



PLANNING COMMISSION MEETING

June 6, 2017

7:00 PM

Administration Building,
4th Floor, BCC Meeting Room, 477 Houston Street,
Green Cove Springs, FL 32043

Call to Order

Pledge of Allegiance

1. **Approval of Minutes**

Approval of Minutes for May 2, 2017

Public Comment

Public Hearings

1. Public Hearing to Consider Application PUD-17-02 PUD to PUD 91 Branscomb
Public Hearing to Consider Application PUD-17-02, PUD to PUD, 91 Branscomb Road.
2. Public Hearing to Consider Rezoning Application Z-17-03 RE to PS-2 7206 Notre Dame Street
Public Hearing to Consider Rezoning Application Z-17-03 RE to PS-2 7206 Notre Dame Street.
3. Public Hearing To Consider Rezoning Application Z-17-04 PS-1 to RC 141 Suzanne Avenue
The applicant is requesting a change in zoning in order to develop the property as a duplex.
4. Public Hearing to Consider Large Scale Amendment 2017-05
Consider text amendment to Lake Asbury Master Plan Policy 4.12, Village Center, to amend the location and size of commercial uses.

Old Business/New Business

Public Comment

Adjournment

In accordance with the Americans with Disabilities Act, any person needing a special accommodation to participate in this matter should contact the Clay County ADA Coordinator by mail at Post Office Box 1366, Green Cove Springs, FL 32043, or by telephone at number (904) 269-6347 no later than three (3) days prior to the hearing or proceeding for which this notice has been given. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice), or 1-800-955-8771 (TDD).



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, June 6 7:00 PM

TO: Planning
Commission

DATE: 5/22/2017

FROM: Teresa
Capo

SUBJECT:

AGENDA ITEM
TYPE:

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	PC Minutes May 2, 2017	Backup Material	5/22/2017	PC_Minutes_Packet_05-02-17.pdf



PLANNING COMMISSION MINUTES

May 2, 2017

7:00 PM

Administration Building,
4th Floor, BCC Meeting Room, 477 Houston Street,
Green Cove Springs, FL 32043

Call to Order

Present

Joe Anzalone, Chairman
Belinda Johnson, Vice Chairman
Michael Bourré
Brenda Kicsak
Ralph Puckhaber
James Fossa, CCSB

Absent

Richard Fain
Scott Westervelt

Staff Present

Courtney Grimm, County Attorney
Holly Coyle, Director of Economic & Development Services
Ed Lehman, Director of Planning & Zoning
Teresa Capo, Recording Secretary

1. **Approval of Minutes**

Commissioner Johnson made the motion to approve the minutes for April 7, 2017. Commissioner Bourré seconded the motion which carried 6-0.

Public Comment

James Otto, 2910 Blanding Blvd, addressed the Commission.

Public Hearings

1. **Public Hearing to Consider an Amendment to Future Land Use Element 1.2.9 (Residential Aviation Community)**

Holly Coyle, Director of Economic & Development Services, informed the Commission that the purpose of the proposed amendment is to add Future Land Use Policy 1.2.9.a. to allow for the development of 11 parcels that would otherwise be denied applications for building permits due to the inability of the lots to meet the requirements of the Comprehensive Plan related to the subdivision of land.

During her presentation, Mrs. Coyle presented the Commission with a revised "Attachment A-1" to reflect the following change:

(4) All roads providing access to the newly created residential parcels must be paved and privately owned and maintained.

Staff recommended approval of the transmittal of Amendment 2017-04 to add Future Land Use Policy 1.2.9.a to allow for the development of eleven parcels that would otherwise be denied applications for building permits due to the inability of the lots to meet the requirements of the Comprehensive Plan related to the subdivision of land.

Following a brief discussion, Chairman Anzalone opened the public hearing.

Patrick Lee, 319 Oak Drive South, Fleming Island, addressed the Commission with regard to the proposed application.

Ed Witt, 4501 Ortega Farms Circle, Jacksonville, addressed the Commission with regard to the proposed application.

Rich Schaefer, 5291 Air Park Loop East, Green Cove Springs, made brief comments about an ongoing litigation with adjacent property owners.

James Otto, 2908 Blanding Blvd, Middleburg, addressed the Commission.

Chairman Anzalone closed the public hearing.

Brief discussion followed.

Chairman Anzalone posed questions to Mr. Schaefer about comments he made with regard to the pending litigation during the public hearing.

Chairman Anzalone stated that prior to the Board of County Commissioners (BCC) meeting that it would be prudent for staff to determine if there are any ramifications from the ongoing litigation that may impede action taken by the BCC.

With no further discussion, Commissioner Puckhaber made the motion to recommend approval of the transmittal of Amendment 2017-04 as presented by staff. Vice Chairman Johnson seconded the motion which carried 5-0.

2. Continuation of Public Hearing to Consider Application PUD-17-02 PUD to PUD 91 Branscomb

Chairman Anzalone informed the Commission that discussion on this item will be tabled to the June 6, 2017 Planning Commission meeting.

Chairman Anzalone opened the public hearing and receiving no request to speak closed the public hearing.

With no further discussion, Vice Chairman Johnson made the motion to continue discussion of this item to the June 6, 2017 Planning Commission meeting. Commissioner Puckhaber seconded the motion which carried 5-0.

Old Business/New Business

1. **Presentations to Marsha Dumler and Gayward Hendry**

Based upon scheduling conflicts with the recipients, this item was tabled.

2. Ed Lehman, Director of Planning and Zoning, informed the Commission of the need to schedule a Workshop to discuss major issues pertaining to the Comprehensive Plan Update.

It was the consensus of the Commission to schedule the Workshop for June 6, 2017 at 6:00 P.M.

Public Comment

James Otto, 2908 Blanding Blvd, Middleburg, addressed the Commission.

With no further business, the meeting adjourned at 7:46 P.M.

Teresa Capo
Recording Secretary

Joe Anzalone
Chairman



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, June 6 7:00 PM

TO: Planning Commission

DATE: 3/23/2017

FROM: Chad A. Williams, Zoning
Chief

SUBJECT: Public Hearing to Consider Application PUD-17-02, PUD to PUD, 91 Branscomb Road.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Applicant is requesting to rezone several individual units in the Edgeson Lake Office Park to allow for retail and restaurant uses. Current entitlements are office only.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	3/23/2017	App.pdf
▣ Written Statement	Backup Material	3/23/2017	Written_Statement_2017.pdf
▣ Exhibit A to Written Statement	Backup Material	3/23/2017	Written_Statement_2017.pdf
▣ Edgeson Lake Plat	Backup Material	3/23/2017	PB_42_PG_66.pdf
▣ Staff Report	Backup Material	3/23/2017	PUD-17-02Staff_report(PC).pdf
▣ Ordinance	Ordinance	3/24/2017	Ordinance_PUD-17-02.doc
▣ Public Comment Cards	Backup Material	6/9/2017	Public_Comment_Cards.pdf
▣ Staff Presentation	Backup Material	6/15/2017	PUD-17-02.pptx



Rezoning Application

Owner Information

Name Wiggins Investments LLC If the property is under more than one ownership please use multiple property ownership sheets.

Address ~~3780 Creek Hollow Lane~~ / 91 BRANSCOMB ROAD SUITE 17

City Middleburg, GREEN COVE SPRINGS State Florida Zip Code 32068 32043

Phone Number +1 (904) 591-8942 Email slfraser@bellsouth.net (agent)

Parcel & Rezoning Information

Parcel Identification Number 010094-016-01; 010094-016-02; 010094-016-15; 010094-016-16; and 010094-016-17

Address 91 Branscomb Road

Number of Acres Being Rezoned 1.99 Current Zoning PUD Current Land Use Commercial

Proposed Zoning PUD Planned Unit Development I am Seeking A ☒ Permitted Use ☒ Conditional Use

Property Will Be Used As Office, Commercial (neighborhood) and restaurant.

Required Attachments

Please Check The Following Included Attachments

- ☒ Deed ☒ Survey ☒ Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
- ☒ Agents Authorization Attachment A-1 ☒ Owners Affidavit Attachment A-2 ☒ Legal Description Attachment A-3

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I., III. and XII of the Clay County Code.

Owners Signature

Print Name

Date:

SUDAN L FRASER
(AGENT)

2-2-2017

Rezoning Application



Owner Information

Name Warbil Properties LLC If the property is under more than one ownership please use multiple property ownership sheets.

Address 781 Branscomb Road

City Green Cove Springs State Florida Zip Code 32043

Phone Number +1 (904) 591-8942 Email slfraser@bellsouth.net

Parcel & Rezoning Information

Parcel Identification Number 010094-016-01; 010094-016-02; 010094-016-15; 010094-016-16; and 010094-016-17

Address 91 Branscomb Road

Number of Acres Being Rezoned 1.99 Current Zoning PUD Current Land Use Commercial

Proposed Zoning PUD Planned Unit Development I am Seeking A ☒ Permitted Use ☒ Conditional Use

Property Will Be Used As Office, Commercial (neighborhood) and restaurant.

Required Attachments

Please Check The Following Included Attachments

- ☒ Deed ☒ Survey ☒ Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5
- ☒ Agents Authorization Attachment A-1 ☒ Owners Affidavit Attachment A-2 ☒ Legal Description Attachment A-3

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I., III. and XII of the Clay County Code.

Owners Signature

Print Name

Date:

2.2.2017

Official Use

Date Received _____ Application Number _____ OT Number _____

PC Date _____ BCC Date _____ 2nd BCC Date if Applicable _____

5 acres \$750.00 plus \$20.00 per sign. Greater than 5 acres, \$750.00, plus \$20.00 per acre over 5, plus \$20.00 per sign.

Accepted By _____ For PUD, PCD, PID the fee is \$2200.00 plus \$7.00 per acre plus \$20.00 for each required sign.

of Signs _____ Fee _____

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 21 days in advance of the date of the first required public hearing . The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within 10 days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 7 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent **must be present**. If there are members of the public who wish to testify regarding your petition, they are normally allowed three minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your rezoning hearing, you will need a record of the proceedings at your expense, and for such purpose **you should 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 Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit

Attachment A-1



Date: February 1, 2017

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

Re: Agent Authorization

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. As the owner, I hereby authorize and empower

Susan L. Fraser, of SLF Consulting, Inc.

whose address is:

3517 Park Street, Jacksonville FL 32205

Phone 904-591-8942

Email slfraser@bellsouth.net

to act as agent for rezoning the property located at: (address or parcel ID)

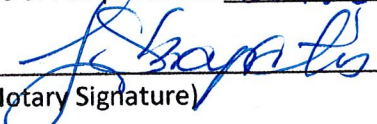
PA Nos. 010094-016-15 and 010094-016-16

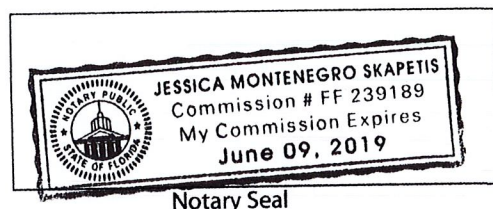
and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.


Owner's Signature

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing affidavit was sworn and subscribed before me this 2 day of February
(month), 2017 (year) by Thomas Hallquest, who is personally known to
me or has produced Drivers License as identification.


(Notary Signature)



Notary Seal

Clay County Rezoning Agent Authorization Affidavit

Attachment A-1



Date: February 1, 2017

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

Re: Agent Authorization

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. As the owner, I hereby authorize and empower

Susan L. Fraser, of SLF Consulting, Inc.

whose address is:

3517 Park Street, Jacksonville FL 32205


Phone 904-591-8942

Email slfraser@bellsouth.net

to act as agent for rezoning the property located at: (address or parcel ID)

PA Nos. 010094-016-01; 010094-016-02; and 010094-016-17

and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.


Owner's Signature

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing affidavit was sworn and subscribed before me this 2 day of February

(month), 2017 (year) by Joseph Bryant Wiggins, who is personally known to me or has produced _____ as identification.


(Notary Signature)



Notary Seal

Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: February 1, 2017

Clay County Board of County Commissioners

Division of Planning & Zoning

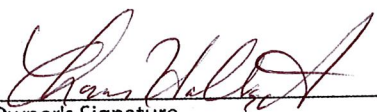
Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. I give full consent to process the application for rezoning.

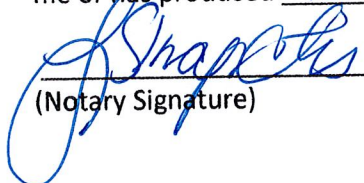

Owner's Signature

Print Name: THOMAS HALLQUEST

STATE OF FLORIDA

COUNTY OF Clay

The foregoing affidavit was sworn and subscribed before me this 2 day of February
(month), 2017 (year) by Thomas Hallquest, who is personally known to
me or has produced Drivers License as identification.


(Notary Signature)



Notary Seal

Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: February 1, 2017

Clay County Board of County Commissioners

Division of Planning & Zoning


Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. I give full consent to process the application for rezoning.


Owner's Signature

Print Name:

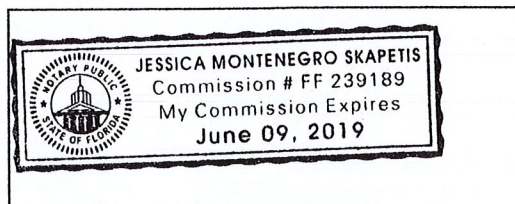
JOSEPH BRYANT WIGGINS JR

STATE OF FLORIDA

COUNTY OF Clay

The foregoing affidavit was sworn and subscribed before me this 2 day of February (month), 2017 (year) by Joseph Bryant Wiggins, who is personally known to me or has produced _____ as identification.


(Notary Signature)



Notary Seal

Legal Description

Lots 1, 2, 15, 16, 17 and 18 of Edgesen Lake Office Park, according to the plat thereof, recorded in Plat Book 42, Pages 66-67, Public Records of Clay County, Florida, except that portion in Order of Taking recorded in Official Records Book 3318, Page 1574, Public Records of Clay County, Florida.

CFN # 2016012568, OR BK: 3838 PG: 1856, Pages 1 / 1, Recorded 3/15/2016 2:04 PM, Doc: D
TARA S. GREEN Clerk Circuit Court, Clay County, FL Rec: \$10.00 Doc D: \$1,260.00
Deputy Clerk WESTA

Prepared by and return to:
Title Chain, Inc.
Joanne Villano
One Armand Beach Drive, Suite 2C
Palm Coast, Florida 32137

File Number: 2072
Folio Number: 21-05-25-010094-016-01,21-05-2

General Warranty Deed

Made this March 8, 2016 A.D. By Medi-Quick Properties, LLC, a Florida limited liability company, whose address is: 6 Office Park Dr, Palm Coast, Florida 32137, hereinafter called the grantor, to Wiggins Investments of North Florida, Inc., a Florida corporation, whose post office address is: 3780 Creek Hollow Lane, Middleburg, Florida 32068, hereinafter called the grantee:

(Whenever used herein the term "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)

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

Lots 1 and 2, Edgesen Lake Office Park, according to the map or plat thereof, recorded in Plat Book 42, Pages 66 and 67, Public Records of Clay County, Florida.

Less and except that portion in Order of Taking recorded in Official Records Book 3318, Page 1574, Public Records of Clay County, Florida.

Parcel ID Number: 21-05-25-010094-016-01,21-05-2

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2016 and subsequent years; and all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

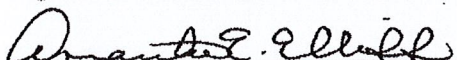
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

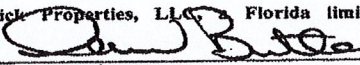
To Have and to Hold, the same in fee simple forever.

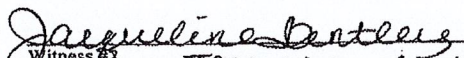
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness #1
Witness Printed Name Annmarita E. Euliff

Medi-Quick Properties, LLC, Florida limited liability company
By:  (Seal)
David Butler, Manager-Member
Address: 6 Office Park Dr, Palm Coast, Florida 32137

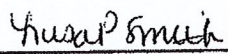

Witness #2
Witness Printed Name Jacqueline Bentley

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 8th day of March, 2016, by David Butler, as manager-member of Medi-Quick Properties, LLC, a Florida limited liability company, on behalf of the company

☒ personally known to me
OR
☐ produced _____ as identification.




Notary Public
Print Name: Lisa P. Smith
My Commission Expires: 5-10-2016

Consideration: \$160,000.00

This document prepared by (and after recording return to):

Name: David Jenkins
Premium Title Services, Inc.
Firm 1000 Abernathy Road NE, Suite 200
Atlanta, GA 30328
Phone: (855) 339-6325
After recording return to 91 Branscomb Road #14,,
Green Cove Springs, FL 32043
Asset No. 7121019124
File No. CM1412-FL-2340567

Above This Line Reserved
For Official Use Only

**SPECIAL WARRANTY DEED
AND
SUPPORTING AFFIDAVIT OF POWER OF ATTORNEY**

**STATE OF FLORIDA
COUNTY OF Clay**

THIS DEED, made this 9 day of JULY, 2015 by and between U.S. Bank National Association, as Trustee for Lehman Brothers Small Balance Commercial Mortgage Pass-Through Certificates, Series 2007-3, a national banking association, organized and existing under the laws of The United States of America; hereinafter called the Grantor, whose mailing address is: c/o Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409; and Wiggins Investments of North Florida Inc , A Florida Profit Corporation hereinafter called the Grantee, whose mailing address is:

91 Branscomb Road #14,, Green Cove Springs, FL 32043

WITNESSETH, that the Grantor, for and in consideration for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, and sells unto the Grantee, and Grantee's successors, heirs, and assigns forever, all that certain parcel of land in the County of Clay, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PARCEL ID #: 210525-010094-016-17

Located at 91 Branscomb Road Suites 17 & 18, Green Cove Springs, FL 32043

TOGETHER, with all of 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 does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons claiming by, through or under said Grantor but against none other.

EXHIBIT "A"

CM1412-FL-2340567

LOT 17 & 18, EDGESEN LAKE OFFICE PARK, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 42, PAGES 66 AND 67, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

Parcel ID No.: 210525-010094-016-17

Prepared By/Record and Return To:
Brandon C. Rosser, Esquire
Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville, FL 32207
CL13-59 4503683

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 5th day of May, 2014, between **IBERIABANK**, a Louisiana state bank ("Grantor"), whose address is 5310 E SR 64, Bradenton, FL 34208, and **WARBIL PROPERTIES, LLC**, a Florida limited liability company ("Grantee"), whose address is 781 Branscomb Road, Green Cove Springs, FL 32043;

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of Clay, State of Florida:

Lots 15 and 16 of EDGESEN LAKE OFFICE PARK, according to the Plat thereof as recorded in Plat Book 42, Page(s) 66 and 67, of the Public Records of Clay County, Florida.

Property Appraiser's Parcel ID Numbers: 210525-010094-016-15; 210525-010094-016-16

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey of the Land would reveal;
4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances, the said Grantor does hereby fully warrant the title to said Land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name, the day and year first above written.

