 11th of JULY, 2023 for second and final reading.

ATTACHMENT "A"

LEGAL DESCRIPTION:

(NO. 4 - NEW OVERALL PUD BOUNDARY)

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, AND PART OF LOT 1, AND ALL OF LOTS 2-7, BLOCK B, AND ALL OF LOTS 24-26, BLOCK C, AND A PORTION OF 13TH STREET AND THE UN-NAMED STREET, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, ALL OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THENCE S25°41'21"E ALONG THE EAST LINE OF SAID LOT 23, AND THE EAST LINE OF BLOCK C, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 508.77 FEET TO THE NORTHEAST CORNER OF LOT 23, BLOCK C, SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37"W ALONG THE NORTH LINE OF SAID LOT 23 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO THE CENTER LINE OF AN UN-NAMED STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK;, THENCE N25°41'21"W ALONG SAID CENTERLINE, A DISTANCE OF 15.00 FEET TO THE CENTERLINE OF 13TH STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37" ALONG SAID CENTERLINE, A DISTANCE OF 464.95 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD, HAVING A 60.00 FOOT RIGHT-OF-WAY; THENCE N25°39'45"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.78 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 50.22 FEET OF LOT 1, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN N64°21'37"E ALONG SAID SOUTH LINE, A DISTANCE OF 125.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE N25°39'45"W ALONG THE EAST LINE OF SAID LOT 1 AND LOT 2, BLOCK B, A DISTANCE OF 120.22 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE N64°21'37"E, ALONG THE NORTH LINE OF LOT 3, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK, A DISTANCE OF 35.00 FEET TO A POINT ON THE EAST LINE OF THE WEST 190.00

FEET OF LOT 22, AFORESAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N25°39'45"W, A DISTANCE OF 328.32 FEET TO A POINT ON THE SOUTH LINE OF LOT 13, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N64°18'17"E ALONG THE SOUTH LINE OF SAID LOT 13 AND LOT 12, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, A DISTANCE OF 469.72 FEET TO THE POINT OF BEGINNING.

AND

LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SAID LANDS CONTAINING 8.05 ACRES, MORE OR LESS.

ATTACHMENT "B"

Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as Nova Road Storage Planned Unit Development (PUD) located along Nova Road 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 NISBETT PROPERTIES, LLC (hereinafter referred to as the "Owner" or "Owner/Developer") with a mailing address of 332 John Anderson Drive, Ormond Beach, FL 32176.

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 within the Eastern Portion and Western Portion, as illustrated on Exhibit B:

1. Eastern Portion: Abutting Nova Road on Parcel # 4242-0M-00-0020 aka 1704 Nova Road: Three story, indoor, climate-controlled storage facility - approximately 119,000 square feet of total building area, as shown on the Preliminary Development/Site Plan.
2. Western Portion: Covered and uncovered RV and Boat storage on Parcel now known as 4242-04-34-0220, as shown on the Preliminary Development/Site Plan.

A. Prohibited principal uses, if any:
Unless a use is specifically stated as permitted, it is prohibited.

B. Proposed minimum floor area ratio: 2.0

C. Impervious surface is not to exceed 80% of the gross square footage for the Subject Property.

D. Minimum open space shall be 20% of the subject property.

E. Minimum landscaping and buffer-yard requirements are as shown and stated on the Preliminary Plan and as follows: Minimum perimeter landscape buffer of five (5') feet.

F. Minimum lot size area (in acreage or square footage): 10,000 sq. ft.

G. Minimum lot width (in feet): 100 ft.

H. Minimum yard setbacks:
1. Front yard: 15 ft. (Nova Road)
2. Side yard: 10 ft.
3. Rear yard: 15 ft.

I. Maximum building height (in feet): 45'

J. Minimum parking standards are as shown and stated on the Preliminary Plan for Eastern portion.

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

M. Phases: The project shall consist of 2 phases. Phases are shown on the Preliminary Development/Site Plan and described as follows:
1. Phase 1: 3 story, indoor, climate-controlled storage facility.
2. Phase 2: Covered and uncovered RV and Boat storage.

Phase 1 (3 story, indoor, climate-controlled storage facility) shall be complete and obtain a Certificate of Occupancy prior to Phase 2 being approved and permitted for use. Under no

circumstances, including Force Majeure, "acts of God," or any other unforeseen events, shall Phase 2 be approved and permitted to operate, prior to Phase 1 being complete and receiving a Certificate of Occupancy. The Phase 1 and Phase 2 improvements may be constructed concurrently at Owner's discretion.

L. 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.

M. 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.

N. 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.

O. 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.

6. **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.

7. **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.

8. **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.

9. **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.

10. **Obligations for Improvements.** Any surface improvement as described and required hereunder included, but not limited to such as signalization, walls, stormwater management facilities, medians, and utilities, or any other surface improvement shall be performed prior to the issuance of the first Certificate of Occupancy on that portion of the Subject Property that the surface improvement(s) relates or is otherwise scheduled in this Agreement. Should the 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 (16)** of this Agreement.

11. **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.

12. **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.

13. **Enforcement.** Both parties may seek specific performance of this Agreement and/or bring an action for damages in a court within Volusia County, Florida, if either party breaches this Agreement. If enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the 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.

14. **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.

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

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

OWNER/DEVELOPER'S REPRESENTATIVES:

Nisbett Properties, LLC
Richard Nisbett
332 John Anderson Drive
Ormond Beach, FL 32176

With copy to:

Robert A. Merrell III, Esquire
Cobb Cole
149 S. Ridgewood Avenue, Suite 700
Daytona Beach, FL 32114

CITY'S REPRESENTATIVES:
City Manager
City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, Florida 32117

With copy to:

Director
Community Development
City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, Florida 32117

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.

17. **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.

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

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

20. **Subsequently Enacted State or Federal Law.** If either state 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.

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

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

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

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

25. **Time of the Essence.** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this Agreement. The 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.

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

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

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

IN WITNESS WHEREOF, the 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

_____
Print or type name

ATTEST:

_____
Signature

_____
Print or Type Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of ☐ physical presence or ☐ online notarization,** this ____ day of _____, _____ (year), by _____, who is 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 Avenue
Holly Hill, Florida 32117

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC, STATE OF FLORIDA

_____
Notary Signature

_____
Printed Name

Commission No.: _____

My Commission Expires: _____

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

_____
Scott Simpson, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

(NO. 4 - NEW OVERALL PUD BOUNDARY)

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, AND PART OF LOT 1, AND ALL OF LOTS 2-7, BLOCK B, AND ALL OF LOTS 24-26, BLOCK C, AND A PORTION OF 13TH STREET AND THE UN-NAMED STREET, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, ALL OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THENCE S25°41'21"E ALONG THE EAST LINE OF SAID LOT 23, AND THE EAST LINE OF BLOCK C, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 508.77 FEET TO THE NORTHEAST CORNER OF LOT 23, BLOCK C, SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37"W ALONG THE NORTH LINE OF SAID LOT 23 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO THE CENTER LINE OF AN UN-NAMED STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK;, THENCE N25°41'21"W ALONG SAID CENTERLINE, A DISTANCE OF 15.00 FEET TO THE CENTERLINE OF 13TH STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37" ALONG SAID CENTERLINE, A DISTANCE OF 464.95 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD, HAVING A 60.00 FOOT RIGHT-OF-WAY; THENCE N25°39'45"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.78 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 50.22 FEET OF LOT 1, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN N64°21'37"E ALONG SAID SOUTH LINE, A DISTANCE OF 125.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE N25°39'45"W ALONG THE EAST LINE OF SAID LOT 1 AND LOT 2, BLOCK B, A

DISTANCE OF 120.22 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE N64°21'37"E, ALONG THE NORTH LINE OF LOT 3, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK, A DISTANCE OF 35.00 FEET TO A POINT ON THE EAST LINE OF THE WEST 190.00 FEET OF LOT 22, AFORESAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N25°39'45"W, A DISTANCE OF 328.32 FEET TO A POINT ON THE SOUTH LINE OF LOT 13, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N64°18'17"E ALONG THE SOUTH LINE OF SAID LOT 13 AND LOT 12, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, A DISTANCE OF 469.72 FEET TO THE POINT OF BEGINNING.

AND

LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SAID LANDS CONTAINING 8.05 ACRES, MORE OR LESS.

EXHIBIT "B"
PRELIMINARY DEVELOPMENT PLAN

HOLLY HILL
FLORIDA
1065 Ridgewood Avenue, Holly Hill, FL 32117
Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org 01/2023

REZONE/ FUTURE LAND USE AMENDMENT

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

PROJECT INFORMATION:

PROJECT NAME: Nova Road Storage
PARCEL ID #(S): See Attached List
LOCATION: 1704 Nova Road, Holly Hill, FL 32117
EXISTING USE(S): Vacant Commercial
PROPOSED USE(S): Nova Road Storage
TOTAL ACREAGE: _____
WATER PROVIDER: _____ SEWER PROVIDER: _____
PRIVATE WELL _____ PRIVATE SEPTIC _____
CURRENT ZONING: CC-1 and R-7 PROPOSED ZONING: PUD
CURRENT FUTURE LAND USE: General Retail Commercial/Low Med Res PROPOSED FUTURE LAND USE: General Retail Commercial

APPLICANT INFORMATION:

Name: Robert A. Merrell III, Esquire E-Mail: Rob.Merrell@CobbCole.com
Address: 149 S. Ridgewood Avenue, Suite 700 Daytona Beach, FL 32114 Phone: 386/323-9263
Company: Cobb Cole Fax: 386/323-9207

☐ Owner ☐ Agent for Owner ☑ Attorney for Owner

OWNER INFORMATION:

Name: Nisbett Properties, LLC E-Mail: Rob.Merrell@CobbCole.com
Address: 332 John Anderson Drive, Ormond Beach, FL 32176 Phone: 386/323-9263
Fax: 386/323-9207

CONSULTANT INFORMATION:

Name: Mark Dowst, P.E. E-Mail: mdowst@mdaeng.com
Address: 536 N. Halifax Ave., Suite 100, Daytona Beach, FL 32118 Phone: 386/258-7999
Company: Mark Dowst & Associates, Inc. Fax: 386/257-4310

Attachment: Application (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

HOLLY HILL
FLORIDA
1065 Ridgewood Avenue, Holly Hill, FL 32117
Phone: (386) 248-9442 Fax: (386) 248-9498 Permitdesk@hollyhillfl.org 01/2023

WHO SHOULD ALL COMMUNICATION BE DIRECTED TO?

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 $1,400

REZONE (PD)

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

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

ATTACHMENT CHECKLIST

REQUIRED SUBMITTALS

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

Attachment: Application (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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

Applicant's Signature: _____ 5/8/23
(Signature) *(Date)*

Robert A. Merrell III, Esquire
(Print)

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

Attachment: Application (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Nova Road Storage
Large Scale Comprehensive Plan Amendment

1. APPLICANT INFORMATION

1.1 Applicant Name and Address

Nisbett Properties, LLC

1.2 Primary Contact for Applicant

Richard Nisbett
332 John Anderson Drive,
Ormond Beach, FL 32176

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 5.65 +/- 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".

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

2.4 Parcel Identification Numbers

424204340220, 424286030260, 424286030250, 424286030240, 424286020060, 424286020070, 424286020050, 424286020040, 424286020030, 424286020011

2.5 General Location

The Property is generally located west of Nova Road 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 13th Street.

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 Medium Density Residential. 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 "General Retail Commercial." 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, 424204340220, 424286030260, 424286030250, 424286030240, 424286020060, 424286020070, 424286020050,

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

424286020040, 424286020030, 424286020011 to change the future land use to the General Retail Commercial designation subject to a limitation on development of the site for miniwarehouse, vehicle/trailer, and outdoor covered storage uses, limited to the traffic generating equivalent of 700 personal storage units.

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

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

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

Response: ***The proposed development utilizes the planned unit development process to allow for design of a commercial self-storage use that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City. The development will locate a low-intensity use 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:

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

(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.

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 for self-storage uses that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City.

(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

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

***Response**: The proposed development utilizes the planned unit development process for self-storage uses that will create a transitional use between the existing commercial corridor and surrounding residential uses in an appropriate scale and location within the City.*

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 Land Use Compatibility Analysis

The proposed amendment seeks to amend a 9.8 +/- acre portion of the Holly Hill FLU Map to the General Retail Commercial 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 Traffic Data and Analysis –

Please see the attached "Exhibit H" prepared by Lassiter Transportation Group.

5.2 Utility Data and Analysis –

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

6. Environmental Analysis

Please see the attached "Exhibit J" and "Exhibit K" illustrating environmental site features, prepared by Mark Dowst & Associates and Biological Consulting Services, Inc.

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.

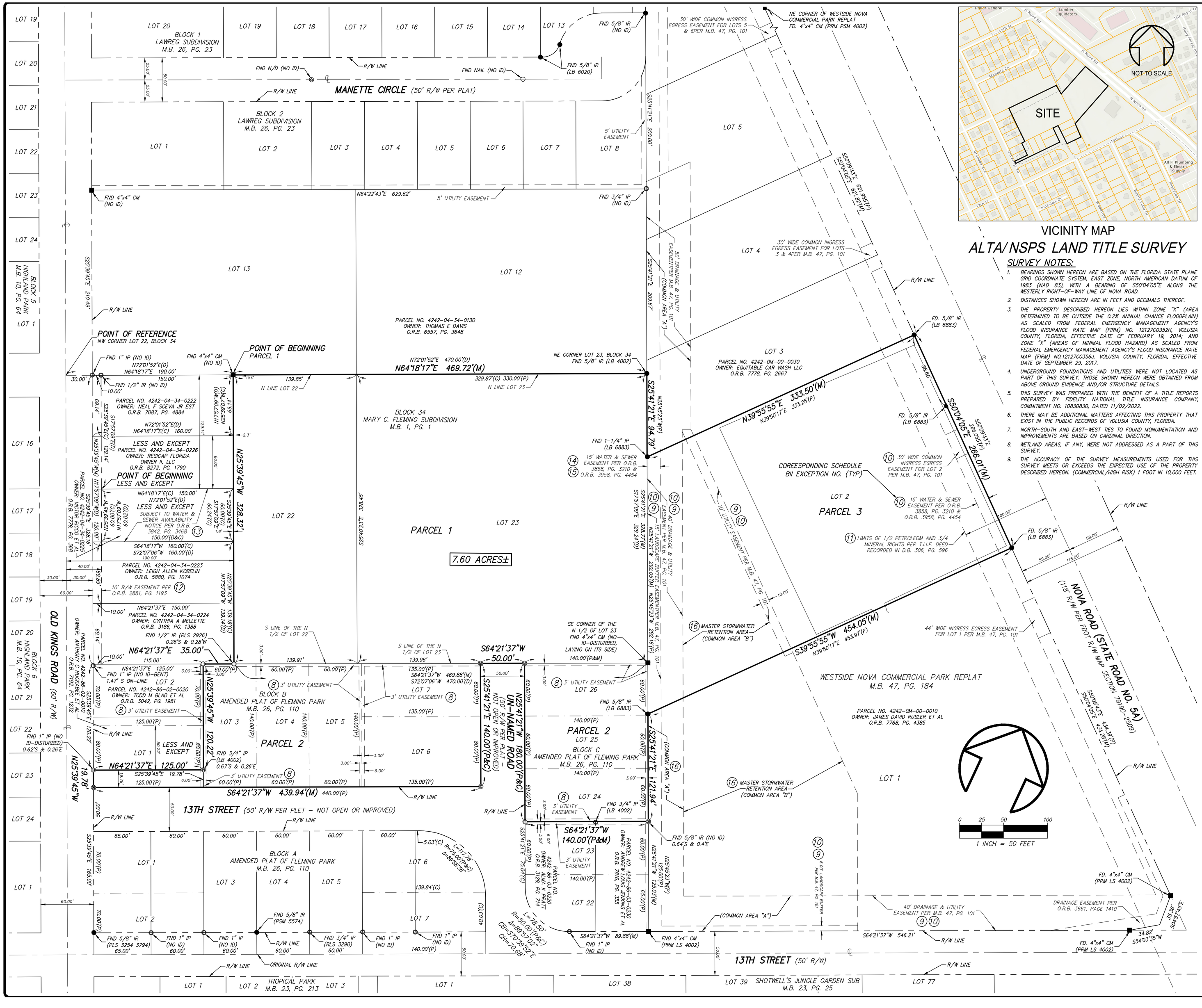
Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

EXHIBIT A

SURVEY

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



VICINITY MAP

ALTA/NSPS LAND TITLE SURVEY

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 S50°04'05"E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NOVA ROAD.
2. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "X" (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO. 12127C0352H, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF FEBRUARY 19, 2014; AND ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO.12127C0356J, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF SEPTEMBER 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. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORTS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 10830830, DATED 11/02/2022.
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.

LEGAL DESCRIPTION:

(PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 10830830, DATED 11/02/2022)

PARCEL 1:

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT PER MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT AS PER MAP BOOK 1, PAGE 1, THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG SAID NORTH LINE OF LOTS 22 AND 23, A DISTANCE OF 470.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, THENCE S 17 DEGREES 57 MINUTES 09 SECONDS E ALONG THE EAST LINE OF THE NORTH 1/2 OF LOT 23, A DISTANCE OF 329.24 FEET TO THE SOUTHEAST COMER OF THE NORTH 1/2 OF LOT 23; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOTS 22 AND 23, A DISTANCE OF 470.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W A DISTANCE OF 139.14 FEET; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E, A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

PART OF THE NORTH ONE-HALF OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 40.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF OLD KINGS ROAD PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 17 DEGREES 09 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 129.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHERLY 129.14 FEET OF SAID LOT 22, A DISTANCE OF 150.00 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST, PARALLEL WITH THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD, A DISTANCE OF 60.24 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 150 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT:

THE SOUTHERLY 60 FEET OF THE NORTHERLY 129.14 FEET OF THE WESTERLY 190.00 FEET OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE WESTERLY 40.00 FEET THEREOF NOW A PART OF THAT RIGHT-OF-WAY EASEMENT PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

LOT 1, EXCEPT THE NORTH 50.22 FEET, AND ALL OF LOTS 3, 4, 5, 6 AND 7, BLOCK B, AND LOTS 24, 25 AND 26, BLOCK C, AMENDED PLAN OF FLEMING PARK, AS RECORDED IN MAP BOOK 26, PAGE 110, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 3:

LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SCHEDULE BII EXCEPTIONS: (AS TO PARCELS 1, 2 & 3)

(PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 10830830, DATED 11/02/2022)

1.–5. STANDARD EXCEPTIONS INTENTIONALLY OMITTED.

6. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS. (NO DOCUMENTS PROVIDED FOR REVIEW)
7. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF MAP OF PROPERTY OF MARY C. FLEMING THE THOS FITCH GRANT, RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [AFFECTS–NOTHING TO DEPICT]
8. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF AMENDED PLAT OF FLEMING PARK, RECORDED IN MAP BOOK 26, PAGE 110, AS AFFECTED BY RESOLUTION VACATING AND ABANDONING A CERTAIN PORTION OF SUBDIVISION PLAT RECORDED OCTOBER 28, 1981, IN OFFICIAL RECORDS BOOK 2307, PAGE 1595, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 2) [AFFECTS–DEPICTED HEREON]
9. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF WESTSIDE NOVA COMMERCIAL PARK, RECORDED IN MAP BOOK 47, PAGE 101, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
10. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF WESTSIDE NOVA COMMERCIAL PARK REPLAT, RECORDED IN MAP BOOK 47, PAGE 184, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
11. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA TO AN UNDIVIDED ONE-HALF OF ALL PETROLEUM AND PETROLEUM PRODUCTS AND TITLE TO AN UNDIVIDED THREE-FOURTHS OF ALL OTHER MINERALS WHICH MAY BE FOUND ON OR UNDER THE LAND AND AN EASEMENT FOR STATE ROAD RIGHT-OF-WAY TWO HUNDRED (200) FEET WIDE, LYING EQUALLY ON EACH SIDE OF THE CENTER LINE OF ANY STATE ROAD EXISTING ON THE DATE OF THIS DEED THROUGH SO MUCH OF ANY PARCEL HEREIN DESCRIBED AS IS WITHIN ONE HUNDRED (100) FEET OF SAID CENTER LINE, AS RESERVED IN T.I.I.F. DEED RECORDED SEPTEMBER 29, 1944, IN DEED BOOK 306, PAGE 596, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THE RIGHTS OF ENTRY AND EXPLORATION AND EXTINGUISHED PURSUANT TO 270.11 F.S. (AS TO PARCELS 1, 2 AND 3) [AFFECTS–DEPICTED HEREON]
12. RIGHT OF WAY EASEMENT IN FAVOR OF THE COUNTY OF VOLUSIA RECORDED OCTOBER 3, 1986, IN OFFICIAL RECORDS BOOK 2881, PAGE 1193, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [DOES NOT AFFECT–DEPICTED HEREON]
13. CITY OF HOLLY HILL WATER AND SEWER AVAILABILITY NOTICE RECORDED JULY 15, 1993, IN OFFICIAL RECORDS BOOK 3842, PAGE 3468, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [DOES NOT AFFECT–DEPICTED HEREON]
14. GRANT OF WATER AND SEWER EASEMENT IN FAVOR OF THE CITY OF HOLLY HILL RECORDED SEPTEMBER 16, 1993, IN OFFICIAL RECORDS BOOK 3858, PAGE 3210, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
15. GRANT OF WATER AND SEWER EASEMENT IN FAVOR OF THE CITY OF HOLLY HILL RECORDED OCTOBER 21, 1994, IN OFFICIAL RECORDS BOOK 3958, PAGE 4454, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
16. RESTRICTIONS, COVENANTS, CONDITIONS AND EASEMENTS, WHICH INCLUDE PROVISIONS FOR A. AN EASEMENT ON THE LAND; B. A LIEN FOR LIQUIDATED DAMAGES; C. A PRIVATE CHARGE OR ASSESSMENTS; D. AN OPTION TO PURCHASE; E. A RIGHT OF FIRST REFUSAL, OR; F. THE PRIOR APPROVAL OF A FUTURE PURCHASER OR OCCUPANT, AS CONTAINED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED OCTOBER 27, 1999, IN OFFICIAL RECORDS BOOK 4488, PAGE 4496; AMENDMENT RECORDED AUGUST 22, 2000, IN OFFICIAL RECORDS BOOK 4583, PAGE 2958; SECOND AMENDMENT RECORDED FEBRUARY 2, 2022, IN OFFICIAL RECORDS BOOK 8197, PAGE 253, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND AS MAY BE SUBSEQUENTLY AMENDED. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
17. THE NATURE, EXTENT OR EXISTENCE OF RIPARIAN RIGHTS OR LITTORAL RIGHTS IS NOT INSURED. (AS TO SHARED POND ON PARCEL 3) [AFFECTS–POND NOT LOCATED]

SURVEYOR'S CERTIFICATE:

TO NISBETT PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 02/02/2023.

DATE OF PLAT OR MAP: 02/09/2023

I FURTHER CERTIFY THIS SURVEY MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050–.052, FLORIDA ADMINISTRATIVE CODE.

LEE H. DOWST, P.L.S. NO. 6860

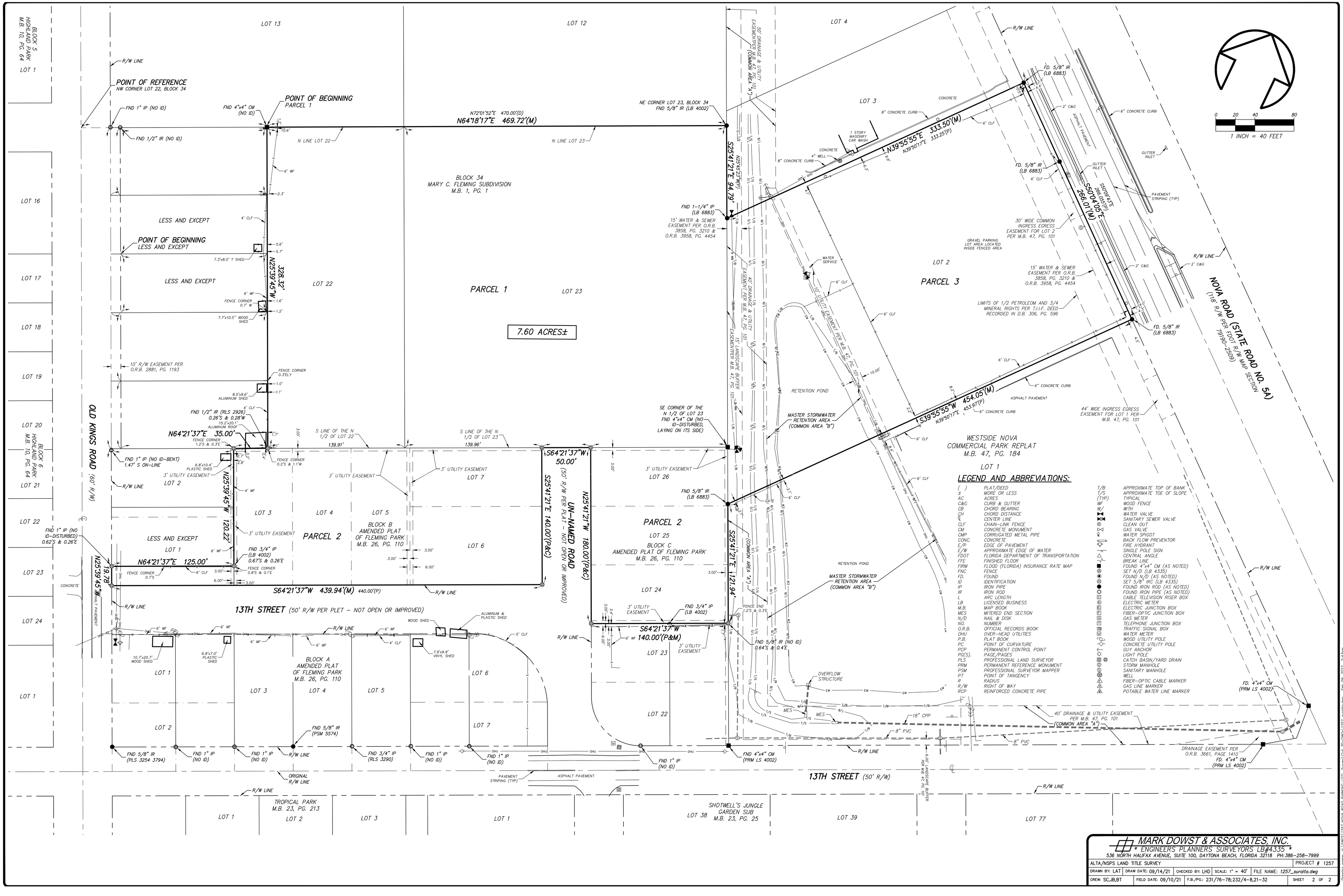
THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVISIONS				
F.B. / PG.	DATE	BY	DESCRIPTION	CKD
246/8	02/06/23	LAT	UPDATED TO ALTA/NSPS LAND TITLE SURVEY.	LHD

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

ALTA/NSPS LAND TITLE SURVEY				PROJECT # 1257
DRAWN BY: LAT	DRAW DATE: 09/14/21	CHECKED BY: LHD	SCALE: 1" = 50'	FILE NAME: 1257_suralta.dwg
CREW: SC,JB,BT	FIELD DATE: 09/10/21	F.B./PG.: 231/76-78;232/4-8,21-32		SHEET 1 OF 2

Drawing name: N:\JOBS\1257 Nova Road Holding LLC\1_Survey\Dwg 30-0960\1257_suralta.dwg Feb 09, 2023 2:36pm



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

ALTA/NSPS LAND TITLE SURVEY					PROJECT # 1257
DRAWN BY: LAT	DRAW DATE: 09/14/21	CHECKED BY: LHD	SCALE: 1" = 40'	FILE NAME: 1257_suralta.dwg	
CREW: SC,JB,BT	FIELD DATE: 09/10/21	F.B./PG.: 231/76-78;232/4-8,21-32		SHEET 2 OF 2	

Drawing name: V:\2021\1257 NOVA ROAD Palmetto 10Ft_Survey\Civil 3D\1257_suralta.dwg Feb 09, 2023 2:43pm

EXHIBIT B

PROPERTY APPRAISER INFORMATION CARDS AND DEEDS

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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

AltKey: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

Parcel Summary

Alternate Key:	3169824
Parcel ID:	424204340220
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	04 - 34 - 0220
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	13TH ST, HOLLY HILL 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 | **Parcel ID: 424204340220**

NISBETT PROPERTIES LLC | **13TH ST, HOLLY HILL, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$32,165	$32,165	$0	$32,165	1.5000	$48.25
0012	DISCRETIONARY	$32,165	$32,165	$0	$32,165	0.7480	$24.06
0011	REQ LOCAL EFFORT	$32,165	$32,165	$0	$32,165	3.2340	$104.02
0050	GENERAL FUND	$32,165	$32,165	$0	$32,165	4.8499	$156.00
0055	LIBRARY	$32,165	$32,165	$0	$32,165	0.4635	$14.91
0520	MOSQUITO CONTROL	$32,165	$32,165	$0	$32,165	0.1781	$5.73
0530	PONCE INLET PORT AUTHORITY	$32,165	$32,165	$0	$32,165	0.0760	$2.44
0058	VOLUSIA ECHO	$32,165	$32,165	$0	$32,165	0.2000	$6.43
0057	VOLUSIA FOREVER	$32,165	$32,165	$0	$32,165	0.2000	$6.43
0065	FLORIDA INLAND NAVIGATION DISTRICT	$32,165	$32,165	$0	$32,165	0.0320	$1.03
0100	HALIFAX HOSPITAL AUTHORITY	$32,165	$32,165	$0	$32,165	0.8606	$27.68
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$32,165	$32,165	$0	$32,165	0.1974	$6.35
0200	HOLLY HILL	$32,165	$32,165	$0	$32,165	6.2500	$201.03
						18.7895	$604.36

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$604.36
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$604.36**
Estimated Tax Amount without SOH:	$604.36

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 | Parcel ID: 424204340220
NISBETT PROPERTIES LLC | 13TH ST, HOLLY HILL, FL

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$32,165	$0	$32,165	$32,165	$0	$32,165	$0
2021	$19,131	$0	$19,131	$15,806	$0	$15,806	$0
2020	$19,131	$0	$19,131	$14,369	$0	$14,369	$0
2019	$19,131	$0	$19,131	$13,063	$0	$13,063	$0
2018	$15,576	$0	$15,576	$11,875	$0	$11,875	$0
2017	$15,576	$0	$15,576	$10,795	$0	$10,795	$0
2016	$15,576	$0	$15,576	$9,814	$0	$9,814	$0
2015	$15,576	$0	$15,576	$8,922	$0	$8,922	$0
2014	$8,111	$0	$8,111	$8,111	$0	$8,111	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0010-VAC PVD 2 - 4.99 AC	A-ACRE		1.64				26500	$31,400
2	9600-WASTE LAND	A-ACRE		1.53				500	$765

Total Land Value: **$32,165**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Improved	$10,000
3832 / 4768	1993076389	06/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Improved	$65,000
2851 / 0115		07/15/1986	WD-WARRANTY DEED	UNQUALIFIED	Improved	$57,000
2307 / 1595		10/15/1981	RE-RESOLUTION	UNQUALIFIED	Improved	$100

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000
4669761	1156 13TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/14/2021	$160,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 **Parcel ID: 424204340220**

NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

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.

N 1/2 OF LOT 22 EXC W 30 FT FOR ST & E 160 FT OF W 190 FT OF N 69.14 FT & EXC E 160 FT OF W 190 FT OF S 139.14 FT & EXC S 60.02 FT OF N 189.06 FT OF E 150 FT OF W 190 FT & EXC S 60 FT OF N 129.14 FT OF W 190 FT & INC N 1/2 LOT 23 BLK 34 FLEMING FITCH GRANT PER OR 4487 PG 0201 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

Permit List

Permit Date	Permit #	Description	Contractor	Amount
07/14/1993	19930714042	IMPACT CITY	MIDAAS GROUP INC TH	$0
07/14/1993	19930714043	IMPACT CITY	MIDAAS GROUP INC TH	$0
07/12/1993	93 8196	SINGLE FAMILY-DETACH	MR PERMIT	$43,000
07/12/1993	93 8197	SINGLE FAMILY-DETACH	MR PERMIT	$50,000
03/31/1987	29532D	SINGLE FAMILY-DETACH	CRISP MEMORIAL	$0
03/31/1987	29533D	SINGLE FAMILY-DETACH	CRISP MEMORIAL	$0
03/30/1987	29531D	SINGLE FAMILY-DETACH	CRISP MEMORIAL	$0
03/13/1987	29426D	OTHER BLDGS DEMO	CRISP MEMORIAL	$50

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4670076 **Parcel ID: 424286030260**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670076
Parcel ID:	424286030260
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0260
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 **Parcel ID: 424286030260**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 Parcel ID: 424286030260

NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
2020	$5,346	$0	$5,346	$4,975	$0	$4,975	$0
2019	$5,346	$0	$5,346	$4,523	$0	$4,523	$0
2018	$4,811	$0	$4,811	$4,112	$0	$4,112	$0
2017	$3,742	$0	$3,738	$3,738	$0	$3,738	$0
2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 **Parcel ID: 424286030260**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: **$12,830**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 Parcel ID: 424286030260

NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 | Parcel ID: 424286030260
NISBETT PROPERTIES LLC | OLD KINGS RD, ORMOND BEACH, FL

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670076 **Parcel ID: 424286030260**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 26 BLK C AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PGS 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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

AltKey: 4670068 **Parcel ID: 424286030250**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670068
Parcel ID:	424286030250
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0250
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
2020	$5,346	$0	$5,346	$4,975	$0	$4,975	$0
2019	$5,346	$0	$5,346	$4,523	$0	$4,523	$0
2018	$4,811	$0	$4,811	$4,112	$0	$4,112	$0
2017	$3,742	$0	$3,738	$3,738	$0	$3,738	$0
2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: **$12,830**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670068 **Parcel ID: 424286030250**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 25 BLK C AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PGS 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4670050 **Parcel ID: 424286030240**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670050
Parcel ID:	424286030240
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0240
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
2020	$5,346	$0	$5,346	$4,975	$0	$4,975	$0
2019	$5,346	$0	$5,346	$4,523	$0	$4,523	$0
2018	$4,811	$0	$4,811	$4,112	$0	$4,112	$0
2017	$3,742	$0	$3,738	$3,738	$0	$3,738	$0
2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: **$12,830**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4670050 **Parcel ID: 424286030240**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 24 BLK C AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PGS 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4669868 **Parcel ID: 424286020070**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669868
Parcel ID:	424286020070
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0070
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 | **Parcel ID: 424286020070**

NISBETT PROPERTIES LLC | **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$8,256	$8,198	$0	$8,256	1.5000	$12.38
0012	DISCRETIONARY	$8,256	$8,198	$0	$8,256	0.7480	$6.18
0011	REQ LOCAL EFFORT	$8,256	$8,198	$0	$8,256	3.2340	$26.70
0050	GENERAL FUND	$8,256	$8,198	$58	$8,198	4.8499	$39.76
0055	LIBRARY	$8,256	$8,198	$58	$8,198	0.4635	$3.80
0520	MOSQUITO CONTROL	$8,256	$8,198	$58	$8,198	0.1781	$1.46
0530	PONCE INLET PORT AUTHORITY	$8,256	$8,198	$58	$8,198	0.0760	$0.62
0058	VOLUSIA ECHO	$8,256	$8,198	$58	$8,198	0.2000	$1.64
0057	VOLUSIA FOREVER	$8,256	$8,198	$58	$8,198	0.2000	$1.64
0065	FLORIDA INLAND NAVIGATION DISTRICT	$8,256	$8,198	$58	$8,198	0.0320	$0.26
0100	HALIFAX HOSPITAL AUTHORITY	$8,256	$8,198	$58	$8,198	0.8606	$7.06
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$8,256	$8,198	$58	$8,198	0.1974	$1.62
0200	HOLLY HILL	$8,256	$8,198	$58	$8,198	6.2500	$51.24
						18.7895	$154.35

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$154.35
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$154.35**
Estimated Tax Amount without SOH:	$155.13

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 | Parcel ID: 424286020070
NISBETT PROPERTIES LLC | OLD KINGS RD, ORMOND BEACH, FL

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$7,453	$0	$7,453	$7,453	$0	$7,453	$0
2021	$4,357	$0	$4,357	$3,509	$0	$3,509	$0
2020	$3,440	$0	$3,440	$3,190	$0	$3,190	$0
2019	$3,440	$0	$3,440	$2,900	$0	$2,900	$0
2018	$3,096	$0	$3,096	$2,636	$0	$2,636	$0
2017	$2,408	$0	$2,396	$2,396	$0	$2,396	$0
2016	$2,510	$0	$2,510	$2,310	$0	$2,310	$0
2015	$2,100	$0	$2,100	$2,100	$0	$2,100	$0
2014	$2,625	$0	$2,625	$2,625	$0	$2,625	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 **Parcel ID: 424286020070**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	135	360	$8,256

Total Land Value: **$8,256**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 **Parcel ID: 424286020070**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 Parcel ID: 424286020070
NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669868 **Parcel ID: 424286020070**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 7 BLK B AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PG 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4669850 **Parcel ID: 424286020060**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669850
Parcel ID:	424286020060
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0060
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$15,600	$15,510	$0	$15,600	1.5000	$23.40
0012	DISCRETIONARY	$15,600	$15,510	$0	$15,600	0.7480	$11.67
0011	REQ LOCAL EFFORT	$15,600	$15,510	$0	$15,600	3.2340	$50.45
0050	GENERAL FUND	$15,600	$15,510	$90	$15,510	4.8499	$75.22
0055	LIBRARY	$15,600	$15,510	$90	$15,510	0.4635	$7.19
0520	MOSQUITO CONTROL	$15,600	$15,510	$90	$15,510	0.1781	$2.76
0530	PONCE INLET PORT AUTHORITY	$15,600	$15,510	$90	$15,510	0.0760	$1.18
0058	VOLUSIA ECHO	$15,600	$15,510	$90	$15,510	0.2000	$3.10
0057	VOLUSIA FOREVER	$15,600	$15,510	$90	$15,510	0.2000	$3.10
0065	FLORIDA INLAND NAVIGATION DISTRICT	$15,600	$15,510	$90	$15,510	0.0320	$0.50
0100	HALIFAX HOSPITAL AUTHORITY	$15,600	$15,510	$90	$15,510	0.8606	$13.35
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$15,600	$15,510	$90	$15,510	0.1974	$3.06
0200	HOLLY HILL	$15,600	$15,510	$90	$15,510	6.2500	$96.94
						18.7895	$291.92

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$291.92
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$291.92**
Estimated Tax Amount without SOH:	$293.12

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$14,100	$0	$14,100	$14,100	$0	$14,100	$0
2021	$10,200	$0	$10,200	$6,658	$0	$6,658	$0
2020	$8,100	$0	$8,100	$6,053	$0	$6,053	$0
2019	$8,100	$0	$8,100	$5,503	$0	$5,503	$0
2018	$6,300	$0	$6,300	$5,003	$0	$5,003	$0
2017	$4,920	$0	$4,920	$4,548	$0	$4,548	$0
2016	$5,160	$0	$5,160	$4,135	$0	$4,135	$0
2015	$3,759	$0	$3,759	$3,759	$0	$3,759	$0
2014	$3,759	$0	$3,759	$3,759	$0	$3,759	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	U-UNIT	1					26000	$15,600

Total Land Value: **$15,600**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 Parcel ID: 424286020060
NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

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.

LOT 6 BLK B AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PG 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669850 **Parcel ID: 424286020060**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Permit List

Permit Date	Permit #	Description	Contractor	Amount
09/30/1994	19940930014	IMPACT CITY	MIDAAS GROUP INC	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4669841 **Parcel ID: 424286020050**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669841
Parcel ID:	424286020050
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0050
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669841 | **Parcel ID: 424286020050**
NISBETT PROPERTIES LLC | **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669841 | Parcel ID: 424286020050
NISBETT PROPERTIES LLC | OLD KINGS RD, ORMOND BEACH, FL

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
2020	$5,346	$0	$5,346	$4,975	$0	$4,975	$0
2019	$5,346	$0	$5,346	$4,523	$0	$4,523	$0
2018	$4,811	$0	$4,811	$4,112	$0	$4,112	$0
2017	$3,742	$0	$3,738	$3,738	$0	$3,738	$0
2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669841 **Parcel ID: 424286020050**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: **$12,830**

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AltKey: 4669841 **Parcel ID: 424286020050**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Sales History

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Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
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5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669841 **Parcel ID: 424286020050**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669841 **Parcel ID: 424286020050**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 5 BLK B AMENDED PLAT OF FLEMINF PARK MB 26 PG 110 PER OR 4469 PG 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4669833 **Parcel ID: 424286020040**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669833
Parcel ID:	424286020040
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0040
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 **Parcel ID: 424286020040**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 Parcel ID: 424286020040

NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
2020	$5,346	$0	$5,346	$4,975	$0	$4,975	$0
2019	$5,346	$0	$5,346	$4,523	$0	$4,523	$0
2018	$4,811	$0	$4,811	$4,112	$0	$4,112	$0
2017	$3,742	$0	$3,738	$3,738	$0	$3,738	$0
2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 Parcel ID: 424286020040
NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: $12,830

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 **Parcel ID: 424286020040**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

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. Follow this link to search all documents by owner's name.

Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
8067 / 4318	2021142775	06/16/2021	WD-WARRANTY DEED	MULTI-PARCEL	Vacant	$275,000
5635 / 1952	2005233286	08/18/2005	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$200,000
5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4478 / 0201		10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 **Parcel ID: 424286020040**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
3194462	1491 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	10/06/2022	$180,000
3195698	1281 OLD KINGS RD	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/16/2022	$128,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669833 **Parcel ID: 424286020040**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 4 BLK B AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PGS 1978-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 4669825 **Parcel ID: 424286020030**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669825
Parcel ID:	424286020030
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0030
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669825 | **Parcel ID: 424286020030**

NISBETT PROPERTIES LLC | **OLD KINGS RD, ORMOND BEACH, FL**

Working Tax Roll Values by Taxing Authority

	Tax Authority	Just Value	Assessed	Ex/10cap	Taxable	Millage	Estimated
0017	CAPITAL IMPROVEMENT	$12,830	$12,741	$0	$12,830	1.5000	$19.25
0012	DISCRETIONARY	$12,830	$12,741	$0	$12,830	0.7480	$9.60
0011	REQ LOCAL EFFORT	$12,830	$12,741	$0	$12,830	3.2340	$41.49
0050	GENERAL FUND	$12,830	$12,741	$89	$12,741	4.8499	$61.79
0055	LIBRARY	$12,830	$12,741	$89	$12,741	0.4635	$5.91
0520	MOSQUITO CONTROL	$12,830	$12,741	$89	$12,741	0.1781	$2.27
0530	PONCE INLET PORT AUTHORITY	$12,830	$12,741	$89	$12,741	0.0760	$0.97
0058	VOLUSIA ECHO	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0057	VOLUSIA FOREVER	$12,830	$12,741	$89	$12,741	0.2000	$2.55
0065	FLORIDA INLAND NAVIGATION DISTRICT	$12,830	$12,741	$89	$12,741	0.0320	$0.41
0100	HALIFAX HOSPITAL AUTHORITY	$12,830	$12,741	$89	$12,741	0.8606	$10.96
0060	ST JOHN'S WATER MANAGEMENT DISTRICT	$12,830	$12,741	$89	$12,741	0.1974	$2.52
0200	HOLLY HILL	$12,830	$12,741	$89	$12,741	6.2500	$79.63
						18.7895	$239.89

Non-Ad Valorem Assessments

Project	Units	Rate	Total
			$0.00

Estimated Ad Valorem Tax:	$239.89
Estimated Non-Ad Valorem Tax:	$0.00
Estimated Taxes:	**$239.89**
Estimated Tax Amount without SOH:	$241.07

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AltKey: 4669825 **Parcel ID: 424286020030**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Previous Years Certified Tax Roll Values

Year	Land Value	Impr Value	Just Value	Non-Sch Assd	Exemptions	Taxable	HX Savings
2022	$11,583	$0	$11,583	$11,583	$0	$11,583	$0
2021	$6,772	$0	$6,772	$5,473	$0	$5,473	$0
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2016	$3,916	$0	$3,916	$3,605	$0	$3,605	$0
2015	$3,277	$0	$3,277	$3,277	$0	$3,277	$0
2014	$3,277	$0	$3,277	$3,277	$0	$3,277	$0

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AltKey: 4669825 **Parcel ID: 424286020030**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Land Data

#	Land Use	Type	Units	Acres	Sq Feet	FF	Depth	Rate	Just Value
1	0001-VAC PVD THRU .49 AC	F-FRONT FOOT				60	140	360	$12,830

Total Land Value: **$12,830**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

AltKey: 4669825 Parcel ID: 424286020030

NISBETT PROPERTIES LLC OLD KINGS RD, ORMOND BEACH, FL

Sales History

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Book/Page	Inst #	Sale Date	Deed Type	Q/U	V/I	Sale Price
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5635 / 1948	2005233285	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
5635 / 1945	2005233284	08/15/2005	QC-QUIT CLAIM DEED	UNQUALIFIED	Vacant	$100
4487 / 0201	1999208589	10/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$1
4469 / 1979	1999172445	08/15/1999	CT-CERTIFICATE OF TITLE	UNQUALIFIED	Vacant	$100
4291 / 3109	1998056714	02/15/1998	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$10,000
3811 / 1132	1993029392	03/15/1993	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$29,000
2459 / 0171		06/15/1983	WD-WARRANTY DEED	UNQUALIFIED	Vacant	$75,000

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AltKey: 4669825 **Parcel ID: 424286020030**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Recent Neighborhood Sales

Alt Key	Address	City	Property Class	NBHD	Sale Date	Sale Price
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3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/09/2022	$217,000
3195604	1157 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	07/13/2022	$255,000
5009564	1115 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/23/2022	$295,000
3195183	1585 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	06/13/2022	$210,000
5461386	1427 OLD KINGS RD	HOLLY HILL	0100-SINGLE FAMILY	2741	06/08/2022	$265,000
3194446	1190 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/08/2022	$105,000
3194489	1195 MANETTE CIR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	06/03/2022	$199,900
3195655	1159 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	04/26/2022	$220,000
3199367	1194 WOODSIDE DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	03/04/2022	$250,000
3195671	1151 TROPICAL PARK DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	02/07/2022	$196,000
3194322	1185 15TH ST	DAYTONA BEACH	0100-SINGLE FAMILY	2741	01/27/2022	$270,000
3194951	1576 HAMMOCK DR	HOLLY HILL	0100-SINGLE FAMILY	2741	10/29/2021	$255,000
3195566	1160 PALM VIEW DR	DAYTONA BEACH	0100-SINGLE FAMILY	2741	09/30/2021	$175,000

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AltKey: 4669825 **Parcel ID: 424286020030**

NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Property Description

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LOT 3 BLK B AMENDED PLAT OF FLEMING PARK MB 26 PG 110 PER OR 4469 PGS 1979-1980 PER OR 5635 PG 1945 PER OR 5635 PG 1948 PER OR 5635 PG 1952 PER OR 8067 PG 4318

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

6/18/2021 9:29:03 AM Instrument #2021142775 #1 Book:8067 Page:4318
Doc Stamps $1,925.00 Transfer Amt $275,000.00

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Prepared by and return to:
William Akers, III
Attorney at Law
William Akers, III PA
120 East Granada Blvd.
Ormond Beach, FL 32176
386-672-0420
File Number: **Nisbett 2021**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **16th** day of **June, 2021** between **Blue Palm Investments, LLC, a Florida limited liability company** whose post office address is **25 S. Sugarmill Lane, Flagler Beach, FL 32136**, grantor, and **Nisbett Properties LLC, a Florida limited liability company**
whose post office address is **332 John Anderson, Ormond Beach, FL 32176**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Volusia County, Florida** to-wit:

See attached Exhibit A

Parcel Identification Number:

4240-04-34-0220	**4242-86-02-0060**
1412-86-02-0011	**4242-86-02-0070**
4242-86-02-0030	**4242-86-03-0240**
4242-86-02-0040	**4242-86-03-0250**
4242-86-02-0050	**4242-86-03-0260**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2020**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Instrument #2021142775 #2 Book:8067 Page:4319

Signed, sealed and delivered in our presence:

Witness Name: John Booker

Witness Name: Ginger Adair

Witness Name: John Booker

Witness Name: Ginger Adair

Blue Palm Investments, LLC, a Florida limited liability company

By: _____
David F. Konchan, Manager

By: _____
Suzanne E. Konchan, Manager

State of Florida
County of Volusia

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 16th day of June, 2021 by David F. Konchan, Manager and Suzanne E. Konchan, Manager of Blue Palm Investments, LLC, a Florida limited liability company, on behalf of the company, who [ ] are personally known to me or [X] have produced a driver's license as identification.

[Notary Seal]

MEGHAN LINDSEY
MY COMMISSION # GG 129436
EXPIRES: July 30, 2021
Bonded Thru Notary Public Underwriters

_____
Notary Public

Printed Name: Meghan Lindsey

My Commission Expires: 7/30/2021

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Instrument #2021142775 #3 Book:8067 Page:4320

Exhibit A

PARCEL 1:

Part of the North 1/2 of Lots 22 and 23, Block 34, Mary C. Fleming Subdivision of the Thomas Fitch Grant per Map Book 1, Page 1, Public Records of Volusia County, Florida, being more particularly described as follows: Commence at the Northwest corner of Lot 22, Block 34, Mary C. Fleming Subdivision of the Thomas Fitch Grant as per Map Book 1, Page 1, thence N 72 degrees 01 minutes 52 seconds E along the North line of said Lot 22, a distance of 190.00 feet to the Point of Beginning; thence continue N 72 degrees 01 minutes 52 seconds E along said North line of Lots 22 and 23, a distance of 470.00 feet to the Northeast corner of said Lot 23, thence S 17 degrees 57 minutes 09 seconds E along the East line of the North ½ of Lot 23, a distance of 329.24 feet to the Southeast corner of the North ½ of Lot 23; thence S 72 degrees 07 minutes 06 seconds W along the South line of the North ½ of said Lots 22 and 23, a distance of 470.00 feet; thence N 17 degrees 57 minutes 09 seconds W a distance of 139.14 feet; thence S 72 degrees 07 minutes 06 seconds W to the East right-of-way line of Old Kings Road a distance of 160.00 feet; thence N 17 degrees 57 minutes 09 seconds W along said East right-of-way line a distance of 120.00 feet; thence N 72 degrees 01 minutes 52 seconds E, a distance of 160.00 feet; thence N 17 degrees 57 minutes 09 seconds W, a distance of 69.14 feet to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING:

Part-of the North one-half of Lot 22, Block 34, Mary C. Fleming Subdivision of the Thomas Fitch Grant, of record in Map Book 1, Page 1, Public Records of Volusia County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Lot 22; thence North 72 degrees 01 minutes 52 seconds East along the North line of said Lot 22, a distance of 40.00 feet to a point in the East right-of-way easement line of Old Kings Road per Official Records Book 2881, Pages 1193 and 1194, Public Records of Volusia County, Florida; thence South 17 degrees 57 minutes 09 seconds East along said East line, a distance of 129.14 feet to the Point of Beginning; thence North 72 degrees 01 minutes 52 seconds East along the South line of the Northerly 129.14 feet of said Lot 22, a distance of 150.00 feet; thence South 17 degrees 57 minutes 09 seconds East, parallel with the East right-of-way easement line of said Old Kings Road, a distance of 60.24 feet; thence South 72 degrees 07 minutes 06 seconds West a distance of 150 feet to a point in the East right-of-way easement line of said Old Kings Road; thence North 17 degrees 57 minutes 09 seconds West along said East line, a distance of 60.02 feet to the Point of Beginning.

AND LESS AND EXCEPT:

The Southerly 60 feet of the Northerly 129.14 feet of the Westerly 190.00 feet of Lot 22, Block 34, Mary C. Fleming Subdivision of the Thomas Fitch Grant of record in Map Book 1, Page 1, Public Records of Volusia County, Florida, excepting therefrom the Westerly 40.00 feet thereof now a part of that right-of-way easement per Official Records Book 2881, Pages 1193 and 1194, Public Records of Volusia County, Florida.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Instrument #2021142775 #4 Book:8067 Page:4321 Laura E. Roth, Volusia County Clerk of Court

Exhibit A
(Continued)

PARCEL 2:

Lot 1, except the North 50.22 feet, and all of Lots 3, 4, 5, 6 and 7, Block B, and Lots 24, 25 and 26, Block C, Amended Plan of Fleming Park, as recorded in Map Book 26, Page 110, Public Records of Volusia County, Florida.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

EXHIBIT C

LOCATION MAP

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
LOCATION 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\1257 COMP PLAN\SHEET LOCATION(Letter).mxd

EXHIBIT D

AERIAL MAP

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
AERIAL MAP

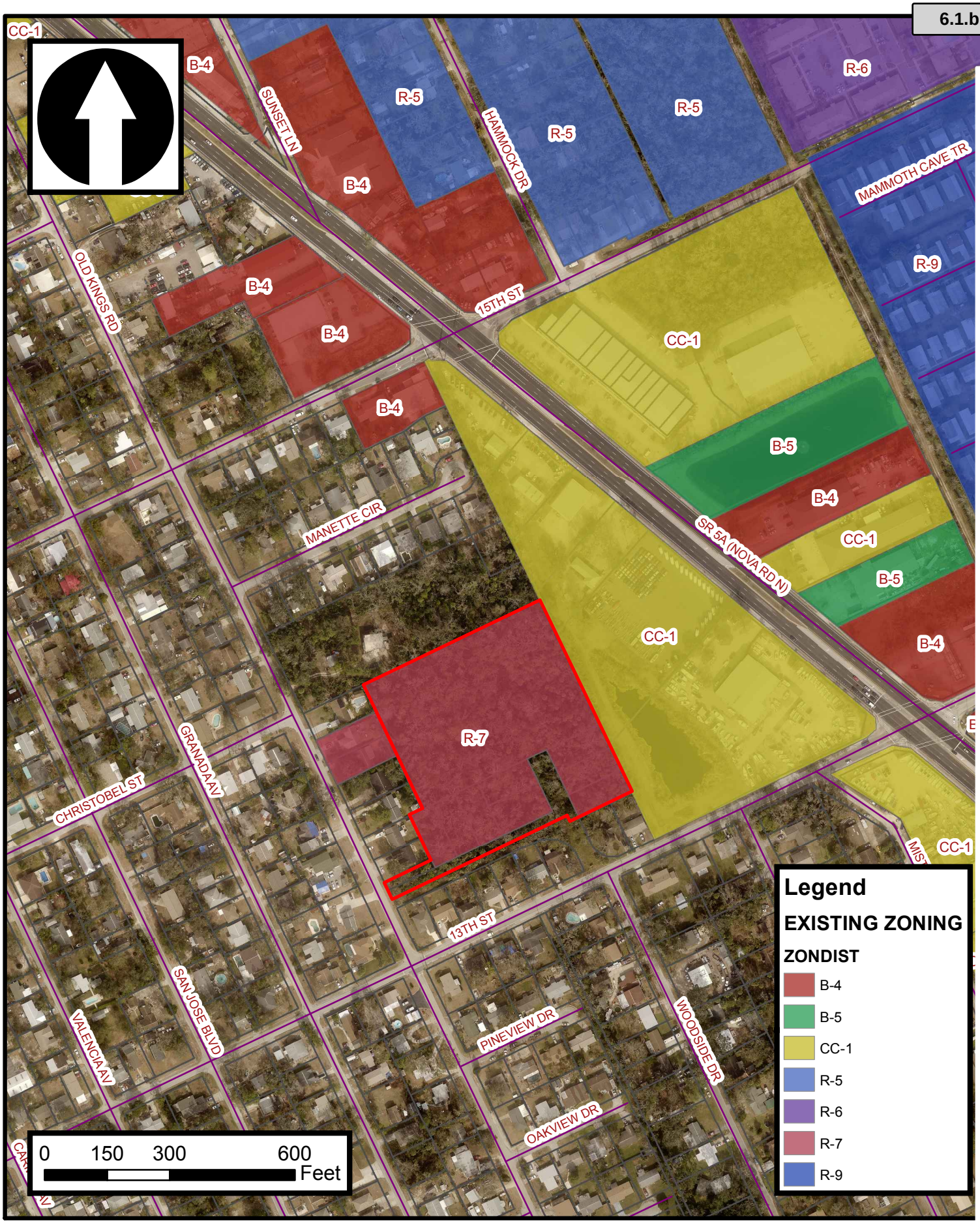
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EXHIBIT E

EXISTING AND PROPOSED ZONING MAPS

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

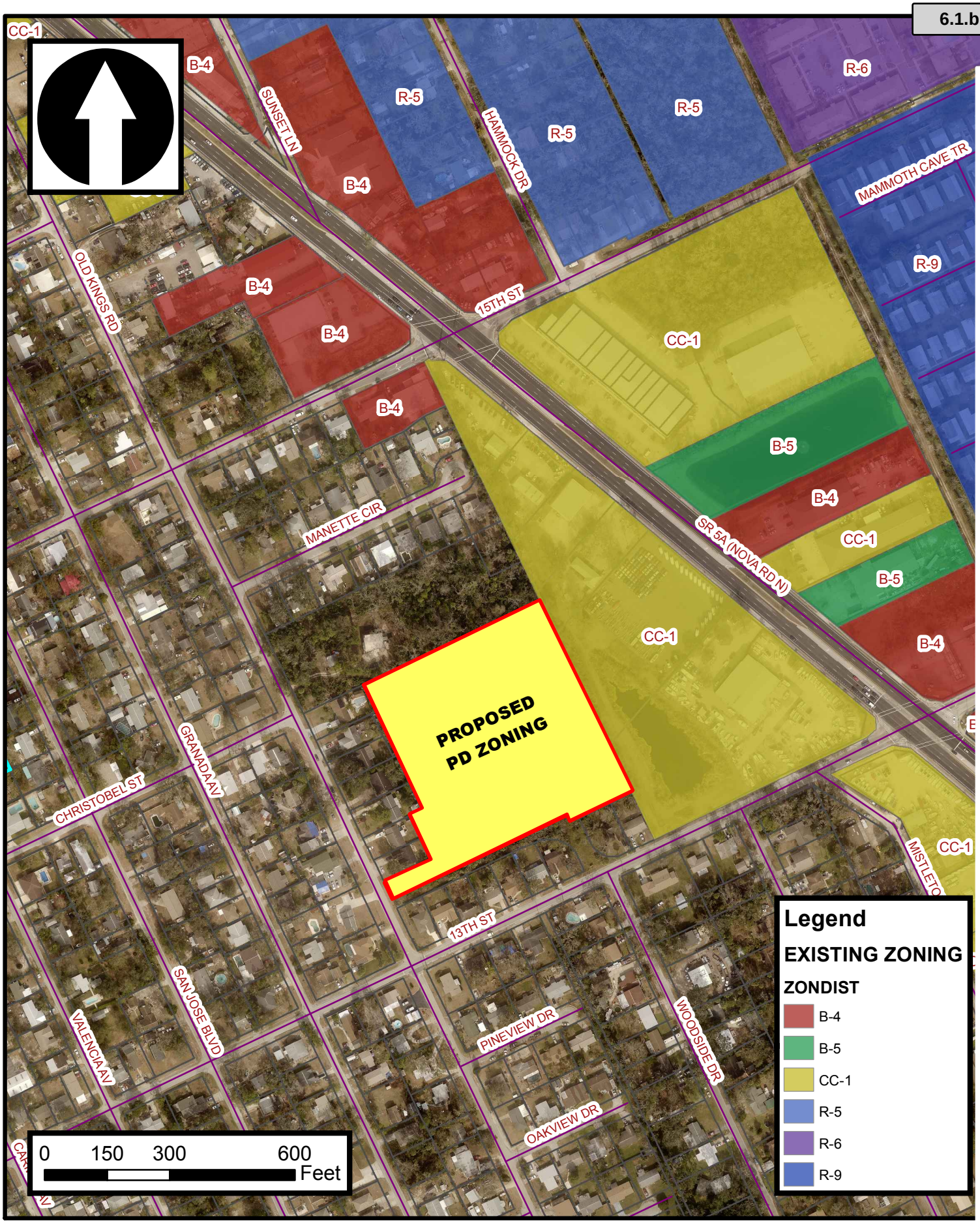
Legend

SITE BOUNDARY

HOLLY HILL CPA
EXISTING ZONING MAP

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Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
PROPOSED ZONING MAP

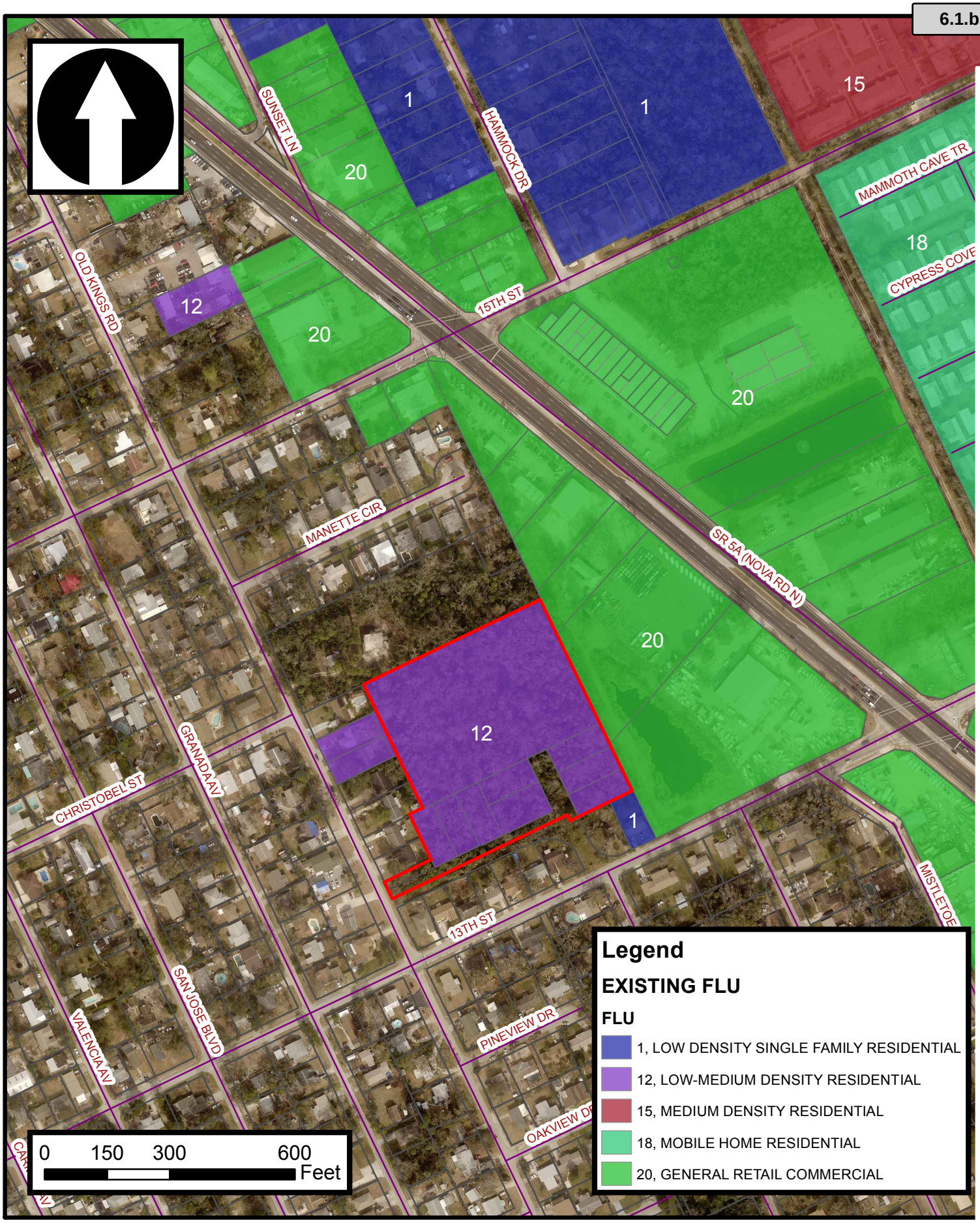
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EXHIBIT F

EXISTING FUTURE LAND USE MAP

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
EXISTING FLU MAP

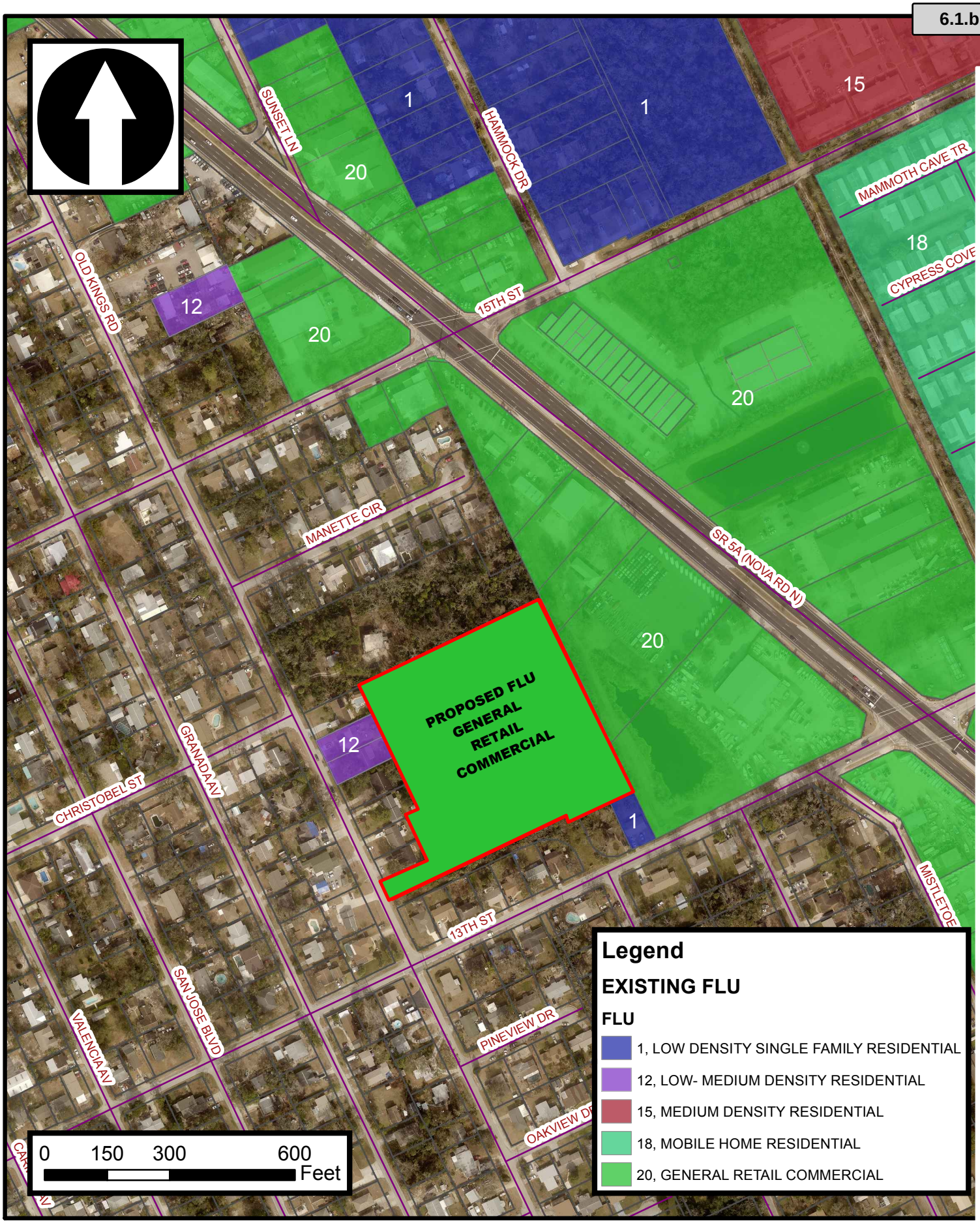
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EXHIBIT G

PROPOSED FUTURE LAND USE MAP

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
PROPOSED FLU MAP

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536 N. Halifax Ave., Suite # 100 Daytona Beach

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EXHIBIT H

TRANSPORTATION TECHNICAL MEMO AND PARKING ANALYSIS

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

LTG Engineering & Planning

Via email: (mikeadams@mcconst.com)

Ref: 5945.01

TECHNICAL MEMORANDUM

To: Mike Adams, Mike Carter Construction, Inc.

From: Matthew West, AICP

Subject: Holly Hill Storage – Comprehensive Plan Amendment (CPA)
Holly Hill, FL

Date: April 20, 2023

INTRODUCTION

LTG, Inc. (LTG) has been retained by Mike Carter Construction, Inc, (the CLIENT) to conduct traffic engineering and transportation planning services on behalf of the proposed future land use change for Holly Hill Storage (the PROJECT). The proposed future land use Comprehensive Plan Amendment (CPA) will change the future land use designation of a 5.65-acre property from Low Medium Density Residential to General Retail Commercial. The CLIENT has agreed to limit trip generation of the development program on the site to an equivalent of 700 storage units/boat RV parking spaces, which equates to 128 daily trips, 8 AM peak hour trips, and 12 PM peak hour trips. The proposed CPA is accompanied by a related rezoning application which is addressed in a separate technical memorandum. The subject property is located north of 13th Street and east of Old Kings Road in Holly Hill, Florida (the CITY). Figure 1 shows the location of the property in relation to the surrounding roadway network.

The methodology and procedures used in this analysis are consistent with the guidelines for the CITY, the Florida Department of Economic Opportunity (FDEO), and the Florida Department of Transportation (FDOT).

TRIP GENERATION FOR THE EXISTING VS PROPOSED FLU DESIGNATION

The trip generation was determined using the Institute of Transportation Engineers (ITE) document, Trip Generation Manual, 11th Edition. The total daily, AM peak hour, and PM peak hour trips for the existing and proposed future land use (FLU) designations are shown in Table 1.

First, the existing future land use designation, Low Medium Residential (LMR), was examined. Based on LMR, the maximum allowable density is ten (10) dwelling units per acre which would yield a maximum of 56 multifamily dwelling units. Multifamily Mid-Rise (ITE Land Use Code (LUC) 221) was utilized as the highest trip-generating use. As indicated in Table 1, the existing FLU would generate 221 daily, 13 AM peak hour, and 22 PM peak hour trips.

Next, the proposed General Retail Commercial designation was examined using a proposed trip cap equivalent of 700 personal storage units. Mini-warehouse (ITE LUC 151) was utilized as the highest trip-generating use that would be permitted as found in ITE. As indicated in Table 1, this development program would generate 128 daily, 8 AM peak hour, and 12 PM peak hour trips.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

TECHNICAL MEMORANDUM

Table 1
Existing and Proposed FLU Trip Generation
Holly Hill Storage – CPA

	Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Existing FLU	Daily	Multifamily Mid-Rise	221	T = 4.77(X) - 46.46	56	DU	50%	50%	110	111	221
	AM Peak Hour			T = 0.44(X) - 11.61			23%	77%	3	10	13
	PM Peak Hour			T = 0.39(X) + 0.34			61%	39%	13	9	22
	Time Period	**Land Use**	**ITE LUC**	**Trip Rate Equation**	**Quantity (X)**		**Percent Entering**	**Percent Exiting**	**Trips Entering**	**Trips Exiting**	**Total Trips**
Proposed FLU	Daily	Mini-Warehouse	151	T = 18.86(X) - 4.09	7.00	100 Storage Units	50%	50%	64	64	128
	AM Peak Hour			T = 1.21(X)			51%	49%	4	4	8
	PM Peak Hour			T = 1.68(X)			50%	50%	6	6	12

TRIP GENERATION DIFFERENCE BETWEEN EXISTING & PROPOSED FLU DESIGNATION

The trip difference between the existing FLU and the proposed FLU designations is determined by subtracting trips generated by the proposed designation from the trips generated by the existing designation. The results displayed in Table 2 show a potential trip reduction if the comprehensive plan amendment is approved.

Table 2
Difference in Trip Generation
Holly Hill Storage – CPA

	Daily	AM Peak Hour	PM Peak Hour
Existing FLU	221	13	22
Proposed FLU	128	8	12
Decrease	93	5	10

CONCLUSION

The study was conducted to evaluate the potential impact the proposed CPA would have on area roadways. Based on this analysis, there would be a net decrease in potential trip generation. Concurrency and any required mitigation to support a proposed development plan will be assessed in greater detail during the final development permitting process.