Signed, sealed and delivered
in the presence of:

IBERIABANK, a Louisiana state bank

Brandon Rosser
Print Name: Brandon Rosser

By: [Signature]
Name: Neel Stacy
Its: Vice President

Rachel Greene
Print Name: Rachel Greene

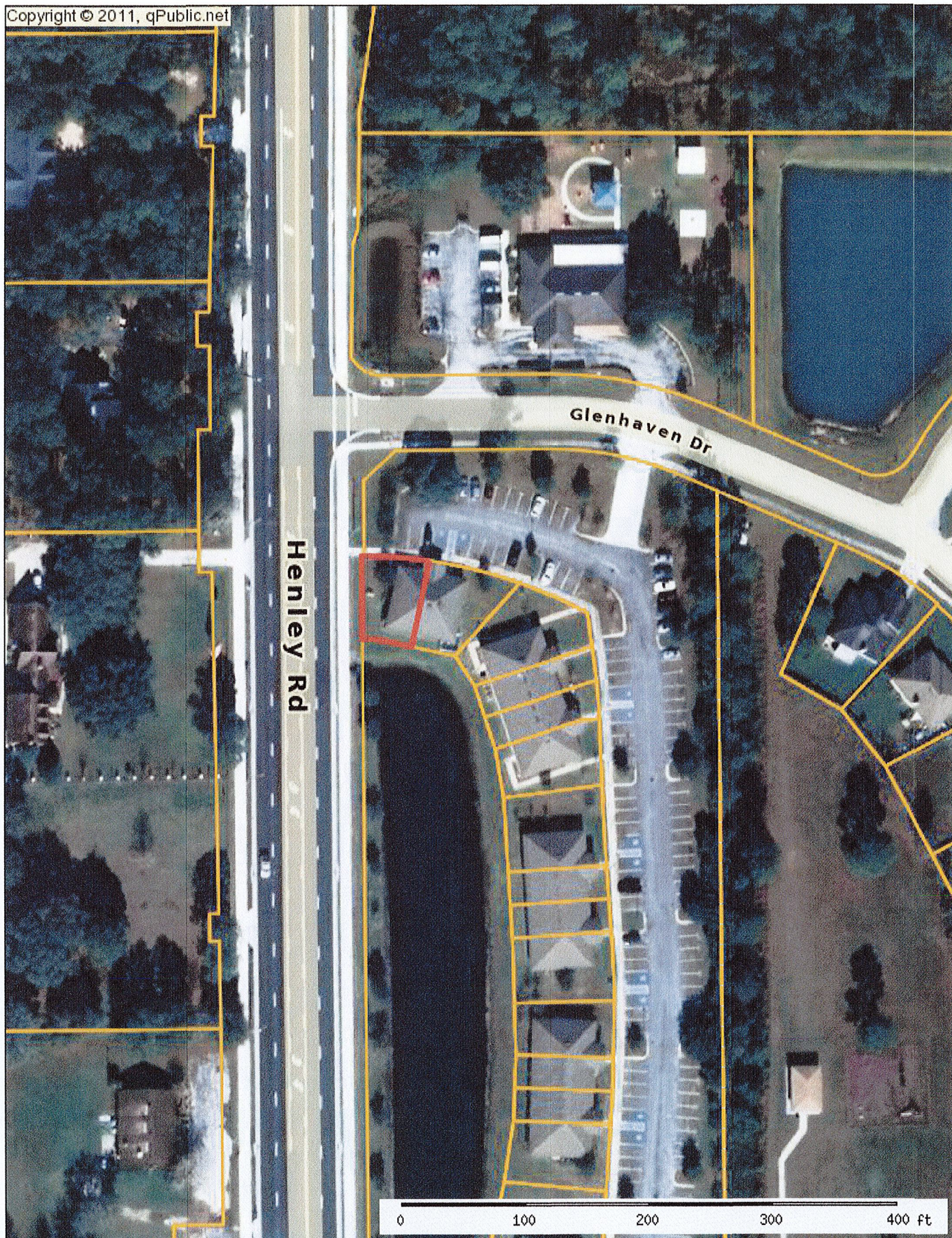
STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 5th day of May, 2014, by Neel Stacy, as a Vice President of IBERIABANK, a Louisiana state bank, on behalf of the bank. He (check one) ☒ is personally known to me, or ☐ has produced a valid driver's license as identification.

Brandon Rosser
Print Name: _____
Notary Public, State and County Aforesaid
My Commission Expires: _____
Commission Number: _____





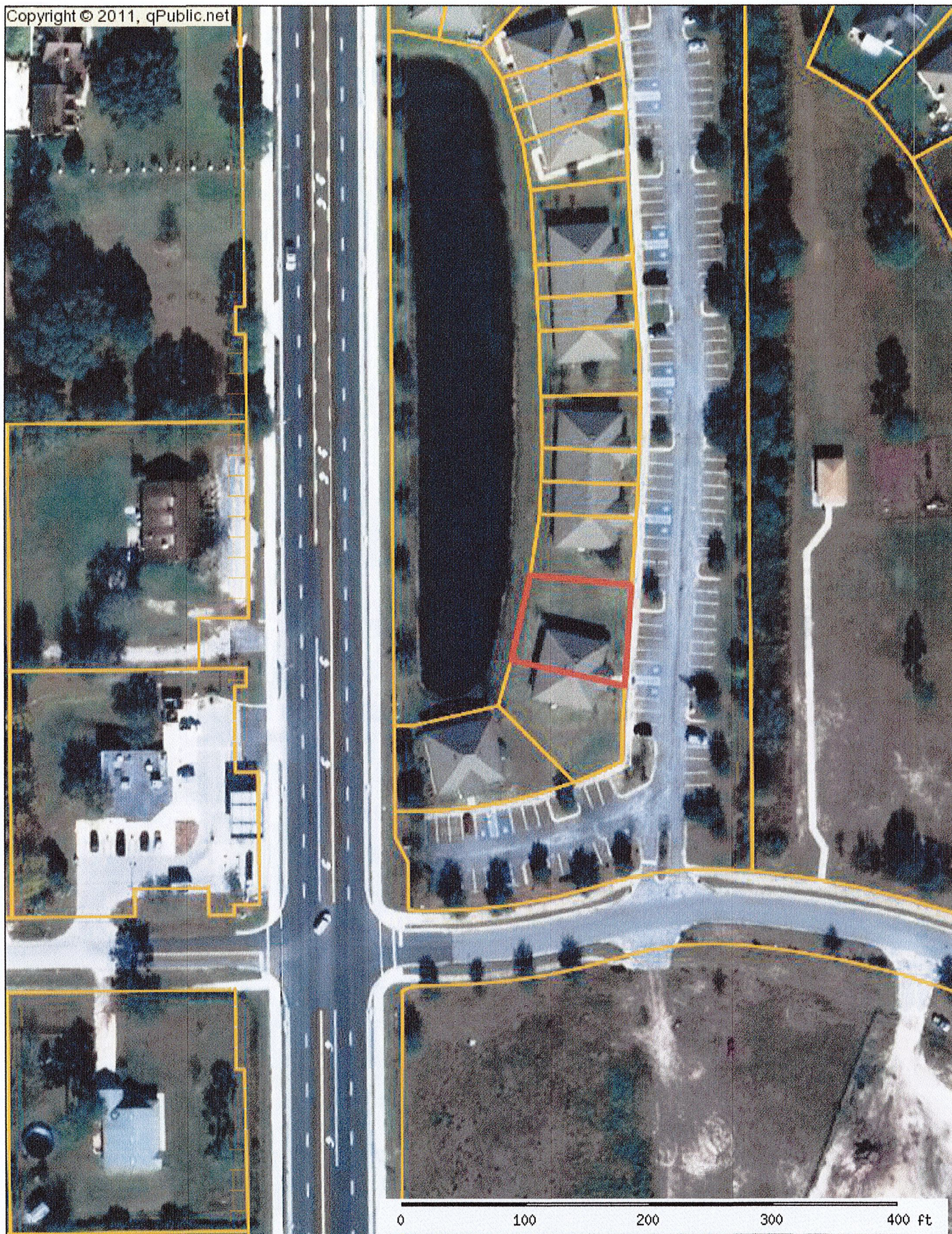
The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 02/01/17 : 09:06:30



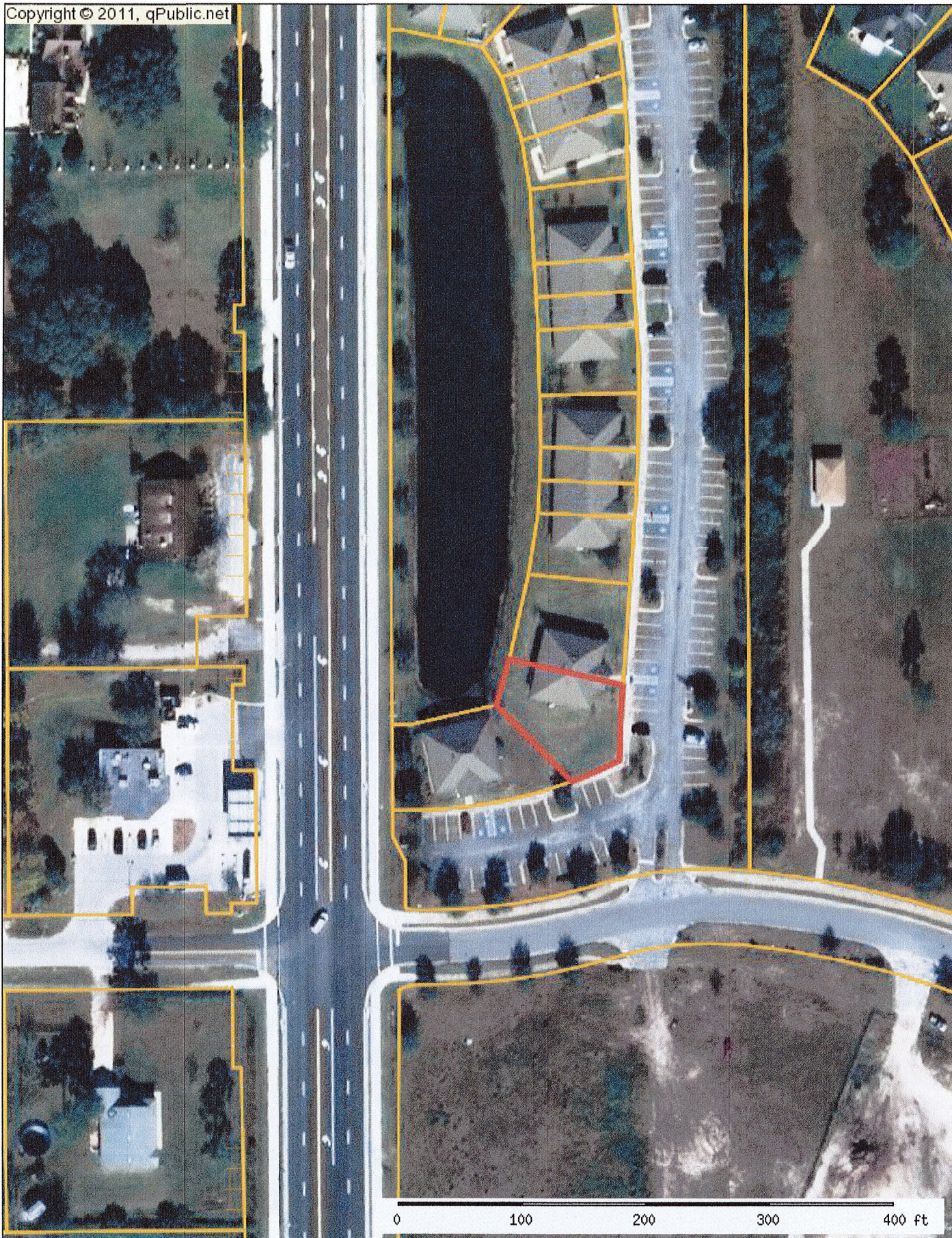
The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 02/01/17 : 09:07:49



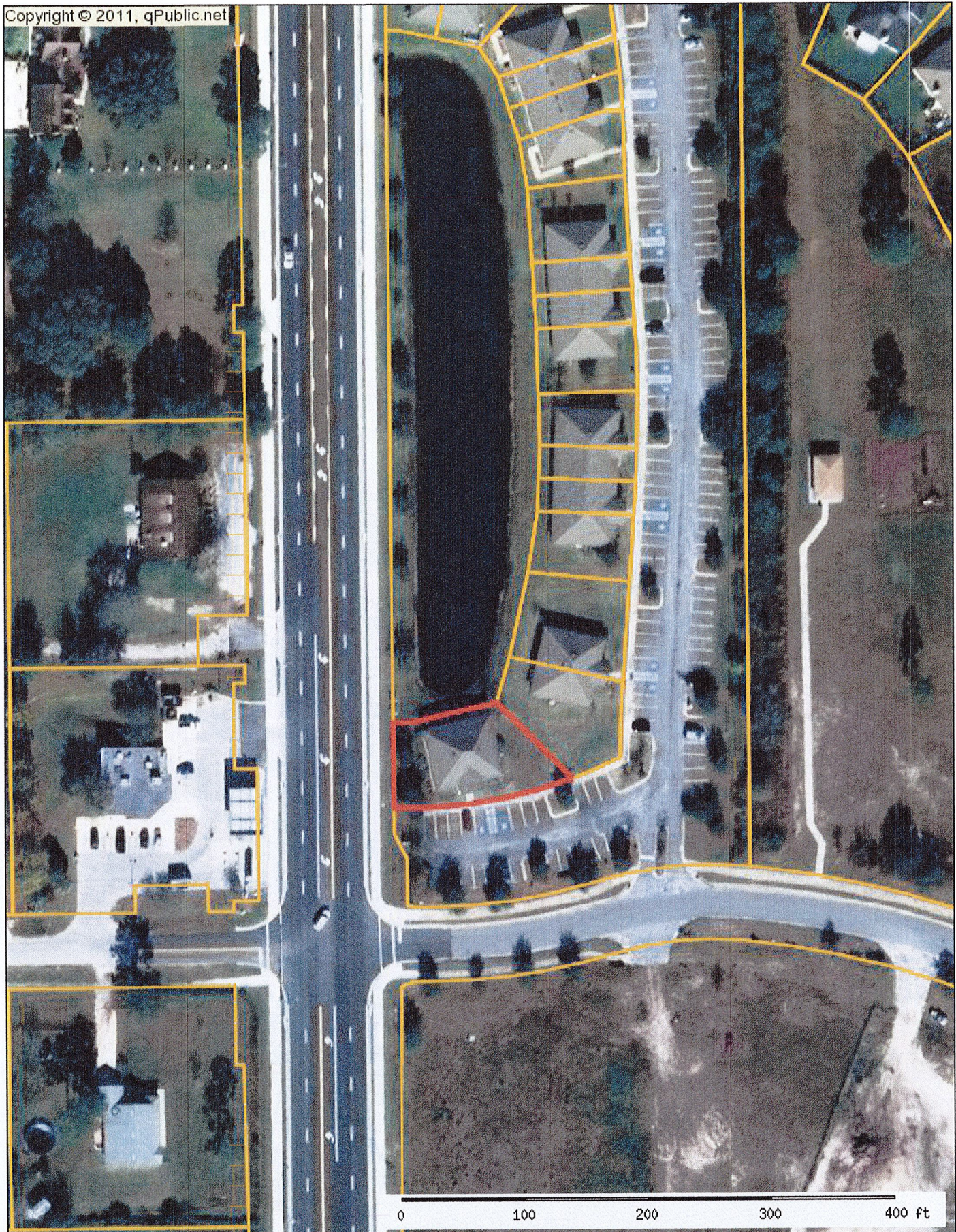
The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 02/01/17 : 09:11:07



The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 02/01/17 : 09:11:47



The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 02/01/17 : 09:12:27

**Written Statement
Amendment to Bazley PUD- Lake Asbury
for Clay Parcels**

**010094-016-01
010094-016-02
010094-016-15
010094-016-16
010094-016-17**

Owners Name: Wiggins Investments of North Florida
91 Branscomb Road #17
Green Cove Springs, FL 32043

Warbil Properties, LLC
781 Branscomb Road
Green Cove Springs, FL 32043

Agent: Susan L. Fraser,
SLF Consulting, Inc.
3517 Park Street
Jacksonville, FL 32205
904-591-8942
slfraser@bellsouth.net

Parcel Number: 21-05-25-010094-016-01
21-05-25-010094-016-02
21-05-25-010094-016-15
21-05-25-010094-016-16
21-05-25-010094-016-17

Future Land Use Category: Lake Asbury Commercial

Existing Zoning: PUD (Z-88-77)
Proposed Zoning: Planned Unit Development

Acreage: 1.997 acres

Adjacent Land Use: North - LA Commercial
South - LA Commercial
East - Rural Fringe LA
West - LA Commercial

Adjacent Zoning: North - PUD
South - PUD
East - PUD
West - BA

Written Statement Amendment to Bazley PUD- Lake Asbury

Site Description:	The property is developed as an office park (Edgeson Office Park). No alteration to the site is proposed under this zoning application. The property does not lie within the floodplain or floodway.
Floodzone:	Flood Zone A
Wetlands:	No wetlands exist in site.
Utilities:	Water and wastewater service by Clay County Utility Authority. Electric provided by Clay Electric.

EXISTING USES / IMPROVEMENTS

The site within which this PUD is located is currently developed as a single story office park. Ownership is by condominium; common lands include parking, stormwater management and signage for the overall development. This PUD affects the uses three duplex style buildings within the larger development; three quadruplex style buildings are not affected.

Six buildings are located within the office park development; three buildings are duplex office units and three buildings are four-plex office units for a total of 18 units.

The 1988 PUD allows office uses. An amendment to the PUD approved in February 2016 permits a 1,286 square foot restaurant with take out to operate in Unit 18. Prior medical office use has ceased (previously in Units 1 and 2) and these units are vacant. The remaining non-office use is a nail salon un Unit 15 (1,333 square feet). The remaining 18,495 square feet of building area in the office park is occupied by office use.

There are 153 parking spaces provided within the Edgesen Lake Office Park parcel.

EXISTING PUD ZONING

The Edgesen Lake Office Park is zoned PUD under Z-88-77 (Bazley PUD). Z-88-77 rezoned 100 acres of land for commercial, office and residential uses in 1988. The PUD has been amended subsequent to its adoption however no changes to the uses permitted or criteria for development applicable to the Edgesen Office Park area of the PUD have been amended.

Amendments under Z-02-19 changed multi-family residential to single family residential within the PUD. Amendments under Z-07-21 incorporated design criteria applicable to the remaining vacant 8.26 acre parcel within the Bazley PUD and the 2016 PUD amendment added restaurant with take-out use to Unit 18 (1,286 square feet).

Written Statement

Amendment to Bazley PUD- Lake Asbury

All of the remaining 91.74 acres of the Bazley PUD have been developed. The PUD includes Branscomb Road.

Adopted in 1988, the Bazley PUD has guided development of the Lake Asbury Shopping Center, a day care north of the Edgesen Lake Office Park, the Edgesen Lake Office Park and single family residential uses in the Glenhaven Subdivision.

The original Bazley PUD provides for the following development (from table located on the approved PUD Site Plan):

Residential	136 single family lots
Professional Offices	12 buildings / 19,200 square feet
Townhomes	108 multi-family units
Commercial	139,000 square feet
Recreation	4.3 acres
Open Space	3.9 acres
Entry Road (Branscomb)	3.4 acres

The multi-family rights were converted to single family use in 2002 and the non-residential development rights were amended to the following in 2007. The table approved on the PUD Site Plan in 1988 was not amended to reflect this change to non-residential rights or the change to single family uses approved in 2002:

Professional Office	22,400 square feet
Commercial	145,800 square feet

Under a Development Agreement approved in 1999, the non-residential rights were allocated to the then vacant lands as follows:

Parcel A-4	22,400 square feet Office
Parcel A-5(1)	78,000 square feet Commercial
Parcel A-5(2)	56,000 square feet Commercial
Parcel A-5(3)	11,800 square feet Commercial

Only Parcel A-5(1) remains vacant within the Bazley PUD and the rights allocated to that parcel under the Development Agreement when added to the square footage of constructed commercial development within the PUD is equal to the total commercial development rights in the Bazley PUD.

Written Statement Amendment to Bazley PUD- Lake Asbury

PROPOSED AMENDMENT

This PUD application seeks to add a commercial uses as permitted uses to the Edgesen Lake Office Park within Units 1, 2, 15, 16, 17 and 18.

These units comprise 7,793 square feet of a total of 23,686 square feet developed in the Edgesen Office Park. Units 1 and 2 are in a single building, adjacent to CR 739B on the north extent of the development. Units 17 and 18 are in a single building, adjacent to CR 739B on the south extent of the development. Units 15 and 16 are in a single building adjacent to Unit 17 (south extent of the development).

Consistent with the practices at the time of adoption, the PUD adopted in 1988 does not provide specific uses for the areas of development within the PUD Site Plan; staff has reviewed development within the Office Park portion of the PUD for compliance with the BA-2 Zoning District.

Under this approach, the office park portion of the Bazley PUD currently permits the following uses:

- 1) Commercial and professional offices having a gross floor area limited to twenty-five hundred (2,500) square feet per building including, but not limited to, offices for doctors, dentists, osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering offices, accounting, auditing and bookkeeping services, real estate sales, insurance companies, finance offices.
- 2) Building and uses immediately and exclusively accessory to the uses permitted above, including automobile parking facilities, central heating and cooling systems, emergency generating plants, storage of documents and other property, training school for employees, living quarters for a custodian or caretaker of the office building or buildings.

The above are subject to the following limitations under the BA-2 Zoning District (and applied to the office portion of the Bazley PUD):

- 1) Sale, display, preparation and storage to be conducted within a completely enclosed building.
- 2) Products sold only at retail.