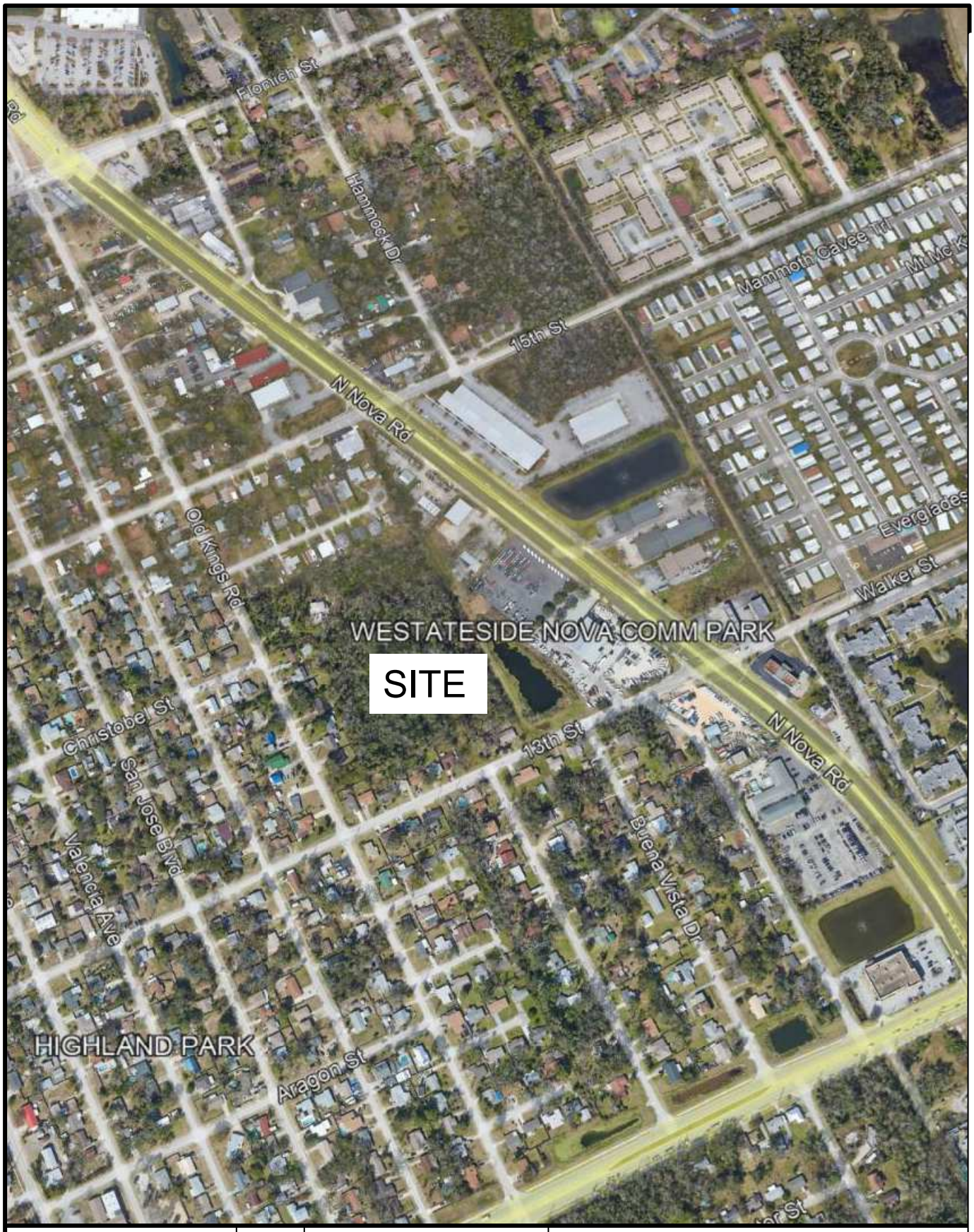
I affirm, by affixing my signature below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name: Matthew West

Signature: _____

Date: April 20, 2023

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Holly Hill Storage	N NTS	**Location Map**		LTG Engineering & Planning
		Project No.:5945.01	Figure: 1	1450 West Granada Blvd., Suite 2 – Daytona Beach, Florida 32174 Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

EXHIBIT I

EXISTING AND PROPOSED UTILITY GENERATION

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Existing and Proposed Utility Generation

Utility Comparison

Water Demand

	Land Use	Quanity	Equavalent SF	Water Demand	**Total**
Existing FLU	Multi-Family Mid-Rise	56 DU	n/a	250 gpd/unit	**14,000 gpd**
Proposed FLU	Mini-Warehouse	700 storage units	140,000 SF	0.1 gpd/sf	**14,000 gpd**

Sewer Demand

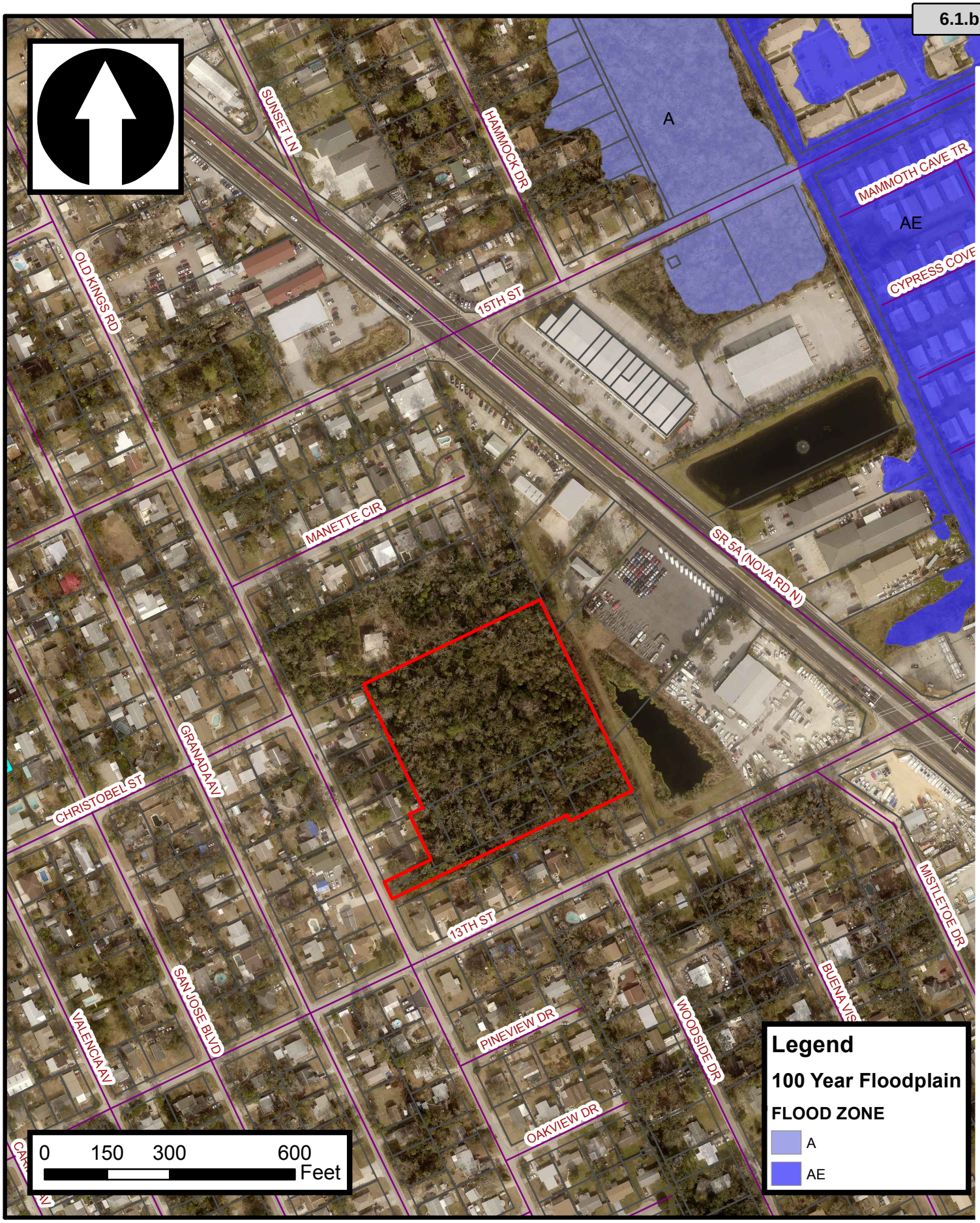
	Land Use	Quanity	Equavalent SF	Water Demand	**Total**
Existing FLU	Multi-Family Mid-Rise	56 DU	n/a	250 gpd/unit	**14,000 gpd**
Proposed FLU	Mini-Warehouse	700 storage units	140,000 SF	0.1 gpd/sf	**14,000 gpd**

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

EXHIBIT J

FLOOD MAP

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
FLOOD MAP

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EXHIBIT K

ENVIRONMENTAL ANALYSIS

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

BIOLOGICAL CONSULTING SERVICES, INC.

ENDANGERED AND THREATENED SPECIES SURVEY REPORT

for

HOLLY HILL SELF STORAGE

For Submittal to:

City of Holly Hill
1065 S. Ridgewood Avenue
Holly Hill, Florida 32117

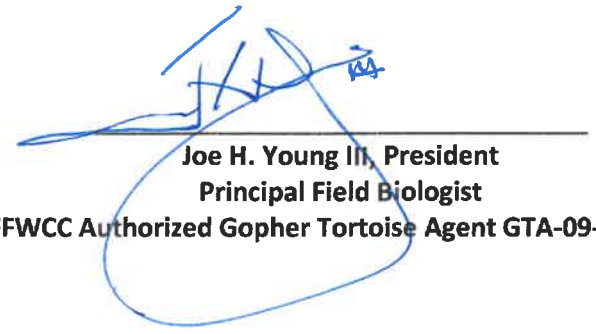
Prepared for:

Braintree Properties, LLC
901 W. Wall Street, Suite 106
Grapevine, Texas 76057

Prepared by:

Biological Consulting Services, Inc.
208 Rush Street
New Smyrna Beach, Florida 32168

April 2023



Joe H. Young III, President
Principal Field Biologist
FFWCC Authorized Gopher Tortoise Agent GTA-09-00127H

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

1.0 SITE LOCATION AND DESCRIPTION

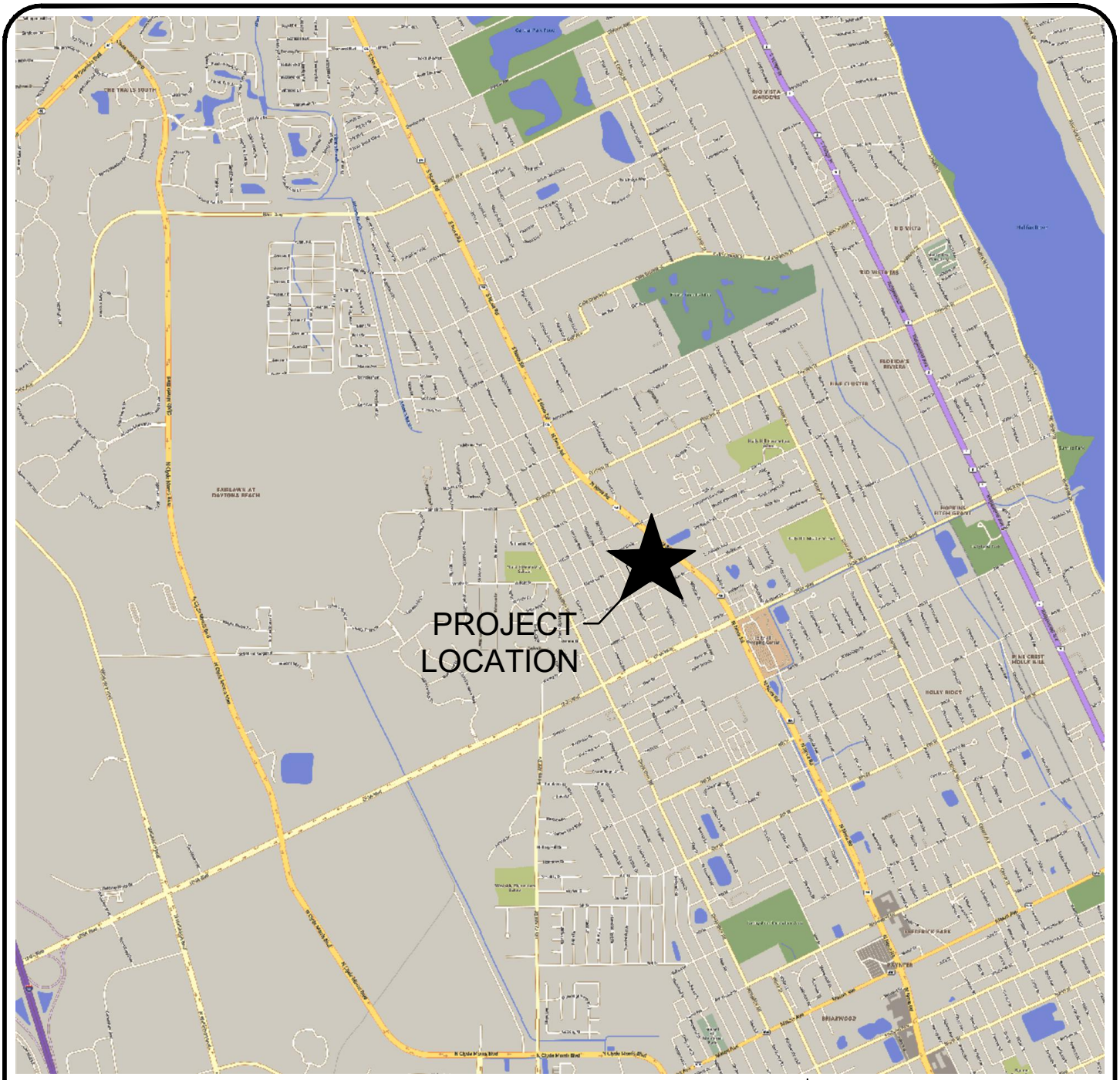
The Holly Hill Self Storage Site is in Section 42, Township 14 South, Range 32 East, in Holly Hill, Volusia County, Florida. The site is 5.64± acres in size and situated east of Old Kings Road, north of 13th Street and west of Nova Road.

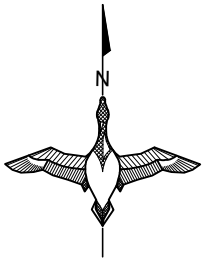
2.0 SITE TOPOGRAPHY

The site topography is characterized as being generally flat with elevations from the 20' contour in the uplands down to the 14' contour in the wetlands, based on survey information provided by Mark Dowst & Associates, Inc.

Pedestrian field surveys were conducted on February 9, 14, and 16, and March 9, 2023, to determine the potential occurrence of state and federally listed threatened and endangered species, to identify vegetative communities that occur on the property, and review the physical features (soils and topography). Plant communities were subsequently mapped and community types were classified utilizing the Florida Land Cover Classification System (FLCCS) (FWC, September 2018).

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))





SCALE: 1" = 3000'

0 750' 1500' 3000'

Joe H. Young III
Estuarine Field Biologist
208 Rush Street
New Smyrna Beach, FL 32168
386-423-3402
biocon@bellsouth.net

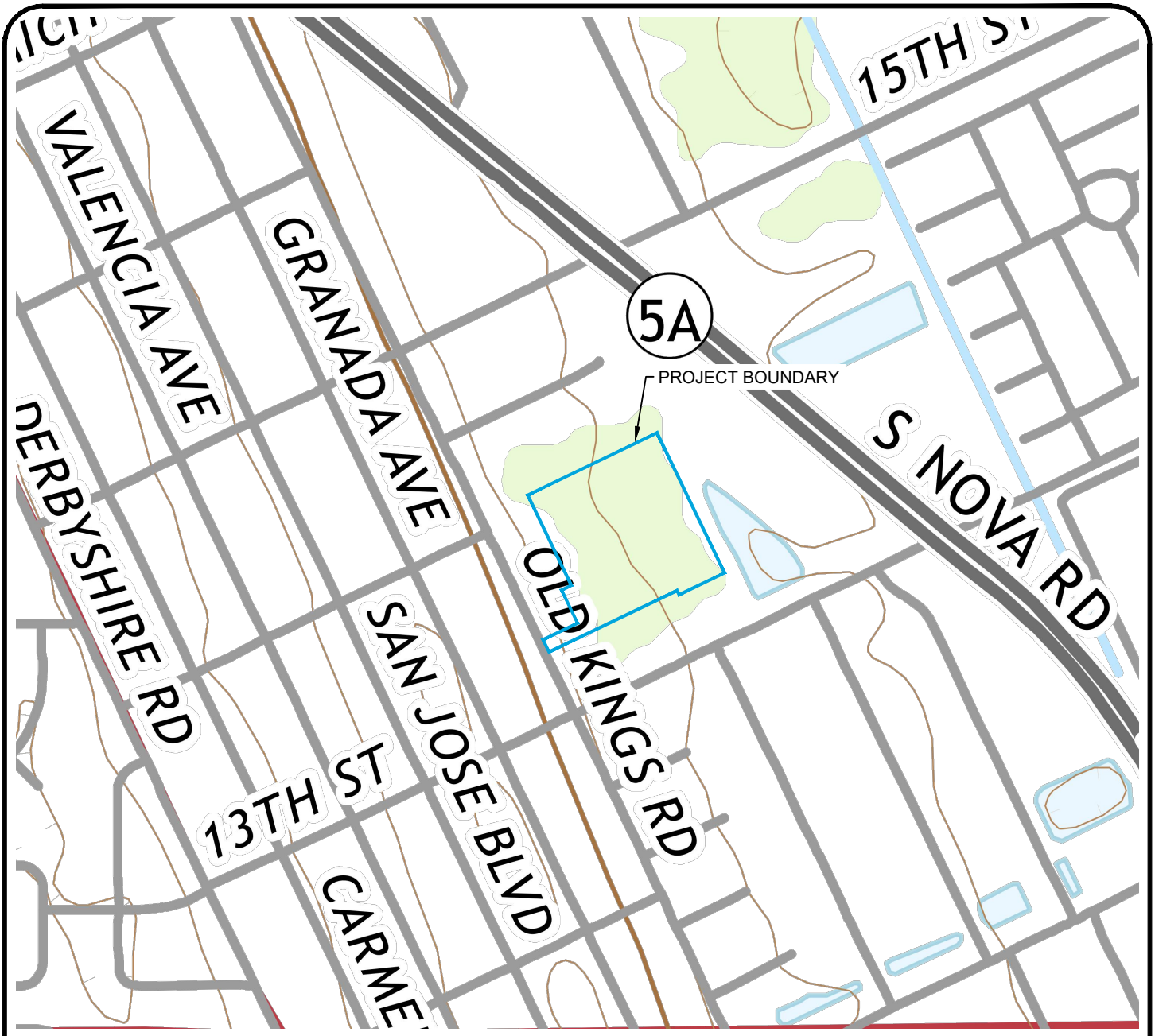
BIOLOGICAL CONSULTING SERVICES, INC.

drawn	LC
date	04/06/23
scale	1"= 3000'
job no.	23-01013

LOCATION MAP

HOLLY HILL SELF STORAGE

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



N

SCALE: 1" = 500'

0 125' 250' 500'

MAP ADAPTED FROM
DIGITAL QUAD MAP

DAYTONA BEACH, FL
2021

SCALE MAY
VARY SLIGHTLY

PROJECT LOCATED IN
SEC. 42 TWP. 14 S. RNG 32 E.
APPROXIMATE CENTER OF SITE
LAT. 29° 14' 31.488" N.,
LONG. 81° 3' 47.3754" W

SITE AREA = 5.64 ±ACRES

Joe H. Young III
Estuarine Field Biologist
208 Rush Street
New Smyrna Beach, FL 32168
386-423-3402
biocon@bellsouth.net

BIOLOGICAL CONSULTING SERVICES, INC.

drawn	LC
date	04/06/23
scale	1"= 500'
job no.	23-01013

QUADRANGLE MAP

HOLLY HILL SELF STORAGE

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



GRAPHIC SCALE
0 20' 40' 80'
SCALE: 1" = 80'

N

BIOLOGICAL CONSULTING SERVICES, INC.

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208 Rush Street
Smyrna Beach, FL 32168
386-423-3402
biocon@bellsouth.net

drawn	LC
date	04/06/23
scale (size B)	1"= 80'
job no.	23-01013

drawing name: AERIAL MAP
revised:
drawing no.: 01013-01

HOLLY HILL SELF STORAGE

3.0 SOIL SURVEY

The Natural Resources Conservation Service Web Soil Survey (websoilsurvey.nrcs.usda.gov) indicates that the following soil types are found on this site. Normally vegetation within these soil types indicates hydric *(wetland)* or non-hydric *(non-wetland)* characteristics.

26 Holopaw Sand
36 Myakka Variant Fine Sand
44 Paola-Urban Land Complex

The soil survey is fairly accurate in the typing of soils; however, boundaries of the soils are sometimes poorly indicative of site conditions. Please review the soil map excerpt exhibit for soil type boundaries and the chart below for soil type/vegetation correlation for this site.

Upland Soils	Wetland Soils
39 – Myakka Variant Fine Sand	26 – Holopaw Sand
44 – Paola-Urban Land Complex	

Holopaw sand soil (26) is characterized as nearly level, poorly drained soil with a seasonal high water table at or near the surface. The water table is within 10 inches of the soil surface for 2 to 6 months in most years. Permeability is rapid in the surface layer and moderate in the subsoil. The soil type has a "Less Suited" rating for gopher tortoise burrowing. This soil type has characteristics that may limit establishment, maintenance, or use of the site by gopher tortoise. Colonization and population densities may be below average or restricted in the area due to the limiting factors even though all other species habitat requirements are met. **Category: Hydric**

Myakka Variant fine sand soil (36) is a nearly level, poorly drained sandy soil on swells in flatwoods and in slightly higher areas in hardwood hammocks near the coast. Under natural conditions the water table fluctuates to within 10 inches of the surface during the rainy season. Permeability is rapid in the surface layer and the substratum and moderate in the subsoil. The soil type has a "Less Suited" rating for gopher tortoise burrowing. This soil type has characteristics that may limit establishment, maintenance, or use of the site by gopher tortoises. Colonization and population densities may be below average or restricted in the area due to the limiting factors even though all the other species habitat requirements are met. **Category: Non-hydric**

Paola - Urban land complex, 0 - 8% slopes soil (44) consists of nearly level Paola soil that has been used for urban development. The water table is more than 72 inches below the soils surface. The soil type has a "Highly Suited" rating for gopher tortoise burrowing. This soil type has no restrictions for use and is favorable for burrowing by gopher tortoises. Colonization and population densities may be above average if other habitat factors are not limiting. **Category: Non-hydric**

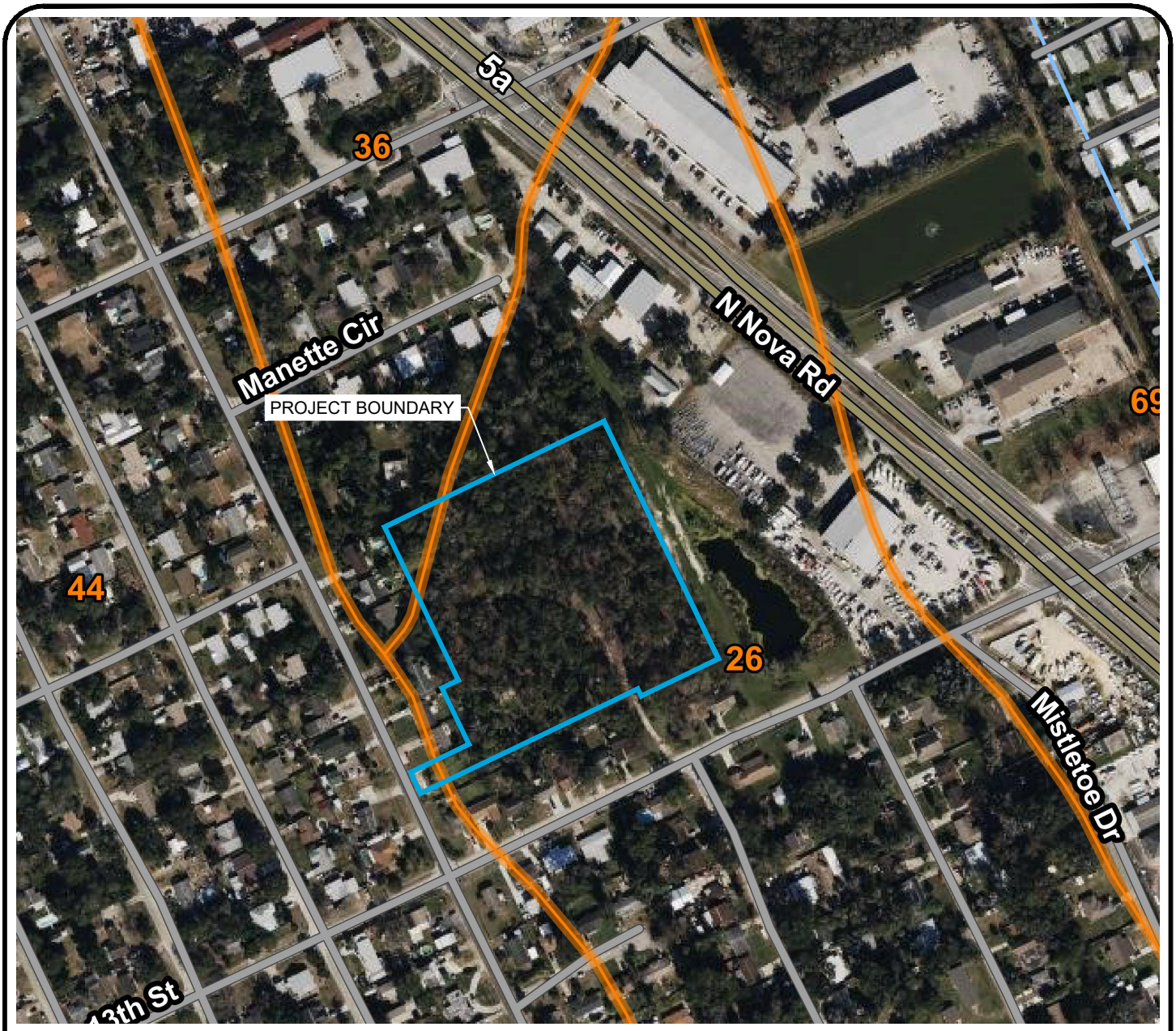
Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

There is one (1) hydric soil mapped on this site, Holopaw Sand (26). The other soils types either indicated upland characteristics, or field review verified upland species were the dominant vegetation indicating non-hydric conditions. The soils mapping may be inaccurate for a portion of the project area that is mapped as having hydric soils, as the field review verified non-hydric soils in some areas.

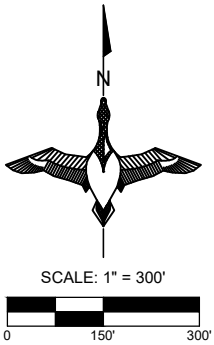
The depth to water table attribute and Gopher Tortoise Burrowing Suitability of the soils were analyzed using the Natural Resource Conservation Service Web Soil Survey for this site (www.websoilsurvey.usda.nrcs.gov). The depth to water table is defined as the distance below grade that the saturated zone of the soil can be found within a specific soil type. The chart below lists the existing soils on site, the corresponding depth to water table and gopher tortoise burrowing suitability rating.

SOILS ON SITE	DEPTH TO WATER TABLE	GOPHER TORTOISE BURROWING SUITABILITY
26 – Holopaw Sand	25 cm (0’ 10”)	Less Suited
36 – Myakka Variant Fine Sand	31 cm (1’ 0”)	Less Suited
44 – Paola-Urban Land Complex	>200 cm (6’ 7”)	Highly Suited

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



SOIL MAP - VOLUSIA COUNTY



SOIL TYPE ON SITE:	AREA:	DEPTH TO WATER TABLE:
26 Holopaw sand - hydric	5.38 Ac. (234,159 SF)	25 CM
36 Myakka variant fine sand - non-hydric	0.21 Ac. (9,132 SF)	31 CM
44 Paola-Urban land complex, 0 to 8 % slopes - non-hydric	0.06 Ac. (2,443 SF)	>200 CM

NOTES:
1 - SOILS MAPPING ADAPTED FROM INFORMATION FOUND ON THE NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY. (websoilsurvey.nrcs.usda.gov)

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BIOLOGICAL CONSULTING SERVICES, INC.

drawn	LC
date	04/06/23
scale	1"= 300'
job no.	23-01013

SOILS MAP

HOLLY HILL SELF STORAGE

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

4.0 FLORIDA LAND COVER CLASSIFICATION SYSTEM

The vegetative communities and land uses found within the project boundary were field verified, and the site was mapped utilizing the Florida Land Cover Classification System (FWC, September 2018). Two (2) land cover types were identified in and around the project area. These cover types are listed below:

1120 Mesic Hammock
2233 Mixed Wetland Hardwoods

4.1 VEGETATIVE COMMUNITIES

The land use and cover classes mapped for the project area and a description of the vegetative communities encountered on the site with the dominant vegetative cover are listed below:

1120 - Mesic Hammock: Flatland with sand/organic soil; mesic; primarily central peninsula; occasional or rare fire; live oak, cabbage palm, southern magnolia, pignut hickory, saw palmetto. (FNAI) This classification is for the upland area observed on site.

2233 - Mixed Wetland Hardwoods: Wetland hardwood communities which are composed of a large variety of hardwood species tolerant of hydric conditions yet exhibit an ill-defined mixture of species. (FLUCCS) This classification is for the wetland areas observed on site.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

FLORIDA LAND COVER CLASSIFICATION SYSTEM (F.L.C.C.S.)

1120 - MESIC HAMMOCK	4.45 Ac. (193,845 SF)
2233 - MIXED WETLAND HARDWOODS	1.19 Ac. (51,990 SF)

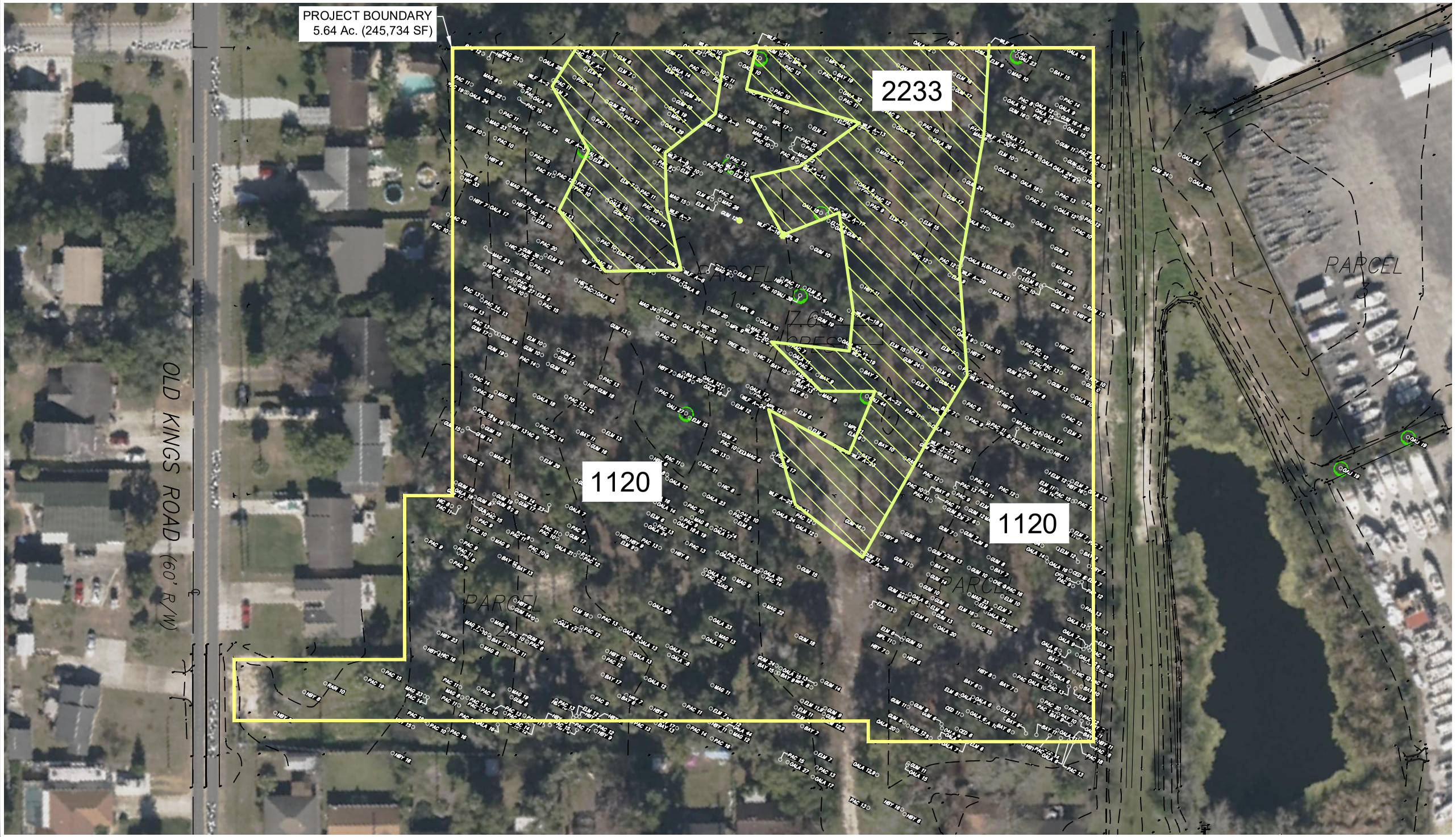
SITE ACREAGE BREAKDOWN

WETLANDS ON SITE
1.19 Ac. (51,990 SF)

UPLANDS ON SITE
4.45 Ac. (193,845 SF)

TOTAL SITE AREA: 5.64 Ac. (245,734 SF)

NOTES:
1 - BOUNDARY AND SURVEY INFORMATION ADAPTED FROM AUTOCAD FILES PRODUCED BY MARK DOWST & ASSOCIATES INC



drawing name: F.L.C.C.S. MAP
drawing no. 01013-01
revised

drawn LC
date 03/27/23
scale (size B) 1"= 60'
job no. 23-01013

HOLLY HILL SELF STORAGE

-

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N

SCALE: 1" = 60'

0 15' 30' 60'
GRAPHIC SCALE

5.0 POTENTIAL ENDANGERED AND THREATENED SPECIES DISTRIBUTION

Site reviews were conducted on February 9, 14, and 16, and March 9, 2023, by BCS, Inc. staff to determine the potential occurrence of endangered and threatened species listed by the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S. Fish and Wildlife Service (USFWS). The vegetative composition on site consists of Mesic Hammock (FLCCS 1120) and Mixed Wetland Hardwoods (FLCCS 2233) communities. Major emphasis was given to the protected species that might inhabit these vegetative cover types.

A list of species with the potential for occurrence on-site (and directly adjacent to the site) which are afforded protection by the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S. Fish and Wildlife Service (USFWS) was compiled prior to the protected species survey, based on a literature review of geographic range and preferred habitat. The protected species distribution chart contains the designated status of protected wildlife species with the potential for occurrence on this project.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

5.1 VOLUSIA COUNTY PROTECTED SPECIES DISTRIBUTION CHART

The following protected species could potentially utilize the site:

COMMON NAME	*SCIENTIFIC NAME*	STATUS	POTENTIAL OF OCCURANCE
MAMMALS			
Florida Black Bear	*Ursus americanus floridanus*	delisted	Minor habitat available not observed on site
Florida Panther	*Felis concolor coryi*	FE	Minor habitat available not observed on site
BIRDS			
Bald Eagle	*Haliaeetus leucocephalus*	delisted	Minor habitat available not observed on site
Southeastern American Kestrel	*Falco sparverius paulus*	ST	Minor habitat available not observed on site
Tricolored Heron	*Egretta tricolor*	ST	Minor habitat available not observed on site
Wood Stork	*Mycteria americana*	FT	Minor habitat available not observed on site
AMPHIBIANS & REPTILES			
American Alligator	*Alligator mississippiensis*	FT (S/A)	Minor habitat available not observed on site
Eastern Indigo Snake	*Drymarchon corais couperi*	FT	Minor habitat available not observed on site
Gopher Tortoise	*Gopherus polyphemus*	ST	No habitat observed on site
PLANTS			
American chaffseed	*Schwalbea americana*	E	Minor habitat available not observed on site
Angle-pod	*Matelea gonocarpos*	T	Minor habitat available not observed on site
Auricled spleenwort	*Asplenium erosum*	E	Minor habitat available not observed on site
Bird's nest spleenwort	*Asplenium serratum*	E	Minor habitat available not observed on site
Brittle maidenhair fern	*Adiantum tenerum*	E	Minor habitat available not observed on site
Celestial lily	*Nemastylis floridana*	E	Minor habitat available not observed on site
Chapman's sedge	*Carex chapmannii*	T	Minor habitat available not observed on site
Cinnamon Fern	*Osmunda cinnamomea*	CE	Minor habitat available not observed on site
Common wild pine	*Tillandsia fasciculata*	E	Minor habitat available not observed on site
Coontie (all native species)	*Zamia spp.*	CE	Minor habitat available not observed on site

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

COMMON NAME	*SCIENTIFIC NAME*	STATUS	POTENTIAL OF OCCURANCE
PLANTS			
Dwarf spleenwort	*Asplenium pumilum*	E	Minor habitat available not observed on site
Florida butterfly orchid	*Encyclia tampensis*	CE	Minor habitat available not observed on site
Florida mountain-mint	*Pycnanthemum floridanum*	T	Minor habitat available not observed on site
Godfrey's sandwort	*Minuartia godfreyi*	E	Minor habitat available not observed on site
Great wild pine	*Tillandsia utriculata*	E	Minor habitat available not observed on site
Green-fly orchid	*Epidendrum conopseum*	CE	Minor habitat available not observed on site
Hand Fern	*Ophioglossum palmatum*	E	Minor habitat available not observed on site
Hartwrightia	*Hartwrightia floridana*	T	Minor habitat available not observed on site
Hooded pitcherplant	*Sarracenia minor*	T	Minor habitat available not observed on site
Indian plantain	*Arnoglossum diversifolium*	T	Minor habitat available not observed on site
Indian pumpkin (Okeechobee gourd)	*Cucurbita okeechobeensis*	E	Minor habitat available not observed on site
Leafless beaked orchid	*Stenorrhynchos lanceolatus (Spiranthes lanceolata)*	T	Minor habitat available not observed on site
Low pepperomia	*Peperomia humilis*	E	Minor habitat available not observed on site
Naked wood	*Myrcianthes fragrans*	T	Minor habitat available not observed on site
Needle Palm	*Rhapidophyllum hystrix*	CE	Minor habitat available not observed on site
Nodding club-moss	*Lycopodium cernuum (Lycopodiella cernua)*	CE	Minor habitat available not observed on site
Pigmy-pipes	*Monotropsis oderata*	E	Minor habitat available not observed on site
Plume polypody	*Pecluma plumula*	E	Minor habitat available not observed on site
Rainlily	*Zephyranthes atamasca*	T	Minor habitat available not observed on site
Rose pogonia	*Pogonia ophioglossoides*	T	Minor habitat available not observed on site
Royal fern	*Osmunda regalis*	CE	Minor habitat available not observed on site
Simpson zephyr lily	*Zephyranthes simpsonii*	T	Minor habitat available not observed on site
Snowy orchid	*Platanthera nivea (Habenaria nivea)*	T	Minor habitat available not observed on site

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

COMMON NAME	*SCIENTIFIC NAME*	STATUS	POTENTIAL OF OCCURANCE
PLANTS			
Southern tubercled orchid	*Platanthera flava*	T	Minor habitat available not observed on site
Swamp plume polypody	*Pecluma ptilodon*	E	Minor habitat available not observed on site
Tampa vervain	*Verbena tampensis (Glandularia tampensis)*	E	Minor habitat available not observed on site
Widespread polypody	*Pecluma dispersa*	E	Minor habitat available not observed on site
Yellow fringed orchid	*Platanthera ciliaris*	T	Minor habitat available not observed on site
Yellow star anise	*Illicium parviflorum*	E	Minor habitat available not observed on site

LEGAL STATUS LEGEND

STATE AND FEDERAL STATUS (FAUNA ONLY)

CODE	DEFINITION
FE	Federally-designated Endangered
FT	Federally-designated Threatened
FXN	Federally-designated Threatened Nonessential Experimental Population
FT(S/A)	Federally-designated Threatened species due to similarity of appearance
ST	State-designated Threatened
SSC	State-designated Species of Special Concern

FDA STATUS (FLORA ONLY)

CODE	DEFINITION
E	Endangered
T	Threatened
CE	Commercially Exploited

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

6.0 ENDANGERED AND THREATENED SPECIES

6.1 Mammals

The endangered **Florida Panther** *(Felis concolor coryi)* is found in a wide variety of habitat types, but requires a large range and substantial food source to survive. This site may offer food sources but is close to development so may be out of the range for the panther. The **Florida Black Bear** (*Ursus americanus floridanus*) is known to inhabit community types that occur on-site, but they require a large range to support the necessary food supply. Given the amount of development and activity in the area, the potential for utilization is moderately low for both of these species.

Neither of these species nor any signs of their utilization were observed during the site reviews.

6.2 Birds

There are a moderate number of birds that could potentially utilize the habitats available on site. The upland communities could provide foraging habitat for the **Bald Eagle** *(Haliaeetus leucocephalus),* and the threatened **Southeastern American Kestrel** (*Falco sparverius paulus*).

The wetland communities on site could provide foraging habitat for the threatened **Tricolored Heron** *(Egretta tricolor)*, and the threatened **Wood Stork** (*Mycteria americana)*.

The Bald eagle is no longer listed or protected under the Endangered and Threatened Species Act of 1973 and was removed from the Florida's Endangered and Threatened Species List. However, Bald Eagles and Bald Eagle nests are protected by state (68A-16.002, F.A.C.) and federal laws (Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act). Known bald eagle nesting territories within the state of Florida were surveyed by the Florida Fish and Wildlife Conservation Commission (FWC) during the 2016 nesting season. Nest locations were determined with the use of aircraft-based Global Positioning System (GPS) units. A review of the FWC mapping for documented bald eagle nests and a review of the Audubon Florida EagleWatch mapping of non-documented nests revealed that there are no Eagle nests located within 660' of the project site. Additionally, no eagle nest was observed during the reviews of the site.

A review of the U.S. Fish and Wildlife Service Wood Stork Nesting Colonies and Core Foraging Areas Data (2008-2019) revealed that the project site does not contain a documented nesting Wood Stork colony and falls outside of documented Wood Stork Core Foraging Areas.

No protected birds or signs of their utilization of the site were observed on site.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

6.3 Amphibians and Reptiles

Some of the site could potentially provide habitat for the threatened **Gopher Tortoise** (*Gopherus polyphemus*). The site was reviewed extensively through the transect methodology outlined in the Florida Fish and Wildlife Conservation Commission (FFWCC) Gopher Tortoise Permitting Guidelines (April 2008, Revised July 2020). Per the Guidelines, a burrow survey covering a minimum of 15% of the potential gopher tortoise habitat to be impacted by development activities (including staging areas for heavy equipment) is required in order to apply for a relocation permit.

No gopher tortoise burrows were found throughout the property. There is no suitable gopher tortoise habitat on site.

The threatened **Eastern Indigo Snake** (*Drymarchon corais couperi*) is found in a variety of habitats throughout Florida and is also known to inhabit Gopher Tortoise burrows. The wetlands on site could provide habitat for the threatened **American Alligator** *(Alligator mississippiensis).*

No state or federally listed amphibians or reptiles or signs of their utilization were noted on the during the site reviews.

6.4 Invertebrates

Very few invertebrates are listed by the State of Florida as Endangered or Threatened, and of the species listed, none occur within the habitat found on this project site.

6.5 Fish

No protected fish species were observed on the site in the area of proposed impact due to the lack of their specific habitat type.

6.6 Plants

The vegetative communities on site could provide habitat for a number of protected plants. This plant listing can be found in the Protected Species Distribution List. According to Section 581.185 (8), Florida Statutes, certain exemptions apply to the clearing and removal of protected plant species on lands that will be utilized for silvicultural or agricultural uses, fire control measures, or required mining assessment work. The clearing or removal of regulated plants from canals, ditches, survey lines, building sites or roads or other right-of-ways by the landowner or his or her agent is also exempt on privately owned lands. On utility areas, the clearing of land by a public agency or a publicly or privately owned utility when acting in the performance of its obligation to provide a service to the public is also exempt. Listed plant species found on this site (if any) fall under one of the exemptions listed above and may be removed if needed.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

7.0 PROCESS OF REVIEW

Literature research utilizing the previously listed references was conducted to determine potential species distribution. Utilization of aerials, soils maps, and topographical surveys (USGS quadrangle) were combined to assess the physical parameters of the site for habitat evaluation. The site was reviewed by pedestrian field surveys on February 9, 14, and 16, and March 9, 2023, for the purpose of reviewing all aspects of the project and observations were made in reference to the potential presence of protected species.

The site was reviewed extensively through the transect review methodology outlined in the Florida Fish and Wildlife Conservation Commission (FFWCC) Gopher Tortoise Permitting Guidelines (April 2008, Revised July 2020). Per the Guidelines, a burrow survey covering a minimum of 15% of the potential gopher tortoise habitat to be impacted by development activities (including staging areas for heavy equipment) is required in order to apply for a relocation permit. This project site has no areas of suitable gopher tortoise habitat, and this was field verified during the site reviews. The method of evaluation for all potential species was accomplished by pedestrian observation.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

LEGEND

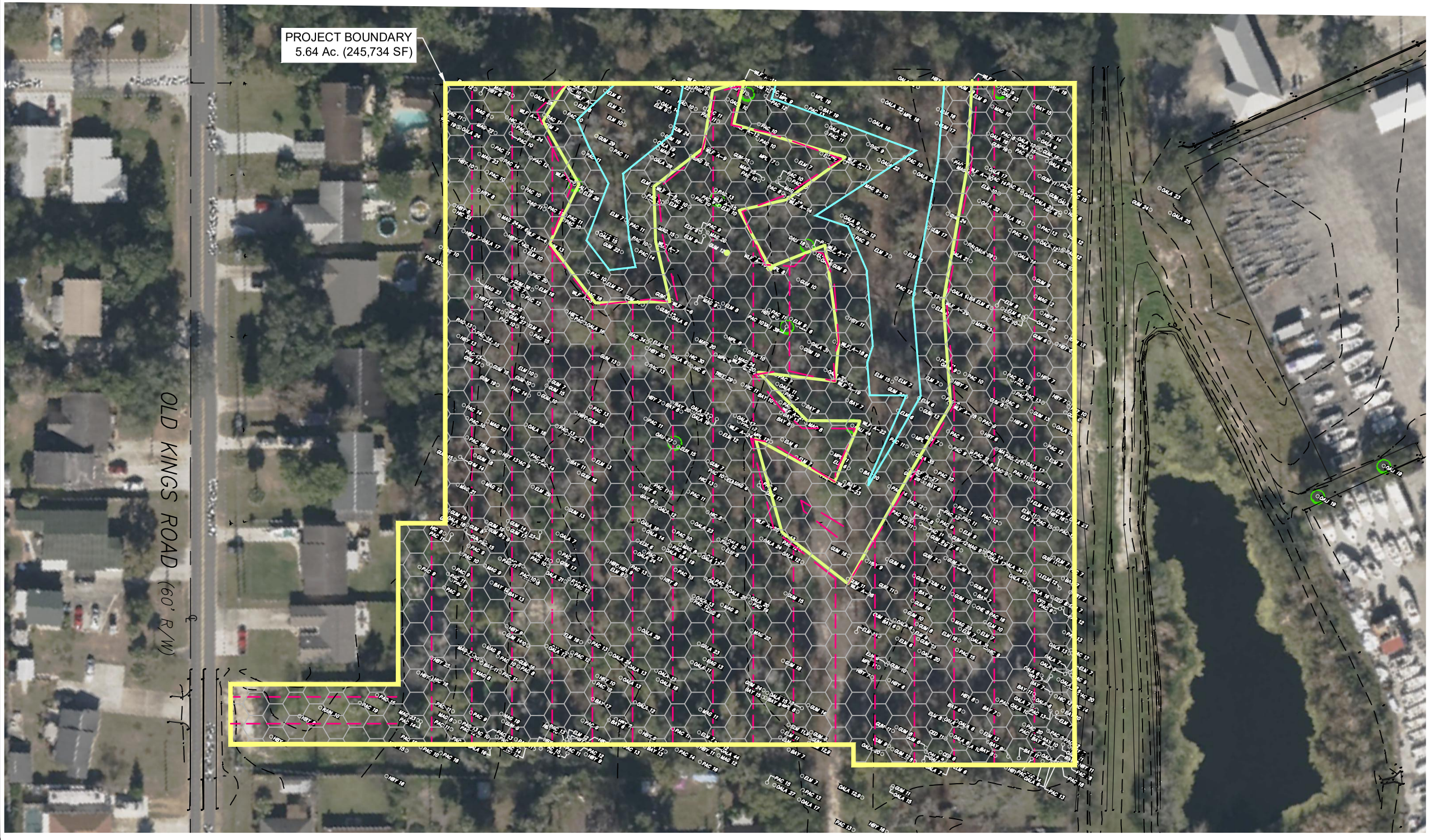
REVIEW AREAS
TOTAL: 5.23 Ac. (227,987 SF)

WETLANDS AREA

TRANSECT LINE

TOTAL PROJECT AREA: 5.64 Ac. (245,734 SF)

NOTES:
1 - BOUNDARY ADAPTED FROM AUTOCAD FILES PROVIDED BY MARK DOWST & ASSOCIATES INC
2- AERIAL IMAGERY OBTAINED FROM BING MAPS



N

SCALE: 1" = 60'

0 15' 30' 60'
GRAPHIC SCALE

drawing name: REVIEW AREAS MAP
revised:
drawing no. 01013-01

drawn: LC
date: 04/06/23
scale (size B): 1"= 60'
job no. 23-01013

-

HOLLY HILL SELF STORAGE

Joe H. Young III
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BIOLOGICAL CONSULTING SERVICES, INC.

8.0 CONCLUSIONS AND RECOMMENDATIONS

In conclusion, a transect review for endangered and threatened species and a transect gopher tortoise burrow survey was conducted on the site. Emphasis was given for presence of the gopher tortoise burrows and any potential burrow occupants. There is no potentially suitable gopher tortoise habitat on site and no gopher tortoise burrows or other protected species or signs of utilization were observed on site during the review.

The results of the most recent transect burrow survey conducted on March 9, 2023, by FFWCC Authorized Gopher Tortoise Agents Joe H. Young III (GTA-09-00127H) and Matthew Marconi (GTA-20-00075A), are valid for 90 days, due to the mobility of the species and per the FFWCC requirement that gopher tortoise surveys be conducted no more than 90 days prior to submittal of an application for gopher tortoise relocation. However, the potential for gopher tortoise utilization of the site is low due to the dense canopy cover, high water table, amount of development and lack of donor population in the surrounding area.

Biological Consulting Services has one FFWCC Authorized Gopher Tortoise Agent on staff, Joe H. Young III (GTA-09-00127H), who is authorized to conduct gopher tortoise burrow surveys, gopher tortoise relocation permitting and gopher tortoise relocations.

No impacts are expected to occur to the other listed faunal species included in the protected species distribution chart (located within Section 5.1 of this report). While habitat is available on site for these species, no individuals or signs of their utilization were observed on site.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

9.0 REGULATIONS AND ENFORCEMENT OF TAKING OF GOPHER TORTOISE BY DEVELOPMENT ACTIVITIES UNDER EXISTING RULES OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The gopher tortoise (Gopherus polyphemus) is declared to be State-designated Threatened Species per Chapter 68A-27.003 Florida Endangered and Threatened Species List; Prohibitions.

Subparagraph 68A-27.003 (2)(f)5 F.A.C. states:

> *The gopher tortoise shall be afforded the protective provisions specified in this subparagraph. No person shall take, attempt to take, pursue, hunt, harass, capture, possess, sell or transport any gopher tortoise or parts thereof or their eggs, or molest, damage, or destroy gopher tortoise burrows, except as authorized by Commission permit or when complying with the Gopher Tortoise Management Plan effective September 2012 herein incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-12192). A gopher tortoise burrow is a tunnel with a cross-section that closely approximates the shape of a gopher tortoise. Permits will be issued based upon whether issuance would further goals and objectives of the Management Plan and the Gopher Tortoise Permitting Guidelines effective July 2020, herein incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-12193).*

There are four available options to address the presence of gopher tortoises on lands slated for development:

1. Avoid developing in the area occupied by tortoises;
2. Develop as to avoid gopher tortoise burrows by avoiding concentrations of burrows altogether and/or staying at least 25 feet from entrances of individual burrows, provided that such activities do not harm gopher tortoise or violate rules protecting gopher tortoises;
3. Relocate tortoises on-site (permit required); or
4. Relocate tortoises off-site (permit required).

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

10.0 REFERENCES

1. Florida's Endangered Species, Threatened Species, and Species of Special Concern, Updated June 2021, Florida Game and Fresh Water Fish Commission
2. 26 Ecological Communities of Florida, Soil Conservation Service
3. Web Soil Survey, United States Department of Agriculture, National Resources Conservation Service, http://websoilsurvey.nrcs.usda.gov
4. Ecology and Habitat Protection Needs of Gopher Tortoise Populations, James Cox, et al., December 1987.
5. Rare and Endangered Biota of Florida, Volume I., Mammals, Edited by Stephen R. Humphrey, Ray E. Ashton, Jr., SERIES EDITOR
6. Rare and Endangered Biota of Florida, III., Amphibians and Reptiles, Edited by Paul E. Moler, Ray E Ashton, Jr., SERIES EDITOR
7. Rare and Endangered Biota of Florida, Volume IV, Invertebrates, Edited by Mark Deyrup and Richard Franz, Ray E. Ashton, Jr., SERIES EDITOR
8. Rare and Endangered Biota of Florida, Volume V, Birds, Edited by James A. Rogders, Jr., Herbert W. Kale II and Henry T. Smith, Ray E. Ashton, Jr., SERIES EDITOR
9. Rare and Endangered Biota of Florida, Volume Five, Plants, Edited by Daniel B. Ward, Peter C.H. Pritchard, SERIES EDITOR
10. Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay, John W. Fitzpatrick, Glen E. Woolfender, Mark T. Kopeny.
11. Florida Land Cover Classification System, Florida Fish and Wildlife Conservation Commission, September 2018.
12. County Distribution and Habitats of Rare and Endangered Species in Florida, Florida Natural Areas Inventory, March 1997.
13. Notes on Florida's Endangered and Threatened Plants, Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Nancy Coile and Mark A. Garland, 2003.
14. Gopher Tortoise Permitting Guidelines, Florida Fish and Wildlife Conservation Commission, April 2008 (Revised July 2020).
15. Atlas of Florida Vascular Plants, University of South Florida, Institute for Systemic Botany, http://www.plantatlas.usf.edu.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

APPENDIX

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



The photo above shows the edge of the wetland area.



The photo above shows the typical upland area on site with maintained groundcover.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



The photo above shows the edge of the wetlands.



The photo above shows the edge of the wetlands.

Attachment: Applicant Submittal (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

LIST OF PARCELS INCLUDED

4242-0M-00-0020	4242-04-34-0220	4242-86-03-0260	4242-86-03-0250
4242-86-03-0240	4242-86-02-0070	4242-86-02-0060	4242-86-02-0050
4242-86-02-0040	4242-86-02-0030	4242-26-02-0011	

Attachment: List of Included Parcels (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

11-2022

Exhibit to Ordinance No. _____

DEVELOPMENT AGREEMENT for the project known as Nova Road Storage Planned Unit Development (PUD) located along Nova Road 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 NISBETT PROPERTIES, LLC (hereinafter referred to as the "Owner" or "Owner/Developer") with a mailing address of 332 John Anderson Drive, Ormond Beach, FL 32176.

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: Development Agreement - Braintree - Nova Storage (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

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 within the Eastern Portion and Western Portion, as illustrated on Exhibit B:

1. Eastern Portion: Abutting Nova Road on Parcel # 4242-0M-00-0020 aka 1704 Nova Road: Three story, indoor, climate-controlled storage facility – approximately 119,000

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square feet of total building area, as shown on the Preliminary Development/Site Plan.

2. Western Portion: Covered and uncovered RV and Boat storage on Parcel now known as 4242-04-34-0220, as shown on the Preliminary Development/Site Plan.

A. Prohibited principal uses, if any:
   1. Unless a use is specifically stated as permitted, it is prohibited.

B. Proposed minimum floor area ratio: 2.0

C. Impervious surface is not to exceed 80% of the gross square footage for the Subject Property.

D. Minimum open space shall be 20% of the subject property.

E. Minimum landscaping and buffer-yard requirements are as shown and stated on the Preliminary Plan and as follows: Minimum perimeter landscape buffer of five (5') feet.

F. Minimum lot size area (in acreage or square footage): 10,000 sq. ft.

G. Minimum lot width (in feet): 100 ft.

H. Minimum yard setbacks:
   1. Front yard: 15 ft. (Nova Road)
   2. Side yard: 10 ft.
   3. Rear yard: 15 ft.

I. Maximum building height (in feet): 45'

J. Minimum parking standards are as shown and stated on the Preliminary Plan for Eastern portion.

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

M. Phases: The project shall consist of 2 phases. Phases are shown on the Preliminary Development/Site Plan and described as follows:
1. Phase 1: 3 story, indoor, climate-controlled storage facility.
2. Phase 2: Covered and uncovered RV and Boat storage.

Phase 1 (3 story, indoor, climate-controlled storage facility) shall be complete and obtain a Certificate of Occupancy prior to Phase 2 being approved and permitted for use. Under no circumstances, including Force Majeure, "acts of God," or any other unforeseen events, shall Phase 2 be approved and permitted to operate, prior to Phase 1 being complete and receiving

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a Certificate of Occupancy. The Phase 1 and Phase 2 improvements may be constructed concurrently at Owner's discretion.

L. 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.

M. 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.

N. 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.

O. 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.

6. **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.

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7. **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.

8. **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.

9. **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.

10. **Obligations for Improvements.** Any surface improvement as described and required hereunder included, but not limited to such as signalization, walls, stormwater management facilities, medians, and utilities, or any other surface improvement shall be performed prior to the issuance of the first Certificate of Occupancy on that portion of the Subject Property that the surface improvement(s) relates or is otherwise scheduled in this Agreement. Should the 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

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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 (16)** of this Agreement.

11. **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.

12. **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.

13. **Enforcement.** Both parties may seek specific performance of this Agreement and/or bring an action for damages in a court within Volusia County, Florida, if either party breaches this Agreement. If enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the 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.

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14. **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.

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

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

OWNER/DEVELOPER'S REPRESENTATIVES:

Nisbett Properties, LLC
Richard Nisbett
332 John Anderson Drive
Ormond Beach, FL 32176

With copy to:

Robert A. Merrell III, Esquire
Cobb Cole
149 S. Ridgewood Avenue, Suite 700
Daytona Beach, FL 32114

CITY'S REPRESENTATIVES:
City Manager
City of Holly Hill
1065 Ridgewood Ave.
Holly Hill, Florida 32117

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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.

17. **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.

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

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

20. **Subsequently Enacted State or Federal Law.** If either state 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.

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

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

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

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

25. **Time of the Essence.** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this Agreement. The 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.

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

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

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Decisions as to whether modifications are Major or Minor shall be at the sole discretion of the Development Code Administrator.

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

IN WITNESS WHEREOF, the 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

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_____
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

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Commission No.: _____
My Commission Expires: _____

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

_____
Scott Simpson, City Attorney

EXHIBIT A

LEGAL DESCRIPTION:
(NO. 4 - NEW OVERALL PUD BOUNDARY)

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, AND PART OF LOT 1, AND ALL OF LOTS 2-7, BLOCK B, AND ALL OF LOTS 24-26, BLOCK C, AND A PORTION OF 13TH STREET AND THE UN-NAMED STREET, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, ALL OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THENCE S25°41'21"E ALONG THE EAST LINE OF SAID LOT 23, AND THE EAST LINE OF BLOCK C, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 508.77 FEET TO THE NORTHEAST CORNER OF LOT 23, BLOCK C, SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37"W ALONG THE NORTH LINE OF SAID LOT 23 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO THE CENTER LINE OF AN UN-NAMED STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK;, THENCE N25°41'21"W ALONG SAID CENTERLINE, A DISTANCE OF 15.00 FEET TO THE CENTERLINE OF 13TH STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37" ALONG SAID CENTERLINE, A DISTANCE OF 464.95 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD, HAVING A 60.00 FOOT RIGHT-OF-WAY; THENCE N25°39'45"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.78 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 50.22 FEET OF LOT 1, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN N64°21'37"E ALONG SAID SOUTH LINE, A DISTANCE OF 125.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE N25°39'45"W ALONG THE EAST LINE OF SAID LOT 1 AND LOT 2, BLOCK B, A DISTANCE OF 120.22 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE N64°21'37"E, ALONG THE NORTH LINE OF LOT 3, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK, A DISTANCE OF 35.00 FEET TO A POINT ON THE EAST LINE OF THE WEST 190.00 FEET OF LOT 22, AFORESAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N25°39'45"W, A DISTANCE OF 328.32 FEET TO A POINT ON THE SOUTH LINE OF LOT 13, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N64°18'17"E ALONG THE SOUTH LINE OF SAID LOT 13 AND LOT 12, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, A DISTANCE OF 469.72 FEET TO THE POINT OF BEGINNING.

AND

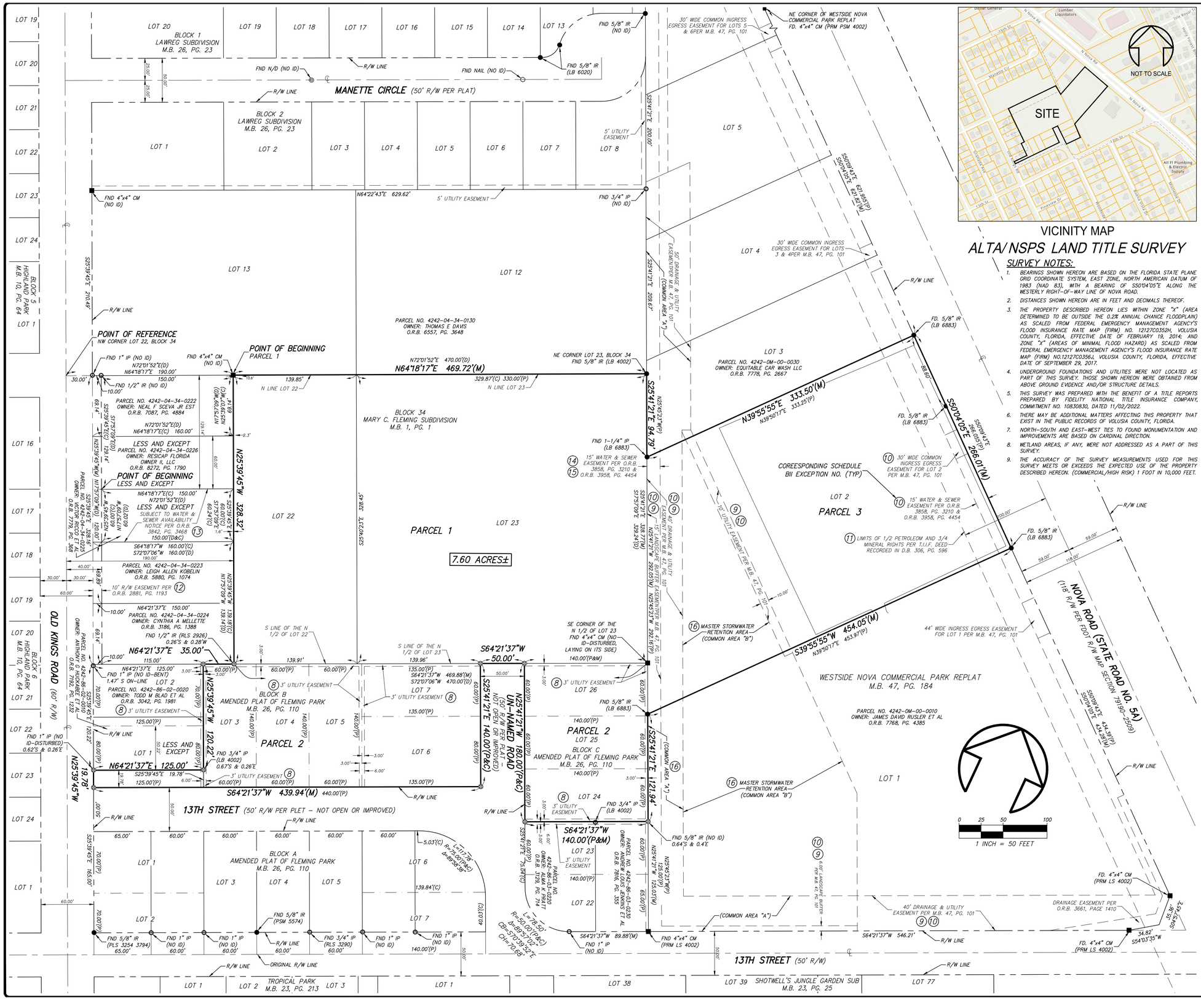
LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SAID LANDS CONTAINING 8.05 ACRES, MORE OR LESS.

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Exhibit B
Preliminary Development Plan

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VICINITY MAP

ALTA/NSPS LAND TITLE SURVEY

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 S50°04'05"E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NOVA ROAD.
2. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "X" (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO. 12127C0352H, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF FEBRUARY 19, 2014; AND ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD) AS SCALED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NO.12127C0356J, VOLUSIA COUNTY, FLORIDA, EFFECTIVE DATE OF SEPTEMBER 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. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORTS PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 10830830, DATED 11/02/2022.
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.

LEGAL DESCRIPTION:

(PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 10830830, DATED 11/02/2022)

PARCEL 1:

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT PER MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT AS PER MAP BOOK 1, PAGE 1, THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG SAID NORTH LINE OF LOTS 22 AND 23, A DISTANCE OF 470.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, THENCE S 17 DEGREES 57 MINUTES 09 SECONDS E ALONG THE EAST LINE OF THE NORTH 1/2 OF LOT 23, A DISTANCE OF 329.24 FEET TO THE SOUTHEAST COMER OF THE NORTH 1/2 OF LOT 23; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOTS 22 AND 23, A DISTANCE OF 470.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W A DISTANCE OF 139.14 FEET; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E, A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

PART OF THE NORTH ONE-HALF OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 40.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF OLD KINGS ROAD PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 17 DEGREES 09 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 129.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHERLY 129.14 FEET OF SAID LOT 22, A DISTANCE OF 150.00 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST, PARALLEL WITH THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD, A DISTANCE OF 60.24 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 150 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT:

THE SOUTHERLY 60 FEET OF THE NORTHERLY 129.14 FEET OF THE WESTERLY 190.00 FEET OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE WESTERLY 40.00 FEET THEREOF NOW A PART OF THAT RIGHT-OF-WAY EASEMENT PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

LOT 1, EXCEPT THE NORTH 50.22 FEET, AND ALL OF LOTS 3, 4, 5, 6 AND 7, BLOCK B, AND LOTS 24, 25 AND 26, BLOCK C, AMENDED PLAN OF FLEMING PARK, AS RECORDED IN MAP BOOK 26, PAGE 110, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 3:

LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SCHEDULE BII EXCEPTIONS: (AS TO PARCELS 1, 2 & 3)

(PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 10830830, DATED 11/02/2022)

1.–5. STANDARD EXCEPTIONS INTENTIONALLY OMITTED.

6. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS. (NO DOCUMENTS PROVIDED FOR REVIEW)
7. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF MAP OF PROPERTY OF MARY C. FLEMING THE THOS FITCH GRANT, RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [AFFECTS–NOTHING TO DEPICT]
8. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF AMENDED PLAT OF FLEMING PARK, RECORDED IN MAP BOOK 26, PAGE 110, AS AFFECTED BY RESOLUTION VACATING AND ABANDONING A CERTAIN PORTION OF SUBDIVISION PLAT RECORDED OCTOBER 28, 1981, IN OFFICIAL RECORDS BOOK 2307, PAGE 1595, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 2) [AFFECTS–DEPICTED HEREON]
9. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF WESTSIDE NOVA COMMERCIAL PARK, RECORDED IN MAP BOOK 47, PAGE 101, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
10. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF WESTSIDE NOVA COMMERCIAL PARK REPLAT, RECORDED IN MAP BOOK 47, PAGE 184, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
11. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA TO AN UNDIVIDED ONE-HALF OF ALL PETROLEUM AND PETROLEUM PRODUCTS AND TITLE TO AN UNDIVIDED THREE-FOURTHS OF ALL OTHER MINERALS WHICH MAY BE FOUND ON OR UNDER THE LAND AND AN EASEMENT FOR STATE ROAD RIGHT-OF-WAY TWO HUNDRED (200) FEET WIDE, LYING EQUALLY ON EACH SIDE OF THE CENTER LINE OF ANY STATE ROAD EXISTING ON THE DATE OF THIS DEED THROUGH SO MUCH OF ANY PARCEL HEREIN DESCRIBED AS IS WITHIN ONE HUNDRED (100) FEET OF SAID CENTER LINE, AS RESERVED IN T.I.I.F. DEED RECORDED SEPTEMBER 29, 1944, IN DEED BOOK 306, PAGE 596, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THE RIGHTS OF ENTRY AND EXPLORATION AND EXTINGUISHED PURSUANT TO 270.11 F.S. (AS TO PARCELS 1, 2 AND 3) [AFFECTS–DEPICTED HEREON]
12. RIGHT OF WAY EASEMENT IN FAVOR OF THE COUNTY OF VOLUSIA RECORDED OCTOBER 3, 1986, IN OFFICIAL RECORDS BOOK 2881, PAGE 1193, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [DOES NOT AFFECT–DEPICTED HEREON]
13. CITY OF HOLLY HILL WATER AND SEWER AVAILABILITY NOTICE RECORDED JULY 15, 1993, IN OFFICIAL RECORDS BOOK 3842, PAGE 3468, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 1) [DOES NOT AFFECT–DEPICTED HEREON]
14. GRANT OF WATER AND SEWER EASEMENT IN FAVOR OF THE CITY OF HOLLY HILL RECORDED SEPTEMBER 16, 1993, IN OFFICIAL RECORDS BOOK 3858, PAGE 3210, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
15. GRANT OF WATER AND SEWER EASEMENT IN FAVOR OF THE CITY OF HOLLY HILL RECORDED OCTOBER 21, 1994, IN OFFICIAL RECORDS BOOK 3958, PAGE 4454, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
16. RESTRICTIONS, COVENANTS, CONDITIONS AND EASEMENTS, WHICH INCLUDE PROVISIONS FOR A. AN EASEMENT ON THE LAND; B. A LIEN FOR LIQUIDATED DAMAGES; C. A PRIVATE CHARGE OR ASSESSMENTS; D. AN OPTION TO PURCHASE; E. A RIGHT OF FIRST REFUSAL, OR; F. THE PRIOR APPROVAL OF A FUTURE PURCHASER OR OCCUPANT, AS CONTAINED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED OCTOBER 27, 1999, IN OFFICIAL RECORDS BOOK 4488, PAGE 4496; AMENDMENT RECORDED AUGUST 22, 2000, IN OFFICIAL RECORDS BOOK 4583, PAGE 2958; SECOND AMENDMENT RECORDED FEBRUARY 2, 2022, IN OFFICIAL RECORDS BOOK 8197, PAGE 253, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND AS MAY BE SUBSEQUENTLY AMENDED. (AS TO PARCEL 3) [AFFECTS–DEPICTED HEREON]
17. THE NATURE, EXTENT OR EXISTENCE OF RIPARIAN RIGHTS OR LITTORAL RIGHTS IS NOT INSURED. (AS TO SHARED POND ON PARCEL 3) [AFFECTS–POND NOT LOCATED]

SURVEYOR'S CERTIFICATE:

TO NISBETT PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 02/02/2023.

DATE OF PLAT OR MAP: 02/09/2023

I FURTHER CERTIFY THIS SURVEY MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE.