In the same manner, the commercial uses within the PUD are governed by the Business Shopping Center (BSC), BA, BB-1 and BB-2 zoning district unless otherwise addressed in the PUD. While in 2007 some design and site improvement standards were added to the PUD and a gas station permitted in a specific location within a commercial parcel, the permitted commercial uses in the PUD continue to be governed by these listed zoning districts.

Written Statement Amendment to Bazley PUD- Lake Asbury

Z-88-77 provides that the parking standards applied to development within the PUD are those adopted in the County's land development regulations, which at the time were contained in Section 6. Subsection 4 of Clay Ordinance 82-45; Ordinance 82-45 has been repealed and replaced within the standards in Article VIII. of the Land Development Code.

The requested amendment to Z-88-77 is to add general commercial uses to 7,793 square feet of the Edgesen Lake Office Park. The permitted uses are listed below. Adequate parking has been constructed within the Edgesen Office Park to support the office uses, and proposed uses. The existing parking is sufficient for the proposed and existing uses within the Edgesen Office Park, based on the standards applicable to the uses proposed by this amendment:

Use	Area (SF)	Article VIII Parking Rate	Max Spaces Required (when more than one use is permitted)
Professional Office			
Unit 3	1,333	1 / 250 gfa	
Unit 4	1,286	1 / 250 gfa	
Unit 5	1,286	1 / 250 gfa	
Unit 6	1,333	1 / 250 gfa	
Unit 7	1,286	1 / 250 gfa	
Unit 8	1,333	1 / 250 gfa	
Unit 9	1,286	1 / 250 gfa	
Unit 10	1,333	1 / 250 gfa	
Unit 11	1,286	1 / 250 gfa	
Unit 12	1,286	1 / 250 gfa	
Unit 13	1,286	1 / 250 gfa	
Unit 14	1,286	1 / 250 gfa	
15,620	1 / 250 SF	63 spaces	
Commercial or Office			
Unit 15	1,333	1/200 gfa	
Unit 16	1,333	1/200 gfa	
TOTAL	2,666	1/200 gfa	13 spaces

Commercial, Office or Restaurant			
Unit 1	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 2	1,269 500 SF dining 500 SF takeout 269 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 17	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 18 (Restaurant)	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
	5,144	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area	52 spaces (max)

The total number of parking spaces required to support the existing and proposed uses within the Edgesen Lake Office Park is 128 spaces. 153 spaces have been constructed and are available in the office park parcel to support the existing and proposed uses.

Written Statement Amendment to Bazley PUD- Lake Asbury

The requested uses in Units 1, 2, 15, 16, 17 and 18 are permitted uses in the area of the Bazley PUD that is designated commercial and so are permitted uses within the Bazley PUD currently. This amendment would add this use to the identified parcels in the area PUD that is currently limited to professional office uses. The addition of a restaurant and retail uses to the area of the PUD established for office use is not incompatible with the existing office or service uses within this area of the PUD.

The addition of these uses within an office environment and near a daycare will increase opportunities to walk to meet needs during the work day, reduce vehicular traffic by increasing internal capture between the office, daycare and residential uses of the PUD and will address a demand for additional restaurants and small retail space within the Lake Asbury area. These uses are already permitted in the Bazley PUD and could be located within the PUD south of Branscomb Road.

The unbuilt commercial with the Bazley PUD is a large shopping center (145,000 square feet) that requires a large investment to make even 1,000 square feet of commercial use available. This shopping center will be built when the surrounding residential can support it and at this time the demand is for an additional 5,000-10,000 square feet; this large center will not be constructed until there is demand for an anchor and many tenants secured. This proposed change to the office area of the PUD will allow this small scale demand to be met, uses needed in the community to be provided and will not reduce the marketability of the larger center.

The proposed locations for restaurants within the Edgesen Lake Office Park are limited to the end units; this location limits the passage of restaurant traffic through the office development's parking lot and places parking demand at one end of the parking area within the office park such that the restaurant traffic will not mix with spaces that serve the office uses.

The proposed uses in Units 15 and 16 are service oriented, neighborhood commercial uses.

Branscomb Road is a residential collector road and CR 739 is a major 4 lane collector in Lake Asbury.

PROPOSED PUD LANGUAGE AMENDMENT

The PUD Site Plan adopted under Z-988-77 is not proposed to be amended; the proposed use less than a 5% increase in the allowable commercial uses in the PUD if all units permitted to develop as commercial do develop with commercial uses. The additional use will be governed by a text amendment to the PUD only.

The table adopted as a part of the PUD Site Plan for Z-88-17 is amended as depicted in Exhibit A.

EXHIBIT A
Revised February 2017

Revisions proposed for Land Use Table on the PUD Site Plan adopted pursuant to Z-88-77, incorporating amendments approved by Z-02-19, Z-07-21 and PUD 15-12:

LAND USE	TOTAL AREA (Ac.)	COMMON AREA (Ac.)	NET AREA (Ac.)	# UNITS	DENSITY	MAX. FLOOR SPACE (SF)
Residential	64.6	15.98	47.2	185_Lots	2.8 units/ac	
Prof Office *	4.8	1.5	3.3	6 Bldgs	5,500 sf/ bldg	22,400
Townhouses				0 Units		
Commercial	19.0	15.1	3.9			147,086 153,610
Recreational	4.3	4.3				
Open Space	3.9	3.9				
Entry Road	3.4	3.4				
TOTAL	100 Ac.	46.6 Ac.	54.4 Ac.			

*Professional Office Uses shall be governed by the BA-2 Zoning District, provided that certain Units within the Office Park shall be permitted the following additional uses (units may be combined within any single building):

Office Use governed by the BA-2 Zoning District and Commercial Use governed by Section A below.

Unit 15 1,333 square feet Unit 16 1,333 square feet

Office Use governed by the BA-2 Zoning District, Commercial Use governed Section A. below and Restaurant Use, including take-out restaurant.

Unit 1 1,286 square feet Unit 2 1,269 square feet
Unit 17 1,286 square feet Unit 18 1,286 square

A. Permitted Commercial Uses: Animal clinic, antique shop/sales, art supplies, artist or photo studio, bakery, beauty or barber, bicycle sales and repair, books and stationary, camera or photographic supplies, ceramic studio, cigar, clocks, clothing, corporate office, curio, dance studio, music studio, drapery sales, dry cleaner, financial institutions, florist, fruit and vegetables (inside), furniture, gift, gun repair, hardware store (inside) health spa, hobby and bric a brac, home renovation showroom, interior decorating, jewelry sales, Laundromat, leather goods, locksmith, luggage, medical clinic, medical supply, music instruments, newsstand, office supplies, optical, paint and wallpaper sales, palm reading, photographic galleries, art galleries, printing, private pre-school, school and daycare, retail pharmacy, service establishments, shoe sales/repair, tailor/dressmaker, toys, travel agency, upholstery shop, veterinary hospitals, wearing apparel.

Written Statement
Amendment to Bazley PUD- Lake Asbury
for Clay Parcels
010094-016-01
010094-016-02
010094-016-15
010094-016-16
010094-016-17

Owners Name: Wiggins Investments of North Florida
91 Branscomb Road #17
Green Cove Springs, FL 32043

Warbil Properties, LLC
781 Branscomb Road
Green Cove Springs, FL 32043

Agent: Susan L. Fraser,
SLF Consulting, Inc.
3517 Park Street
Jacksonville, FL 32205
904-591-8942
slfraser@bellsouth.net

Parcel Number: 21-05-25-010094-016-01
21-05-25-010094-016-02
21-05-25-010094-016-15
21-05-25-010094-016-16
21-05-25-010094-016-17

Future Land Use Category: Lake Asbury Commercial

Existing Zoning: PUD (Z-88-77)
Proposed Zoning: Planned Unit Development

Acreage: 1.997 acres

Adjacent Land Use: North - LA Commercial
South - LA Commercial
East - Rural Fringe LA
West - LA Commercial

Adjacent Zoning: North - PUD
South - PUD
East - PUD
West - BA

Written Statement

Amendment to Bazley PUD- Lake Asbury

Site Description:	The property is developed as an office park (Edgeson Office Park). No alteration to the site is proposed under this zoning application.
	The property does not lie within the floodplain or floodway.
Floodzone:	Flood Zone A
Wetlands:	No wetlands exist in site.
Utilities:	Water and wastewater service by Clay County Utility Authority. Electric provided by Clay Electric.

EXISTING USES / IMPROVEMENTS

The site within which this PUD is located is currently developed as a single story office park. Ownership is by condominium; common lands include parking, stormwater management and signage for the overall development. This PUD affects the uses three duplex style buildings within the larger development; three quadruplex style buildings are not affected.

Six buildings are located within the office park development; three buildings are duplex office units and three buildings are four-plex office units for a total of 18 units.

The 1988 PUD allows office uses. An amendment to the PUD approved in February 2016 permits a 1,286 square foot restaurant with take out to operate in Unit 18. Prior medical office use has ceased (previously in Units 1 and 2) and these units are vacant. The remaining non-office use is a nail salon un Unit 15 (1,333 square feet). The remaining 18,495 square feet of building area in the office park is occupied by office use.

There are 153 parking spaces provided within the Edgesen Lake Office Park parcel.

EXISTING PUD ZONING

The Edgesen Lake Office Park is zoned PUD under Z-88-77 (Bazley PUD). Z-88-77 rezoned 100 acres of land for commercial, office and residential uses in 1988. The PUD has been amended subsequent to its adoption however no changes to the uses permitted or criteria for development applicable to the Edgesen Office Park area of the PUD have been amended.

Amendments under Z-02-19 changed multi-family residential to single family residential within the PUD. Amendments under Z-07-21 incorporated design criteria applicable to the remaining vacant 8.26 acre parcel within the Bazley PUD and the 2016 PUD amendment added restaurant with take-out use to Unit 18 (1,286 square feet).

Written Statement

Amendment to Bazley PUD- Lake Asbury

All of the remaining 91.74 acres of the Bazley PUD have been developed. The PUD includes Branscomb Road.

Adopted in 1988, the Bazley PUD has guided development of the Lake Asbury Shopping Center, a day care north of the Edgesen Lake Office Park, the Edgesen Lake Office Park and single family residential uses in the Glenhaven Subdivision.

The original Bazley PUD provides for the following development (from table located on the approved PUD Site Plan):

Residential	136 single family lots
Professional Offices	12 buildings / 19,200 square feet
Townhomes	108 multi-family units
Commercial	139,000 square feet
Recreation	4.3 acres
Open Space	3.9 acres
Entry Road (Branscomb)	3.4 acres

The multi-family rights were converted to single family use in 2002 and the non-residential development rights were amended to the following in 2007. The table approved on the PUD Site Plan in 1988 was not amended to reflect this change to non-residential rights or the change to single family uses approved in 2002:

Professional Office	22,400 square feet
Commercial	145,800 square feet

Under a Development Agreement approved in 1999, the non-residential rights were allocated to the then vacant lands as follows:

Parcel A-4	22,400 square feet Office
Parcel A-5(1)	78,000 square feet Commercial
Parcel A-5(2)	56,000 square feet Commercial
Parcel A-5(3)	11,800 square feet Commercial

Only Parcel A-5(1) remains vacant within the Bazley PUD and the rights allocated to that parcel under the Development Agreement when added to the square footage of constructed commercial development within the PUD is equal to the total commercial development rights in the Bazley PUD.

Written Statement Amendment to Bazley PUD- Lake Asbury

PROPOSED AMENDMENT

This PUD application seeks to add a commercial uses as permitted uses to the Edgesen Lake Office Park within Units 1, 2, 15, 16, 17 and 18.

These units comprise 7,793 square feet of a total of 23,686 square feet developed in the Edgesen Office Park. Units 1 and 2 are in a single building, adjacent to CR 739B on the north extent of the development. Units 17 and 18 are in a single building, adjacent to CR 739B on the south extent of the development. Units 15 and 16 are in a single building adjacent to Unit 17 (south extent of the development).

Consistent with the practices at the time of adoption, the PUD adopted in 1988 does not provide specific uses for the areas of development within the PUD Site Plan; staff has reviewed development within the Office Park portion of the PUD for compliance with the BA-2 Zoning District.

Under this approach, the office park portion of the Bazley PUD currently permits the following uses:

- 1) Commercial and professional offices having a gross floor area limited to twenty-five hundred (2,500) square feet per building including, but not limited to, offices for doctors, dentists, osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering offices, accounting, auditing and bookkeeping services, real estate sales, insurance companies, finance offices.
- 2) Building and uses immediately and exclusively accessory to the uses permitted above, including automobile parking facilities, central heating and cooling systems, emergency generating plants, storage of documents and other property, training school for employees, living quarters for a custodian or caretaker of the office building or buildings.

The above are subject to the following limitations under the BA-2 Zoning District (and applied to the office portion of the Bazley PUD):

- 1) Sale, display, preparation and storage to be conducted within a completely enclosed building.
- 2) Products sold only at retail.

In the same manner, the commercial uses within the PUD are governed by the Business Shopping Center (BSC), BA, BB-1 and BB-2 zoning district unless otherwise addressed in the PUD. While in 2007 some design and site improvement standards were added to the PUD and a gas station permitted in a specific location within a commercial parcel, the permitted commercial uses in the PUD continue to be governed by these listed zoning districts.

Written Statement

Amendment to Bazley PUD- Lake Asbury

Z-88-77 provides that the parking standards applied to development within the PUD are those adopted in the County's land development regulations, which at the time were contained in Section 6. Subsection 4 of Clay Ordinance 82-45; Ordinance 82-45 has been repealed and replaced within the standards in Article VIII. of the Land Development Code.

The requested amendment to Z-88-77 is to add general commercial uses to 7,793 square feet of the Edgesen Lake Office Park. The permitted uses are listed below. Adequate parking has been constructed within the Edgesen Office Park to support the office uses, and proposed uses. The existing parking is sufficient for the proposed and existing uses within the Edgesen Office Park, based on the standards applicable to the uses proposed by this amendment:

Use	Area (SF)	Article VIII Parking Rate	Max Spaces Required (when more than one use is permitted)
Professional Office			
Unit 3	1,333	1 / 250 gfa	
Unit 4	1,286	1 / 250 gfa	
Unit 5	1,286	1 / 250 gfa	
Unit 6	1,333	1 / 250 gfa	
Unit 7	1,286	1 / 250 gfa	
Unit 8	1,333	1 / 250 gfa	
Unit 9	1,286	1 / 250 gfa	
Unit 10	1,333	1 / 250 gfa	
Unit 11	1,286	1 / 250 gfa	
Unit 12	1,286	1 / 250 gfa	
Unit 13	1,286	1 / 250 gfa	
Unit 14	1,286	1 / 250 gfa	
15,620	1 / 250 SF	63 spaces	
Commercial or Office			
Unit 15	1,333	1/200 gfa	
Unit 16	1,333	1/200 gfa	
TOTAL	2,666	1/200 gfa	13 spaces

Commercial, Office or Restaurant			
Unit 1	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 2	1,269 500 SF dining 500 SF takeout 269 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 17	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 18 (Restaurant)	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
	5,144	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area	52 spaces (max)

The total number of parking spaces required to support the existing and proposed uses within the Edgesen Lake Office Park is 128 spaces. 153 spaces have been constructed and are available in the office park parcel to support the existing and proposed uses.

Written Statement

Amendment to Bazley PUD- Lake Asbury

The requested uses in Units 1, 2, 15, 16, 17 and 18 are permitted uses in the area of the Bazley PUD that is designated commercial and so are permitted uses within the Bazley PUD currently. This amendment would add this use to the identified parcels in the area PUD that is currently limited to professional office uses. The addition of a restaurant and retail uses to the area of the PUD established for office use is not incompatible with the existing office or service uses within this area of the PUD.

The addition of these uses within an office environment and near a daycare will increase opportunities to walk to meet needs during the work day, reduce vehicular traffic by increasing internal capture between the office, daycare and residential uses of the PUD and will address a demand for additional restaurants and small retail space within the Lake Asbury area. These uses are already permitted in the Bazley PUD and could be located within the PUD south of Branscomb Road.

The unbuilt commercial with the Bazley PUD is a large shopping center (145,000 square feet) that requires a large investment to make even 1,000 square feet of commercial use available. This shopping center will be built when the surrounding residential can support it and at this time the demand is for an additional 5,000-10,000 square feet; this large center will not be constructed until there is demand for an anchor and many tenants secured. This proposed change to the office area of the PUD will allow this small scale demand to be met, uses needed in the community to be provided and will not reduce the marketability of the larger center.

The proposed locations for restaurants within the Edgesen Lake Office Park are limited to the end units; this location limits the passage of restaurant traffic through the office development's parking lot and places parking demand at one end of the parking area within the office park such that the restaurant traffic will not mix with spaces that serve the office uses.

The proposed uses in Units 15 and 16 are service oriented, neighborhood commercial uses.

Branscomb Road is a residential collector road and CR 739 is a major 4 lane collector in Lake Asbury.

PROPOSED PUD LANGUAGE AMENDMENT

The PUD Site Plan adopted under Z-988-77 is not proposed to be amended; the proposed use less than a 5% increase in the allowable commercial uses in the PUD if all units permitted to develop as commercial do develop with commercial uses. The additional use will be governed by a text amendment to the PUD only.

The table adopted as a part of the PUD Site Plan for Z-88-17 is amended as depicted in Exhibit A.

Written Statement
Amendment to Bazley PUD- Lake Asbury
for Clay Parcels
010094-016-01
010094-016-02
010094-016-15
010094-016-16
010094-016-17

Owners Name: Wiggins Investments of North Florida
91 Branscomb Road #17
Green Cove Springs, FL 32043

Warbil Properties, LLC
781 Branscomb Road
Green Cove Springs, FL 32043

Agent: Susan L. Fraser,
SLF Consulting, Inc.
3517 Park Street
Jacksonville, FL 32205
904-591-8942
slfraser@bellsouth.net

Parcel Number: 21-05-25-010094-016-01
21-05-25-010094-016-02
21-05-25-010094-016-15
21-05-25-010094-016-16
21-05-25-010094-016-17

Future Land Use Category: Lake Asbury Commercial

Existing Zoning: PUD (Z-88-77)
Proposed Zoning: Planned Unit Development

Acreage: 1.997 acres

Adjacent Land Use: North - LA Commercial
South - LA Commercial
East - Rural Fringe LA
West - LA Commercial

Adjacent Zoning: North - PUD
South - PUD
East - PUD
West - BA

Written Statement

Amendment to Bazley PUD- Lake Asbury

Site Description:	The property is developed as an office park (Edgeson Office Park). No alteration to the site is proposed under this zoning application.
	The property does not lie within the floodplain or floodway.
Floodzone:	Flood Zone A
Wetlands:	No wetlands exist in site.
Utilities:	Water and wastewater service by Clay County Utility Authority. Electric provided by Clay Electric.

EXISTING USES / IMPROVEMENTS

The site within which this PUD is located is currently developed as a single story office park. Ownership is by condominium; common lands include parking, stormwater management and signage for the overall development. This PUD affects the uses three duplex style buildings within the larger development; three quadruplex style buildings are not affected.

Six buildings are located within the office park development; three buildings are duplex office units and three buildings are four-plex office units for a total of 18 units.

The 1988 PUD allows office uses. An amendment to the PUD approved in February 2016 permits a 1,286 square foot restaurant with take out to operate in Unit 18. Prior medical office use has ceased (previously in Units 1 and 2) and these units are vacant. The remaining non-office use is a nail salon un Unit 15 (1,333 square feet). The remaining 18,495 square feet of building area in the office park is occupied by office use.

There are 153 parking spaces provided within the Edgesen Lake Office Park parcel.

EXISTING PUD ZONING

The Edgesen Lake Office Park is zoned PUD under Z-88-77 (Bazley PUD). Z-88-77 rezoned 100 acres of land for commercial, office and residential uses in 1988. The PUD has been amended subsequent to its adoption however no changes to the uses permitted or criteria for development applicable to the Edgesen Office Park area of the PUD have been amended.

Amendments under Z-02-19 changed multi-family residential to single family residential within the PUD. Amendments under Z-07-21 incorporated design criteria applicable to the remaining vacant 8.26 acre parcel within the Bazley PUD and the 2016 PUD amendment added restaurant with take-out use to Unit 18 (1,286 square feet).

Written Statement

Amendment to Bazley PUD- Lake Asbury

All of the remaining 91.74 acres of the Bazley PUD have been developed. The PUD includes Branscomb Road.

Adopted in 1988, the Bazley PUD has guided development of the Lake Asbury Shopping Center, a day care north of the Edgesen Lake Office Park, the Edgesen Lake Office Park and single family residential uses in the Glenhaven Subdivision.