LEE H. DOWST, P.L.S. NO. 6860

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
246/8	02/06/23	LAT	UPDATED TO ALTA/NSPS LAND TITLE SURVEY.	LHD

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

ALTA/NSPS LAND TITLE SURVEY				PROJECT # 1257
DRAWN BY: LAT	DRAW DATE: 09/14/21	CHECKED BY: LHD	SCALE: 1" = 50'	FILE NAME: 1257_suralta.dwg
CREW: SC,JB,BT	FIELD DATE: 09/10/21	F.B./PG.: 231/76-78;232/4-8,21-32		SHEET 1 OF 2

Drawing name: N:\JOBS\1257 Nova Road Holdings LLC_Survey\Dwg 30-0060\1257_suralta.dwg Feb 09, 2023 - 2:36pm

Attachment: Survey (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

POINT OF REFERENCE
NW CORNER LOT 22, BLOCK 34
FND 1" IP (NO ID)
FND 1/2" IR (NO ID)
R/W LINE
POINT OF BEGINNING
PARCEL 1
FND 4"x4" CM (NO ID)
N72°01'52"E 470.00'(D)
N64°18'17"E 469.72'(M)
NE CORNER LOT 23, BLOCK 34
FND 5/8" IR (LB 4002)
N LINE LOT 22
N LINE LOT 23
BLOCK 34
MARY C. FLEMING SUBDIVISION
M.B. 1, PG. 1
LESS AND EXCEPT
POINT OF BEGINNING
LESS AND EXCEPT
LESS AND EXCEPT
328.32'
N25°39'45"W
7.5'x8.0' ? SHED
6' WF
FENCE CORNER 0.7' W
7.7'x10.5" WOOD SHED
LOT 22
PARCEL 1
LOT 23
7.60 ACRES±
10' R/W EASEMENT PER O.R.B. 2881, PG. 1193
FENCE CORNER 0.3'ELY
8.5'x9.6' ALUMINUM SHED
FND 1/2" IR (RLS 2926) 0.26'S & 0.28'W
15.2'x20.1' ALUMINUM ROOF
N64°21'37"E 35.00'
FENCE CORNER 1.2'S & 0.3'E
FND 1" IP (NO ID-BENT) 1.47' S ON-LINE
6.8'x10.4' PLASTIC SHED
FENCE CORNER 0.2'S & 1.1'W
3' UTILITY EASEMENT
LOT 2
R/W LINE
OLD KINGS ROAD (60' R/W)
N25°39'45"W 120.22'
S LINE OF THE N 1/2 OF LOT 22
139.91'
S LINE OF THE N 1/2 OF LOT 23
139.96'
S64°21'37"W 50.00'
(50' R/W PER PLAT – NOT OPEN OR IMPROVED)
UN-NAMED ROAD
S25°41'21"E 140.00'(P&C)
N25°41'21"W 180.00'(P&C)
SE CORNER OF THE N 1/2 OF LOT 23
FND 4"x4" CM (NO ID-DISTURBED, LAYING ON ITS SIDE)
3' UTILITY EASEMENT
LOT 7
LOT 26
FND 5/8" IR (LB 6883)
PARCEL 2
LOT 25
BLOCK C
AMENDED PLAT OF FLEMING PARK
M.B. 26, PG. 110
(COMMON AREA "A")
LOT 24
FND 3/4" IP (LB 4002)
FENCE END 1.2'S & 0.3'E
S64°21'37"W 140.00'(P&M)
FND 5/8" IR (NO ID) 0.64'S & 0.4'E
LOT 23
3' UTILITY EASEMENT
LOT 22
FND 1" IP (NO ID-DISTURBED) 0.62'S & 0.26'E
LESS AND EXCEPT
LOT 1
N64°21'37"E 125.00'
FENCE CORNER 0.7'S
FND 3/4" IP (LB 4002) 0.67'S & 0.26'E
FENCE CORNER 0.8'S & 0.1'E
6' CLF
6' WF
3.00'
6.00'
19.78'
CONCRETE
ASPHALT PAVEMENT
S64°21'37"W 439.94'(M) 440.00'(P)
13TH STREET (50' R/W PER PLET – NOT OPEN OR IMPROVED)
ORIGINAL R/W LINE
BLOCK A
AMENDED PLAT OF FLEMING PARK
M.B. 26, PG. 110
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
FND 5/8" IR (PLS 3254 3794)
FND 1" IP (NO ID)
FND 5/8" IR (PSM 5574)
FND 3/4" IP (RLS 3290)
WOOD SHED
ALUMINUM & PLASTIC SHED
10.7'x20.7' WOOD SHED
6.8'x7.0' PLASTIC SHED
7.9'x9.9' VINYL SHED
5' CLF
4' CLF
OHU
PAVEMENT STRIPING (TYP)
ASPHALT PAVEMENT
TROPICAL PARK
M.B. 23, PG. 213
SHOTWELL'S JUNGLE GARDEN SUB
M.B. 23, PG. 25
LOT 38
LOT 39
LOT 77
BLOCK 5 HIGHLAND PARK M.B. 10, PG. 64
BLOCK 6 HIGHLAND PARK M.B. 10, PG. 64
LOT 1
LOT 16
LOT 17
LOT 18
LOT 19
LOT 20
LOT 21
LOT 22
LOT 23
LOT 24
LOT 4
LOT 3
LOT 2
R/W LINE
FD. 5/8" IR (LB 6883)
CONCRETE
8" CONCRETE CURB
6" CLF
1 STORY MASONRY CAR WASH
CONCRETE
4" WELL
8" CONCRETE CURB
N39°55'55"E 333.50'(M)
N39°50'17"E 333.25'(P)
2' C&G
6" CONCRETE CURB
ASPHALT PAVEMENT
GUTTER INLET
SIGN ON 4.5"ø GALV. PIPE
PAVEMENT STRIPING (TYP)
S50°04'05"E 266.01'(M)
30' WIDE COMMON INGRESS EGRESS EASEMENT FOR LOT 2 PER M.B. 47, PG. 101
GRAVEL PARKING LOT AREA LOCATED INSIDE FENCED AREA
WATER SERVICE
15' WATER & SEWER EASEMENT PER O.R.B. 3858, PG. 3210 & O.R.B. 3958, PG. 4454
LIMITS OF 1/2 PETROLEOM AND 3/4 MINERAL RIGHTS PER T.I.I.F. DEED RECORDED IN D.B. 306, PG. 596
NOVA ROAD (STATE ROAD NO. 5A) (118' R/W PER FDOT R/W MAP SECTION 79190-2509)
40' DRAINAGE & UTILITY EASEMENT PER M.B. 47, PG. 101
10' UTILITY EASEMENT PER M.B. 47, PG. 101
RETENTION POND
MASTER STORMWATER RETENTION AREA (COMMON AREA "B")
S39°55'55"W 454.05'(M)
N39°50'17"E 453.97'(P)
44' WIDE INGRESS EGRESS EASEMENT FOR LOT 1 PER M.B. 47, PG. 101
WESTSIDE NOVA COMMERCIAL PARK REPLAT
M.B. 47, PG. 184
LOT 1
OVERFLOW STRUCTURE
MES
18" CPP
8" PVC
40' DRAINAGE & UTILITY EASEMENT PER M.B. 47, PG. 101 (COMMON AREA "A")
DRAINAGE EASEMENT PER O.R.B. 3661, PAGE 1410
FD. 4"x4" CM (PRM LS 4002)
6.00' ACCESS EASEMENT PER O.R.B. 3661, PAGE 1410
0 20 40 80
1 INCH = 40 FEET

LEGEND AND ABBREVIATIONS:

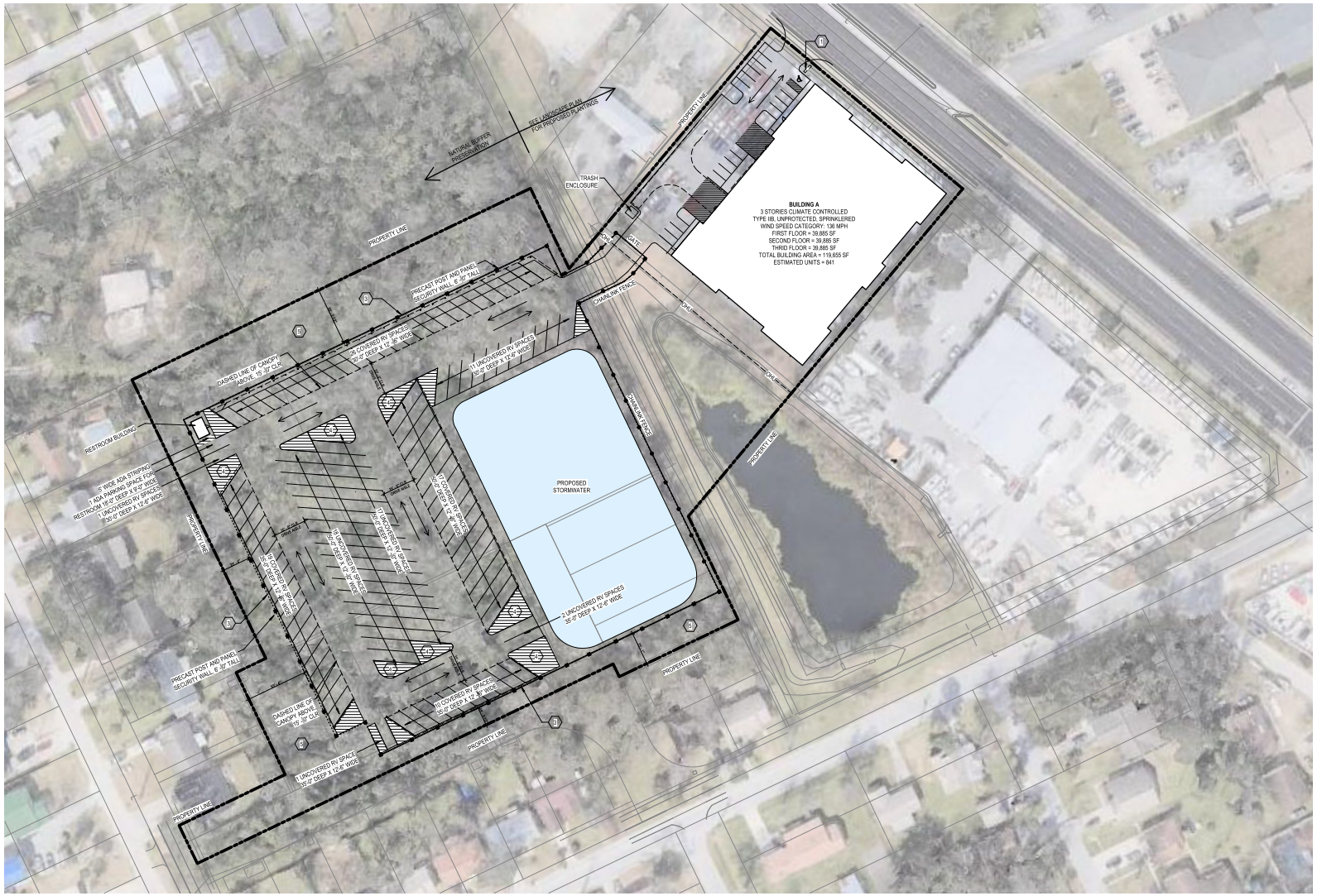
( )	PLAT/DEED	T/B	APPROXIMATE TOP OF BANK
±	MORE OR LESS	T/S	APPROXIMATE TOE OF SLOPE
AC	ACRES	(TYP)	TYPICAL
C&G	CURB & GUTTER	WF	WOOD FENCE
CB	CHORD BEARING	W/	WITH
CH	CHORD DISTANCE		WATER VALVE
℄	CENTER LINE		SANITARY SEWER VALVE
CLF	CHAIN-LINK FENCE		CLEAN OUT
CM	CONCRETE MONUMENT		GAS VALVE
CMP	CORRUGATED METAL PIPE		WATER SPIGOT
CONC.	CONCRETE		BACK FLOW PREVENTOR
E/P	EDGE OF PAVEMENT		FIRE HYDRANT
E/W	APPROXIMATE EDGE OF WATER		SINGLE POLE SIGN
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION		CENTRAL ANGLE
FFE	FINISHED FLOOR		BREAK LINE
FIRM	FLOOD (FLORIDA) INSURANCE RATE MAP		FOUND 4"x4" CM (AS NOTED)
FNC	FENCE		SET N/D (LB 4335)
FD.	FOUND		FOUND N/D (AS NOTED)
ID	IDENTIFICATION		SET 5/8" IRC (LB 4335)
IP	IRON PIPE		FOUND IRON ROD (AS NOTED)
IR	IRON ROD		FOUND IRON PIPE (AS NOTED)
L	ARC LENGTH		CABLE TELEVISION RISER BOX
LB	LICENSED BUSINESS		ELECTRIC METER
M.B.	MAP BOOK		ELECTRIC JUNCTION BOX
MES	MITERED END SECTION		FIBER-OPTIC JUNCTION BOX
N/D	NAIL & DISK		GAS METER
NO.	NUMBER		TELEPHONE JUNCTION BOX
O.R.B.	OFFICIAL RECORDS BOOK		TRAFFIC SIGNAL BOX
OHU	OVER-HEAD UTILITIES		WATER METER
P.B.	PLAT BOOK		WOOD UTILITY POLE
PC	POINT OF CURVATURE		CONCRETE UTILITY POLE
PCP	PERMANENT CONTROL POINT		GUY ANCHOR
PG(S).	PAGE/PAGES		LIGHT POLE
PLS	PROFESSIONAL LAND SURVEYOR		CATCH BASIN/YARD DRAIN
PRM	PERMANENT REFERENCE MONUMENT		STORM MANHOLE
PSM	PROFESSIONAL SURVEYOR MAPPER		SANITARY MANHOLE
PT	POINT OF TANGENCY		WELL
R	RADIUS		FIBER-OPTIC CABLE MARKER
R/W	RIGHT OF WAY		GAS LINE MARKER
RCP	REINFORCED CONCRETE PIPE		POTABLE WATER LINE MARKER

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

ALTA/NSPS LAND TITLE SURVEY				PROJECT #	1257
DRAWN BY: LAT	DRAW DATE: 09/14/21	CHECKED BY: LHD	SCALE: 1" = 40'	FILE NAME: 1257_suralta.dwg	
CREW: SC,JB,BT	FIELD DATE: 09/10/21	F.B./PG.: 231/76-78;232/4-8,21-32		SHEET	2 OF 2

Drawing name: V:\2021\1257 NOVA ROAD Palmetto 10Ft_Survey\Civil 3D\1257_suralta.dwg Feb 09, 2023 2:43pm

Attachment: Survey (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



RV STORAGE SPACE COUNTS:

30' SPACES COVERED: 26
30' SPACES UNCOVERED: 13
35' SPACES COVERED: 29
35' SPACES UNCOVERED: 3
50' SPACES COVERED: 17
50' SPACES UNCOVERED: 35

TOTAL SPACES: 123

SITE PLAN LEGEND

- CHAINLINK FENCE
- PRECAST CONCRETE SECURITY WALL
- PROPERTY LINE

SITE PLAN KEYNOTES

1. DIRECTIONAL SITE SIGNAGE
2. WALL MOUNTED SIGNAGE
3. SCREEN WALL. RE: VISIBILITY EXHIBIT FOR PROPOSED AESTHETICS
4. PAVED ISLANDS
5. EXISTING NATURAL VEGETATION TO REMAIN

PRELIMINARY SITE PLAN - RV SPACES OPTION 1

SCALE: 1" = 50'-0"

Galloway

HOLLY HILL STORAGE

BRAINTREE PROPERTIES

PRELIMINARY SITE PLAN

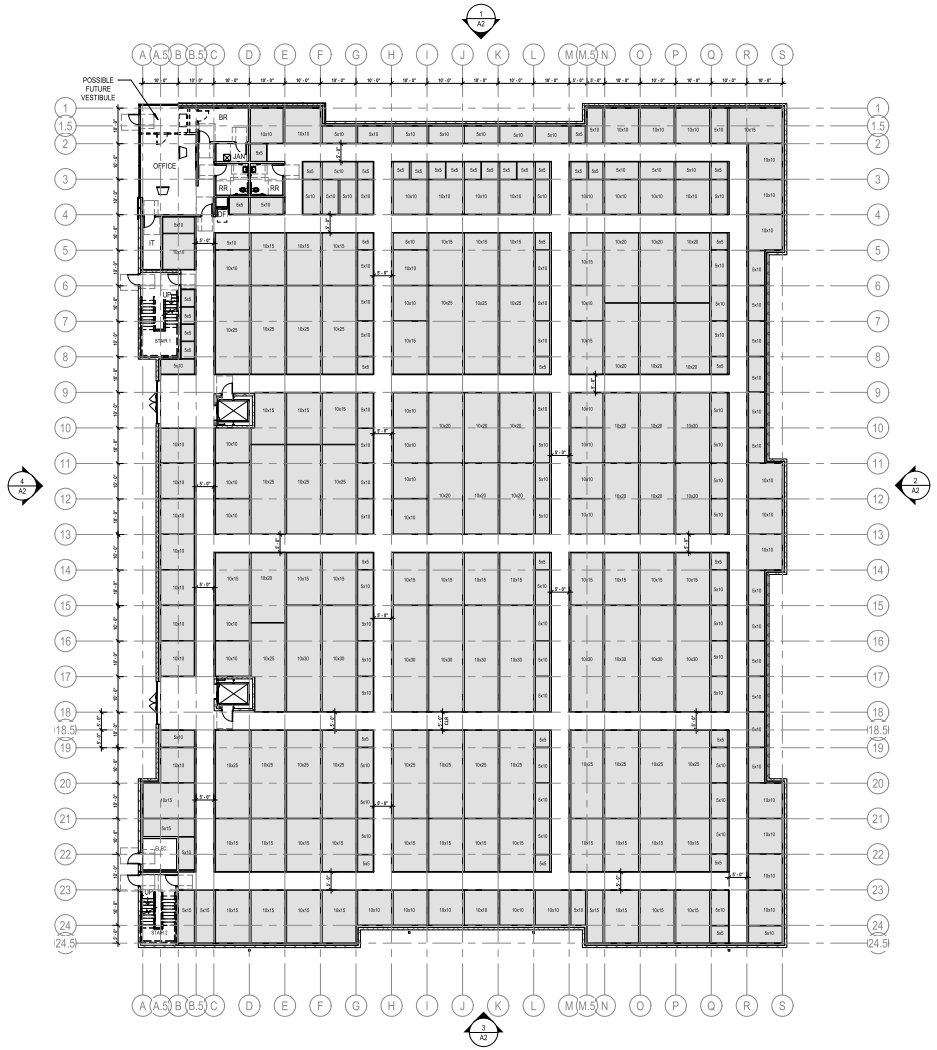
04/25/2023

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0' 20' 40' 100'

SCALE: 1" = 50'-0"

N



1 CONCEPTUAL UNIT MIX - LEVEL 1
SCALE: 1/16" = 1'-0"

HOLLY HILL STORAGE UNIT SCHEDULE

	BUILDING AREA (SF)	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15x20	10x30	TOTAL BY FLOOR
FIRST LEVEL	39,885	0	37	0	83	0	55	4	0	0	0	0	44	19	23	0	10	275
SECOND LEVEL	39,885	0	19	4	82	1	51	5	6	0	2	1	70	36	0	0	0	277
THIRD LEVEL	39,885	0	25	4	69	1	64	5	6	2	2	1	89	21	0	0	0	289
TOTAL BY TYPE:		**0**	**81**	**8**	**234**	**2**	**170**	**14**	**12**	**2**	**4**	**2**	**203**	**76**	**23**	**0**	**10**	**841**

																		TOTAL UNITS
SF		25	25	35	50	60	100	75	70	75	100	120	150	200	250	300	300	
TOTAL SF	**119,655**	0	2,025	280	11,700	120	17,000	1,050	840	150	400	240	30,450	15,200	5,750	0	3,000	88,205 NET RENTABLE
% UNITS (#)		0%	10%	1%	28%	0%	20%	1.7%	1.4%	0.2%	0.5%	0.2%	24%	9%	3%	0%	1%	100%
% UNITS (SF)		0%	2%	0%	13%	0%	19%	1.2%	1.0%	0.2%	0.5%	0.3%	35%	17%	7%	0%	3%	104.88 AVERAGE UNIT
																		73.7% EFFICENCY

ACCESSIBLE STORAGE

CLASS	SMALL					MEDIUM											
	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15X20	10x30
UNITS	0	81	8	234	2	170	14	12	2	4	2	203	76	23	0	10
CLASS TOTAL	325					407							109			
% TOTAL	39%					48%							13%			

ADA UNITS REQUIRED:

	5% of 1st 200		=	10
2% of Remaining	641		=	17
	841			27

ADA UNIT DISPERSAL

Small	38.64%	=	10
Medium	48.39%	=	13
Large	12.96%	=	3

Galloway

HOLLY HILL STORAGE

BRAINTREE PROPERTIES

CONCEPTUAL UNIT MIX - LEVEL 1

04/25/2023

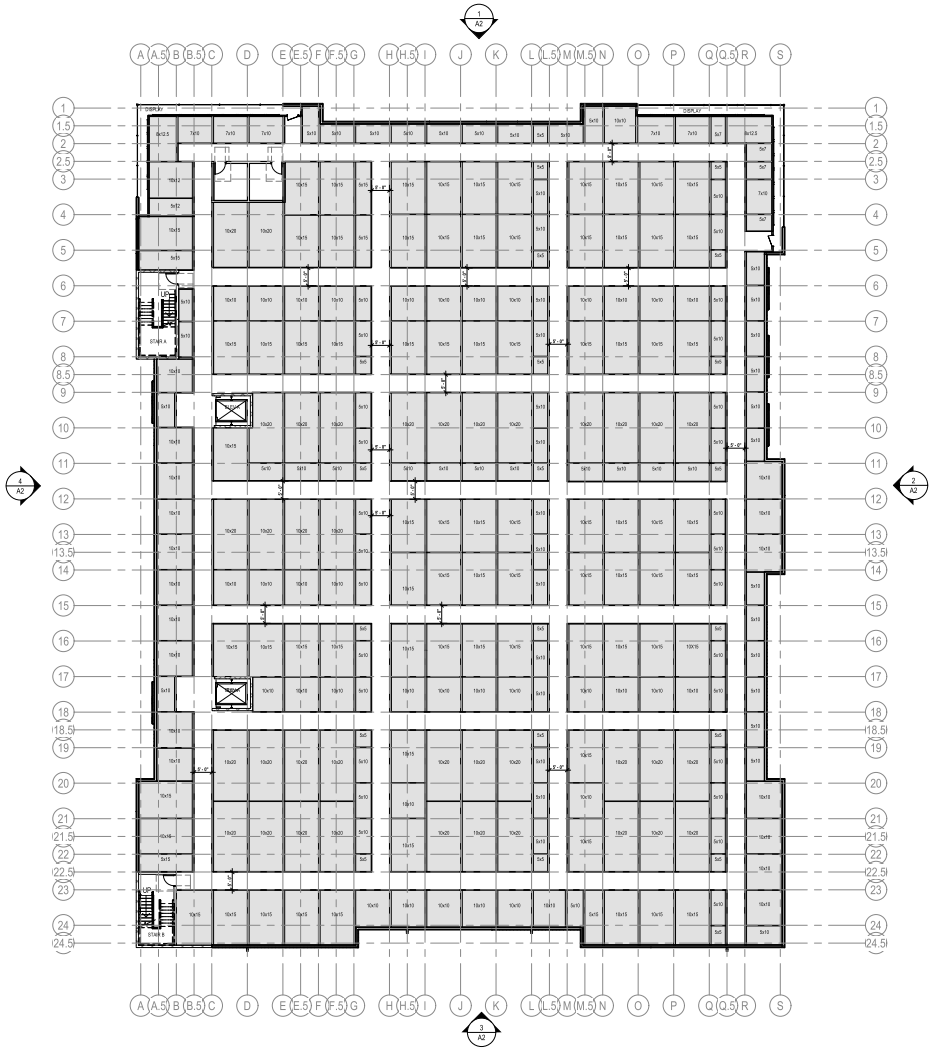
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0' 20' 40' 100'

SCALE: 1/16" = 1'-0"

N

Attachment: Preliminary Development Plan - Exhibit B to the Development Agreement (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704



1 CONCEPTUAL UNIT MIX - LEVEL 2
SCALE: 1/16" = 1'-0"

HOLLY HILL STORAGE UNIT SCHEDULE

	BUILDING AREA (SF)	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15x20	10x30	TOTAL BY FLOOR
FIRST LEVEL	39,885	0	37	0	83	0	55	4	0	0	0	0	44	19	23	0	10	275
SECOND LEVEL	39,885	0	19	4	82	1	51	5	6	0	2	1	70	36	0	0	0	277
THIRD LEVEL	39,885	0	25	4	69	1	64	5	6	2	2	1	89	21	0	0	0	289
TOTAL BY TYPE:		**0**	**81**	**8**	**234**	**2**	**170**	**14**	**12**	**2**	**4**	**2**	**203**	**76**	**23**	**0**	**10**	**841**

																		TOTAL UNITS	
SF		25	25	35	50	60	100	75	70	75	100	120	150	200	250	300	300		
TOTAL SF	**119,655**	0	2,025	280	11,700	120	17,000	1,050	840	150	400	240	30,450	15,200	5,750	0	3,000	88,205	NET RENTABLE
% UNITS (#)		0%	10%	1%	28%	0%	20%	1.7%	1.4%	0.2%	0.5%	0.2%	24%	9%	3%	0%	1%	100%	
% UNITS (SF)		0%	2%	0%	13%	0%	19%	1.2%	1.0%	0.2%	0.5%	0.3%	35%	17%	7%	0%	3%	104.88	AVERAGE UNIT EFFICENCY
																		73.7%	

ACCESSIBLE STORAGE

CLASS	SMALL					MEDIUM										
	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15X20	10x30
UNITS	0	81	8	234	2	170	14	12	2	4	2	203	76	23	0	10
CLASS TOTAL			325						407						109	
% TOTAL			39%						48%						13%	

ADA UNITS REQUIRED:

	5% of 1st 200	=	10
2% of Remaining	641	=	17
	841		27

ADA UNIT DISPERSAL

Small	38.64%	=	10
Medium	48.39%	=	13
Large	12.96%	=	3

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HOLLY HILL STORAGE

BRAINTREE PROPERTIES

CONCEPTUAL UNIT MIX - LEVEL 2

04/25/2023

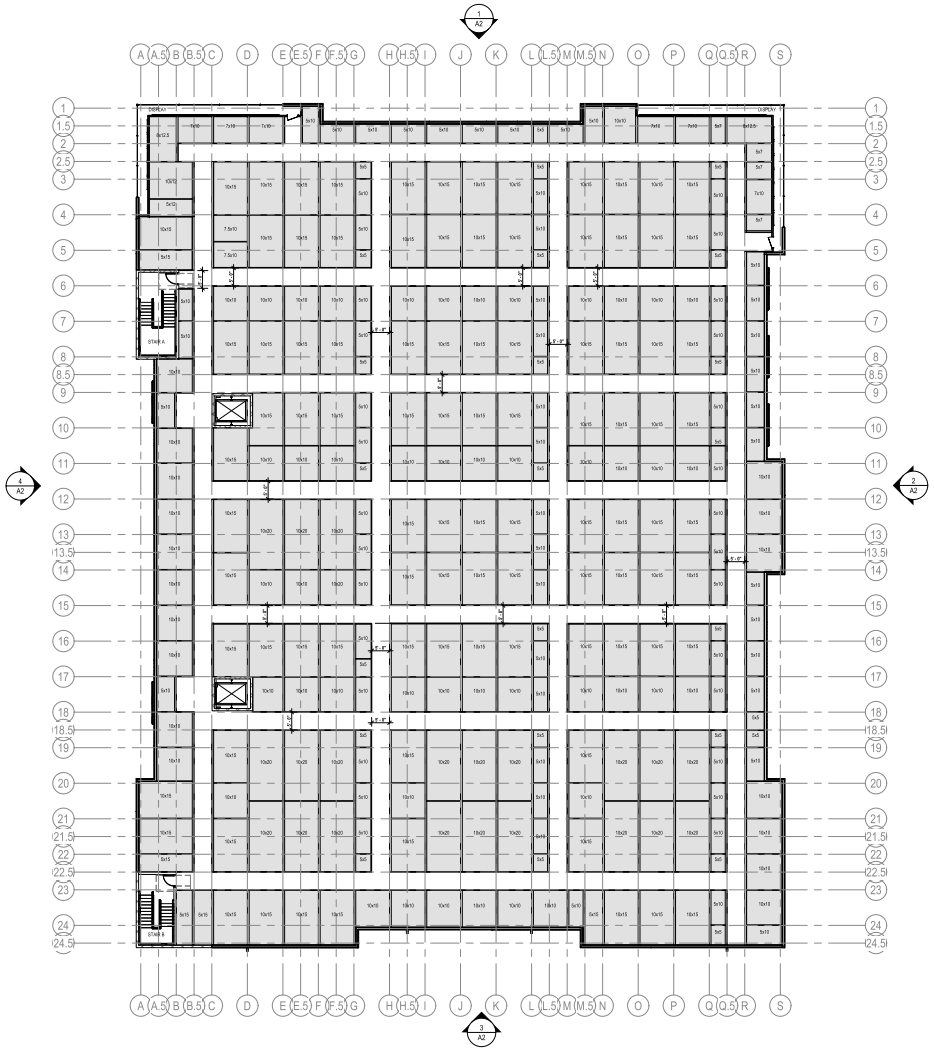
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0' 20' 40' 100'

SCALE: 1/16" = 1'-0"

N

Attachment: Preliminary Development Plan - Exhibit B to the Development Agreement (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704



1 CONCEPTUAL UNIT MIX - LEVEL 3
SCALE: 1/16" = 1'-0"

HOLLY HILL STORAGE UNIT SCHEDULE

	BUILDING AREA (SF)	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15x20	10x30	TOTAL BY FLOOR
FIRST LEVEL	39,885	0	37	0	83	0	55	4	0	0	0	0	44	19	23	0	10	275
SECOND LEVEL	39,885	0	19	4	62	1	51	5	6	0	2	1	70	36	0	0	0	277
THIRD LEVEL	39,885	0	25	4	69	1	64	5	6	2	2	1	89	21	0	0	0	289
TOTAL BY TYPE:		**0**	**81**	**8**	**234**	**2**	**170**	**14**	**12**	**2**	**4**	**2**	**203**	**76**	**23**	**0**	**10**	**841**

SF		25	25	35	50	60	100	75	70	75	100	120	150	200	250	300	300		TOTAL UNITS
TOTAL SF	**119,655**	0	2,025	280	11,700	120	17,000	1,050	840	150	400	240	30,450	15,200	5,750	0	3,000	88,205	NET RENTABLE
% UNITS (#)		0%	10%	1%	28%	0%	20%	1.7%	1.4%	0.2%	0.5%	0.2%	24%	9%	3%	0%	1%	100%	
% UNITS (SF)		0%	2%	0%	13%	0%	19%	1.2%	1.0%	0.2%	0.5%	0.3%	35%	17%	7%	0%	3%	104.88	AVERAGE UNIT
																		73.7%	EFFICENCY

ACCESSIBLE STORAGE

CLASS	SMALL					MEDIUM											
	LOCKER	5x5	5x7	5x10	5x12	10x10	5x15	7x10	7.5x10	8x12.5	10x12	10x15	10x20	10x25	15X20	10x30
UNITS	0	81	8	234	2	170	14	12	2	4	2	203	76	23	0	10
CLASS TOTAL	325					407							109			
% TOTAL	39%					48%							13%			

ADA UNITS REQUIRED:

	5% of 1st 200	=	10
2% of Remaining	641	=	17
	841		27

ADA UNIT DISPERSAL

Small	38.64%	=	10
Medium	48.39%	=	13
Large	12.96%	=	3

Packet Pg. 234

Galloway

HOLLY HILL STORAGE

BRAINTREE PROPERTIES

CONCEPTUAL UNIT MIX - LEVEL 3

04/25/2023

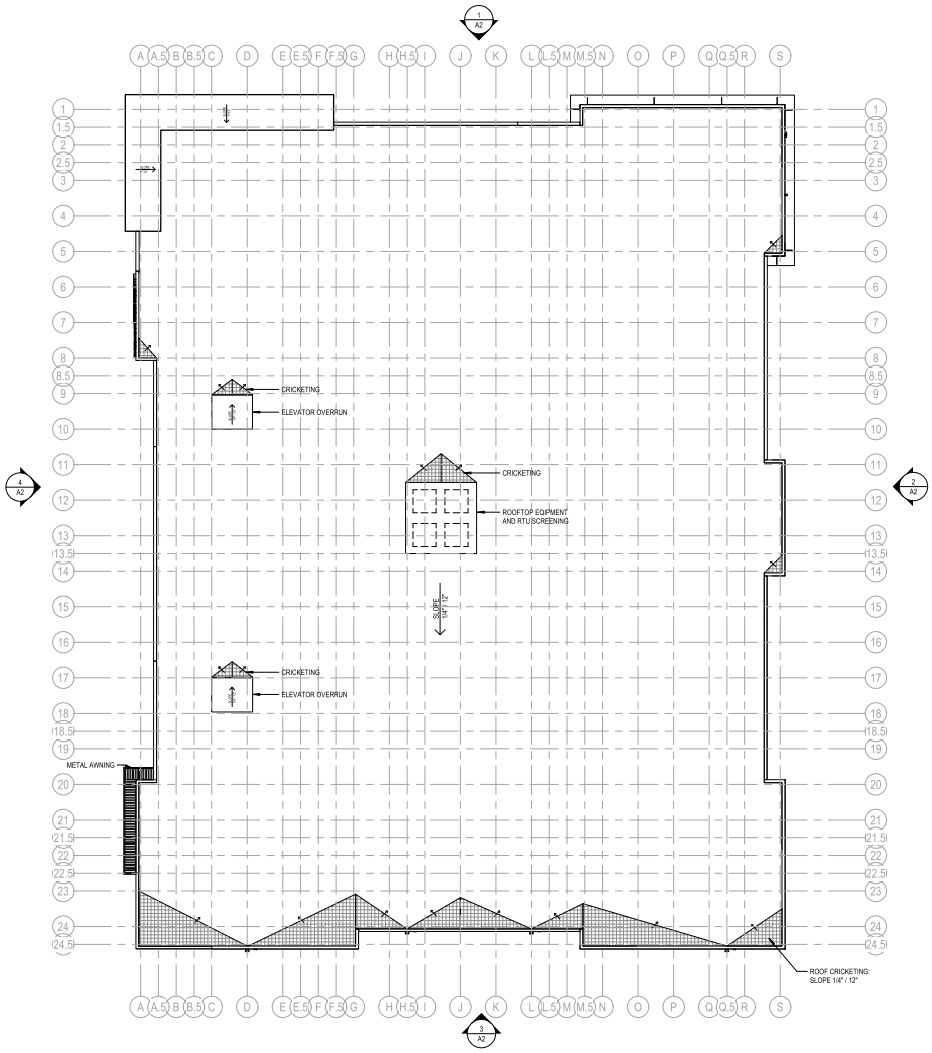
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0' 20' 40' 100'

SCALE: 1/16" = 1'-0"

N

6.1.f



1 ROOF PLAN
SCALE: 1/16" = 1'-0"

HOLLY HILL STORAGE

BRAINTREE PROPERTIES

ROOF PLAN

04/25/2023

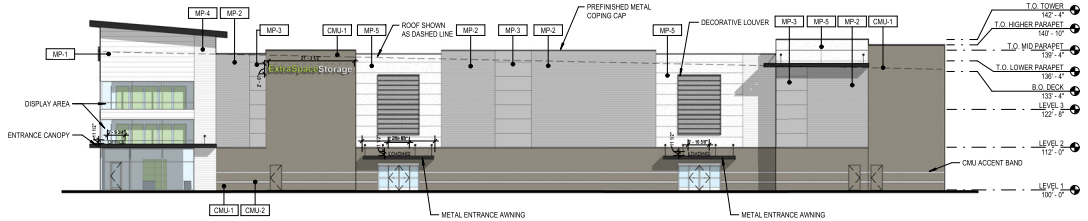
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0' 20' 40' 100'

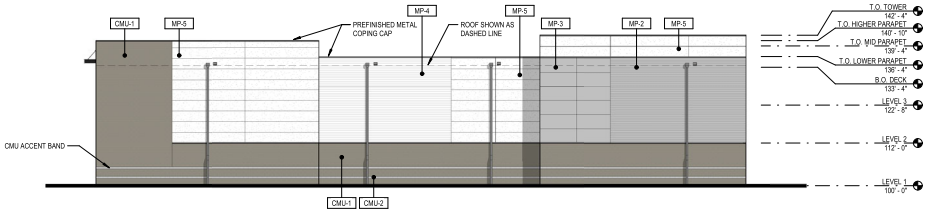
SCALE: 1/16" = 1'-0"

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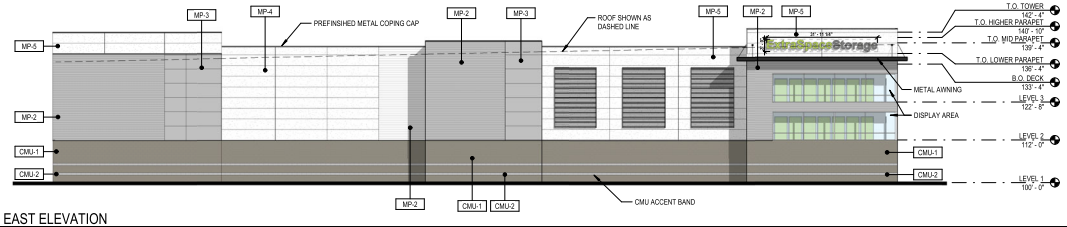
Attachment: Preliminary Development Plan - Exhibit B to the Development Agreement (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704