The original Bazley PUD provides for the following development (from table located on the approved PUD Site Plan):

Residential	136 single family lots
Professional Offices	12 buildings / 19,200 square feet
Townhomes	108 multi-family units
Commercial	139,000 square feet
Recreation	4.3 acres
Open Space	3.9 acres
Entry Road (Branscomb)	3.4 acres

The multi-family rights were converted to single family use in 2002 and the non-residential development rights were amended to the following in 2007. The table approved on the PUD Site Plan in 1988 was not amended to reflect this change to non-residential rights or the change to single family uses approved in 2002:

Professional Office	22,400 square feet
Commercial	145,800 square feet

Under a Development Agreement approved in 1999, the non-residential rights were allocated to the then vacant lands as follows:

Parcel A-4	22,400 square feet Office
Parcel A-5(1)	78,000 square feet Commercial
Parcel A-5(2)	56,000 square feet Commercial
Parcel A-5(3)	11,800 square feet Commercial

Only Parcel A-5(1) remains vacant within the Bazley PUD and the rights allocated to that parcel under the Development Agreement when added to the square footage of constructed commercial development within the PUD is equal to the total commercial development rights in the Bazley PUD.

Written Statement Amendment to Bazley PUD- Lake Asbury

PROPOSED AMENDMENT

This PUD application seeks to add a commercial uses as permitted uses to the Edgesen Lake Office Park within Units 1, 2, 15, 16, 17 and 18.

These units comprise 7,793 square feet of a total of 23,686 square feet developed in the Edgesen Office Park. Units 1 and 2 are in a single building, adjacent to CR 739B on the north extent of the development. Units 17 and 18 are in a single building, adjacent to CR 739B on the south extent of the development. Units 15 and 16 are in a single building adjacent to Unit 17 (south extent of the development).

Consistent with the practices at the time of adoption, the PUD adopted in 1988 does not provide specific uses for the areas of development within the PUD Site Plan; staff has reviewed development within the Office Park portion of the PUD for compliance with the BA-2 Zoning District.

Under this approach, the office park portion of the Bazley PUD currently permits the following uses:

- 1) Commercial and professional offices having a gross floor area limited to twenty-five hundred (2,500) square feet per building including, but not limited to, offices for doctors, dentists, osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering offices, accounting, auditing and bookkeeping services, real estate sales, insurance companies, finance offices.
- 2) Building and uses immediately and exclusively accessory to the uses permitted above, including automobile parking facilities, central heating and cooling systems, emergency generating plants, storage of documents and other property, training school for employees, living quarters for a custodian or caretaker of the office building or buildings.

The above are subject to the following limitations under the BA-2 Zoning District (and applied to the office portion of the Bazley PUD):

- 1) Sale, display, preparation and storage to be conducted within a completely enclosed building.
- 2) Products sold only at retail.

In the same manner, the commercial uses within the PUD are governed by the Business Shopping Center (BSC), BA, BB-1 and BB-2 zoning district unless otherwise addressed in the PUD. While in 2007 some design and site improvement standards were added to the PUD and a gas station permitted in a specific location within a commercial parcel, the permitted commercial uses in the PUD continue to be governed by these listed zoning districts.

Written Statement

Amendment to Bazley PUD- Lake Asbury

Z-88-77 provides that the parking standards applied to development within the PUD are those adopted in the County's land development regulations, which at the time were contained in Section 6. Subsection 4 of Clay Ordinance 82-45; Ordinance 82-45 has been repealed and replaced within the standards in Article VIII. of the Land Development Code.

The requested amendment to Z-88-77 is to add general commercial uses to 7,793 square feet of the Edgesen Lake Office Park. The permitted uses are listed below. Adequate parking has been constructed within the Edgesen Office Park to support the office uses, and proposed uses. The existing parking is sufficient for the proposed and existing uses within the Edgesen Office Park, based on the standards applicable to the uses proposed by this amendment:

Use	Area (SF)	Article VIII Parking Rate	Max Spaces Required (when more than one use is permitted)
Professional Office			
Unit 3	1,333	1 / 250 gfa	
Unit 4	1,286	1 / 250 gfa	
Unit 5	1,286	1 / 250 gfa	
Unit 6	1,333	1 / 250 gfa	
Unit 7	1,286	1 / 250 gfa	
Unit 8	1,333	1 / 250 gfa	
Unit 9	1,286	1 / 250 gfa	
Unit 10	1,333	1 / 250 gfa	
Unit 11	1,286	1 / 250 gfa	
Unit 12	1,286	1 / 250 gfa	
Unit 13	1,286	1 / 250 gfa	
Unit 14	1,286	1 / 250 gfa	
15,620	1 / 250 SF	63 spaces	
Commercial or Office			
Unit 15	1,333	1/200 gfa	
Unit 16	1,333	1/200 gfa	
TOTAL	2,666	1/200 gfa	13 spaces

Commercial, Office or Restaurant			
Unit 1	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 2	1,269 500 SF dining 500 SF takeout 269 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 17	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/2000 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
Unit 18 (Restaurant)	1,286 500 SF dining 500 SF takeout 286 SF other	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area OR 1/200 SF for takeout restaurant	13 spaces for restaurant with 150 sf outdoor 6 spaces for takeout
	5,144	1/60 SF dining+ 1/200 SF other + 1/ 75 SF outdoor area	52 spaces (max)

The total number of parking spaces required to support the existing and proposed uses within the Edgesen Lake Office Park is 128 spaces. 153 spaces have been constructed and are available in the office park parcel to support the existing and proposed uses.

Written Statement

Amendment to Bazley PUD- Lake Asbury

The requested uses in Units 1, 2, 15, 16, 17 and 18 are permitted uses in the area of the Bazley PUD that is designated commercial and so are permitted uses within the Bazley PUD currently. This amendment would add this use to the identified parcels in the area PUD that is currently limited to professional office uses. The addition of a restaurant and retail uses to the area of the PUD established for office use is not incompatible with the existing office or service uses within this area of the PUD.

The addition of these uses within an office environment and near a daycare will increase opportunities to walk to meet needs during the work day, reduce vehicular traffic by increasing internal capture between the office, daycare and residential uses of the PUD and will address a demand for additional restaurants and small retail space within the Lake Asbury area. These uses are already permitted in the Bazley PUD and could be located within the PUD south of Branscomb Road.

The unbuilt commercial with the Bazley PUD is a large shopping center (145,000 square feet) that requires a large investment to make even 1,000 square feet of commercial use available. This shopping center will be built when the surrounding residential can support it and at this time the demand is for an additional 5,000-10,000 square feet; this large center will not be constructed until there is demand for an anchor and many tenants secured. This proposed change to the office area of the PUD will allow this small scale demand to be met, uses needed in the community to be provided and will not reduce the marketability of the larger center.

The proposed locations for restaurants within the Edgesen Lake Office Park are limited to the end units; this location limits the passage of restaurant traffic through the office development's parking lot and places parking demand at one end of the parking area within the office park such that the restaurant traffic will not mix with spaces that serve the office uses.

The proposed uses in Units 15 and 16 are service oriented, neighborhood commercial uses.

Branscomb Road is a residential collector road and CR 739 is a major 4 lane collector in Lake Asbury.

PROPOSED PUD LANGUAGE AMENDMENT

The PUD Site Plan adopted under Z-988-77 is not proposed to be amended; the proposed use less than a 5% increase in the allowable commercial uses in the PUD if all units permitted to develop as commercial do develop with commercial uses. The additional use will be governed by a text amendment to the PUD only.

The table adopted as a part of the PUD Site Plan for Z-88-17 is amended as depicted in Exhibit A.

Edgesen Lake Office Park

Section 21, Township 5 South, Range 25 East, Clay County, Florida.
5.76 Acres ±

LAND USE
ZONING
ARE
No LOTS
MIN. LOT SIZE

URBAN CORE
FUD
5.76 AC.
4
4000 Sq. Ft.

PLAT BOOK 42 PAGE 66

SHEET 1 OF 2 SHEETS

TYPE II SUBDIVISION " FUD " ZONE

OWNER
Bentod, Inc.
2809 Ocean Drive S
Jacksonville Beach, FL

ENGINEER
J. Lucas & Associates
1516 London Avenue
Jacksonville, FL

SURVEYOR
Eiland & Associates
615 Blanding Blvd.
Orange Park, FL

CAPTION

A subdivision of a parcel of land situated in Section 21, Township 5 South, Range 25 East, Clay County, Florida, said parcel being more particularly described as follows:

Begin at the northwest corner of Tract "A", Glenhaven, according to map thereof, recorded in Plat Book 35, pages 16, 17, 18, 19, 20 and 21 of the public records of said county; thence on the west line thereof, South 00 degrees 17 minutes 07 seconds West, 792.90 feet to the northerly line of Branscomb Road, a 60 foot wide right-of-way, according to map recorded in Plat Book ___, pages ___ and ___ of said public records; thence on last said line, run the following four courses: (1) Westerly, on the arc of a curve concave southerly and having a radius of 330.00 feet, an arc length of 128.35 feet, said arc being subtended by a chord bearing and distance of South 85 degrees 15 minutes 43 seconds West, 127.54 feet; (2) Westerly, on the arc of a curve concave northerly and having a radius of 470.00 feet, an arc length of 132.60 feet, said arc being subtended by a chord bearing and distance of South 82 degrees 12 minutes 09 seconds West, 132.17 feet; (3) North 89 degrees 42 minutes 53 seconds West, 12.10 feet; (4) Northwesternly, on the arc of a curve concave northeasterly and having a radius of 30.00 feet, an arc length of 47.12 feet to the east right-of-way line of County Road No C-739, known as Henley Road, said arc being subtended by a chord bearing and distance of North 44 degrees 42 minutes 53 seconds West, 42.43 feet; thence on last said line, North 00 degrees 17 minutes 07 seconds East, 797.48 feet; thence on the southerly line of Glenhaven Drive, a 60 foot wide public right-of-way, run the following four courses: (1) Northeasterly, on the arc of a curve concave southeasterly and having a radius of 30.00 feet, an arc length of 47.12 feet, said arc being subtended by a chord bearing and distance of North 45 degrees 17 minutes 07 seconds East, 42.43 feet; (2) South 89 degrees 42 minutes 53 seconds East, 134.17 feet; (3) Southeasterly, on the arc of a curve concave southwesterly and having a radius of 270.00 feet, an arc length of 112.36 feet, said arc being subtended by a chord bearing and distance of South 77 degrees 47 minutes 33 seconds East, 111.55 feet; (4) South 65 degrees 52 minutes 14 seconds East, 29.17 feet to the Point of Beginning. Containing 5.76 acres, more or less, in area.

COUNTY COMMISSIONERS' APPROVAL

EXAMINED AND APPROVED THIS 26 DAY OF August, 2003, BY THE BOARD OF COUNTY COMMISSIONERS, CLAY COUNTY, FLORIDA

Ray L. Lancaster
CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

Robert M. Miller
COUNTY MANAGER

COUNTY DEPARTMENT OF PLANNING APPROVAL

EXAMINED AND APPROVED THIS 18 DAY OF Aug, 2003.

John C. Brown
DIRECTOR, DEPARTMENT OF PLANNING

COUNTY DEPARTMENT OF ZONING APPROVAL

EXAMINED AND APPROVED THIS 13 DAY OF August, 2003.

John C. Miller
DIRECTOR, DEPARTMENT OF ZONING

COUNTY DEPARTMENT OF ENGINEERING APPROVAL

EXAMINED AND APPROVED THIS 26 DAY OF August, 2003.

Charles W. Miller
DIRECTOR, DEPARTMENT OF ENGINEERING

CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND IS FILED FOR RECORD IN PLAT BOOK 42 PAGES 66 AND 67 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA, THIS 27 DAY OF August, 2003.

James B. Letz
CLERK OF CIRCUIT COURT

PROPERTY OWNER'S ASSOCIATION

COVENANTS TO BE INCLUDED IN EVERY DEED REFERRING TO THIS PLAT:

THE GRANTEE HEREBY ACCEPTS PROPERTY OWNER ASSOCIATION MEMBERSHIP IN THE SUBDIVISION KNOWN AS EDGESEN LAKE OFFICE PARK AND AGREES TO REMAIN A MEMBER UNTIL THE SUBJECT PROPERTY IS TRANSFERRED TO ANOTHER PURCHASER.

AS PART OF THE CONSIDERATION FOR THIS CONVEYANCE, THE GRANTEE'S COVENANT AND AGREE ON BEHALF OF THOSE WHO SHALL BE THE OWNERS OF THE PROPERTY HEREIN CONVEYED, TO MAINTAIN, AND REPAIR THE EXISTING ROADS, DRAINAGE SHALES AND DITCHES LOCATED IN EASEMENTS OF RECORD ON THE ABOVE REFERENCED PROPERTY SO THAT SUCH ROADS, DRAINAGE SHALES, AND DITCHES SHALL REMAIN IN THEIR NOW EXISTING CONDITION. THIS COVENANT AND AGREEMENT SHALL BE DEEMED A COVENANT RUNNING WITH THE TITLE TO THE PROPERTY HEREIN CONVEYED AND SHALL BIND THE OWNERS OF THE ABOVE REFERENCED PROPERTY AND SHALL INURE TO THE BENEFIT OF EACH OF THE OWNERS OF ANY PORTION OF THE PROPERTY DESCRIBED AS EDGESEN LAKE OFFICE PARK, RECORDED IN PLAT BOOK 42, PAGES 66 AND 67 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

THE TERM "OWNER" OR "OWNERS" AS USED HEREIN SHALL MEAN THE FEE SIMPLE OWNER OR OWNERS, EXCEPT WHEN THE HEREIN REFERENCED PROPERTY IS BEING SOLD UNDER AN AGREEMENT FOR DEED, IN WHICH EVENT, THE SAME SHALL MEAN THE PURCHASER (BENEFICIAL OWNER) AND NOT THE SELLER (UNDER SUCH AN AGREEMENT FOR DEED). THE COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE FOR A TERM ENDING AUGUST 1, 2043, AND SHALL AUTOMATICALLY RENEW FOR SUBSEQUENT SIXTY YEAR PERIODS IN PERPETUITY.

THE GRANTEE HEREBY UNDERSTANDS THAT NO GOVERNMENTAL AGENCY, INCLUDING THE GOVERNMENT OF CLAY COUNTY, SHALL BE RESPONSIBLE FOR THE CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF ANY PRIVATE DRIVE ROAD, STREET, EASEMENT, RIGHT-OF-WAY, PROVIDING INGRESS OR EGRESS TO THE PROPERTY HEREIN CONVEYED NOR SHALL SAID GOVERNMENT BE RESPONSIBLE IN ANY WAY FOR THE DRAINAGE OR STORMWATER MANAGEMENT FACILITY.

ADOPTION, RESERVATION AND DEDICATION

THIS IS TO CERTIFY THAT BENTOD, INC., A CORPORATION EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, IS THE LAWFUL OWNER OF EDGESEN LAKE OFFICE PARK, AS DESCRIBED IN THE CAPTION HEREON, AND THAT IT HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AND THAT THIS PLAT, MADE IN ACCORDANCE WITH SAID SURVEY, IS HEREBY ADOPTED AS THE TRUE AND CORRECT PLAT OF SAID EDGESEN LAKE OFFICE PARK, AND THAT NO PART OF SAID EDGESEN LAKE OFFICE PARK IS DEDICATED TO CLAY COUNTY, FLORIDA OR TO THE PUBLIC. ALL TRACTS, STREETS AND EASEMENTS FOR DRAINAGE AND NON-ACCESS EASEMENTS SHOWN ON THIS PLAT ARE AND SHALL REMAIN PRIVATELY OWNED BY AND THE SOLE AND EXCLUSIVE PROPERTY OF BENTOD, INC., AND ITS SUCCESSORS AND ASSIGNS.

THE EASEMENTS DESCRIBED IN GENERAL NOTES 13 THROUGH 17 HEREIN, SHALL BE IRREVOCABLY DEDICATED AS STATED THEREIN.

IN WITNESS WHEREOF, BENTOD, INC., A FLORIDA CORPORATION
HAS CAUSED THESE PRESENTS TO BE EXECUTED ON ITS BEHALF AS OF THE DATE SHOWN BELOW.

Eric V. Eiland John McLaren Neddet Senhart
ERIC EILAND, WITNESS JOHN MCLAREN, WITNESS NEDDET SENHART, PRESIDENT
BENTOD, INC.
A FLORIDA CORPORATION
175

STATE OF FLORIDA, COUNTY OF CLAY

THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME THIS 14 DAY OF July, 2003, BY NEDDET SENHART, PRESIDENT OF BENTOD, INC., A FLORIDA CORPORATION, ON BEHALF OF THE CORPORATION.

Tracy L. Eiland
TRACY L. EILAND
NOTARY PUBLIC, STATE OF FLORIDA



SURVEYOR'S CERTIFICATE OF REVIEW

The undersigned surveyor hereby certifies that he has been retained by Clay County to review this plat on behalf of Clay County, Florida, in accordance with the requirements of Section 177.08(1), Florida Statutes (1998), and has determined that said plat conforms with the requirements of Chapter 177, Florida Statutes.

The undersigned did not prepare this plat.
This certificate is made as of the 14 day of July, 2003.

Matthew A. Griffith
Matthew A. Griffith
Florida Registration No 3743
2554 Blanding Blvd. Middleburg, FL

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ACCOMPANYING PLAT IS A CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED HEREON, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS SHOWN ON SAID PLAT ACCORDING TO CHAPTER 177, FLORIDA STATUTES AS AMENDED, AND THAT PERMANENT CONTROL POINTS WILL BE SET IN ACCORDANCE WITH SAID LAWS, THAT SAID SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF SAID CHAPTER. SIGNED THIS 14 DAY OF July, 2003.

Harold T. Eiland
HAROLD T. EILAND
FLORIDA CERTIFICATE NO. 2518
EILAND & ASSOCIATES, INC.
LICENSED BUSINESS NO 1381
ORANGE PARK, FLORIDA

Edgesen Lake Office Park

Section 21, Township 5 South, Range 25 East, Clay County, Florida.
5.76 Acres ±

GENERAL NOTES

- PERMANENT REFERENCE MONUMENT (LB 1381) SHOWN THUS ■
- PERMANENT CONTROL POINT (LB 1381) SHOWN THUS ●
- TABULATED CURVE NUMBER SHOWN THUS C1
- ALL EASEMENTS SHOWN HEREON ARE PRIVATE EASEMENTS FOR DRAINAGE AND UTILITIES UNLESS OTHERWISE NOTED.
- BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N. 00°17'07" E. FOR THE RIGHT-OF-WAY LINE OF HENLEY ROAD.
- NOTICE: THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.
- LANDS SHOWN HEREON ARE LOCATED IN FLOOD ZONE "X" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 120064-140-D, DATED NOVEMBER 4, 1992.
- THE ROADS, STREETS, DRAINAGE, OR OTHER COMMON FACILITIES OF THIS SUBDIVISION ARE NOT INTENDED FOR PUBLIC USE AND THE BOARD OF COUNTY COMMISSIONERS EXPRESSLY REJECTS ANY ROAD, STREET OR OTHER COMMON FACILITY FOR MAINTENANCE BY CLAY COUNTY.
- (R) DENOTES RADIAL LOT LINE
- C.E.C. DENOTES CLAY ELECTRIC COOPERATIVE
- C.C.U.A. DENOTES CLAY COUNTY UTILITY AUTHORITY

GENERAL NOTES (cont)

- As depicted on this plat, the Dedicator/Owner hereby grants Clay Electric Cooperative, Inc. (CEC) and Clay County Utility Authority (CCUA), a perpetual easement for utility services over, under, upon and across easements to CEC and CCUA.
- Where a Clay Electric Cooperative, Inc. easement crosses an easement or right-of-way granted to Clay County Utility Authority, Clay Electric Cooperative, Inc. shall have the right to locate its facilities in said joint use easement area, but such use shall be non-exclusive. Clay County Utility Authority shall use, occupy, and locate facilities in these joint use areas so as to reasonably accommodate Clay Electric Cooperative, Inc.'s facilities.
- Where a Clay County Utility Authority easement crosses an easement or right-of-way granted to Clay Electric Cooperative, Inc., Clay County Utility Authority shall have the right to locate its facilities in said joint use easement area, but such use shall be non-exclusive. Clay Electric Cooperative, Inc. shall use, occupy, and locate facilities in these joint use areas so as to reasonably accommodate Clay County Utility Authority's facilities.
- All easements for the water and sewer systems marked C.C.U.A. and shown on plat are hereby irrevocably and without reservation dedicated to Clay County Utility Authority (C.C.U.A.), its successors and assigns.
- All easements for the underground electrical distribution system marked C.E.C. and shown on plat are hereby irrevocably and without reservation dedicated to Clay Electric Cooperative, Inc. (C.E.C.)
- Property hereon subject to Water and Sewer Agreement, according to Official Records Book 1157, page 604 of the public records of Clay County, Florida.

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	DIRECTION	DELTA
C1	66.50'	366.61'	33.57	66.44'	N05°53'09"W	9°51'54"
C2	75.26'	366.61'	51.75	75.14'	N75°24'27"W	11°04'14"
C3	59.75'	366.61'	29.44	59.64'	N65°24'11"W	8°51'14"
C4	12.19'	450.00'	6.04	12.14'	N06°20'40"W	1°39'06"
C5	31.75'	450.00'	15.66	31.74'	N03°32'51"W	4°02'32"
C6	19.24'	600.00'	9.62	19.24'	N02°26'49"W	1°30'16"
C7	40.05'	450.00'	20.04	40.03'	N00°48'33"W	5°05'55"
C8	17.30'	600.00'	8.65	17.30'	N02°33'34"E	1°34'04"
C9	14.38'	600.00'	7.14	14.38'	N04°04'25"E	1°22'25"
C10	42.51'	366.61'	21.28	42.44'	N61°23'55"E	6°18'02"
C11	86.22'	366.61'	43.24	86.04'	N77°01'16"E	12°46'40"
C12	72.11'	366.61'	36.16	72.01'	N88°45'12"E	10°41'12"
C13	4.61'	30.00'	4.65	4.57'	N08°53'37"W	18°21'24"
C14	37.56'	30.00'	21.64	35.16'	N59°56'37"W	71°44'31"
C15	132.60'	470.00'	66.75	132.17'	N82°12'04"E	16°04'55"
C24	57.10'	330.00'	18.87	57.68'	S77°11'34"W	6°32'44"
C25	40.41'	330.00'	20.23	40.38'	S84°04'24"W	7°00'57"
C26	50.24'	330.00'	25.17	50.18'	S88°09'27"E	8°48'21"
C27	30.02'	270.00'	15.02	30.00'	S64°08'14"E	6°22'10"
C28	82.35'	270.00'	41.30	82.05'	S60°56'34"E	17°28'24"
C29	47.12'	30.00'	30.00	42.43'	S45°17'07"W	40°00'00"

PLAT BOOK 42 PAGE 67

SHEET 2 OF 2 SHEETS

TYPE II SUBDIVISION " PUD " ZONE

OWNER
Bentad, Inc.
2809 Ocean Dr S
Jacksonville Beach, FL

ENGINEER
J. Lucas & Associates
1516 London Avenue
Jacksonville, FL

SURVEYOR
Elland & Associates
615 Blanding Blvd.
Orange Park, FL

Electric service provided by Clay Electric Cooperative, Inc.
Water and Sewer service provided by Clay County Utility Authority.

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.



PLAT BOOK 35 PAGES 16 THRU 21

GLENHAVEN
RECREATION AREA
TRACT 'A'

5 00°17'07" N 74.24'

15' UNDISTURBED NATURAL LANDSCAPE EASEMENT

TRACT 'A'
COMMON AREA

TRACT 'B'
RETENTION POND

COUNTY ROAD No C-739 known as Henley Road

LIMITATIONS

NONE OF THE FOREGOING SHALL PROHIBIT CLAY COUNTY, IF A NEIGHBORHOOD OR LOCALE SO REQUESTS, FROM ESTABLISHING A MUNICIPAL SERVICE TAXING DISTRICT OR MUNICIPAL SERVICE BENEFIT WITHIN ANY TYPE II SUBDIVISION FOR THE FURNISHING OF ROADS, STREETS, OR OTHER BENEFITS. NOR SHALL ANY OF THE FOREGOING PROHIBIT THE ACCEPTANCE FOR MAINTENANCE OF ROADS OR COMMON FACILITIES BY THE COUNTY COMMISSION IF AFTER ANY FILING OF ANY PLAT THE FACILITIES TO BE ACCEPTED BY THE BOARD FOR MAINTENANCE ARE UPGRADED TO COUNTY ACCEPTANCE STANDARDS BY CONTRIBUTION OF THE LOCAL DEVELOPER OR HOMEOWNER OR BY ESTABLISHMENT OF A MUNICIPAL SERVICE BENEFIT DISTRICT.



Clay County Division of Planning & Zoning
Staff Report and Recommendation

Application Number PUD-17-02

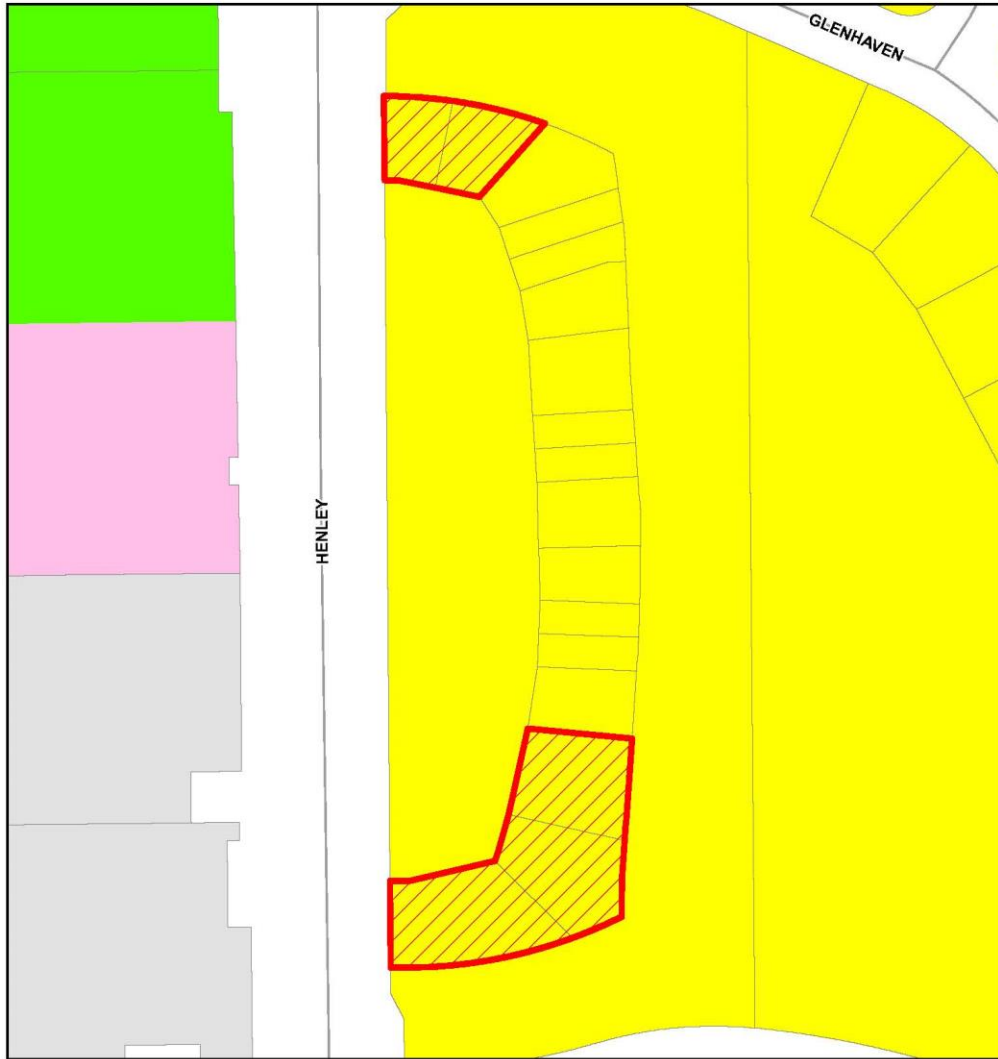
Owner / Agent Information

Owner / Petitioner	Wiggins Investments of North Florida and Warbill Properties LLC 91 Branscomb Road Green Cove Springs, FL 32043
Agent:	Susan Fraser SLF Consulting 3517 Park Street Jacksonville, FL 32205

Parcel, Zoning, Land Use, and Other Information

Parcel ID #	010094-016-17, 010094-016-01, 010094-016-02, 010094-016-15
Physical Address	91 Branscomb Road
Planning District:	6 (Lake Asbury)
Commission District:	5 (Commissioner Hendry)
Existing Zoning District:	PUD (Planned Unit Development)
Proposed Zoning District:	PUD (Planned Unit Development)
Future Land Use Category:	LACOM (Lake Asbury Commercial)
Acreage:	+/- acres
Planning Commission Date:	April 4, 2017
Board of County Commissioners Date:	April 25, 2017

Surrounding Zonings



Legend

 Subject Site

Existing Zoning

 AR-1 Country Estates

 BA Neighborhood Business District

 PS-1 Private Services

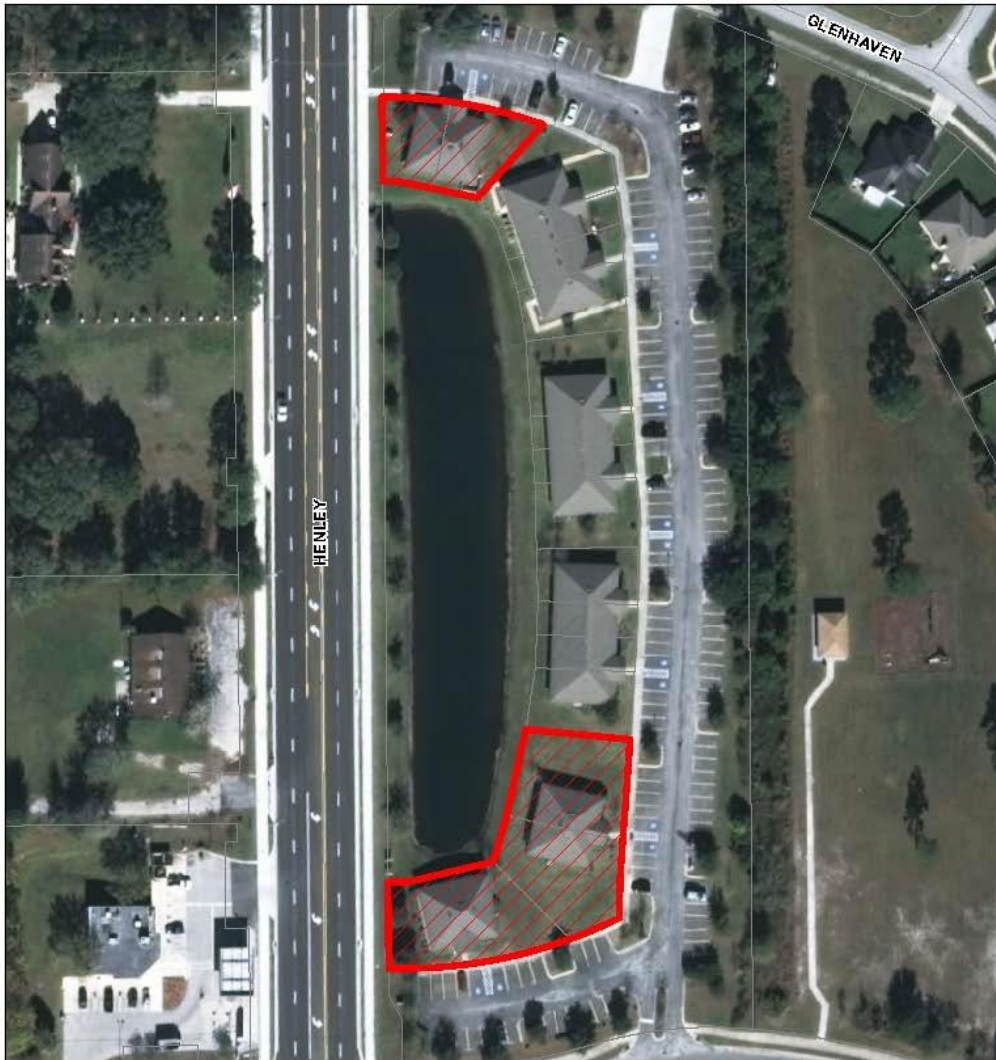
 PUD Planned Unit Development

Rezoning: PUD\PCD-2017000002

Branscomb Office Park

0 65 130 260 Feet

Site Photos & Aerial



Legend

 Subject Site

Rezoning: PUD\PCD-2017000002
Branscomb Office Park

0 65 130 260 Feet







Proposed PUD Zoning District

Please refer to applicant's written statement and site plan for uses and restrictions.

Staff Report & Recommendation

The applicant is requesting a change in zoning from PUD to PUD in order to amend the current PUD to allow for retail / restaurants on several units within the existing development known as Edgesen Lake Office Park. The property was zoned PUD in 1988 and is part of an overall 100 acre development which includes office, commercial, multifamily and single family uses. The parcel that is now seeking a change in zoning is located within the office node of the original PUD. In 2015, one unit was rezoned to allow for a pizza restaurant. That unit, however, remains vacant today.

The subject parcel was approved as an office park and has been developed as such. Parking requirements for office uses are generally lower than those of retail uses. For example, the parking rate for a medical office building is 1 space per 200 square feet; the parking requirement for other office space is 1 space per 250 square feet. The parking rate for a restaurant is 1 space per 60 square feet of dining area plus 1 space per every 200 square feet residual area and 1 space per every 75 square feet for outdoor seating. The applicant has demonstrated that there is sufficient parking to accommodate these uses for these units. Staff has concerns, however, that if the PUD is granted, owners of other units within the office park may also want to rezone to obtain retail / restaurant entitlements. If this were to occur and the rezonings were granted, staff or the Board could potentially be in a position to be asked to approve a potential non-compliant use due to site restrictions; specifically the inability to provide adequate parking.

The PUD was designed to have heavier intensity commercial uses at the intersection of Henley and Sandridge, with single family uses behind the commercial, and office uses within the north section of the PUD. The PUD has developed accordingly, with the exception that commercial uses have not been developed to the south of the office park. In addition, staff notes that there are existing unoccupied commercial areas available within the PUD that would be more appropriate to accommodate the requested use.

An additional challenge that staff faces is in the administration of the PUD. Granting different zoning entitlements to individual units within a parcel originally designated for office use can be problematic. This application applies to a parcel that includes six buildings with 18 separate units. If approved, 12 of the units will allow office use only. The remaining 6 units will allow a variety of uses as indicated below:

Unit	Size (SF)	Uses Proposed
1	1,286	Office, Commercial*, Restaurant
2	1,269	Office, Commercial*, Restaurant
15	1,333	Office, Commercial*
16	1,333	Office, Commercial*
17	1,286	Office, Commercial*, Restaurant
18	1,286	Office, Commercial*, Restaurant

*Commercial uses include animal clinic, antique shop/sales, art supplies, artist or photo studio, bakery, beauty or barber, bicycle sales and repair, books and stationary, camera or photographic supplies, ceramic studio cigar clocks, clothing, corporate office, curio, dance studio, music studio, drapery sales, dry cleaner, financial institutions, florist, fruit and vegetables (inside), furniture, gift, gun repair, hardware store (inside), health spa, hobby and bric a brac, home renovation showroom, interior decorating, jewelry sales, laundromat, leather goods, locksmith, luggage, medical clinic, medical supply, music instruments, newsstand, office supplies, optical, paint and wallpaper sales, palm reading, photographic galleries, art galleries, printing, private pre-school, school and daycare, retail pharmacy, service establishments, shoe sales/repair, tailor/dressmaker, toys, travel agency, upholstery shop, veterinary hospitals, wearing apparel.

Staff recommends denial of application PUD-17-02. The original intent was for this area to be developed as an office component of the PUD, and it has been developed in accordance with that original intent. The current PUD allows for sufficient undeveloped commercial parcels that could be occupied by the applicant's proposed tenant. Staff believes that the office component of the PUD should remain office as was intended in the original PUD and as it is currently developed. In addition, staff believes that approval of the proposal to rezone individual units to obtain separate and distinct entitlements sets a bad precedent for this PUD and should be denied.

ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY UNDER ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED BY ORDINANCE 93-16; FROM ITS PRESENT ZONING CLASSIFICATION OF "PUD" PLANNED UNIT DEVELOPMENT TO "PUD" PLANNED UNIT DEVELOPMENT; PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

SECTION 1. Pursuant to the application of Wiggins Investments, LLC and Warbil Properties, LLC., owners of the following described lands, zoning classification of "PUD" Planned Unit Development on the following described land:

See Attached Exhibit "A"

PUD-17-02 is hereby changed to "PUD" Planned Unit Development, subject to the conditions outlined in the Written Statement, attached as Exhibit "B".

SECTION 2. Effective Date: This Ordinance shall become effective immediately upon receipt of official acknowledgement of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

SECTION 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located.

SECTION 4. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 5. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this

_____ day of _____, 2017 .

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

COUNTY MANAGER AND CLERK OF
THE BOARD OF COUNTY COMMISSIONERS

BY: _____
WAYNE BOLLA
ITS CHAIRMAN

Public Comment Card

☒ First Public Comment _____

☐ Item # ☐ _____

Date: June 6, 2017

Name: Richard Klinzman

Address (Optional): _____

City: Middleburg Zip: 32068

Email Address: _____

Public Comment Card

☐ First Public Comment REFUSED

☐ Item # ☐ 1 2,3,4

Date: 6-6-17

Name: SEX TOY STORE LAY comment

Address (Optional): _____

City: MIDDLEBURY Zip: 32008

Email Address: SEXTOYSSTORE@gmail.com

user

Public Comment Card

☒ First Public Comment REFUSED BY CHAIR

☒ Item # ☐ 2 to 1,3,4

Date: 6.6.17

Name: SEV Top State CAP (COUNTY)