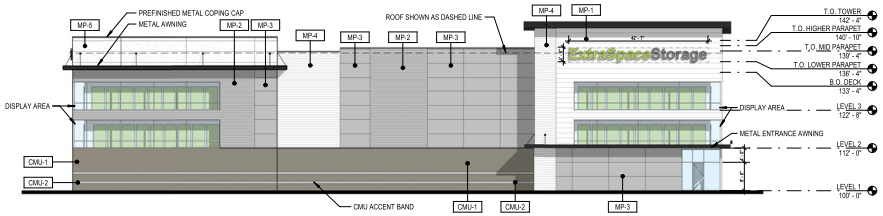
4 WEST ELEVATION
SCALE: 1/16" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



2 EAST ELEVATION
SCALE: 1/16" = 1'-0"



1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"

EXTERIOR MATERIALS LEGEND

LABEL	MATERIAL	COLOR
MP-1	INSULATED METAL PANEL, HORIZONTAL - WIDE	COLOR MATCH SW 'SHASTA WHITE'
MP-2	INSULATED METAL PANEL, HORIZONTAL - CORRUGATED	COLOR MATCH SW 'SILVERSMITH'
MP-3	INSULATED METAL PANEL, SMOOTH	COLOR MATCH SW 'SILVERSMITH'
MP-4	INSULATED METAL PANEL, HORIZONTAL - CORRUGATED	COLOR MATCH SW 'SHASTA WHITE'
MP-5	INSULATED METAL PANEL, GRANITSTONE	COLOR TO MATCH SW 'SHASTA WHITE'
CMU-1	SPLIT FACE CMU BLOCK	TAUPE 909WR
CMU-2	SPLIT FACE CMU BLOCK	LIGHT GRAY
FC-1	FLASHING CAP	COLOR TO MATCH EXTERIOR WALL
MA-1	METAL AWNING	IRON ORE, SW 7069
G-1	1" INSULATED VISION GLAZING	CLEAR LOW-E
AL-1	ALUMINUM WINDOWS AND ENTRY SYSTEMS	ANODIZED ALUMINUM
SSR-1	STANDING SEAM ROOF	BLACK
EP-1	DISPLAY DOORS	PAINT TO MATCH 'WASABI'

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HOLLY HILL STORAGE

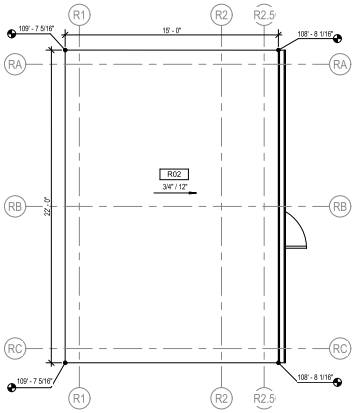
BRAINTREE PROPERTIES

PLANNING ELEVATIONS

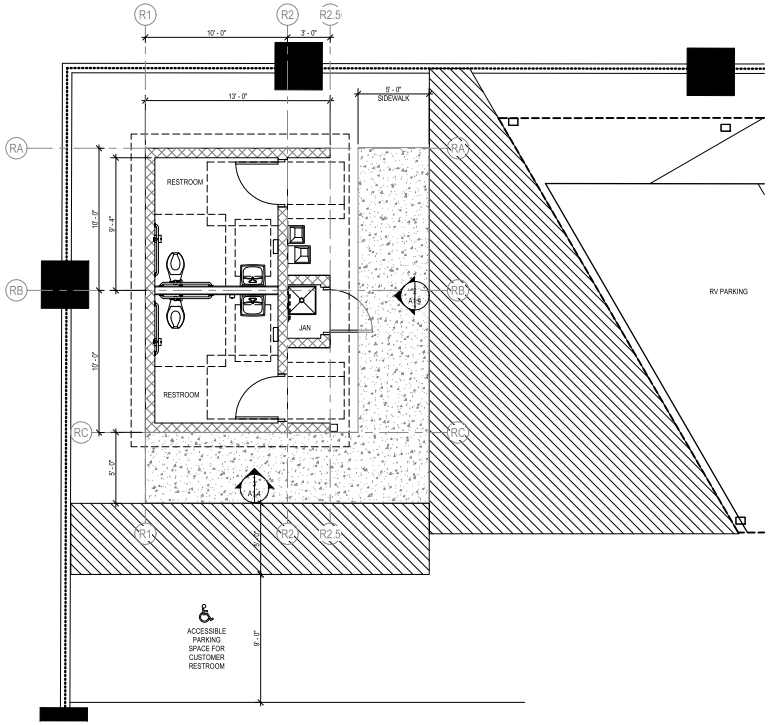
04/25/2023

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Attachment: Preliminary Development Plan - Exhibit B to the Development Agreement (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704

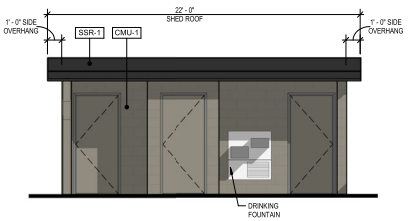


4 RV RESTROOM ROOF PLAN
SCALE: 1/4" = 1'-0"

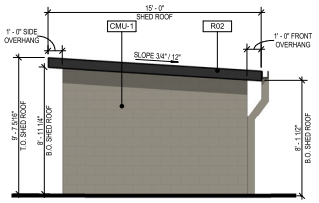


1 RV RESTROOM FLOOR PLAN
SCALE: 1/4" = 1'-0"

EXTERIOR MATERIALS LEGEND		
LABEL	MATERIAL	COLOR
MP-1	INSULATED METAL PANEL, HORIZONTAL - WIDE	COLOR MATCH SW 'SHASTA WHITE'
MP-2	INSULATED METAL PANEL, HORIZONTAL - CORRUGATED	COLOR MATCH SW 'SILVERSMITH'
MP-3	INSULATED METAL PANEL, SMOOTH	COLOR MATCH SW 'SILVERSMITH'
MP-4	INSULATED METAL PANEL, HORIZONTAL - CORRUGATED	COLOR MATCH SW 'SHASTA WHITE'
MP-5	INSULATED METAL PANEL, GRANITSTONE	COLOR TO MATCH SW 'SHASTA WHITE'
CMU-1	SPLIT FACE CMU BLOCK	TAUPE 950WR
CMU-2	SPLIT FACE CMU BLOCK	LIGHT GRAY
FC-1	FLASHING CAP	COLOR TO MATCH EXTERIOR WALL
MA-1	METAL AWNING	IRON ORE, SW 7069
G-1	1" INSULATED VISION GLAZING	CLEAR LOW-E
AL-1	ALUMINUM WINDOWS AND ENTRY SYSTEMS	ANODIZED ALUMINUM
SSR-1	STANDING SEAM ROOF	BLACK
EP-1	DISPLAY DOORS	PAINT TO MATCH 'WASABI'



2 RV RESTROOM ELEVATION FRONT
SCALE: 1/4" = 1'-0"



3 RV RESTROOM ELEVATION SIDE
SCALE: 1/4" = 1'-0"

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HOLLY HILL STORAGE

BRAINTREE PROPERTIES

CONCEPTUAL RV RESTROOM PLAN

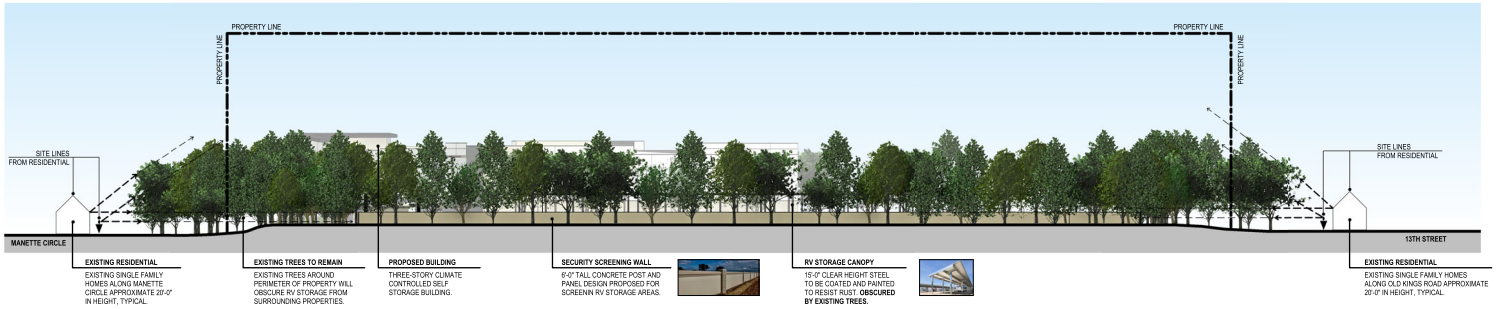
04/25/2023

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0' 20' 40' 100'

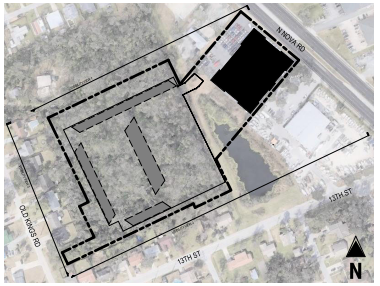
SCALE: 1/4" = 1'-0"

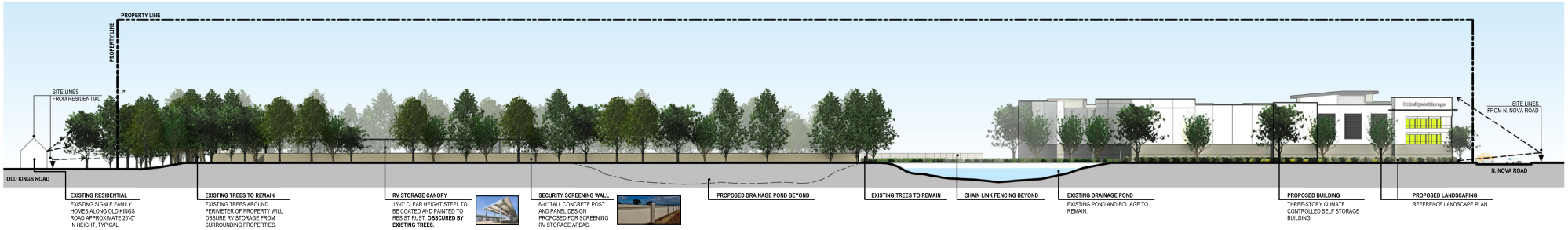
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VISIBILITY EXHIBIT 3

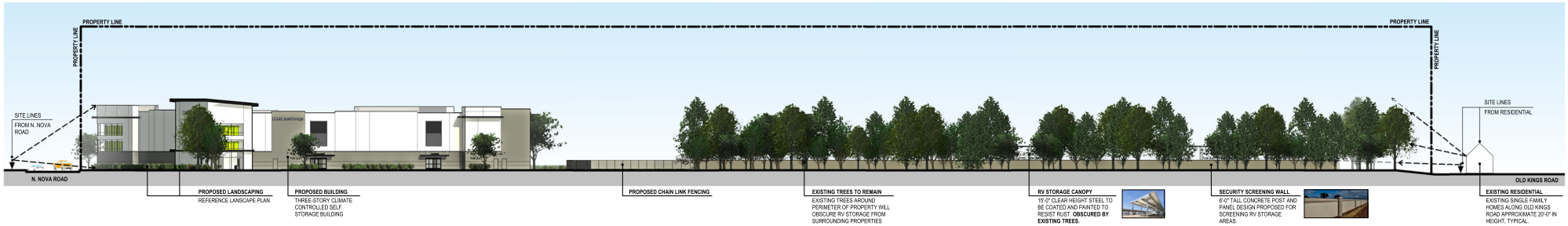
SCALE: 1" = 30'-0"





VISIBILITY EXHIBIT 2

SCALE: 1" = 30'-0"



VISIBILITY EXHIBIT 1

SCALE: 1" = 30'-0"

Galloway

HOLLY HILL STORAGE

BRAINTREE PROPERTIES

VISIBILITY EXHIBIT

04/25/2023

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Attachment: Preliminary Development Plan - Exhibit B to the Development Agreement (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704

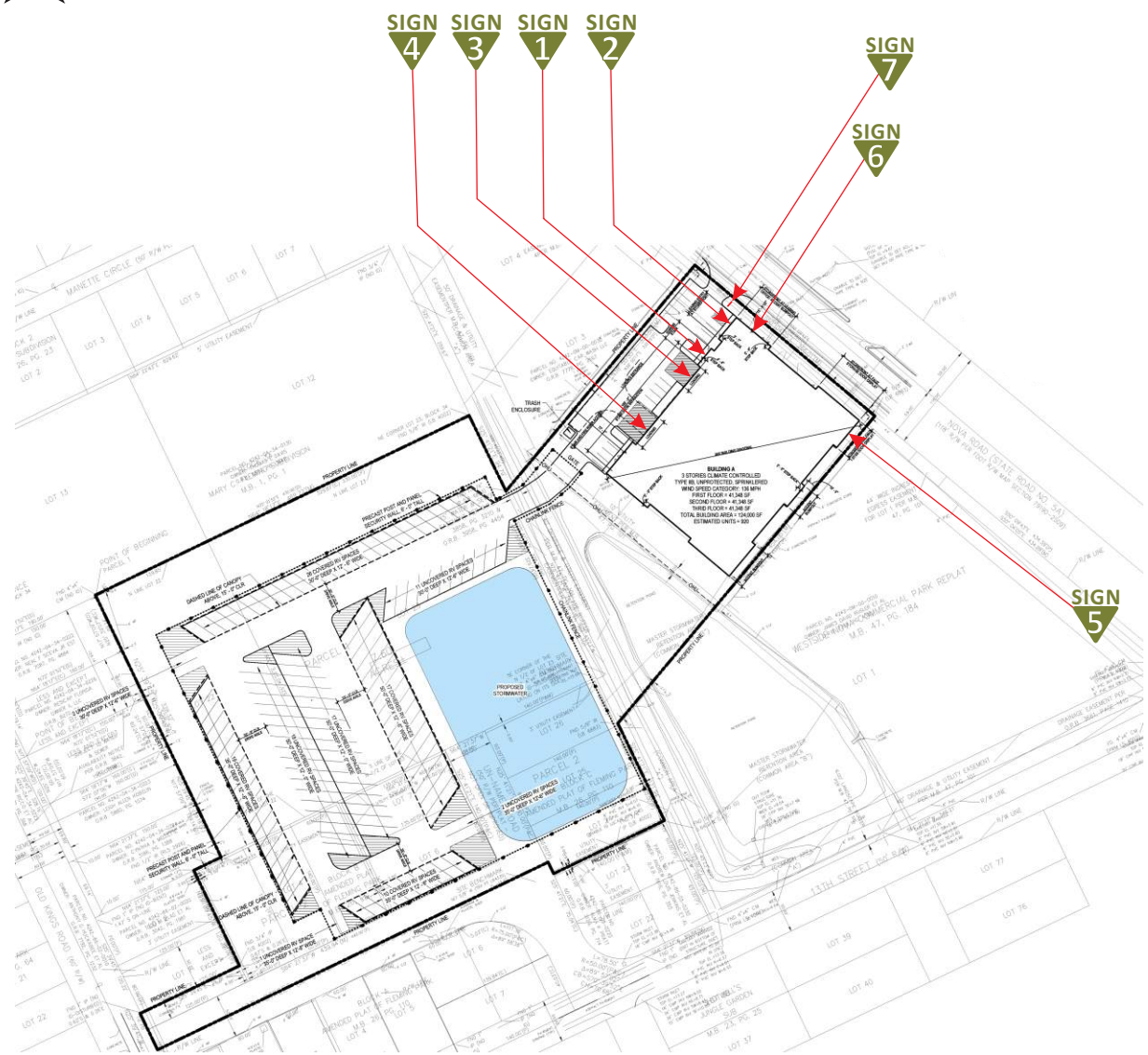
ESS Holly Hill FL
Nova Road & 13th Street
Holly Hill, FL 32117

VIXXO

Dallas Office 2711 LBJ Freeway | Suite 400 | Farmers Branch, TX 75234

sign & lighting

SITE



	SQUARE FEET
SIGN 1	43
SIGN 2 OFFICE	3.6
SIGN 3 LOADING	5.6
SIGN 4 LOADING	5.6
SIGN 5	96
SIGN 6	170
SIGN 7	

ExtraSpaceStorage

ExtraSpaceStorage

ExtraSpaceStorage

ExtraSpaceStorage



RV STORAGE SPACE COUNTS:

30' SPACES COVERED: 26
30' SPACES UNCOVERED: 13
35' SPACES COVERED: 29
35' SPACES UNCOVERED: 3
50' SPACES COVERED: 17
50' SPACES UNCOVERED: 35

TOTAL SPACES: 123

SITE PLAN LEGEND

- CHAINLINK FENCE
- PRECAST CONCRETE SECURITY WALL
- PROPERTY LINE

ExtraSpace Storage

Address Holly

Nova Road & 13th

City Hol

State FL

Account Representative:
Mike Ng

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Notes
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*

Designer
Design # Vx11040
Original Date 04/
Revision Date 04/

All electrical scope to be completed in a U. method and shall meet current N.E.C. stan

UL LISTED

* All electrical components shall be
* Sign shall be grounded per N.E.C.
* Insulated conductors as per N.E.C.
type to be used - metallic insulate
*Disconnect switch as per N.E.C.

VIXX

sign & light

The purchaser agrees to hold the seller harmless against any cause for action for damages which may occur as a

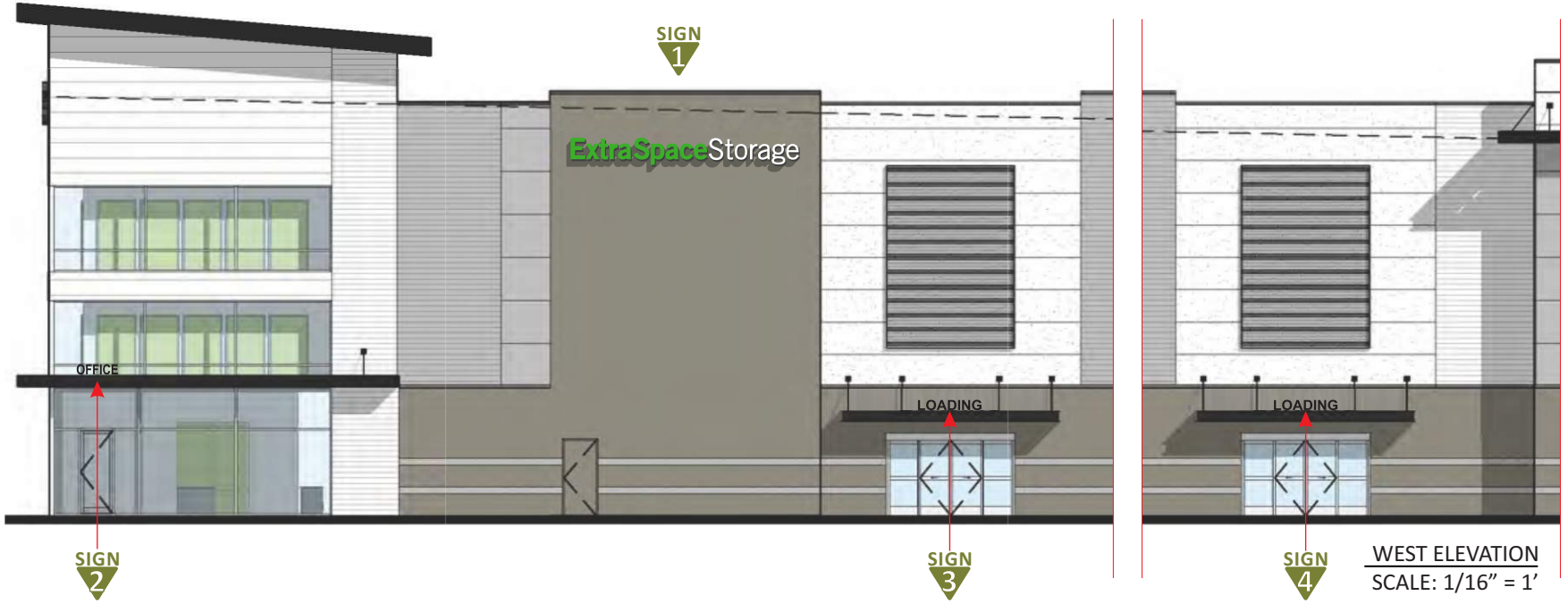
Attachment: Proposed Signage Plan (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

WEST ELEVATION

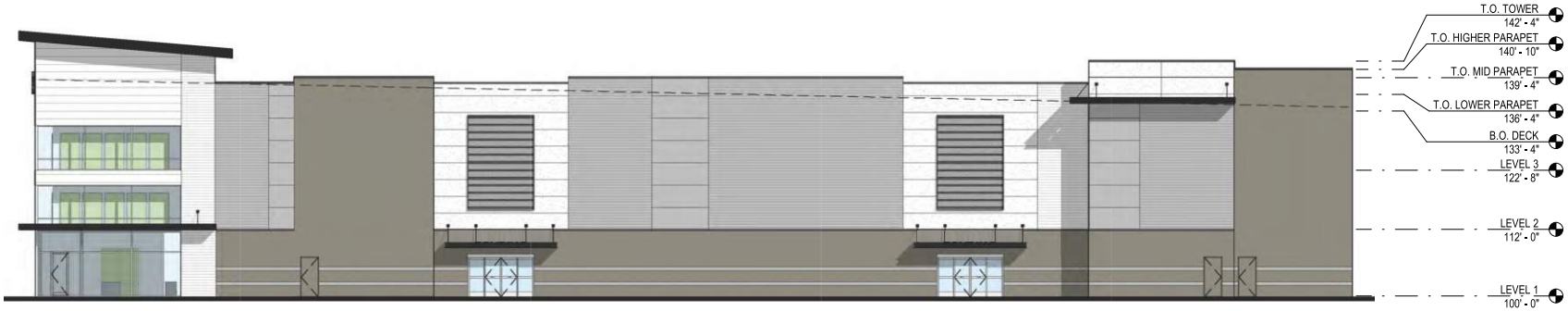
SIGN 1 SCOPE OF WORK:
Manufacture and install 1 set
of raceway mounted channel letters.

SIGN 2 SCOPE OF WORK:
Manufacture and install 1 set
of canopy mounted Office letters.

SIGN 3 SIGN 4 SCOPE OF WORK:
Manufacture and install 1 set
of canopy mounted Loading letters.



WEST ELEVATION
SCALE: 1/16” = 1’



WEST ELEVATION
SCALE: 1/32” = 1’

ExtraSpace Storage

Address Holly
Nova Road & 13th
City Ho
State FL

Account Representative:
Mike Ng

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Notes
*
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*

Designer
Design # Vx11040
Original Date 04/
Revision Date 04/

All electrical scope to be completed in a U. method and shall meet current N.E.C. stan

UL LISTED

* All electrical components shall be
* Sign shall be grounded per N.E.C.
* Insulated conductors as per N.E.C.
type to be used - metallic insulate
*Disconnect switch as per N.E.C.

VIXX
sign & light

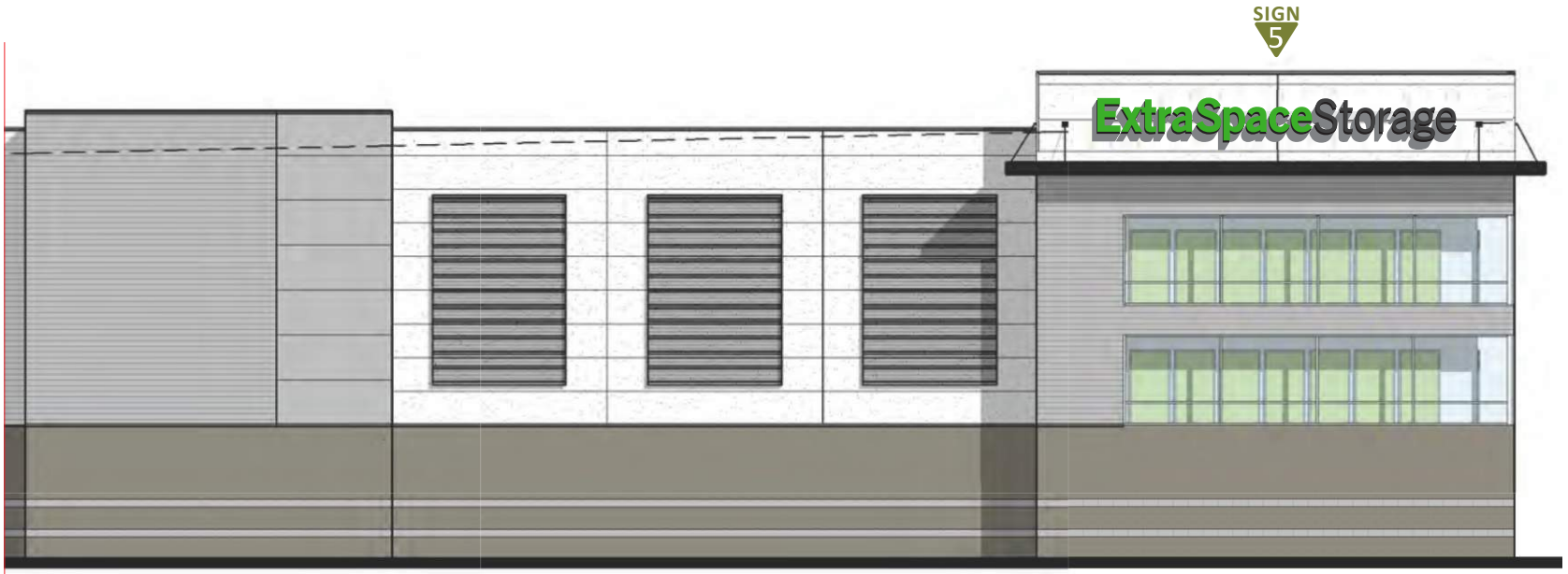
The purchaser agrees to hold the seller harmless against any cause for action for damages which may occur as a

Attachment: Proposed Signage Plan (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

EAST ELEVATION

SIGN 5

SCOPE OF WORK:
Manufacture and install 1 set
of raceway mounted channel letters.



EAST ELEVATION
SCALE: 1/16” = 1’



EAST ELEVATION
SCALE: 1/32” = 1’

ExtraSpace Storage

Address Holly

Nova Road & 13th

City Hol

State FL

Account Representative:
Mike Ng

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Notes
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*

Designer
Design # Vx11040
Original Date 04/
Revision Date 04/

All electrical scope to be completed in a U. method and shall meet current N.E.C. stan

UL LISTED

* All electrical components shall be
* Sign shall be grounded per N.E.C.
* Insulated conductors as per N.E.C. C type to be used - metallic insulate
*Disconnect switch as per N.E.C. C

VIXX

sign & light

page 4

The purchaser agrees to hold the seller harmless against any cause for action for damages which may occur as a

Attachment: Proposed Signage Plan (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

NORTH ELEVATION

SIGN 6

SCOPE OF WORK:
Manufacture and install 1 set
of raceway mounted channel letters.

SIGN 6



NORTH ELEVATION
SCALE: 1/16” = 1’



NORTH ELEVATION
SCALE: 1/32” = 1’

ExtraSpace Storage

Address Holly

Nova Road & 13th

City Hol

State FL

Account Representative:
Mike Ng

This design and engineer submitted as our proposa the right to use or exhibit form, is not authorized wi written permission by

Notes
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*

Designer
Design # Vx11040
Original Date 04/
Revision Date 04/

All electrical scope to be completed in a U. method and shall meet current N.E.C. stan

UL LISTED

* All electrical components shall be
* Sign shall be grounded per N.E.C.
* Insulated conductors as per N.E.C.
type to be used - metallic insulate
*Disconnect switch as per N.E.C.

VIXX

sign & light

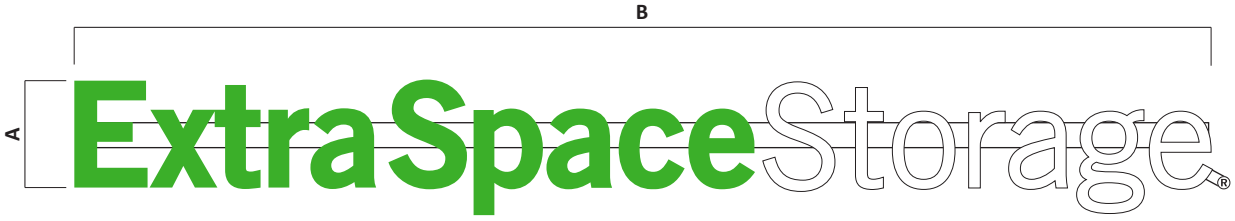
The purchaser agrees to hold the seller harmless against any cause for action for damages which may occur as a

Attachment: Proposed Signage Plan (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

RACEWAY MOUNT CHANNEL LETTERS

SIGN 1

A	B	SQUARE FEET
2’-0”	21’-3 ½”	43

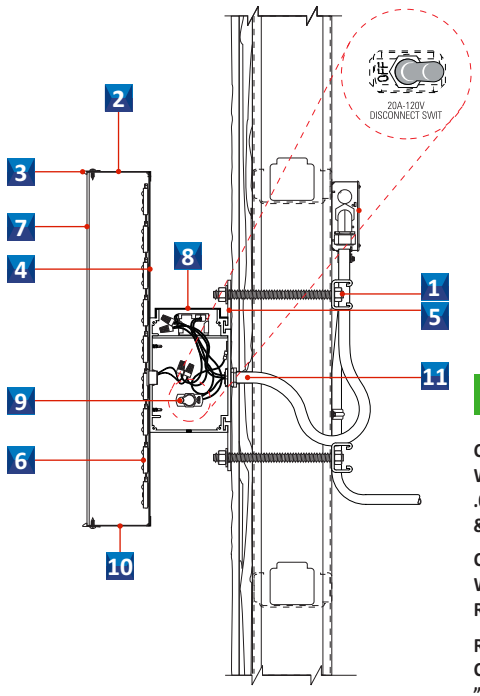




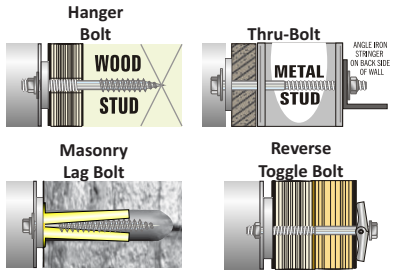
SPECIFICATION

1. NON-CORROSIVE INSTALLATION HARDWARE: GALVANIZED
2. 5” FABRICATED ALUMINUM LETTER RETURNS PRE-PAINTED GLOSS BLACK SEE MFG. NOTE FOR GUAGE.
3. TRIM CAP RETAINER DOVE GRAY
4. FLAT ALUMINUM BACK
5. ¼” THICK METAL FLAT BAR FOR A SECURE INSTALLATION
6. ESS APPROVED WHITE LED
7. 3/16” #7328 ACRYLIC FACE WHITE WITH 1ST SURFACE TRANSLUCENT VINYL AS SHOWN
8. LOW VOLTAGE ELECTRONIC POWER SUPPLY MOUNTED IN A 7 ¼” X 7 ¼” EXTRUDED .050 ALUM. RACEWAY SUPPORT/WIRING BOX PAINTED TAUPE 900WR
9. VISIBLE CUT-OFF SWITCH WITH FLIP-UP COVER
10. ¼” WEEP HOLES (2) TWO PER LETTER
11. GROUNDED WALL PASS-THRU SEALED WATER TIGHT. WHIP ON LEFT SIDE.

SECTION DETAIL



MOUNTING DETAILS



*All Hardware to be Galvanized and Non Corrosive

COLOR SCHEDULE

GREEN
3M™ Scotchcal™ - 3630-106 Brilliant Green - Translucent Vinyl
3M™ Scotchcal™ - 3660M Matte Overlaminate

WHITE
3/16” White Acrylic

GREY
Dove Grey Trimcap

BLACK
Black Pre-painted Coil

MANUFACTURING NOTES

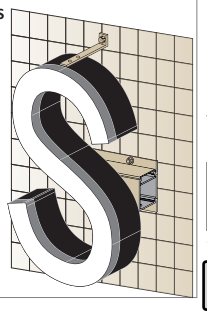
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REGISTRATION MARK TO BE BLACK VINYL ON CLEAR ACRYLIC TAB ATTACHED TO BACK OF ”e” CHANNEL LETTER.

BRACING DETAIL

WHEN NEEDED SUPPORTS TO BE .090” ALUMINUM PAINTED TO MATCH RW POP-RIVITED TO RETURN (FACING UP TO HIDE FROM SIGHT)



ExtraSpace Storage

Address Holly

Nova Road & 13th

City Ho

State FL

Account Representative: Mike Ng

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Notes
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Designer
Design # Vx11040
Original Date 04/
Revision Date 04/

All electrical scope to be completed in a U. method and shall meet current N.E.C. stan

UL LISTED

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* Insulated conductors as per N.E.C.
type to be used - metallic insulate
*Disconnect switch as per N.E.C.

VIXX sign & light

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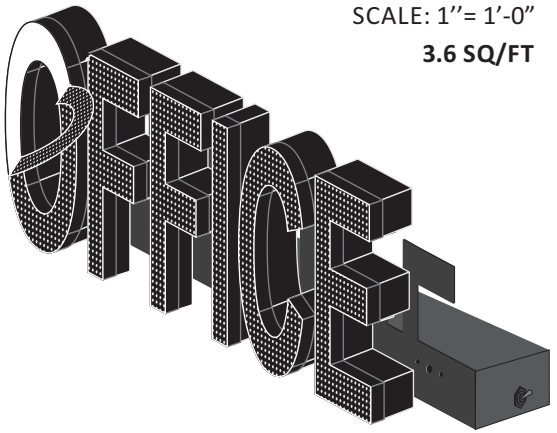
Attachment: Proposed Signage Plan (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road

CANOPY OFFICE SIGN

SIGN 2

SCALE: 1''= 1'-0"

3.6 SQ/FT

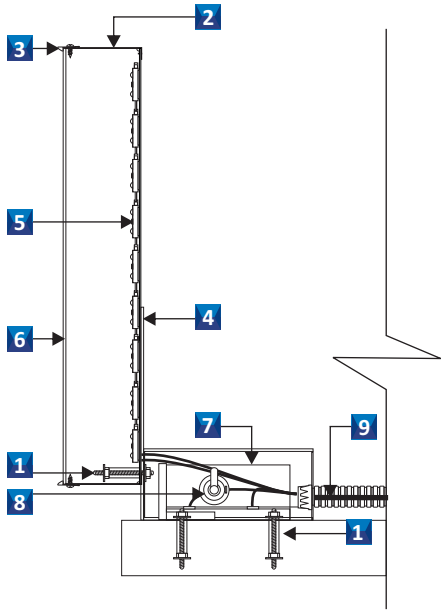




SPECIFICATIONS

1. NON-CORROSIVE #10 ¼" PITCH SCREW GALVANIZED
2. 3" FABRICATED ALUMINUM LETTER RETURNS SEE MFG. NOTE FOR GAGE. GLOSS BLACK PAINT INTERIOR WITH LIGHT ENHANCING PAINT
3. TRIM CAP RETAINER - BLACK
4. FLAT ALUMINUM BACK MOUNTED TO 1/2 HEIGHT ALUMINUM PLATE ATTACHED BY NON-CORROSIVE #10 ¼" PITCH SCREW - GALVANIZED
5. WHITE CLIENT APPROVED LED
6. 3/16" #2447 ACRYLIC FACE WITH 1ST SURFACE BLACK PERFORATED VINYL
7. LOW VOLTAGE ELECTRONIC POWER SUPPLY MOUNTED IN A 0.063" ALUM. RACEWAY SUPPORT / WIRING BOX (3" X 7" X 45 3/4") PAINTED SW7069 – IRON ORE
8. VISIBLE DISCONNECT SWITCH
9. DEDICATED ELECTRICAL IN FLEX CONDUIT SEALED WATER TIGHT AT WALL PENITRATIONS.