Address (Optional): 2910 Hwy 21

City: MINERVA Zip: 37068

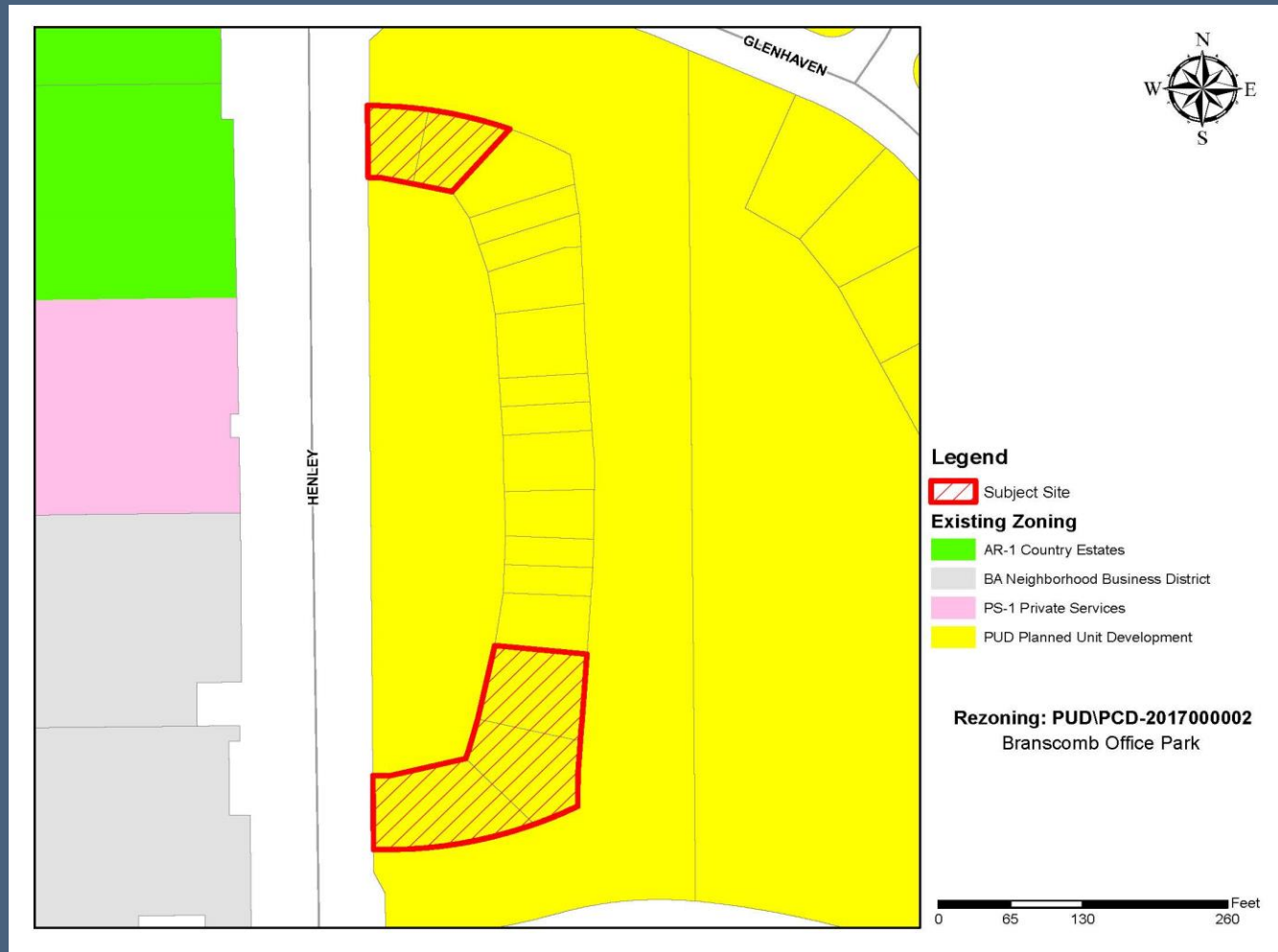
Email Address: SEXBUDS1@gmail.com



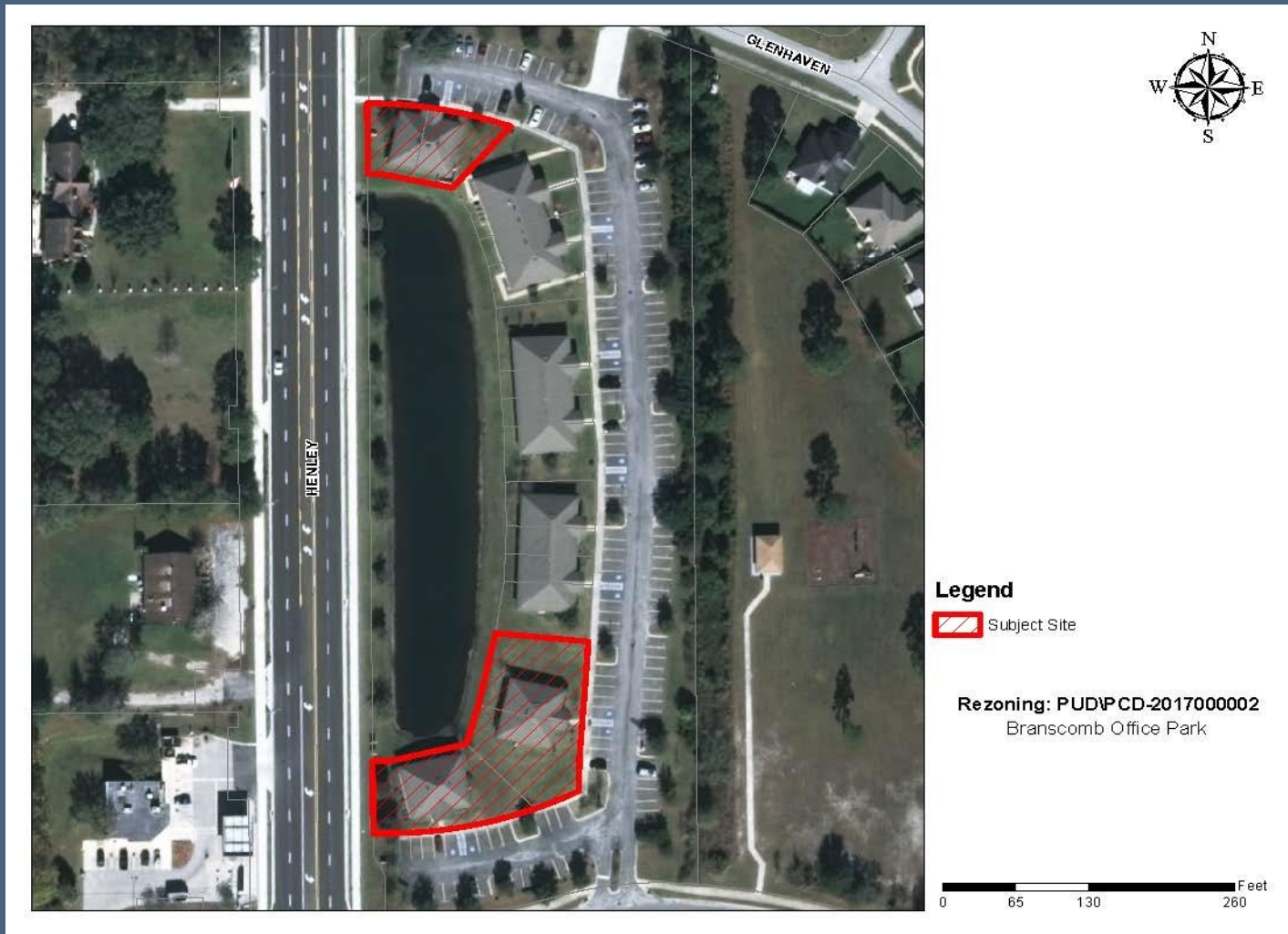
PUD-17-02

- The applicant is requesting a change in zoning from PUD (planned unit development) to PUD (planned unit development).
- The property is located within the Commercial future land use category.

Surrounding Uses / Zoning Districts



Aerial / Site Photos





Applicant Request

- The applicant is requesting a change in zoning to allow for retail uses within some of the existing existing buildings located in the existing Edgesen Office Park.
- The original PUD established this area as the professional office component of that PUD and the buildings have been constructed as such.
- The applicant was successful in rezoning a unit to allow for a small restaurant but staff feels this sets a precedence of rezoning individual units with multiple uses rather than what is generally the overall parcel.



Staff Recommendation

- Staff has reviewed the application and has determined that the change in zoning is not consistent with the original PUD and that changing zoning for individual units sets a bad precedence and an administrative problem having to determine zoning for individual units rather than parcels. Adding more intense uses can also adversely affect the original design regarding parking, landscaping, public safety, etc.
- Staff recommends denial of application PUD-17-02.



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, June 6 7:00 PM

TO: Planning Commission

DATE: 5/26/2017

FROM: Chad A. Williams, Zoning
Chief

SUBJECT: Public Hearing to Consider Rezoning Application Z-17-03 RE to PS-2 7206
Notre Dame Street.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The applicant is requesting a change in zoning to allow for a community garden in the Highride area.

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	5/30/2017	Application.pdf
▣ Staff Report	Backup Material	5/30/2017	Z-17-03Staff_report(PC).pdf
▣ Ordinance	Ordinance	5/30/2017	Ordinance.pdf
▣ Staff Presentation	Backup Material	6/15/2017	Z-17-03.pptx

Rezoning Application



Owner Information

Name SEEDS OF GRACE If the property is under more than one ownership please use multiple property ownership sheets.

Address PO Box 3

City Keystone Heights State Florida Zip Code 32656

Phone Number 3524943724 Email esapp_se1@windstream.net

Parcel & Rezoning Information

Parcel Identification Number 20-08-23-002545-000-00

Address 7206 Notre Dame St. Keystone Heights FL 32656

Number of Acres Being Rezoned .688 Current Zoning RE *Single Family Res DIST* Current Land Use Planned Community

Proposed Zoning PS-2 Private Services DIST I am Seeking A ☒ Permitted Use ☐ Conditional Use

Property Will Be Used As A Community Garden

Required Attachments

Please Check The Following Included Attachments

☒ Deed ☐ Survey ☐ Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5

☒ Agents Authorization Attachment A-1 ☒ Owners Affidavit Attachment A-2 ☒ Legal Description Attachment A-3

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I., III. and XII of the Clay County Code.

Teresa Sapp
Owners Signature
Teresa Sapp
Print Name

Date: 5/2/17

763514

Official Use

Date Received 5/2/17 Application Number 2017000003 OT Number 763514

PC Date 6/6/17 BCC Date 6/13/17 2nd BCC Date if Applicable _____

Krista Hudson
Accepted By

5 acres \$750.00 plus \$20.00 per sign. Greater than 5 acres, \$750.00, plus \$20.00 per acre over 5, plus \$20.00 per sign.

For PUD, PCD, PID the fee is \$2200.00 plus \$7.00 per acre plus \$20.00 for each required sign.

of Signs 2 Fee 790.00

Notices

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 21 days in advance of the date of the first required public hearing . The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within 10 days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 7 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent **must be present**. If there are members of the public who wish to testify regarding your petition, they are normally allowed three minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your rezoning hearing, you will need a record of the proceedings at your expense, and for such purpose **you should 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 Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit

Attachment A-1



Date: 5/2/17

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

Re: Agent Authorization

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. As the owner, I hereby authorize and empower

Teresa Sapp whose address is:

PO Box 918 Melrose FL 32666 (Mailing) 151 Price Road Hawthorne FL 32640 (Physical Address)

Phone 352-494-3724 Email esapp_se1@windstream.net

to act as agent for rezoning the property located at: (address or parcel ID)

7206 Nortre Dame Keystone Heights FL 32656

and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

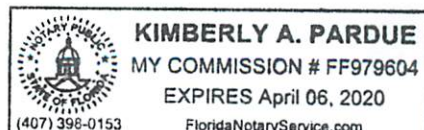
Teresa Sapp

Owner's Signature

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing affidavit was sworn and subscribed before me this 2nd day of May
(month), 2017 (year) by Teresa Sapp, who is personally known to
me or has produced n/a as identification.

Kimberly A. Pardue
(Notary Signature)



Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: 5/2/17

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. I give full consent to process the application for rezoning.

Teresa Sapp
Owner's Signature

Print Name: Teresa Sapp

STATE OF FLORIDA

COUNTY OF Clay

The foregoing affidavit was sworn and subscribed before me this 2nd day of May

(month), 2017 (year) by Teresa Sapp, who is personally known to me or has produced n/a as identification.

Kimberly A. Pardue
(Notary Signature)



KIMBERLY A. PARDUE

MY COMMISSION # FF979604

EXPIRES April 06, 2020

FloridaNotaryService.com

Notary Seal

CFN # 2016004785, OR BK: 3825 PG: 1595, Pages 1 / 2, Recorded 1/28/2016 11:11 AM, Doc: D
TARA S. GREEN Clerk Circuit Court, Clay County, FL Rec: \$18.50 Doc D: \$0.70
Deputy Clerk WESTA

Recd. 13.50
doc. .70
19.20

Prepared By & Return To:
Sandra Darley, Employee of
North Central Title, Inc.
7381 State Road 21, Suite B
Keystone Heights, Florida 32656
Tax ID No:
File No: 2016-497

Warranty Deed

Made this 27th day of January, 2016 by **Jude D. Sorano**, whose mailing address is 7120 Gas Line Road, Keystone Heights, FL 32656. hereinafter called the grantor, to **Seeds of Grace, Inc., a Florida Not For Profit Corporation**, whose mailing address is 6148 CR 352, Keystone Heights, FL 32656 hereinafter called the grantee,

(Whenever used herein the term "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)

WITNESSETH: that the grantor, for and in consideration of the sum of GIFT/Charitable Donation and 00/100 Dollars (\$GIFT/Charitable Donation), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Clay County, Florida, viz:

Lots 18 & 19, Block 11, Highridge Estates, according to plat thereof recorded in Plat Book 8, Pages 38-44 of the public records of Clay County, Florida.

**THIS WAS A CHARITABLE GIFT FROM GRANTOR TO GRANTEE
FOR WHICH NO CONSIDERATION WAS GIVEN AND ONLY
MINIMAL DOCUMENTARY STAMPS ARE DUE.**

Captioned lands are not the homestead realty of the Grantor(s) herein, nor any member of the Grantor's household, nor are they contiguous thereto.

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.



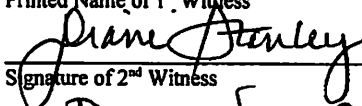
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

BK: 3825 PG: 1596

Warranty Deed
Page 2

Signed, Sealed and Delivered in Our Presence:

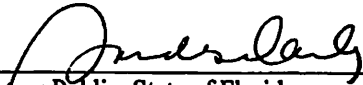
 Signature of 1 st Witness	 Jude D. Sorano
<u>Sandra G. Darley</u> Printed Name of 1 st Witness	
 Signature of 2 nd Witness	
<u>DIANE STANLEY</u> Printed Name of 2 nd Witness	

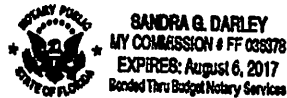
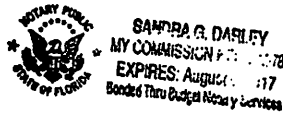
STATE OF FLORIDA
COUNTY OF CLAY

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared **Jude D. Sorano**, who produced valid photo identification and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of January, 2014.

(Notarial Seal)


Notary Public, State of Florida
My Commission Expires:





Clay County Division of Planning & Zoning
Staff Report and Recommendation

Application Number Z-17-03

Owner / Agent Information

Owner / Petitioner **Seeds of Grace**
P.O. Box 3
Keystone Heights, FL 32656

Agent:

Parcel, Zoning, Land Use, and Other Information

Parcel ID # 002545-000-00

Physical Address 7206 Notre Dame Street

Planning District: Keystone

Commission District: 4 (Commissioner Rollins)

Existing Zoning District: RE (Single Family)

Proposed Zoning District: PS-2 (Private Service)

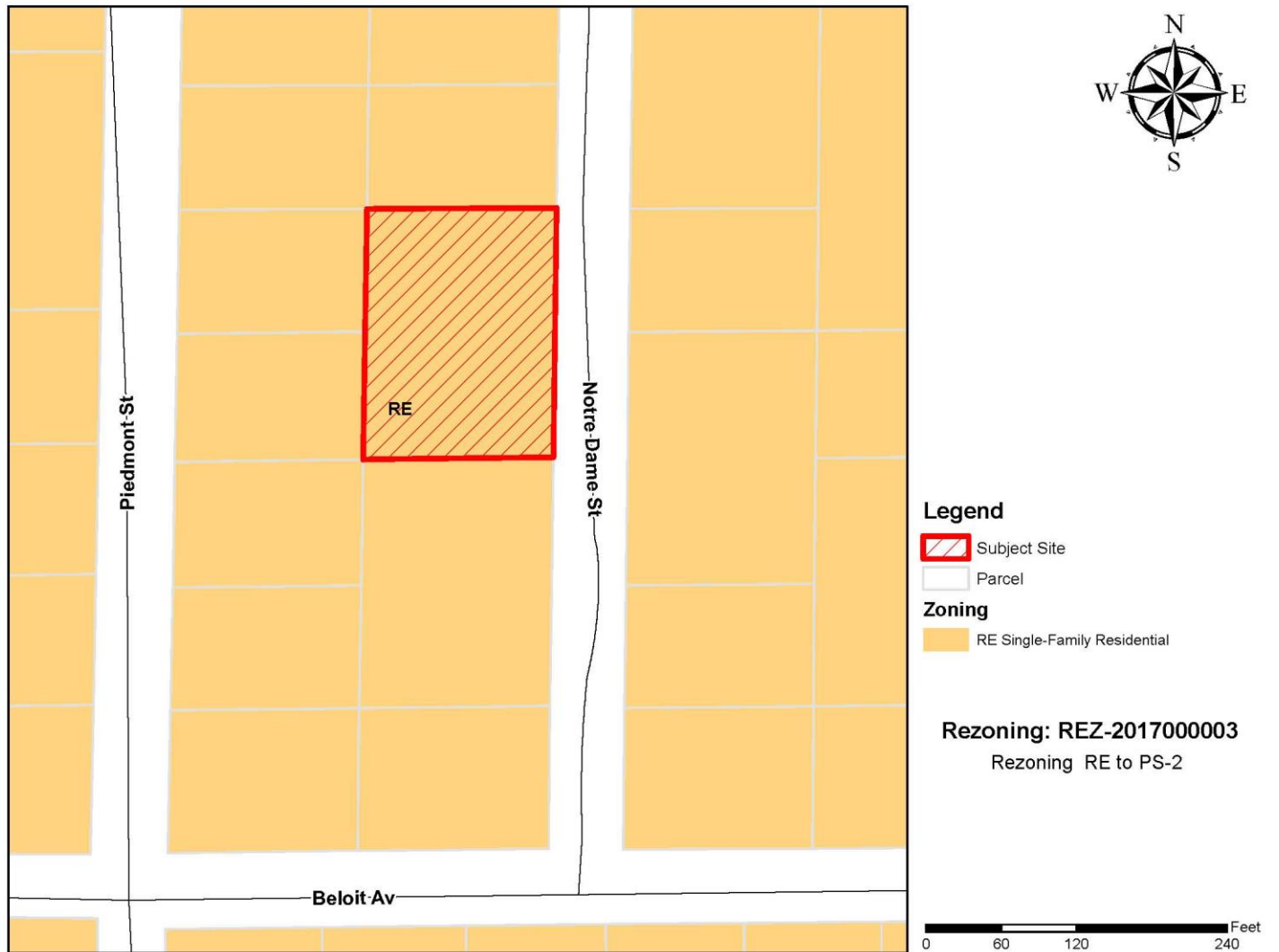
Future Land Use Category: Urban Core (Urban Core)

Acreage: .688+/- acres

Planning Commission Date: June 6, 2017

Board of County Commissioners Date: June 13, 2017

Surrounding Zonings



Site Photos & Aerial

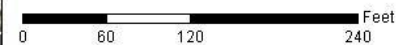


Legend

-  Subject Site
-  Parcel

Rezoning: REZ-2017000003

Rezoning RE to PS-2







Proposed PS-2 Zoning District

Sec. 3-39. **PRIVATE SERVICES (Zone PS-2)**

- (a) *Area.* All land described as Zone PS-2 is subject to the regulations of this Section. Such areas are established to provide adequate land for the private sector providing social services and non-profit retreat facilities in open space areas with an emphasis on the enjoyment and preservation of the natural environmental amenities of the land. A site plan conforming to the requirements of Section 27, Ordinance 82-45, as amended, is required and shall be submitted to the Planning and Zoning Department for administrative review and approval prior to obtaining a building permit.
- (b) *Uses Permitted.*
- (1) Clubs and lodges, including accessory buildings. On-premise consumption of alcoholic beverage within clubs and lodges by members and approved guests only is permitted, subject to the provisions of this chapter.
 - (2) Golf Courses with or without Driving Ranges.
 - (3) Private Passive Parks.
 - (4) Public and private water, sewer, or electric facilities.
 - (5) Community association buildings and neighborhood activity centers, provided no alcoholic beverages are sold or served on premises. (Rev. 02/08/11)
- (c) *Conditional Uses.* The following uses are permitted in the PS-2 zoning district, subject to the conditions provided in Section 20.3-5.
- (1) Outdoor Shooting Range - Shotguns only.
 - (2) Retreat Centers.
 - (3) Commercial radio, television, microwave relay stations or towers, and accessory equipment buildings.
 - (4) Communication Antennas and Communication Towers, including accessory buildings, tower support and peripheral anchors as governed by the provisions of Section 20.3-46 of the Clay County Land Development Code. (Amended 11/26/96 - Ord. 96-58).
 - (5) Recreational facilities. (amended 7/94 - Ord. 94-30)
 - (6) Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining, and Agricultural/Residential land use categories.
 - (7) Dog Park (Ord. 03-16)
 - (8) Public Educational Facilities (Amended 10/99 - Ord. 99-55)

- (9) Youth Camps (Amended 8/04 – Ord. 04-55)
- (10) Campground/Recreational Park (Amended 8/04 – Ord. 04-55)
- (10) Animal Clinics with or without caretaker's quarters. (*Rev. 2/22/11*)
- (11) Solar Farms.
- (12) Community Gardens.
- (d) *Uses Not Permitted.*
 - (1) Any use not allowed in (b) and (c) above.
 - (2) With respect to Retreat Centers, any activity not permitted under Section 501 (C) (3) of the Internal Revenue Code, private ownership of homes, or sale or service of alcoholic beverages.
- (e) *Site Development Plan.* All uses listed in this Section require a site development plan that shall contain the information required in this Article.
- (f) Density Requirements - The maximum density of development for land in this zoning district shall not exceed an F.A.R. of forty (40) percent.
- (g) *Lot and Building Requirements.* The principal building(s), accessory structures and other uses shall be located so as to comply with the following minimum requirements.
Rev. 04/22/08
 - (1) Side lot line setback on property which abuts residential or agricultural districts shall not be less than twenty (20) feet. Where the adjoining lot is also zoned for business, the building may be placed up to the side lot line, providing the building is constructed with four (4) hour party walls as defined by the applicable Building Code; in all other construction, the minimum side setback shall be fifteen (15) feet.
 - (2) Rear lot line setbacks shall be twenty (20) feet. Access shall be not less than twenty (20) feet in width and shall be unobstructed at all times.
 - (3) Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and shall be twenty-five (25) feet.
 - (4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. (amended 5/05 – Ord. 05-18)
 - (5) Corner lots. No structure erected on a corner lot shall be closer than thirty (30) feet to any road.
 - (6) No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to a residential or agricultural district. Garbage or refuse shall be containerized and such containers shall be enclosed or screened so as not to be readily visible from any district.
 - (7) Height and Size Limitations.

- (i) No structure shall exceed two stories or thirty-five (35) feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Building Code.
 - (ii) Parking requirements shall comply with this chapter.
- (8) *Visual Barrier:* Proposed non-residential development shall be buffered from adjacent land within the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on center. For all development commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For developments that commence after this date, the provisions of Article VI of the Clay County Land Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)
- (9) The provisions of Section 3-39(g)(1) and (g)(8) shall not apply to the existing development on parcels numbered 42-04-25-008814-002-01, 42-04-25-008814-226-00 or 42-04-25-008814-225-00. For these parcels, the side line setback which abuts a residential district shall not be less than five (5) feet. (Rev. 02/08/11)
- (h) *Lighting.* Artificial lighting shall only be allowed to illuminate the parking areas and/or advertising copy and shall be directed away from adjacent residential or agricultural districts.
- (i) Roadway and size limitations within the Residential Land Use Categories the following minimum road functional classifications and intensity of site development, which is combined square feet of all buildings, shall be met.
 - (1) Clubs and Lodges
 - Local - not permitted
 - Minor Collector and above - no limit (amended 12/2/98 - Ord. 98-65)
 - (2) Golf Courses- with or without driving ranges.
 - Local- not permitted.
 - Minor Collector- 5,000 square feet.
 - Major Collector and above- no limit.
 - (3) Campgrounds/Recreational Parks
 - Local – not allowed
 - Residential and Minor Collector – 50,000
 - Major Collector and above – no limit (Amended 8/04 – Ord. 04-55)
 - (4) Private Passive Parks
 - Local- 2,500 square feet.
 - Minor Collector and above- no limit.
 - (5) Public and Private Water, Sewer, or Electric Facilities
 - Local- 5,000 square feet.
 - Minor Collector and above- no limit.
 - (6) Outdoor Shooting Range- Shotguns only
 - Local- not permitted.
 - Minor Collector- 3,500 square feet.

Major Collector and above- no limit.

(7) Retreat Center

Local- not permitted.

Minor Collector- 5,000 square feet.

Major Collector and above- no limit.

(8) Recreational Facilities

Local- not permitted.

Minor Collector- 5,000 square feet.

Major Collector and above- no limit. (Amended 6/98 - Ord. 98-27)

(9) Dog Park

Local – 2,500 square feet.

Minor Collector and above - no limit (Ord.03-16)

(10) Youth Camps

Local and above – no limit (Amended 8/04 – Ord. 04-55)

Staff Report & Recommendation

The applicant is requesting a change in zoning from RE to PS-2 in order to develop the site as a community garden. The applicant recently requested a change to the PS-2 zoning district to allow community gardens. Both the Planning Commission and Board of County Commissioners voted unanimously to approve the change. It is the intent of the applicant to create and maintain a community garden to benefit the residents of the Highridge community.

Staff has reviewed the application and has determined that the change in zoning is consistent with the Comprehensive Plan and compatible with the surrounding area. Staff recommends approval of application Z-17-03.

ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY UNDER ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED BY ORDINANCE 93-16; FROM ITS PRESENT ZONING CLASSIFICATION OF "RE" SINGLE FAMILY RESIDENTIAL DISTRICT TO "PS-2" PRIVATE SERVICES DISTRICT; PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

SECTION 1. Pursuant to the application of Seeds of Grace, owner of the following described lands, zoning classification of "RE" Single Family Residential District on the following described land:

See Attached Exhibit "A"

Z-17-03 is hereby changed to "PS-2" Private Services District.

SECTION 2. Effective Date: This Ordinance shall become effective immediately upon receipt of official acknowledgement of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

SECTION 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located.

SECTION 4. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 5. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this

_____ Day of _____, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
CLAY COUNTY, FLORIDA

COUNTY MANAGER AND CLERK OF
THE BOARD OF COUNTY COMMISSIONERS

BY: _____
WAYNE BOLLA
ITS CHAIRMAN



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, June 6 7:00 PM

TO: Planning Commission

DATE: 5/30/2017

FROM: Chad A. Williams, Zoning
Chief

SUBJECT: The applicant is requesting a change in zoning in order to develop the property as a duplex.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	5/30/2017	Application.pdf
▣ Staff Report	Backup Material	5/30/2017	Z-17-04Staff_report(PC).pdf
▣ Ordinance	Ordinance	5/30/2017	Ordinance.pdf
▣ Applicant Backup	Backup Material	6/9/2017	Z-17-04_Applicant_Submission.pdf
▣ Staff Presentation	Backup Material	6/15/2017	Z-17-04.pptx

2-17-04

Department of Economic and Development Services Division of Planning and Zoning

Rezoning Application



Owner Information

Name WARREN DANNY R & JOSHUA T WARREN

If the property is under more than one ownership please use multiple property ownership sheets.

Address PO BOX 1329

City ORANGE PARK

State Florida

Zip Code 32067-1329

Phone Number +1 (904) 282-7663

Email rcswarren@gmail.com

Parcel & Rezoning Information

Parcel Identification Number 13-04-25-007915-000-00

Address 141 SUZANNE AVE, ORANGE PARK, FL 32073

Number of Acres Being Rezoned 0.459

Current Zoning PS-1

PVT SVC DIST

Current Land Use Commercial

Proposed Zoning RC (Two or Three Unit Residential Dist)

I am Seeking A

☒ Permitted Use

☐ Conditional Use

Property Will Be Used As residential home

Required Attachments

Please Check The Following Included Attachments

☒ Deed

☒ Survey

☐ Site Plan & Written Statement if Rezoning to PUD PCD PID BSC and PS-5

☒ Agents Authorization Attachment A-1

☒ Owners Affidavit Attachment A-2

☒ Legal Description Attachment A-3

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the zoning requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements in Article(s) I., III. and XII of the Clay County Code.

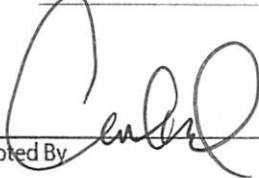
Owners Signature

Danny R. Warren

Print Name

Joshua T. Warren

Date: 05-01-17

Official UseDate Received 5-3-17 Application Number 2017000004 OT Number 763644PC Date 6-6-17 BCC Date 6-27-17 2nd BCC Date if Applicable Accepted By 5 acres \$750.00 plus \$20.00 per sign. Greater than 5 acres, \$750.00, plus \$20.00 per acre over 5, plus \$20.00 per sign.For PUD, PCD, PID the fee is \$2200.00 plus \$7.00 per acre plus \$20.00 for each required sign.Sign by 5-14 # of Signs 1 Fee \$ 770.00**Notices**

The required SIGN(S) must be POSTED on the property BY THE APPLICANT 21 days in advance of the date of the first required public hearing . The sign(s) may be removed only after final action of the Board of County Commissioners and must be removed within 10 days of such action. The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 7 DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are paid by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Zoning Division, prior to the public hearing.

Hearings are held in the County Commission Chambers on the Fourth Floor of the Clay County Administration Building, 477 Houston Street, Green Cove Springs, Florida. You or your authorized agent must be present. If there are members of the public who wish to testify regarding your petition, they are normally allowed three minutes.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at your rezoning hearing, you will need a record of the proceedings at your expense, and for such purpose you should 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 Florida Times Union will be publishing your rezoning legal notices. You must pre-pay your legal advertisement fees. An affidavit must be paid before receiving proof of publication. Should a petition be withdrawn, legal advertising already published will not be refunded.

5/30 AEL

The rest of this space is intentionally left blank

Clay County Rezoning Agent Authorization Affidavit

Attachment A-1



Date: 4/2/17

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

Re: Agent Authorization

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. As the owner, I hereby authorize and empower

Erich Spivey

whose address is:

528 Cody Court, Orange Park, FL 32073


Phone 407-590-7772

Email espivey@dhsventures.com

to act as agent for rezoning the property located at: (address or parcel ID)

13-04-25-007915-000-00

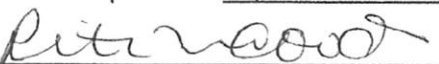
and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.


Owner's Signature Danny R. Warren

STATE OF FLORIDA
COUNTY OF CLAY

The foregoing affidavit was sworn and subscribed before me this 3 day of April

(month), 2017 (year) by Danny R. Warren, who is personally known to me or has produced FLDL as identification.


(Notary Signature)



Notary Seal

Clay County Rezoning Property Ownership Affidavit

Attachment A-2



Date: 4/2/17

Clay County Board of County Commissioners

Division of Planning & Zoning

Attn: Zoning Chief

P.O. Box 1366

Green Cove Springs, Florida 32043

To Whom It May Concern:

Be advised that I am the lawful owner of the property described in the provided legal description attached hereto. I give full consent to process the application for rezoning.

A handwritten signature in black ink, appearing to read "Joshua Warren".

Owner's Signature

Print Name:

JOSHUA WARREN

STATE OF FLORIDA

COUNTY OF Clay

The foregoing affidavit was sworn and subscribed before me this 3 day of April

(month), 2017 (year) by Joshua T Warren, who is personally known to me or has produced FIDC as identification.

A handwritten signature in black ink, appearing to read "Rita M. Coody".

(Notary Signature)



Notary Seal

Legal Description

LOT 21 SAUNDERLEE BLK 2 AS RECO R 3183 PG 151

Quit Claim Deed

THIS INDENTURE, Made this 16th day of FEB, A.D. 2010 BETWEEN Austin O. Hollis III
of the County of Duval, State of Florida, party of the first part, and Danny R. Warren and Joshua T.

Warren, Post Office Box 1329, Orange Park, Florida 32067-1329 of the County of Clay, State of
Florida, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten and 00/100s—Dollars, to
him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, he has granted,
bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate,
lying and being in the County of Clay, State of Florida, to wit:

Lot 21, Block 2, SAUNDARLEE, according to the map or plat thereof as recorded in Plat Book 5, Page 36, Public Records of
Clay County, Florida

Commonly known as: 141 SUZANNE AVENUE, ORANGE PARK, FLORIDA 32073

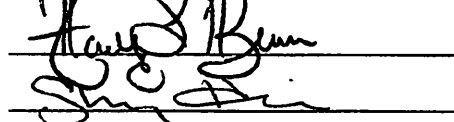
Tax Parcel Identification Number: 130425-007915-000-00.

SUBJECT, to covenants, restrictions and easement of record.

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

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above
written.

SIGNED AND SEALED IN OUR PRESENCE:





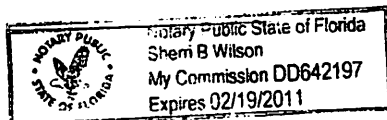
Austin O. Hollis III (SEAL)

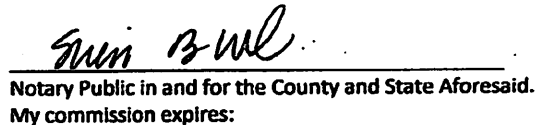
(SEAL)

STATE OF FLORIDA
COUNTY OF Duval }ss.

Before me personally appeared Austin O. Hollis III to me well known and known to me to be the individual described in and
who executed the foregoing instrument and acknowledged to and before me that he executed the same for the purposes
therein expressed.

WITNESS my hand and official seal this 16th day of FEBRUARY, 2010, at Duval, County and State
aforesaid.





Notary Public in and for the County and State Aforesaid.
My commission expires:

This Instrument prepared by: Danny R. Warren, Post Office Box 1329, Orange Park, Florida 32067-1329

ORDER NO:	27841
DRAWN BY:	TNP
REVIEWED BY:	TNP
CHECKED BY:	VAN



Clay County Division of Planning & Zoning
Staff Report and Recommendation

Application Number Z-17-04

Owner / Agent Information

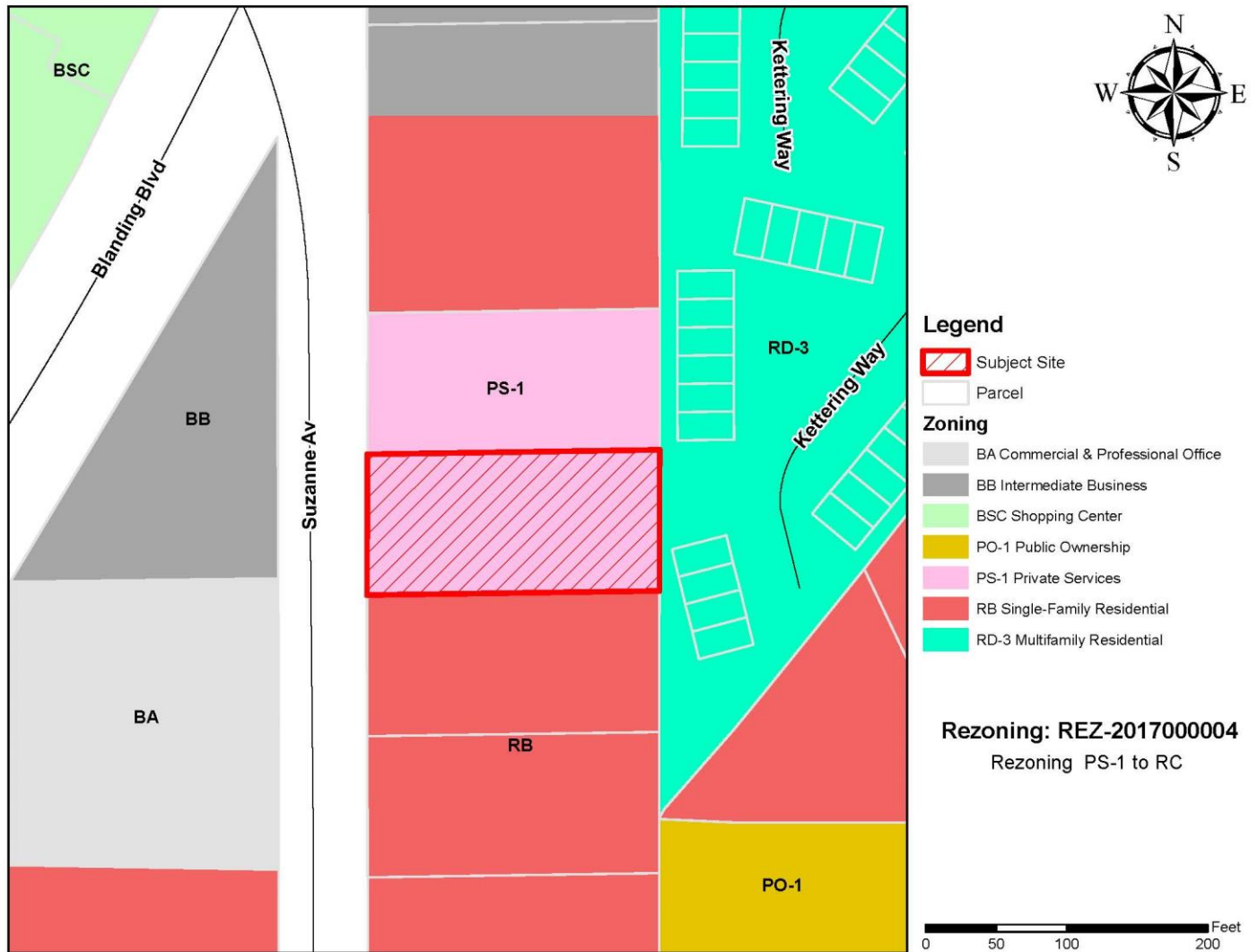
Owner / Petitioner **Danny and Joshua Warren**
P.O. Box 1329
Orange Park, FL 32067

Agent:

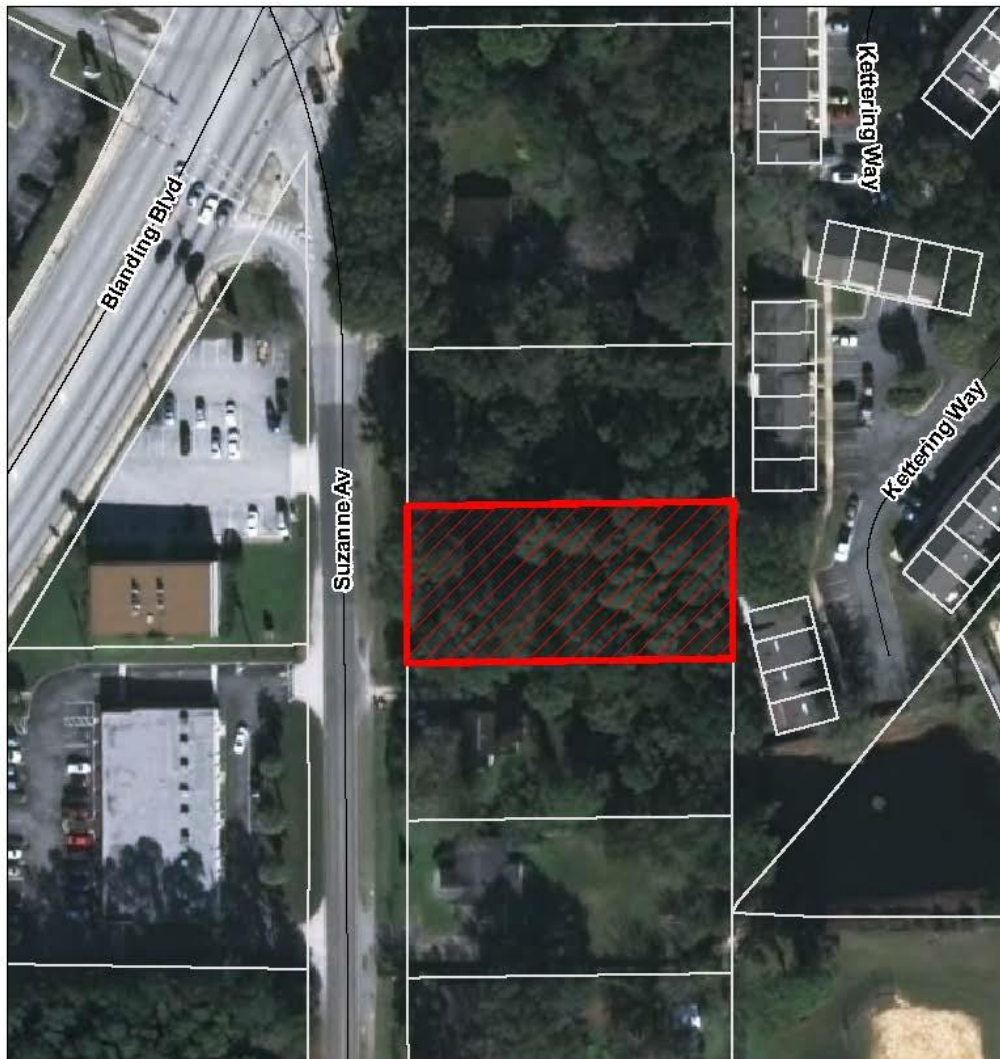
Parcel, Zoning, Land Use, and Other Information

Parcel ID #	007915-000-00
Physical Address	141 Suzanne Drive
Planning District:	Doctors Inlet Ridgewood
Commission District:	3 (Commissioner Hutchings)
Existing Zoning District:	PS-1 (Private Service)
Proposed Zoning District:	RC (Two to Three Unit District)
Future Land Use Category:	Urban Core (Urban Core)
Acreage:	.459+/- acres
Planning Commission Date:	June 6, 2017
Board of County Commissioners Date:	June 27, 2017

Surrounding Zonings



Site Photos & Aerial



Legend

-  Subject Site
-  Parcel

Rezoning: REZ-2017000004

Rezoning PS-1 to RC

0 50 100 200 Feet



Proposed RC Zoning District

Sec. 3-18. TWO- OR THREE-UNIT RESIDENTIAL DISTRICT (Zone RC)

- (a) *Intent.* All land designated as Zone RC is subject to the regulations of this Section, as well as the restrictions in Sec. 20.3-10.
- (b) *Uses Permitted.* (Rev. 07/27/2020)
- (1) Two-family or three-family residences including two or three private carports or garages. Such duplexes or triplexes shall be constructed under a single roof but may be separated by a garage or carport area.
- (2) Accessory uses and buildings, subject to the following:
- (i) On lots of one acre or less:
- a. no accessory structure shall exceed the height of the primary structure; and,
- b. all other lot size requirements must be met as established within this Article.
- (ii) On lots of more than one but less than two acres:
- a. no accessory structure shall exceed the height of the primary structure within urban core or urban fringe land use.
- b. within rural fringe land use, no accessory structure shall exceed the height of the primary structure unless the structure is set back at least fifteen (15) feet from the side and rear property lines. In no event shall the height of such accessory structure exceed more than twenty (20) feet measured from the lowest floor of the primary dwelling.
- c. all other lot requirements must be met as established within this Article.
- (iii) On lots of more than two acres:
- a. no accessory structure shall exceed the height of the primary structure within urban core or urban fringe land use.
- b. within rural fringe land use, no accessory structure shall exceed the height of the primary structure unless the structure is set back at least fifteen (15) feet from the side and rear property lines. In no event shall the height of such accessory structure exceed the height of the primary structure by more than 25%; and,
- c. all other lot requirements must be met as established within this Article.
(Amended 7/03 – Ord. 03-74)

- (2) No accessory structure or use may be constructed or established on any lot prior to the issuance of a building permit for the principal structure. Accessory structures are prohibited within the side and, with the exception of waterfront lots, front yards. *Rev. 05/24/11*
 - (4) Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The duration of each garage sale shall be a maximum of 72 hours and may be conducted only within daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.
 - (5) Satellite dish receivers for individual use.
 - (6) The keeping of domesticated cats and dogs with a limit of six total per household over six months in age.
 - (7) Private boat pier or slip for the use of occupants of principal residential structures of the abutting lot; provided said pier or slip does not interfere with navigation.
- (c) *Conditional Uses.* The following use is permitted in the RC zoning district subject to the conditions provided in Section 20.3-5.
- (1) Home occupations.
 - (2) Swimming pools.
 - (3) Temporary structures or buildings.
 - (4) Fences.
 - (5) Public and/or private sewer facilities.
 - (6) Aviculture (Hobbyist).
 - (7) Apiculture (Hobbyist) (Amended 2/25/97 Ord. 97-11)
 - (8) Public Educational Facilities (Amended 10/99 - Ord. 99-55)
 - (1) Recreational Vehicle parking for temporary use (amended 11/07 – Ord.2007-66).
 - (2) Portable Storage Structures (*Rev. 02/08/11*)
 - (3) Residential Group Homes of six or fewer individuals. (*Rev. 01/12/16*)
 - (4) Residential Group Homes of seven to fourteen individuals. (*Rev. 01/12/16*)
- (d) *Uses Not Permitted.*
- (1) Any use not allowed in (b) or (c) above.