SECTION



COLOR SCHEDULE

BLACK
3M™ 3635 Dual-Color Film Black
3M™ Scotchcal™ 3660M Matte-Overlaminate – Environmental/UV Protectant

GREY
SW 7069 Iron Ore

WHITE
3/16" White Acrylic

BLACK
Black Pre-painted Coil
Black 1" Trimcap

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VIXX

sign & light

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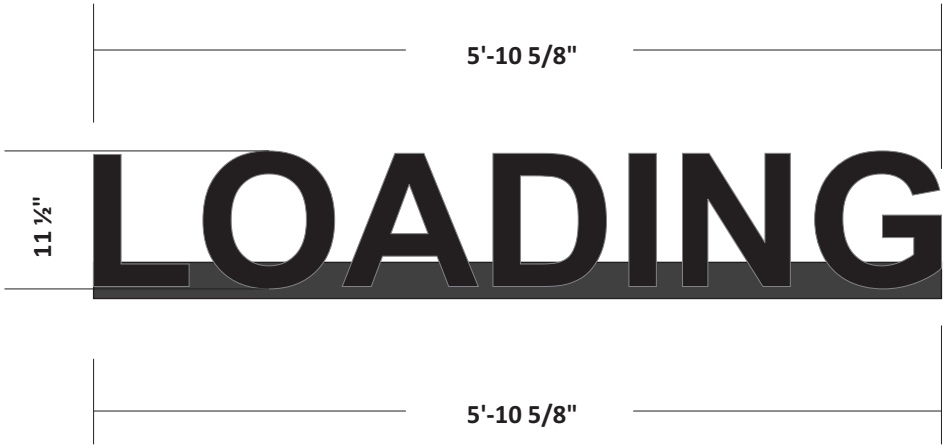
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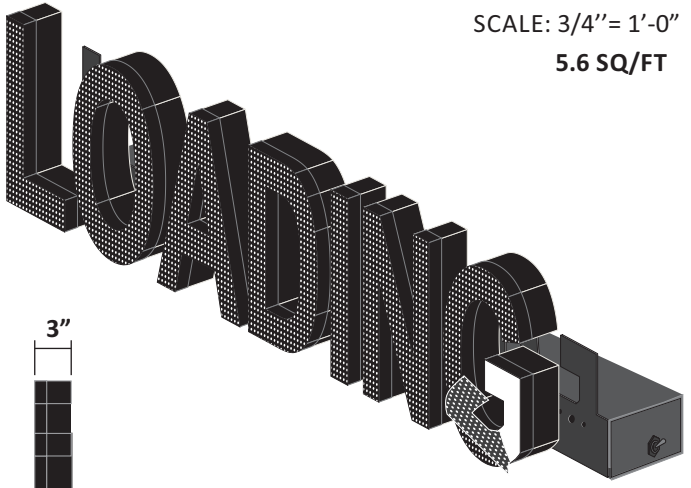
CANOPY LOADING SIGN

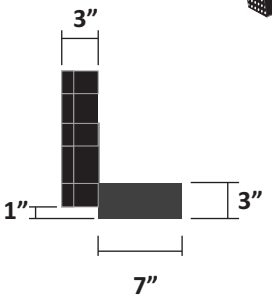
SIGN 3 SIGN 4

SCALE: 3/4''= 1'-0"

5.6 SQ/FT



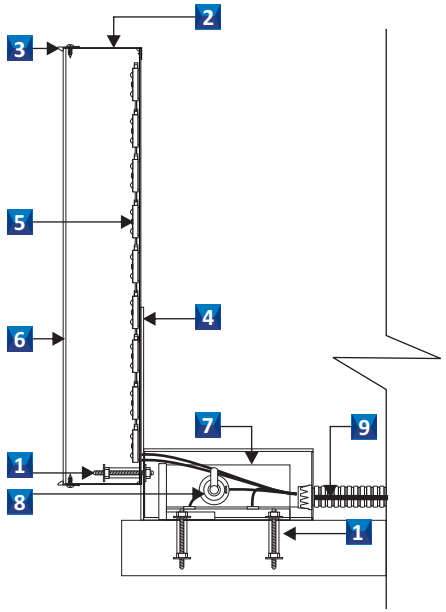




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SECTION



COLOR SCHEDULE

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3M™ 3635 Dual-Color Film Black
3M™ Scotchcal™ 3660M Matte-Overlaminate – Environmental/UV Protectant

GREY

SW 7069 Iron Ore

WHITE

3/16" White Acrylic

BLACK

Black Pre-painted Coil
Black 1" Trimcap

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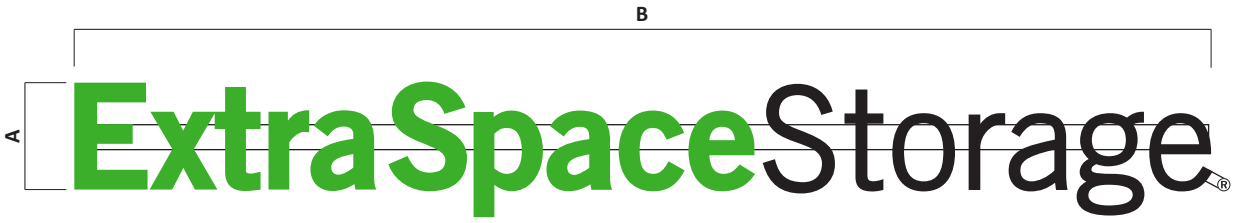
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RACEWAY MOUNT CHANNEL LETTERS

	A	B	SQUARE FEET
	3'-0"	31'-11 1/4"	96

SIGN 5

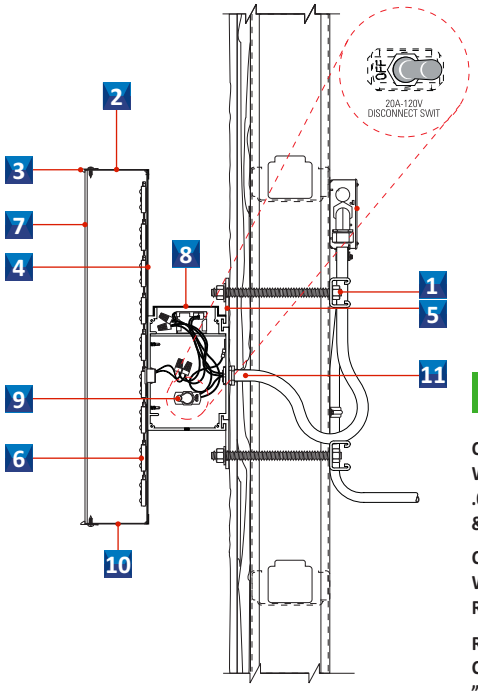




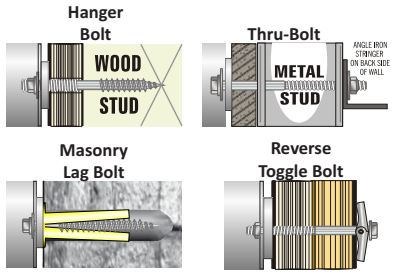
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6. ESS APPROVED WHITE LED
7. 3/16" #7328 ACRYLIC FACE WHITE WITH 1ST SURFACE TRANSLUCENT & PERFORATED VINYL AS SHOWN
8. LOW VOLTAGE ELECTRONIC POWER SUPPLY MOUNTED IN A 7 ¼" X 7 ¼" EXTRUDED .050 ALUM. RACEWAY SUPPORT/WIRING BOX PAINTED SW 7063 NEBULOUS WHITE
9. VISIBLE CUT-OFF SWITCH WITH FLIP-UP COVER
10. ¼" WEEP HOLES (2) TWO PER LETTER
11. GROUNDED WALL PASS-THRU SEALED WATER TIGHT. WHIP ON LEFT SIDE.

SECTION DETAIL



MOUNTING DETAILS



*All Hardware to be Galvanized and Non Corrosive

COLOR SCHEDULE

GREEN
3M™ Scotchcal™ - 3630-106 Brilliant Green - Translucent Vinyl
3M™ Scotchcal™ - 3660M Matte Overlaminate

WHITE
3/16" White Acrylic

BLACK
3M™ 3635 Dual-Color Film Black
3M™ Scotchcal™ 3660M Matte-Overlaminate – Environmental/UV Protectant

BLACK
Black Pre-painted Coil

GREY
Dove Grey Trimcap

MANUFACTURING NOTES

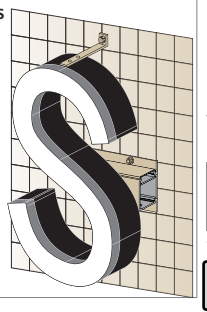
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REGISTRATION MARK TO BE BLACK VINYL ON CLEAR ACRYLIC TAB ATTACHED TO BACK OF "e" CHANNEL LETTER.

BRACING DETAIL

WHEN NEEDED SUPPORTS TO BE .090" ALUMINUM PAINTED TO MATCH RW POP-RIVITED TO RETURN (FACING UP TO HIDE FROM SIGHT)



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VIXX sign & light

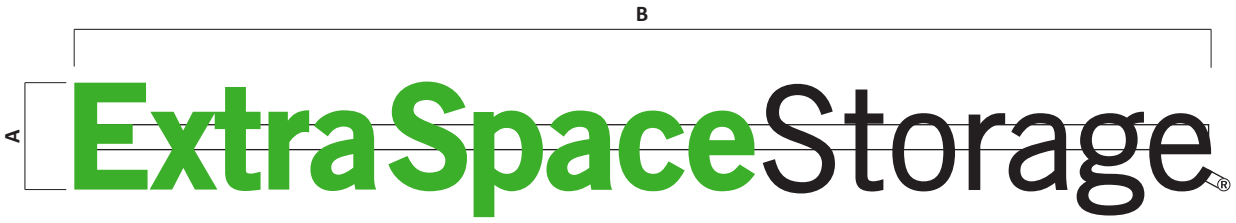
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RACEWAY MOUNT CHANNEL LETTERS

A	B	SQUARE FEET
4’-0”	42’-7”	170

SIGN 6

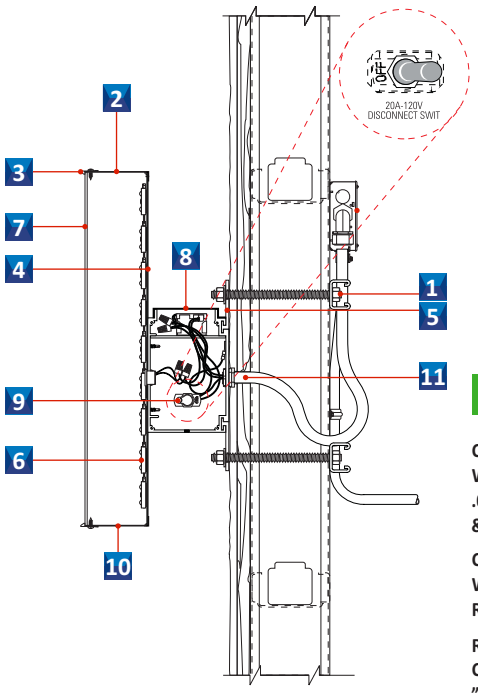




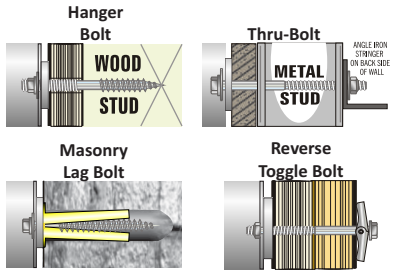
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SECTION DETAIL



MOUNTING DETAILS



*All Hardware to be Galvanized and Non Corrosive

COLOR SCHEDULE

GREEN
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3M™ Scotchcal™ - 3660M Matte Overlaminate

WHITE
3/16” White Acrylic

BLACK
3M™ 3635 Dual-Color Film Black
3M™ Scotchcal™ 3660M Matte-Overlaminate – Environmental/UV Protectant

BLACK
Black Pre-painted Coil

GREY
Dove Grey Trimcap

MANUFACTURING NOTES

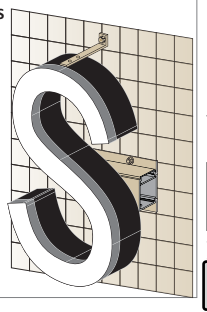
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VIXX sign & light

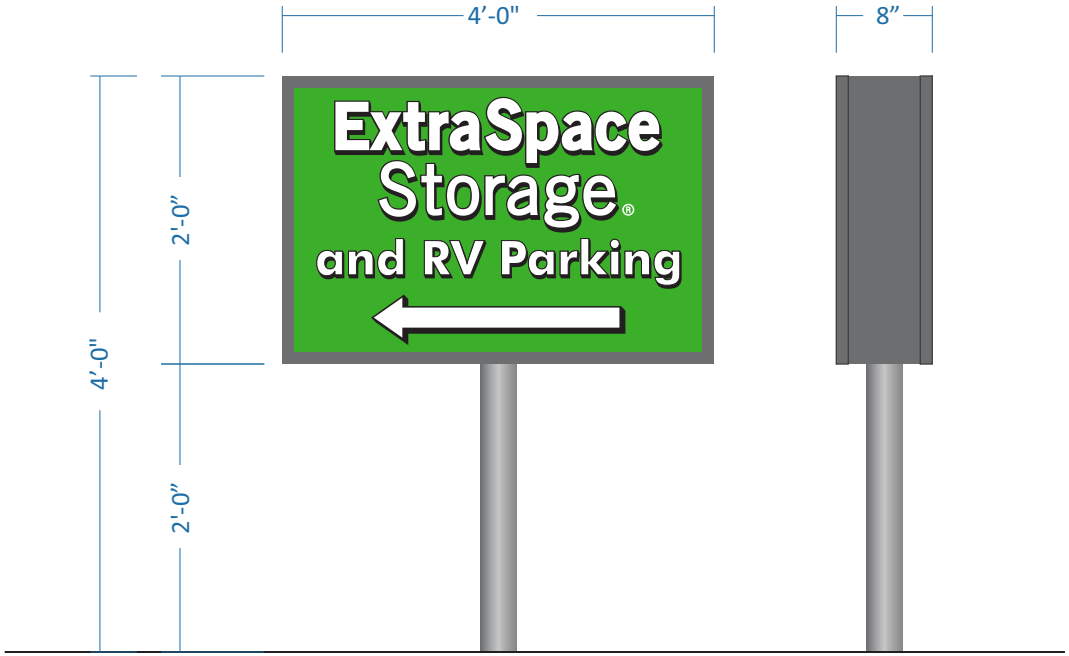
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DOUBLE FACE ILLUMINATED DIRECTIONAL SIGN

SIGN 7

SCALE 3/4”=1’

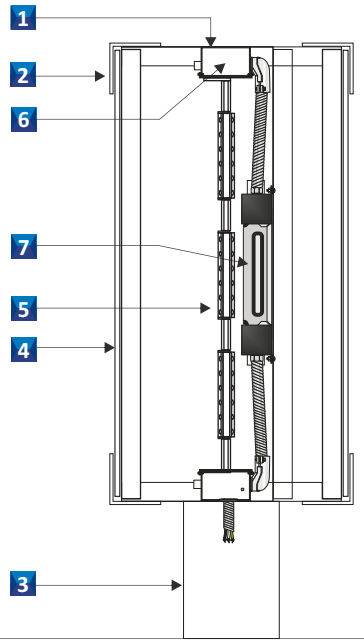


OPPOSITE SIDE
(ARROW IS NOT A MIRROR IMAGE)

SPECIFICATIONS

1. .080” ALUMINUM CABINET PAINTED SW 7067 CITY SCAPE
2. ALUMINUM RETAINER SYSTEM PAINTED TO MATCH CABINET (ADDITIONAL CLIPS AS NEEDED TO ENSURE SMOOTH)
3. POLE PAINTED SW 7067 CITY SCAPE
4. WHITE LEXAN FACE WITH APPLIED VINYL GRAPHICS (SEE SCHEDULE) OVER LAMINATE GRAFFITI PROOF VINYL
5. VIXXO APPROVED LED LIGHTING SYSTEM.
6. STRUCTURE SUPPORT BRACKET W/WIREWAY
7. ELECTRONIC POWER SUPPLY

SIDE SECTION VIEW



COLOR SCHEDULE

GREEN
3M™ Scotchcal™ 3630-106 Brilliant Green Translucent Vinyl
3M™ Scotchcal™ 3660M Matte Overlaminate

BLACK
3M™ Scotchcal™ 3630-22 Black Vinyl

GREY
SW 7067 City Scape

WHITE
3/16” White Lexan

CLEAR
Clear graffiti proof vinyl

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CONCEPTUAL SKETCH | AERIAL VIEW FROM NORTHEAST

Galloway

Mike Carter CONSTRUCTION · INC

BRAINTREE GROUP

Holly Hill Storage Conceptual Design

BrainTree Properties

APRIL 29, 2023

Attachment: Renderings (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



CONCEPTUAL SKETCH | AERIAL VIEW FROM NORTHWEST

Galloway

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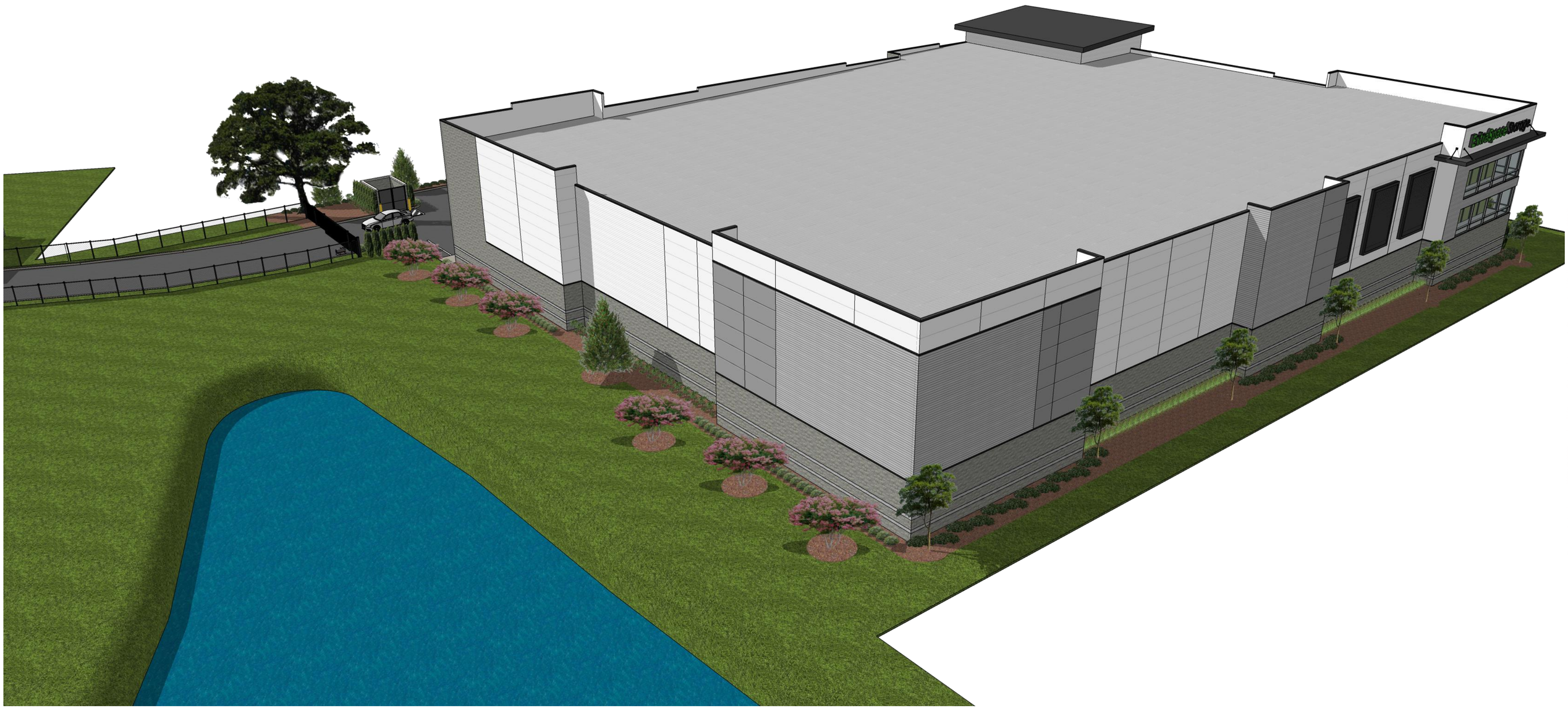
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CONCEPTUAL SKETCH | AERIAL VIEW FROM SOUTHEAST

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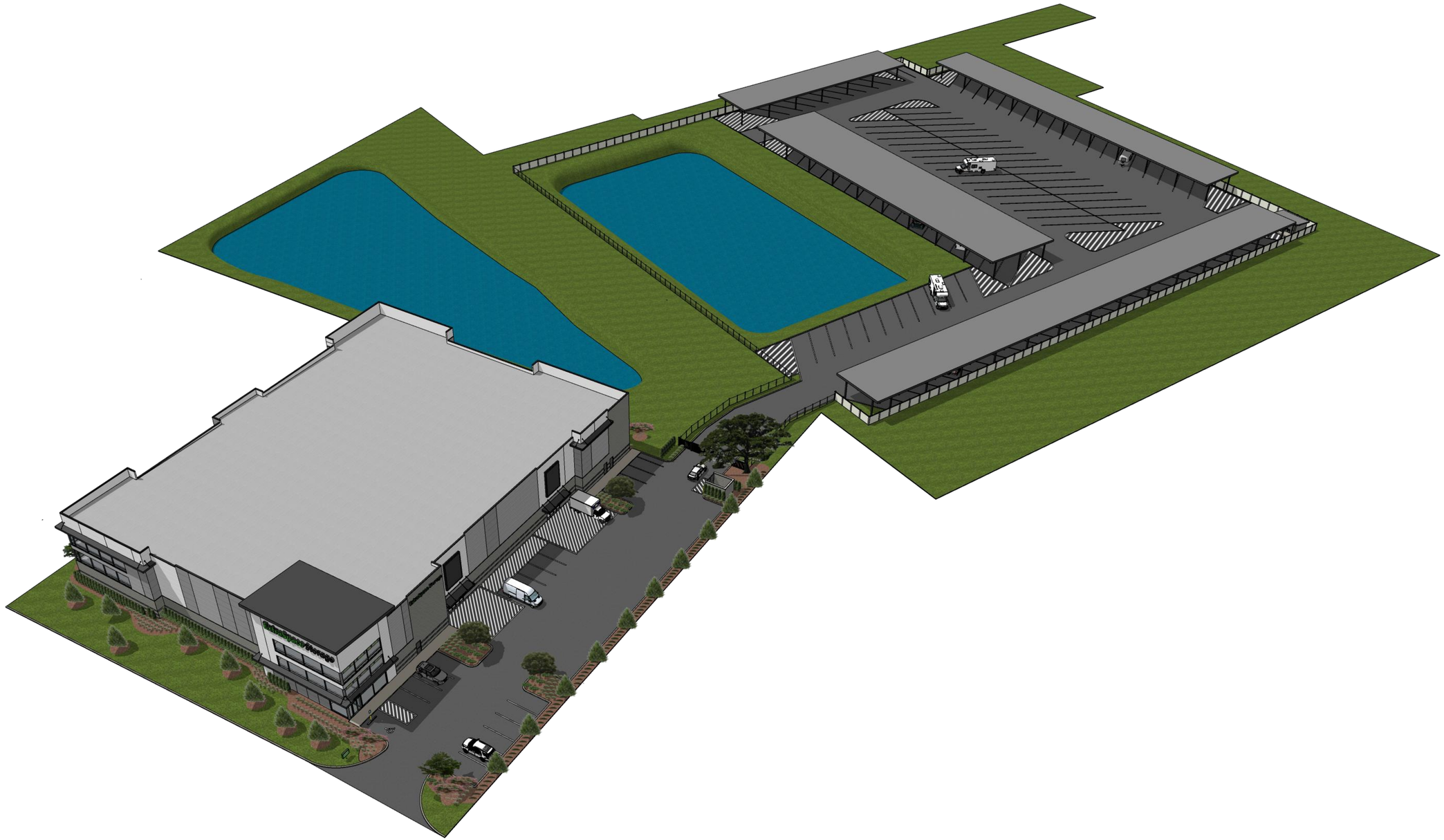
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CONCEPTUAL SKETCH | FULL SITE AERIAL VIEW FROM NORTHWEST

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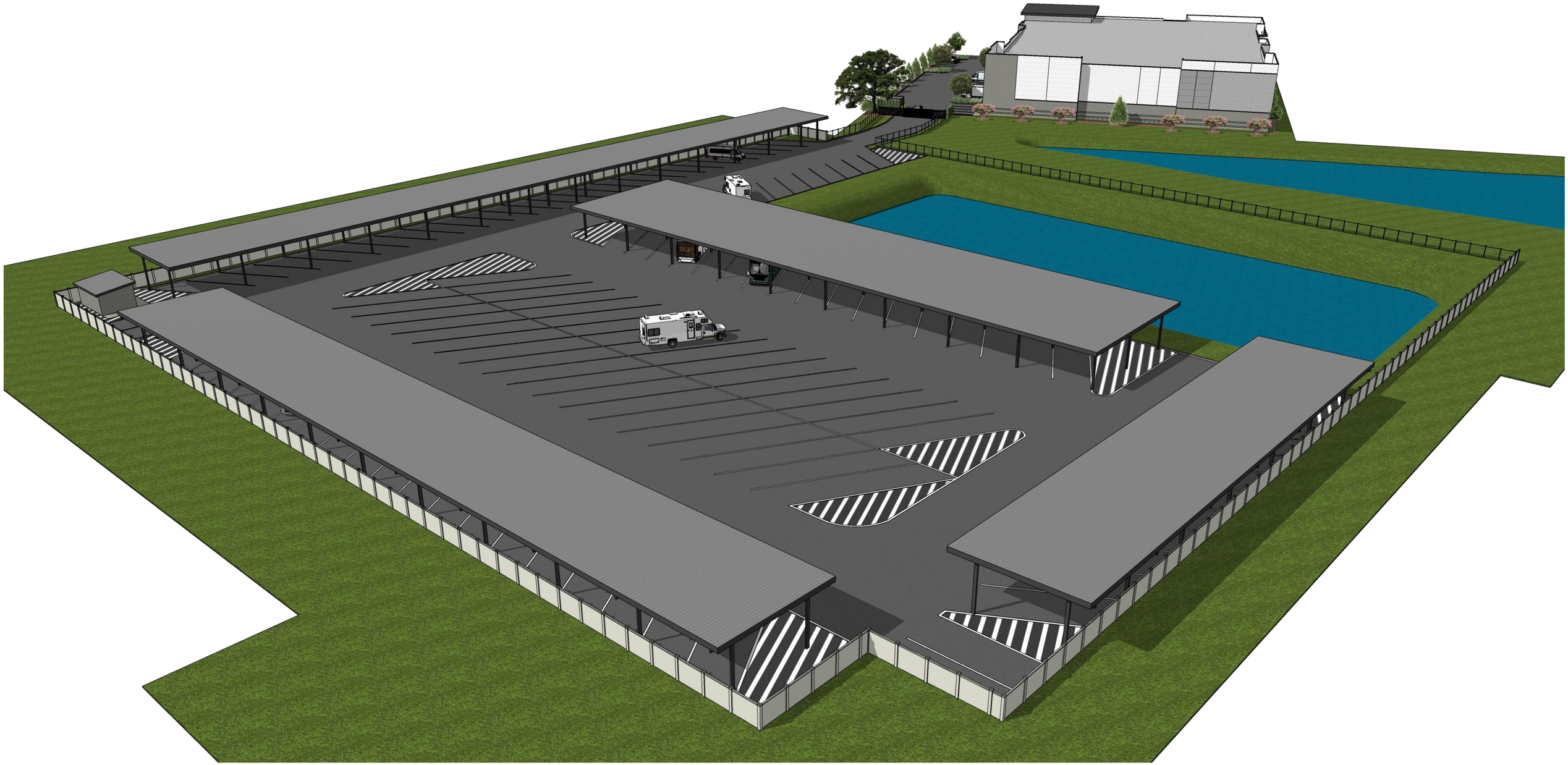
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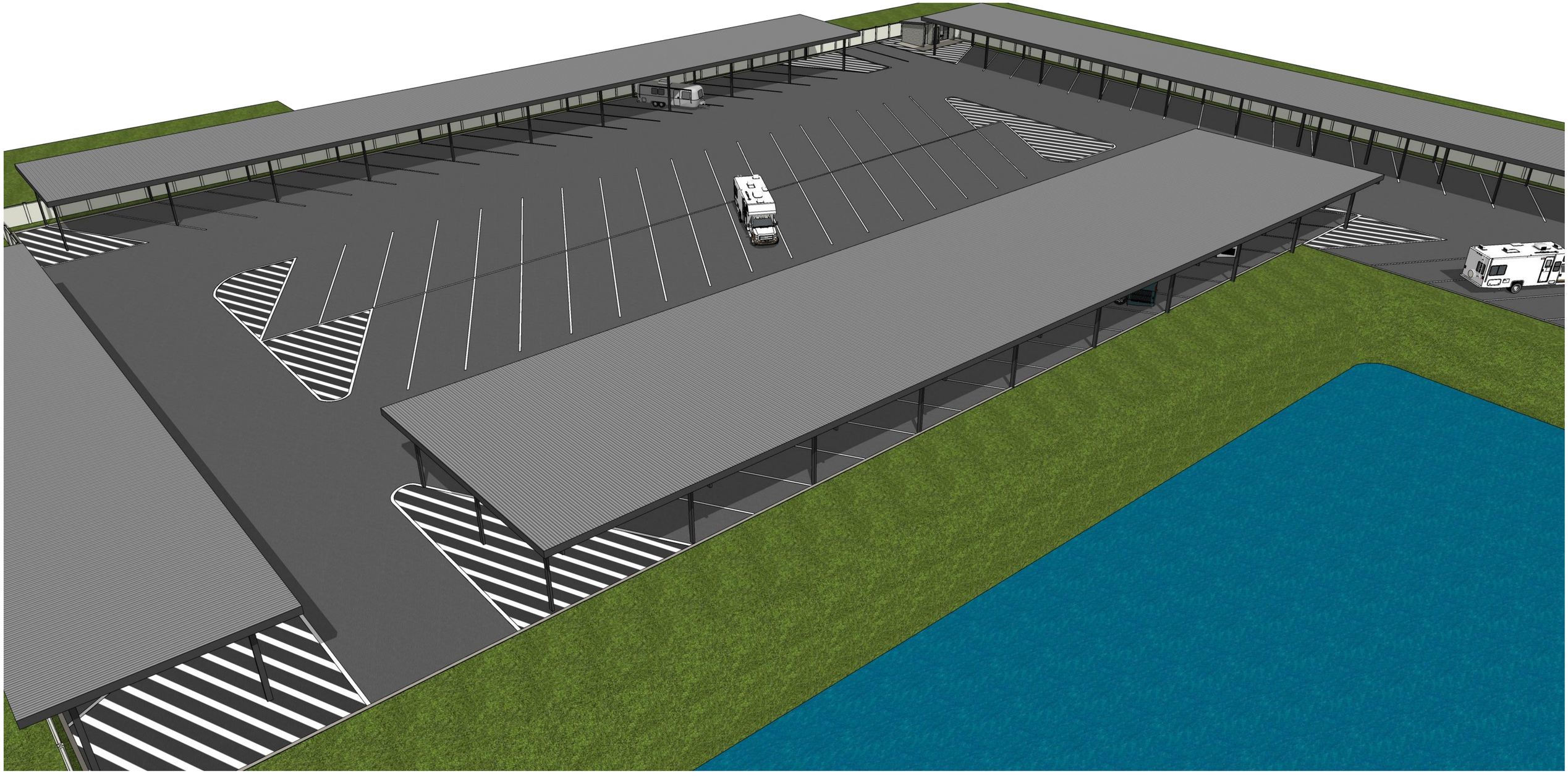
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CONCEPTUAL SKETCH | AERIAL VIEW OF RV PARKING WITH RESTROOM BUILDING

Galloway

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CONCEPTUAL SKETCH | NORTHEAST CORNER

Galloway

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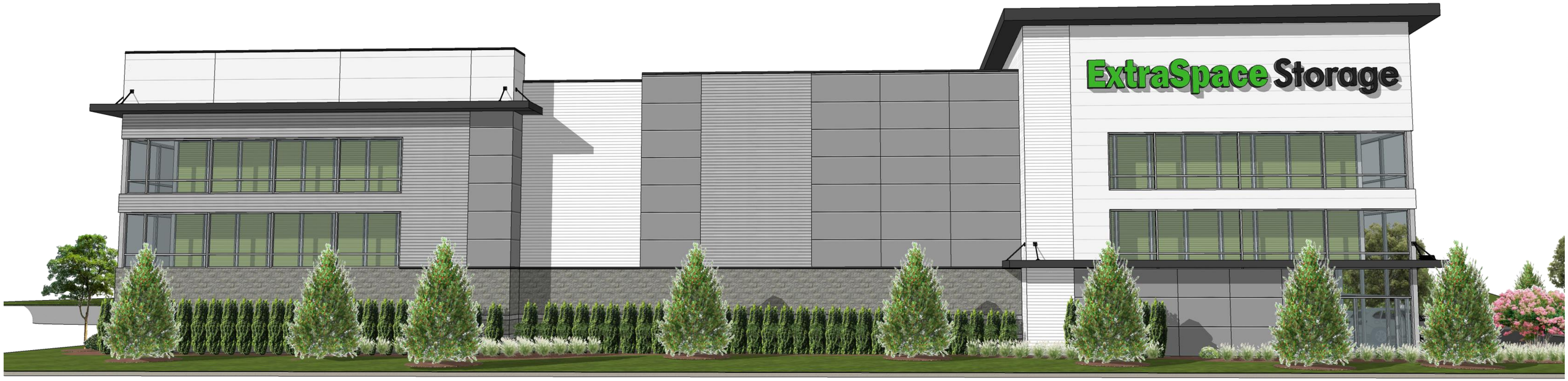
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CONCEPTUAL SKETCH | NORTH ELEVATION

Galloway

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BRAINTREE GROUP

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BrainTree Properties

APRIL 29, 2023

Attachment: Renderings (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



CONCEPTUAL SKETCH | NORTHWEST CORNER

Galloway

Mike Carter Construction · Inc.

BRAINTREE GROUP

Holly Hill Storage Conceptual Design

BrainTree Properties

APRIL 29, 2023

Attachment: Renderings (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



CONCEPTUAL SKETCH | LOADING ZONE

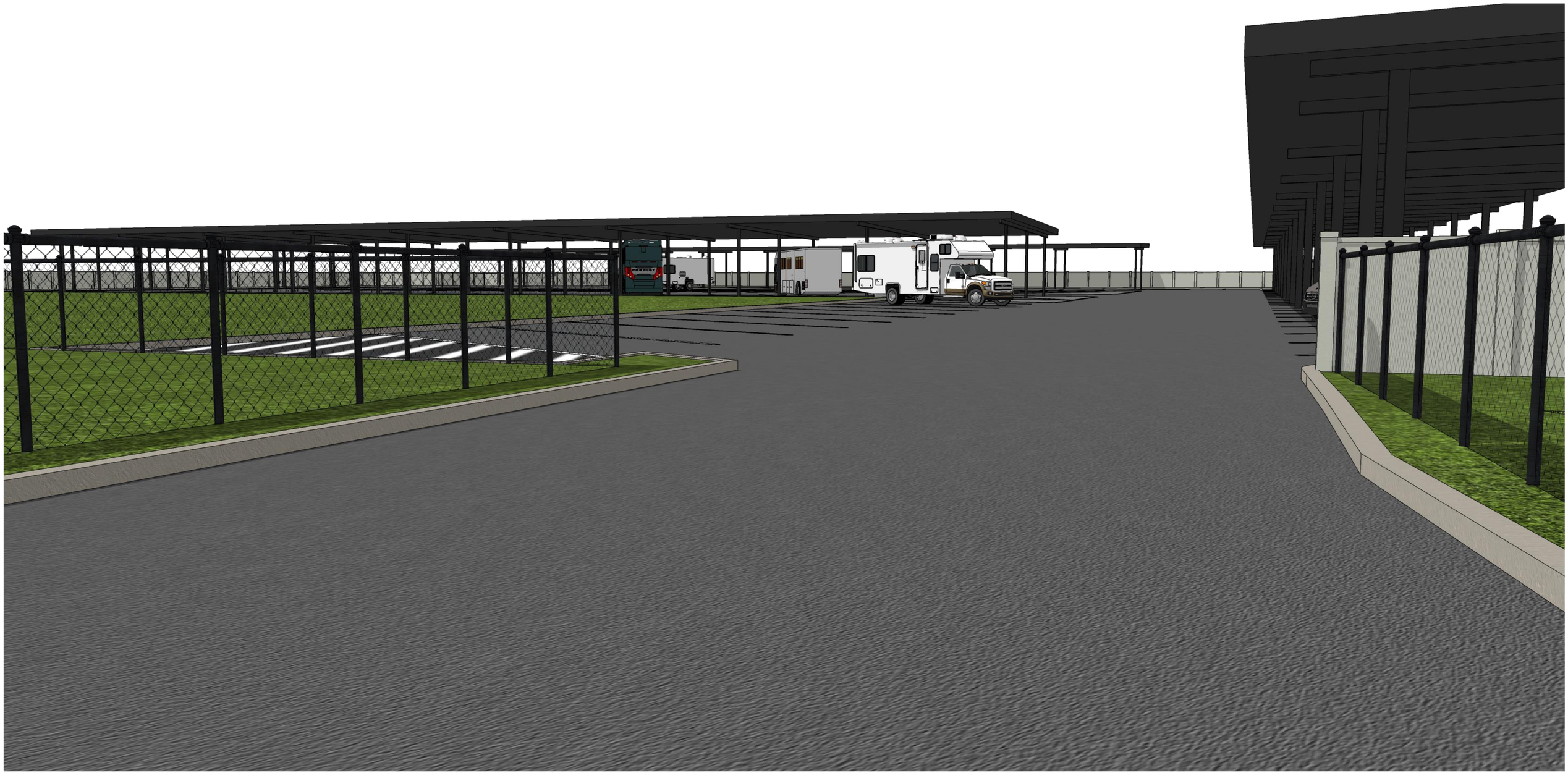
Galloway | Mike Carter Construction · Inc. | BRAINTREE GROUP

Holly Hill Storage
Conceptual Design

BrainTree Properties

APRIL 29, 2023

Attachment: Renderings (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



CONCEPTUAL SKETCH | RV PARKING AREA

Galloway

Mike Carter CONSTRUCTION · INC

BRAINTREE GROUP

Holly Hill Storage Conceptual Design

BrainTree Properties

APRIL 29, 2023

Attachment: Renderings (2023-O-3060 : Holly Hill Storage CPA and Recone - 1704 Nova Road (Ordinances 3060 & 3061))

Legal Description of Parcels with Commercial Use Limitation.

Parcels

4242-86-03-0240, 4242-86-02-0040, 4242-04-34-0220, 4242-86-02-0070, 4242-86-02-0030 4242-86-03-0260, 4242-86-02-0060, 4242-86-03-0250, 4242-86-02-0050, 4242-86-02-0011

LEGAL DESCRIPTION:

(NO. 1 - ORIGINAL OWNERSHIP OF REAR PARCEL.)

PARCEL 1:

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT PER MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT AS PER MAP BOOK 1, PAGE 1, THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG SAID NORTH LINE OF LOTS 22 AND 23, A DISTANCE OF 470.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, THENCE S 17 DEGREES 57 MINUTES 09 SECONDS E ALONG THE EAST LINE OF THE NORTH 1/2 OF LOT 23, A DISTANCE OF 329.24 FEET TO THE SOUTHEAST COMER OF THE NORTH 1/2 OF LOT 23;

THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOTS 22 AND 23, A DISTANCE OF 470.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W A DISTANCE OF 139.14 FEET; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E, A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

PART OF THE NORTH ONE-HALF OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 40.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF OLD KINGS ROAD PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 129.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHERLY 129.14 FEET OF SAID LOT 22, A DISTANCE OF 150.00 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST, PARALLEL WITH THE EAST RIGHT- OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD, A DISTANCE OF 60.24 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 150 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT:

THE SOUTHERLY 60 FEET OF THE NORTHERLY 129.14 FEET OF THE WESTERLY 190.00 FEET OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE WESTERLY 40.00 FEET THEREOF NOW A PART OF THAT RIGHT-OF-WAY EASEMENT PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

LOT 1, EXCEPT THE NORTH 50.22 FEET, AND ALL OF LOTS 3, 4, 5, 6 AND 7, BLOCK B, AND LOTS 24, 25 AND 26, BLOCK C, AMENDED PLAN OF FLEMING PARK, AS RECORDED IN MAP BOOK 26, PAGE 110, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. ALL CONTAINING 5.19 ACRES, MORE OR LESS.

PARCELS WITH "BLACK DOT" ARE DESCRIBED ABOVE AND SUBJECT TO A COMMERCIAL DEVELOPMENT RESTRICTION OF STORAGE USES CONSISTING OF MINI-WAREHOUSE, VEHICLE/TRAILER, AND OUTDOOR COVERED STORAGE USES, LIMITED TO THE TRAFFIC GENERATING EQUIVALENT OF 700 PERSONAL STORAGE UNITS.

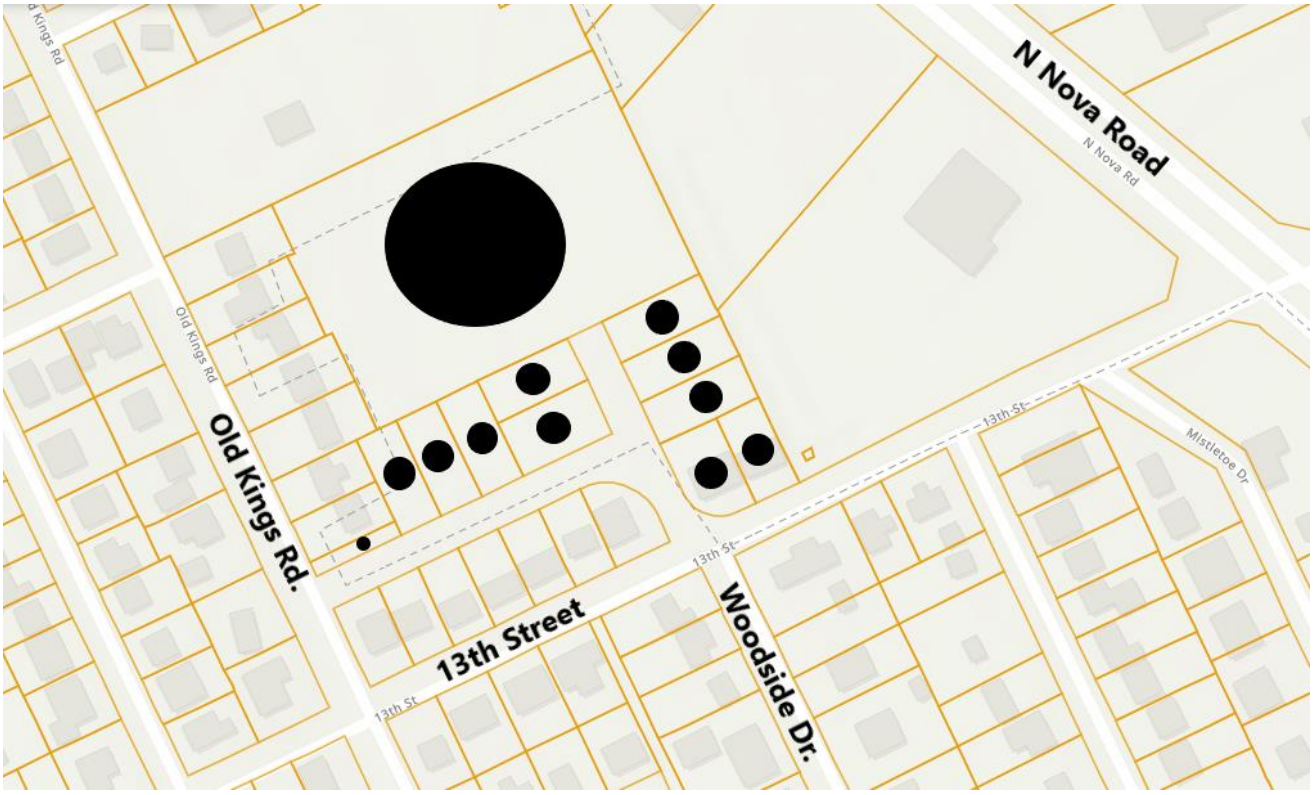


Table 1: Land Use and Zoning Table

Holly Hill Storage Facility

	Existing Development	Future Land Use Designation	Zoning Classification
Site	**Vacant Land**	**Commercial and Low Medium-Density Residential**	**CC-1 and R-7**
North	**Commercial and County Residential**	**Commercial and County Residential**	**CC-1 and County (Residential)**
South	**Commercial and County Residential**	**Commercial and County Residential**	**CC-1 and County (Residential)**
East	**Commercial Development and Nova Road**	**Commercial**	**CC-1, B-4, B-5 and Nova Road**
West	**County Residential Development**	**County (Residential)**	**County (Residential)**

LEGAL DESCRIPTION:

(NO. 4 - NEW OVERALL PUD BOUNDARY)

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, AND PART OF LOT 1, AND ALL OF LOTS 2-7, BLOCK B, AND ALL OF LOTS 24-26, BLOCK C, AND A PORTION OF 13TH STREET AND THE UN-NAMED STREET, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, ALL OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, THENCE S25°41'21"E ALONG THE EAST LINE OF SAID LOT 23, AND THE EAST LINE OF BLOCK C, AMENDED PLAT OF FLEMING PARK, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 19, PAGE 140, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 508.77 FEET TO THE NORTHEAST CORNER OF LOT 23, BLOCK C, SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37"W ALONG THE NORTH LINE OF SAID LOT 23 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 165.00 FEET TO THE CENTER LINE OF AN UN-NAMED STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK;, THENCE N25°41'21"W ALONG SAID CENTERLINE, A DISTANCE OF 15.00 FEET TO THE CENTERLINE OF 13TH STREET AS SHOWN ON SAID AMENDED PLAT OF FLEMING PARK; THENCE S64°21'37" ALONG SAID CENTERLINE, A DISTANCE OF 464.95 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD, HAVING A 60.00 FOOT RIGHT-OF-WAY; THENCE N25°39'45"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.78 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 50.22 FEET OF LOT 1, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN N64°21'37"E ALONG SAID SOUTH LINE, A DISTANCE OF 125.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE N25°39'45"W ALONG THE EAST LINE OF SAID LOT 1 AND LOT 2, BLOCK B, A DISTANCE OF 120.22 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE N64°21'37"E, ALONG THE NORTH LINE OF LOT 3, BLOCK B, SAID AMENDED PLAT OF FLEMING PARK, A DISTANCE OF 35.00 FEET TO A POINT ON THE EAST LINE OF THE WEST 190.00 FEET OF LOT 22, AFORESAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N25°39'45"W, A DISTANCE OF 328.32 FEET TO A POINT ON THE SOUTH LINE OF LOT 13, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT; THENCE N64°18'17"E ALONG THE SOUTH LINE OF SAID LOT 13 AND LOT 12, SAID MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, A DISTANCE OF 469.72 FEET TO THE POINT OF BEGINNING.

AND

LOT 2, WESTSIDE NOVA COMMERCIAL PARK REPLAT, ACCORDING THE PLAT THEREOF, RECORDED IN MAP BOOK 47, PAGE 184, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

SAID LANDS CONTAINING 8.05 ACRES, MORE OR LESS.

Attachment: Exhibit A - Legal Description (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

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: 5951243 **Parcel ID: 42420M000020**
NISBETT PROPERTIES LLC **1704 NOVA RD, HOLLY HILL, FL**

Parcel Summary

Alternate Key:	5951243
Parcel ID:	42420M000020
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	0M - 00 - 0020
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON DR ORMOND BEACH FL 32176
Physical Address:	1704 NOVA RD, HOLLY HILL 32117
Property Use:	1000 - VACANT COMM
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	7250
Business Name:	
Subdivision Name:	WESTSIDE NOVA COMMERCIAL PARK REPLAT
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4969489 **Parcel ID: 424286020011**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4969489
Parcel ID:	424286020011
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0011
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 3169824 **Parcel ID: 424204340220**
NISBETT PROPERTIES LLC **13TH ST, HOLLY HILL, FL**

Parcel Summary

Alternate Key:	3169824
Parcel ID:	424204340220
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	04 - 34 - 0220
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	13TH ST, HOLLY HILL 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4670076 **Parcel ID: 424286030260**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670076
Parcel ID:	424286030260
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0260
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4670068 **Parcel ID: 424286030250**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670068
Parcel ID:	424286030250
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0250
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4670050 **Parcel ID: 424286030240**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4670050
Parcel ID:	424286030240
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 03 - 0240
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4669868 **Parcel ID: 424286020070**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669868
Parcel ID:	424286020070
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0070
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4669850 **Parcel ID: 424286020060**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669850
Parcel ID:	424286020060
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0060
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4669841 **Parcel ID: 424286020050**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669841
Parcel ID:	424286020050
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0050
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

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VOLUSIA COUNTY PROPERTY APPRAISER
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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: 4669833 **Parcel ID: 424286020040**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669833
Parcel ID:	424286020040
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0040
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

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: 4669825 **Parcel ID: 424286020030**
NISBETT PROPERTIES LLC **OLD KINGS RD, ORMOND BEACH, FL**

Parcel Summary

Alternate Key:	4669825
Parcel ID:	424286020030
Township-Range-Section:	14 - 32 - 42
Subdivision-Block-Lot:	86 - 02 - 0030
Owner(s):	NISBETT PROPERTIES LLC - FS - Fee Simple - 100%
Mailing Address On File:	332 JOHN ANDERSON ORMOND BEACH FL 32176
Physical Address:	OLD KINGS RD, ORMOND BEACH 32117
Property Use:	0000 - VACANT RES
Tax District:	203-HOLLY HILL
2022 Final Millage Rate:	18.7895
Neighborhood:	2741
Business Name:	
Subdivision Name:	
Homestead Property:	No

Attachment: Exhibit B - Property Appraiser Info Sheets (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &

EXHIBIT C

LOCATION MAP



Attachment: Exhibit C - Location Map (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

EXHIBIT D

AERIAL MAP



EXHIBIT E

CURRENT FLU – LOW MEDIUM DENSITY RESIDENTIAL



PROPOSED FLU - COMMERCIAL



EXHIBIT F

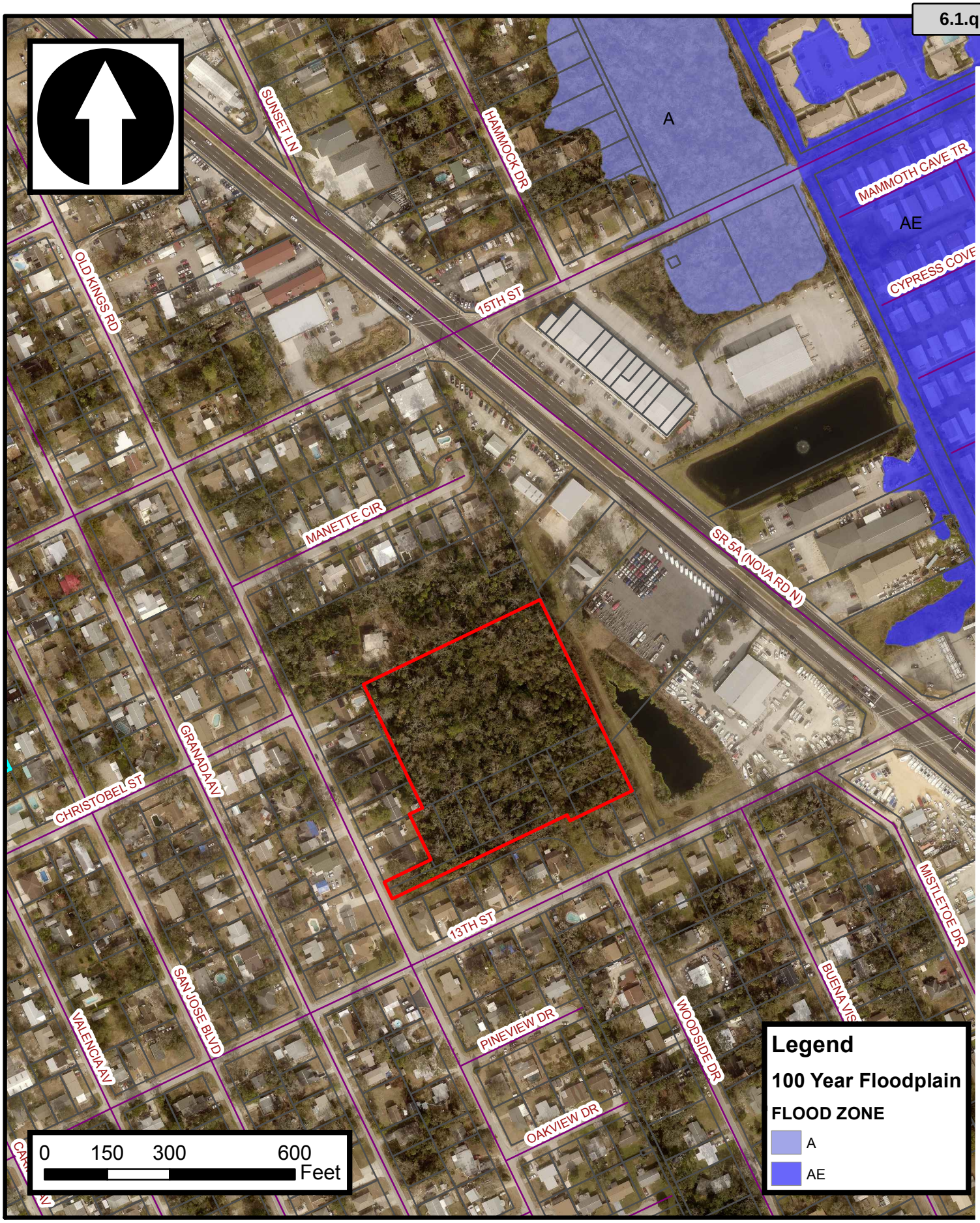
CURRENT ZONING – R-7 AND CC-1



PROPOSED ZONING – PLANNED DEVELOPMENT (Brown Area on map)



Attachment: Exhibit F - Current and Proposed Zoning (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 &



Attachment: Exhibit G - Flood Map (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Legend

SITE BOUNDARY

HOLLY HILL CPA
FLOOD MAP

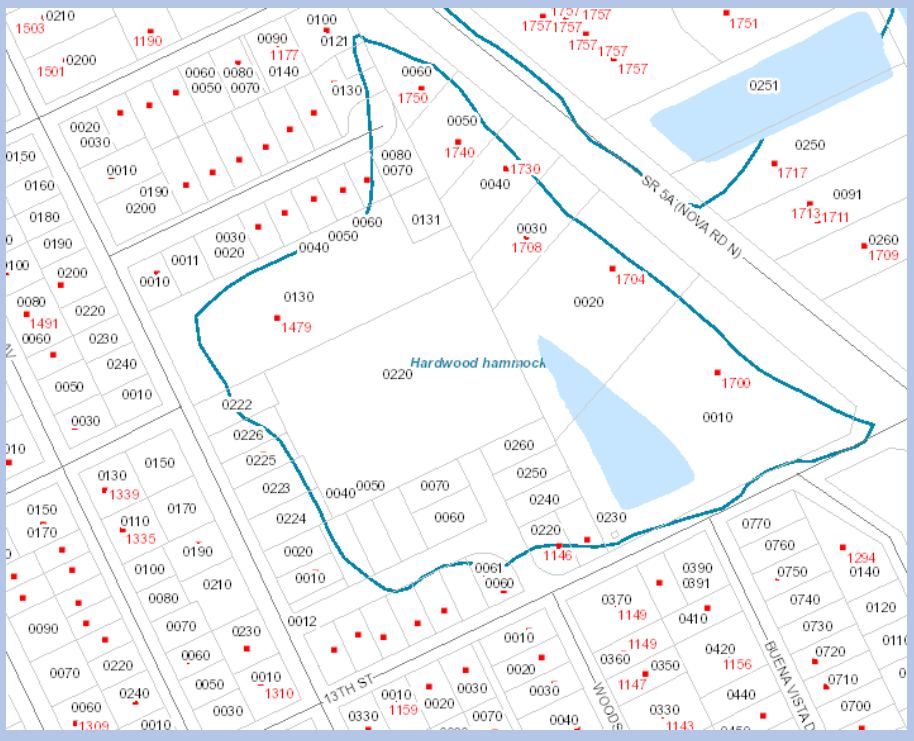
MARK DOWST & ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS
536 N. Halifax Ave., Suite # 100 Daytona Beach

Document Path: C:\Users\WorkStation\Desktop\GIS Reports\1257 COMP PLAN\SHEET FLOOD(Letter).mxd

EXHIBIT H

WETLAND MAPS





Scott W. Cichon
Robert A. Merrell III
John P. Ferguson
Mark A. Watts
Heather Bond Vargas
Michael J. Woods
Raymond L. Schumann
Kathleen L. Crotty
Michael O. Sznapstajler
Matthew S. Welch
Robert E. Doan
William A. Rice
Douglas J. Collins
Sara E. Glover
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May 8, 2023

VIA HAND DELIVERY

Brian Walker
Community Development Director
City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, FL 32117

Re: Holly Hill Self Storage
Planned Unit Development Rezoning

Dear Brian:

As you know, it is this Firm's pleasure to represent Nisbett Properties, LLC (Owner) and their contract purchaser in connection with their application for Planned Unit Development Rezoning on property located west of Nova Road in Holly Hill, FL. The Applicant intends to develop the property for a phased storage project that will provide support uses for existing residential in the vicinity of the property and allow for greater commercial activity along the Nova Road corridor.

Pursuant to our Pre-Application meetings, please find enclosed the following:

1. Rezone/Future Land Use Amendment Application (Rev. 1/23);
2. Planned Unit Development Rezoning Application Fee in the amount of $2,000.00;
3. Notarized Authorization of Owner;
4. Sunbiz Information;
5. List of Parcels Included;
6. Property Appraiser Information Cards;

Attachment: Exhibit K - Appropriateness Requested Zoning (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances

7. Copies of Deeds;
8. Proof of Taxes Paid;
9. Survey;
10. Our proposed Nova Road Storage Planned Unit Development Agreement/Ordinance;
11. Preliminary Site Plan prepared by Galloway;
12. Architectural Renderings; and
13. Sign Plan.

Overview of Rezoning Review Standards:

1. Is it consistent with all adopted elements of the comprehensive plan?
   Yes, as amended by the concurrent application for a change to the applicable land use over a portion of the property and subject to a site-specific policy limited commercial activity on the rear of the site to storage type uses.

2. What is its impact upon the environment or natural resources?
   The proposed redevelopment allows for commercial uses along a major thoroughfare where public services are available and away from environmentally sensitive areas. The rear half of the site, which has not been historically developed, has been reviewed under an environmental analysis and no species of concern are listed as present on the site.

3. What is its impact upon the economy of any affected area?
   The proposed redevelopment of the site will allow for greater commercial uses in the area, which may result in a higher property value for the site and surrounding areas, contributing additional ad valorem taxation to the corridor. The proposed redevelopment will include additional job creation within the site.

4. What is its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems?
   The front portion of the redevelopment is not expected to modify existing demands on these services. The redevelopment plan for the rear of the site will result in a decrease in potential demand, as the area will be transitioned away from residential development and limited to storage activities, which have a very low demand on governmental services. An overview of the water and sewer demand for the rear portion of the site was completed and is included in the concurrent land use amendment being processed with this proposed rezoning.

Attachment: Exhibit K - Appropriateness Requested Zoning (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances

5. Are there any changes in circumstances or conditions affecting the area?
   The proposed rezoning allows for the creation of supporting retail uses to accompany the residential homes in the vicinity of the project, while directing such uses through major roadway facilities. The build out of residential homes in the vicinity lends itself to redevelopment for neighborhood support uses such as the proposed storage use.

6. Are there any mistakes in the original classification?
   While we do not believe there is a mistake in the original classification, we believe the rezoning is appropriate based on the changed nature of the area. The build out of residential homes in the vicinity lends itself to redevelopment for neighborhood support uses such as the proposed storage use, which will not result in an increase to proposed impacts to traffic and public utilities.

7. What is its effect upon the use or value of the affected area?
   The proposed redevelopment of the site will allow for greater commercial uses in the area, which may result in a higher property value for the site and surrounding areas, contributing additional ad valorem taxation to the corridor. The proposed redevelopment will include additional job creation within the site.

8. What is its impact upon the public health, welfare, safety or morals?
   The proposed redevelopment is not contemplated to result in an impact upon the public health, welfare, safety, or morals. The project located storage uses in close proximity to existing residential uses benefited by the proposed use, and allows for a transition from residential to commercial uses along Nova Road.

We look forward to working with you and your staff on this Amendment. Please don't hesitate to contact me if you have any questions regarding this request or this Application package.

Sincerely,

Robert A. Merrell III
Direct Dial (386) 323-9263
Email Rob.Merrell@CobbCole.com
Fax (386) 944-7955

RAM:JLG/ddl
Enclosures
cc: Mr. Richard Nisbett
Mike Carter Construction, Inc.
Mark Dowst & Associates, Inc.

Attachment: Exhibit K - Appropriateness Requested Zoning (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances

EXHIBIT L

Parcels

4242-86-03-0240, 4242-86-02-0040, 4242-04-34-0220, 4242-86-02-0070, 4242-86-02-0030 4242-86-03-0260, 4242-86-02-0060, 4242-86-03-0250, 4242-86-02-0050, 4242-86-02-0011

LEGAL DESCRIPTION:

(NO. 1 - ORIGINAL OWNERSHIP OF REAR PARCEL.)

PARCEL 1:

PART OF THE NORTH 1/2 OF LOTS 22 AND 23, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT PER MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT AS PER MAP BOOK 1, PAGE 1, THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 190.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 72 DEGREES 01 MINUTES 52 SECONDS E ALONG SAID NORTH LINE OF LOTS 22 AND 23, A DISTANCE OF 470.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 23, THENCE S 17 DEGREES 57 MINUTES 09 SECONDS E ALONG THE EAST LINE OF THE NORTH 1/2 OF LOT 23, A DISTANCE OF 329.24 FEET TO THE SOUTHEAST COMER OF THE NORTH 1/2 OF LOT 23;

THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOTS 22 AND 23, A DISTANCE OF 470.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W A DISTANCE OF 139.14 FEET; THENCE S 72 DEGREES 07 MINUTES 06 SECONDS W TO THE EAST RIGHT-OF-WAY LINE OF OLD KINGS ROAD A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET; THENCE N 72 DEGREES 01 MINUTES 52 SECONDS E, A DISTANCE OF 160.00 FEET; THENCE N 17 DEGREES 57 MINUTES 09 SECONDS W, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

PART OF THE NORTH ONE-HALF OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT, OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 22, A DISTANCE OF 40.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF OLD KINGS ROAD PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 129.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72 DEGREES 01 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHERLY 129.14 FEET OF SAID LOT 22, A DISTANCE OF 150.00 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 09 SECONDS EAST, PARALLEL WITH THE EAST RIGHT- OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD, A DISTANCE OF 60.24 FEET; THENCE SOUTH 72 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 150 FEET TO A POINT IN THE EAST RIGHT-OF-WAY EASEMENT LINE OF SAID OLD KINGS ROAD; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 60.02 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT:

THE SOUTHERLY 60 FEET OF THE NORTHERLY 129.14 FEET OF THE WESTERLY 190.00 FEET OF LOT 22, BLOCK 34, MARY C. FLEMING SUBDIVISION OF THE THOMAS FITCH GRANT OF RECORD IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING THEREFROM THE WESTERLY 40.00 FEET THEREOF NOW A PART OF THAT RIGHT-OF-WAY EASEMENT PER OFFICIAL RECORDS BOOK 2881, PAGES 1193 AND 1194, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

LOT 1, EXCEPT THE NORTH 50.22 FEET, AND ALL OF LOTS 3, 4, 5, 6 AND 7, BLOCK B, AND LOTS 24, 25 AND 26, BLOCK C, AMENDED PLAN OF FLEMING PARK, AS RECORDED IN MAP BOOK 26, PAGE 110, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. ALL CONTAINING 5.19 ACRES, MORE OR LESS.

Attachment: Exhibit L - Comp Plan Parcels (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

Existing and Proposed Utility Generation

Utility Comparison

Water Demand

	Land Use	Quanity	Equavalent SF	Water Demand	**Total**
Existing FLU	Multi-Family Mid-Rise	56 DU	n/a	250 gpd/unit	**14,000 gpd**
Proposed FLU	Mini-Warehouse	700 storage units	140,000 SF	0.1 gpd/sf	**14,000 gpd**

Sewer Demand

	Land Use	Quanity	Equavalent SF	Water Demand	**Total**
Existing FLU	Multi-Family Mid-Rise	56 DU	n/a	250 gpd/unit	**14,000 gpd**
Proposed FLU	Mini-Warehouse	700 storage units	140,000 SF	0.1 gpd/sf	**14,000 gpd**

Attachment: Exhibit I - Utility Impact Analysis (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

LTG Engineering & Planning

Via email: (mikeadams@mcconst.com)

Ref: 5945.01

TECHNICAL MEMORANDUM

To: Mike Adams, Mike Carter Construction, Inc.

From: Matthew West, AICP

Subject: Holly Hill Storage – Comprehensive Plan Amendment (CPA)
Holly Hill, FL

Date: April 20, 2023

INTRODUCTION

LTG, Inc. (LTG) has been retained by Mike Carter Construction, Inc, (the CLIENT) to conduct traffic engineering and transportation planning services on behalf of the proposed future land use change for Holly Hill Storage (the PROJECT). The proposed future land use Comprehensive Plan Amendment (CPA) will change the future land use designation of a 5.65-acre property from Low Medium Density Residential to General Retail Commercial. The CLIENT has agreed to limit trip generation of the development program on the site to an equivalent of 700 storage units/boat RV parking spaces, which equates to 128 daily trips, 8 AM peak hour trips, and 12 PM peak hour trips. The proposed CPA is accompanied by a related rezoning application which is addressed in a separate technical memorandum. The subject property is located north of 13th Street and east of Old Kings Road in Holly Hill, Florida (the CITY). Figure 1 shows the location of the property in relation to the surrounding roadway network.

The methodology and procedures used in this analysis are consistent with the guidelines for the CITY, the Florida Department of Economic Opportunity (FDEO), and the Florida Department of Transportation (FDOT).

TRIP GENERATION FOR THE EXISTING VS PROPOSED FLU DESIGNATION

The trip generation was determined using the Institute of Transportation Engineers (ITE) document, Trip Generation Manual, 11th Edition. The total daily, AM peak hour, and PM peak hour trips for the existing and proposed future land use (FLU) designations are shown in Table 1.

First, the existing future land use designation, Low Medium Residential (LMR), was examined. Based on LMR, the maximum allowable density is ten (10) dwelling units per acre which would yield a maximum of 56 multifamily dwelling units. Multifamily Mid-Rise (ITE Land Use Code (LUC) 221) was utilized as the highest trip-generating use. As indicated in Table 1, the existing FLU would generate 221 daily, 13 AM peak hour, and 22 PM peak hour trips.

Next, the proposed General Retail Commercial designation was examined using a proposed trip cap equivalent of 700 personal storage units. Mini-warehouse (ITE LUC 151) was utilized as the highest trip-generating use that would be permitted as found in ITE. As indicated in Table 1, this development program would generate 128 daily, 8 AM peak hour, and 12 PM peak hour trips.

Attachment: Exhibit J - Traffic Impact Analysis (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))

TECHNICAL MEMORANDUM

Table 1
Existing and Proposed FLU Trip Generation
Holly Hill Storage – CPA

	Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Existing FLU	Daily	Multifamily Mid-Rise	221	T = 4.77(X) - 46.46	56	DU	50%	50%	110	111	221
	AM Peak Hour			T = 0.44(X) - 11.61			23%	77%	3	10	13
	PM Peak Hour			T = 0.39(X) + 0.34			61%	39%	13	9	22
	Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Proposed FLU	Daily	Mini-Warehouse	151	T = 18.86(X) - 4.09	7.00	100 Storage Units	50%	50%	64	64	128
	AM Peak Hour			T = 1.21(X)			51%	49%	4	4	8
	PM Peak Hour			T = 1.68(X)			50%	50%	6	6	12

TRIP GENERATION DIFFERENCE BETWEEN EXISTING & PROPOSED FLU DESIGNATION

The trip difference between the existing FLU and the proposed FLU designations is determined by subtracting trips generated by the proposed designation from the trips generated by the existing designation. The results displayed in Table 2 show a potential trip reduction if the comprehensive plan amendment is approved.

Table 2
Difference in Trip Generation
Holly Hill Storage – CPA

	Daily	AM Peak Hour	PM Peak Hour
Existing FLU	221	13	22
Proposed FLU	128	8	12
Decrease	93	5	10

CONCLUSION

The study was conducted to evaluate the potential impact the proposed CPA would have on area roadways. Based on this analysis, there would be a net decrease in potential trip generation. Concurrency and any required mitigation to support a proposed development plan will be assessed in greater detail during the final development permitting process.

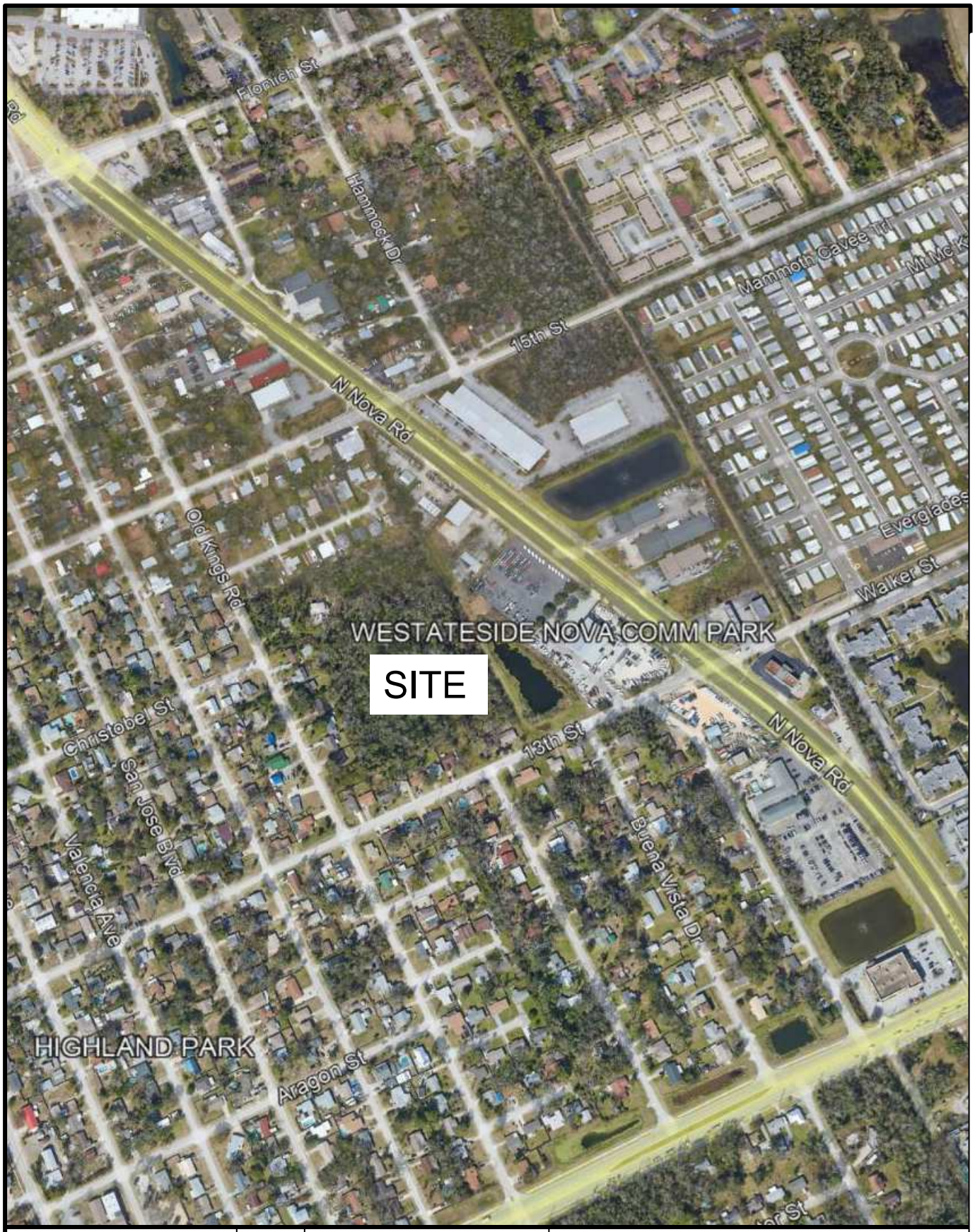
I affirm, by affixing my signature below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name: Matthew West

Signature: _____

Date: April 20, 2023

Attachment: Exhibit J - Traffic Impact Analysis (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))



Holly Hill Storage	N NTS	**Location Map**	LTG Engineering & Planning	
		Project No.:5945.01	Figure: 1	1450 West Granada Blvd., Suite 2 – Daytona Beach, Florida 32174 Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

Attachment: Exhibit J - Traffic Impact Analysis (2023-O-3060 : Holly Hill Storage CPA and Rezone - 1704 Nova Road (Ordinances 3060 & 3061))