(e) *Density Requirements.* The maximum densities and minimum lot areas for residential uses in the RC district shall be as follows: (amended 10/12/93 - Ord 93-36)

(1) Land with a zoning classification of RC and a land use designation of Rural Fringe Residential.

<i>Maximum Density</i>		
With Points and Central Water/Sewer		Three (3) units per acre
With Points and No Central Water/Sewer		1.5 units per acre
Without Points		One (1) unit per acre
 <i>Minimum Lot Size</i>		
With Points and Central Water/Sewer		23,232 square feet
With Points and No Central Water/Sewer		46,464 square feet
Without Points		69,696 square feet

(2) Two-family residential development on land with a zoning classification of RC and a land use designation of Urban Fringe Residential.

(i) Subdivision pursuant to Ordinance 85-68, as amended.

<i>Maximum Density</i>		
With Central Water/Sewer and Points		Four (4) units per acre
Without Central Water/Sewer		Two (2) units per acre
 <i>Minimum Lot Size</i>		
With Central Water/Sewer		17,424 square feet
Without Central Water/Sewer		34,848 square feet

(ii) Residential development not classified as a subdivision pursuant to Ordinance 85-68, as amended.

<i>Maximum Density</i>		
With Central Water/Sewer		Four (4) units per acre
Without Central Water/Sewer		Two (2) units acre
 <i>Minimum Lot Size</i>		
With Central Water/Sewer		21,780 square feet
Without Central Water/Sewer		43,560 square feet

(3) Two-family residential development on land with a zoning classification of RC and a land use designation of Urban Core Residential.

(i) Subdivisions pursuant to Ordinance 85-68, as amended.

<i>Maximum Density</i>		
With Central Water/Sewer		Six (6) units per acre

Without Central Water/Sewer	Two (2) units per acre
-----------------------------	------------------------

Minimum Lot Size

With Central Water/Sewer	11,616 square feet
Without Central Water/Sewer	34,848 square feet

- (ii) Residential development not classified as a subdivision pursuant to Ordinance 85-68, as amended.

Maximum Density

With Central Water/Sewer	Six (6) units per acre
Without Central Water/Sewer	Two (2) units per acre

Minimum Lot Size

With Central Water/Sewer	14,520 square feet
Without Central Water/Sewer	43,560 square feet

- (4) Three-family residential development on land with a zoning classification of RC and a land use designation of Rural Fringe Residential.

- (i) *Maximum Density*

With Points and Central Water/Sewer	Three (3) units per acre
With Points and No Central Water/Sewer	1.5 units per acre
Without Points	One (1) unit per acre

Minimum Lot Size

With Points and Central Water/Sewer	34,848 square feet
With Points and No Central Water/Sewer	69,696 square feet
Without Points	104,544 square feet

- (5) Three-family residential development on land with a zoning classification of RC and a land use designation of Urban Fringe Residential.

- (i) Subdivision pursuant to Ordinance 85-68, as amended.

Maximum Density

With Central Water/Sewer	Four (4) units per acre
Without Central Water/Sewer	Two (2) units per acre

Minimum Lot Size

With Central Water/Sewer	26,136 square feet
Without Central Water/Sewer	52,272 square feet

Subject to HRS Permit for septic sewer service.

- (ii) Residential development not classified as a subdivision.

Maximum Density

With Central Water/Sewer	Four (4) units per acre
Without Central Water/Sewer	Two (2) units per acre

Minimum Lot Size

With Central Water/Sewer	32,670 square feet
Without Central Water/Sewer	65,340 square feet

- (6) Three-family residential development on land with a zoning classification of RC and a land use designation of Urban Core Residential.

- (i) Subdivision pursuant to Ordinance 85-68, as amended.

Maximum Density

With Central Water/Sewer	Six (6) units per acre
Without Central Water/Sewer	Two (2) units per acre

Minimum Lot Size

With Central Water/Sewer	17,424 square feet
Without Central Water/Sewer	52,272 square feet
Subject to HRS Permit for septic sewer service.	

- (ii) Residential development not classified as a subdivision.

Maximum Density

Six (6) units per acre

Minimum Lot Size

21,780 square feet

- (e) *Lot and Building Requirements.* The principal buildings, accessory buildings and other lot uses shall be located so as to comply with the following requirements:

(1)	Minimum Lot Width at Building Line	60 feet
(2)	Minimum Lot Depth	100 feet
(3)	Minimum Front Setback	20 feet
(4)	Minimum Side Setback	7.5 feet
(5)	Minimum Rear Setback	15 feet
(6)	Minimum Setback from all Lot Lines of Accessory Structures, Excluding Fences	7.5 feet
(7)	Maximum Percent of Lot Coverage	30 percent
(8)	Maximum Percent of Rear Yard Coverage	30 percent
(9)	Minimum Living Area	750 square feet

- (10) All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. (amended 5/05 – Ord. 05-18)
- (11) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water line or the mean high water line, whichever is applicable. Lot width shall be measured by the chord terminated by the property corners at the ordinary high water line or the mean high water line as applicable. (amended 5/05 – Ord. 05-18)

Staff Report & Recommendation

The applicant is requesting a change in zoning from PS-1 (private service) to RC (two to three unit) to develop the parcel with a duplex dwelling. The property appears to have been rezoned in the 1990's, presumably for a church or daycare. The surrounding zonings are:

North: PS-1

East: RD-4

South: RB

West: Suzanne Avenue

Although located within the urban core land use, the development pattern along Suzanne Avenue has been in accordance with the RB single family zoning district. This parcel and the PS-1 to the North are currently vacant. The property to the South is developed as single family residential.

Staff has reviewed the application and has determined that the change in zoning is consistent with the Comprehensive Plan but incompatible with the surrounding area due to the residential development pattern along Suzanne Avenue with the exception of the intersection at Blanding and Moody. Staff recommends denial of application Z-17-04.

ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY UNDER ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED BY ORDINANCE 93-16; FROM ITS PRESENT ZONING CLASSIFICATION OF "PS-1" PRIVATE SERVICES DISTRICT TO "RC" TWO OR THREE UNIT RESIDENTIAL DISTRICT; PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

SECTION 1. Pursuant to the application of Danny R Warren & Joshua T Warren, owner of the following described lands, zoning classification of "PS-1" Private Services District on the following described land:

See Attached Exhibit "A"

Z-17-04 is hereby changed to "RC" Two or Three Unit Residential District.

SECTION 2. Effective Date: This Ordinance shall become effective immediately upon receipt of official acknowledgement of the office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

SECTION 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located.

SECTION 4. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

SECTION 5. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this

_____ Day of _____, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
CLAY COUNTY, FLORIDA

COUNTY MANAGER AND CLERK OF
THE BOARD OF COUNTY COMMISSIONERS

BY: _____
WAYNE BOLLA
ITS CHAIRMAN

CLAY COUNTY PLANNING COMMISSION

TUESDAY, JUNE 6, 2017

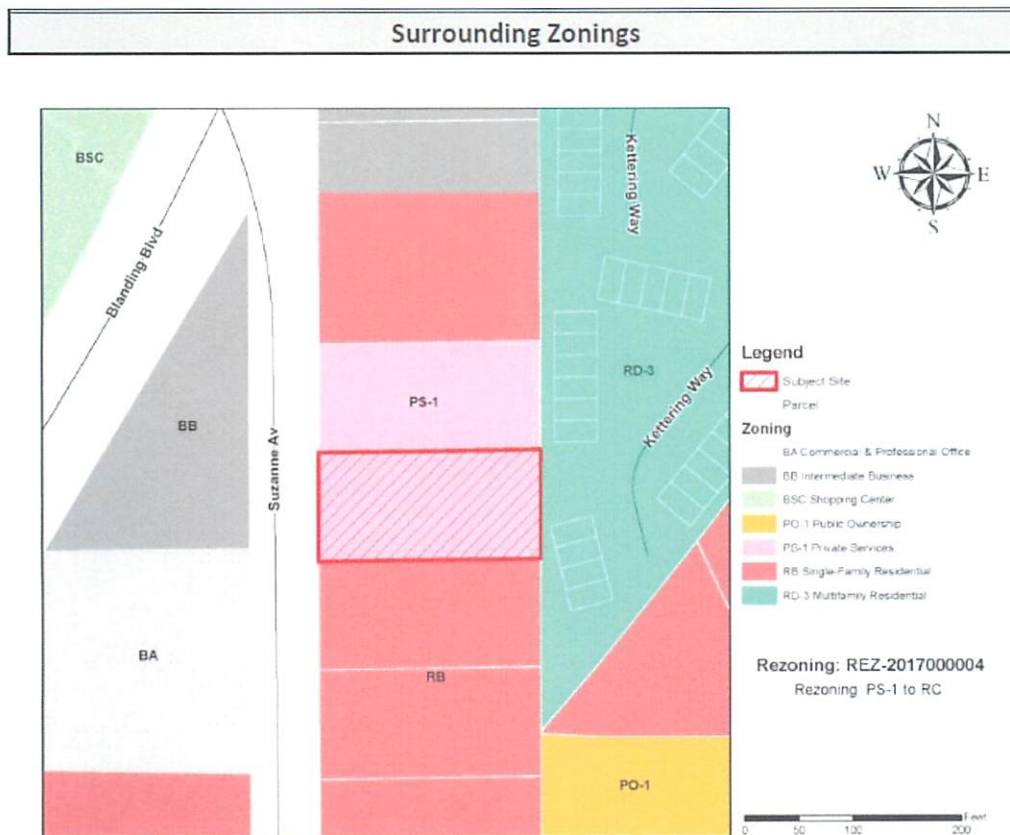
FILE Z-17-04

Applicant Requests Approval of
Rezoning

Prepared by Erich Spivey
espivey@dhsventures.com
(407) 590-7772

Points That Support Rezoning to RC

1. Rezoning makes the lot consistent with the Comprehensive Plan. RC more closely follows the Future Land Use map than the current zoning of PS-1.
2. I agree that rezoning a home in the middle of RB would be unwise (like on nearby Tropical Parkway). However, this area of Suzanne has a variety of current zoning and is mixed buffer area.



3. The entire surrounding area should be considered. The neighbor north of the lot is Commercial PS-1. The neighbor to the rear is high-density Residential RD, with massive apartment buildings. The neighbor across the street is Commercial BB-1 (for Light Intermediate Business District) and BA (Commercial Office). The entrance to this BB-1 lot is on Suzanne, not Blanding. Only 1-of-4 neighbors is Residential RB (the home to the south).



View of BB-1 across the street from lot on Suzanne Avenue.



View of Commercial property across the street from lot on Suzanne Avenue.

4. While the entrance to the RD apartment complex is on Blanding, none of the apartment buildings border Blanding; just the entrance. The apartment complex's real neighbors are on Suzanne Avenue to the west and Tropical Parkway to the east.



Apartment complex entrance.



View from inside the apartment complex, of the building visible from lot.



View of apartment complex from rear of Suzanne lot.



View of apartment complex from middle of Suzanne lot.

5. A day care three lots south at 131 Suzanne Avenue appears to be grandfathered in or have a variance from the RB zoning. This lot is in the middle of Suzanne Avenue, surrounded by residential homes and is not at the intersection with Blanding or Moody.



View from south end of lot.



View in front of business standing on Suzanne Ave. sidewalk.

6. Rezoning our lot would provide brand new, energy efficient residential housing in Clay County's Urban Core, which is needed in this established area outside of massive apartment complexes.



Agenda Item
PLANNING COMMISSION

Clay County Administration Building
Tuesday, June 6 7:00 PM

TO: Planning Commission

DATE: 5/16/2017

FROM: Carolyn Morgan, Chief
Planner

SUBJECT: Consider text amendment to Lake Asbury Master Plan Policy 4.12, Village Center, to amend the location and size of commercial uses.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

Land Development Regulations for LA Village Center were amended in December 2016 to address the same issue.

Planning Requirements:

Public Hearing Required (Yes\No):

Yes

Hearing Type: First Public Hearing

Initiated By: Staff

Applicant: Clay County Planning & Zoning Division

ATTACHMENTS:

Description	Type	Upload Date	File Name
▢ Application 2017-05	Cover Memo	5/17/2017	CPA_2017-05_Application.pdf
▢ Staff memo CPA 2017-05	Cover Memo	5/17/2017	CPA_17-5_LA_VC_staff_memo_051717.pdf
▢ Draft Ordinance CPA 2017-05 LA Village Center	Cover Memo	5/17/2017	Draft_Ordinance_CPA_2017-05_LA_Village_Center_051117.pdf

▣ Staff
Presentation

Backup Material 6/15/2017

CPA_2017-
05_LA_VC_text_ppt_060616.pdf

Amendment to the Comprehensive Plan Application



IMS # _____

OT # _____

Date Rec _____

Owner / Applicant Information

Name _____ Phone _____ Email _____

Address _____ ☐ County Initiated Petition

Authorized Agent Information (requires agent authorization form)

Name _____ Phone _____ Email _____

Address _____

Property Information

Address _____

Parcel Number Including Section, Township, and Range _____ Total Acreage _____

Current Land Use _____ Adjacent Land Use North _____

Adjacent Land Use South _____

Proposed Land Use _____ Adjacent Land Use East _____

Adjacent Land Use West _____

Required Attachments (Please Check)

☐ Aerial Photograph (folded to 8 1/2" x 11") ☐ Legal Description ☐ Property Deed(s) ☐ Vicinity Map ☐ Agent Authorization

Statement of Purpose, Scope, and Justification including (at a minimum) statements and supporting material of the following:

Proposed Density and/or Intensity of Use

Urban Sprawl

Traffic Impacts and Improvements**

☐ Water and Wastewater Impacts and Improvements**

Site Suitability

Stormwater / Drainage Impacts and Improvements**

Recreation Impacts and Improvements**

Solid Waste Impacts and Improvements**

** Applicant must include description of improvements necessary to accommodate the proposed changes, along supporting data and proposed funding sources.

☐ Fee (Large Scale Amendment: **\$2500.00 + \$5.00 per acre or fraction thereof** Small Scale Amendment: **\$1500.00** Text Amendment **\$1500.00**)

Owner(s) / Authorized Agent Signature

Owner(s) / Authorized Agent Signature

STATE OF FLORIDA

COUNTY OF CLAY

The foregoing affidavit was sworn and subscribed before me this _____ day of _____
(month), _____ (year) by _____, who is personally known
to me or has produced _____ as identification._____
(Notary Signature)



**Department of Economic
and Development Services**

Memorandum

To: Planning Commission
From: Carolyn Morgan, Chief Planner
Date: June 6, 2017

Re: Planning Commission Consider Transmittal of Large Scale Future Land Use Amendment CPA 2017-05, Lake Asbury Village Center.

INTRODUCTION

This is an application by Clay County Planning and Zoning Division, to amend Lake Asbury Master Plan (Exhibit M, Clay County Comprehensive Plan), Policy 4.12 to revise the size and location of commercial uses in the Village Center.

ANALYSIS

The Village Center designation has been placed on a very small number of parcels in Lake Asbury that are not 15 acres in size. As a result, those property owners are required to provide vertical mixed use, when such vertical mixed use is not required of any other Village Center property owners. Vertical mixed use is very uncommon in Clay County. The proposed amendment would not restrict vertical mixed use, should a property owner choose to provide it.

This same provision was amended in the Lake Asbury Land Development Regulations in December, 2016.

RECOMMENDATION:

Staff recommends approval of the draft ordinance.

Policy 4.12: **Village Center**

Village Centers shall serve as the mixed use focal point and central place of a village, and shall provide community shopping, parks and elementary schools, arranged in a walkable and human-scale manner. The retail and office component is limited to small-scale uses, except for stand-alone grocery stores and drug stores. Village Center size may not be greater than 75 acres, with this figure not including schools and community parks. There shall be not more than nine Village Centers in LAMPA. Village Centers must be located around the intersections of roads classified as minor collector or above.

Residential uses are allowed in the form of small-lot single-family subdivisions, townhomes, apartments, and upper floor units above non-residential uses, all with a required traditional neighborhood development design. Project residential density shall be between six and 10 units per acres, not applicable to upper floor units in non-residential developments. Projects utilizing upland preservation density bonus shall be allowed a density of up to 12 units per net acre. Non-residential Project Floor Area Ratios shall not exceed 70%. Commercial uses must ~~either be in a compact, walkable form accessible by sidewalk (minimum 15 acres in size) or as first floor uses under residential or office uses.~~

The village center shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements will provide park space in the form of civic spaces, plazas, and urban parks, as well as community parks. The quantification of uses shall be consistent with the ranges identified in the following table.

Land Use	Minimum Required (Acres)	Maximum Permitted (Acres)
Residential	25%	65%
Office	0%	25%
Commercial/Retail	25%	65%
Civic, Public Parks	10%	No Max

Village Centers in the Rural Community are limited to elementary schools, parks, and rural commercial development, with individual buildings (excluding schools) not to exceed 5,000 square feet and total building area not to exceed 15,000 square feet.

The Interchange Village Centers (IVC) shall be located at the First Coast Expressway~~Outer Beltway~~ interchanges with State Road 16 and County Road 739. No development will occur within an Interchange Village

Center until the interchange with the future First Coast Expressway~~Outer Beltway~~ is constructed and open to traffic.

The IVC located at State Road 16 shall have a maximum size of 150 acres. Office and retail uses can be of a regional scale and shall not be limited to small scale uses. Permitted uses within this Interchange Village Center shall include light industrial. Light industrial uses shall be limited to light manufacturing and processing, assembly, packaging, fabrication, distribution, warehousing and storage of products that are not objectionable to surrounding land uses with regard to safety, smoke, noise, odor, fumes, dust, toxic chemicals and hazardous wastes. Light industrial performance standards, shall be established in the interchange Village Center zoning designation to implement this land use category.

The IVC located at County Road 739 shall have a maximum size of 18.75 acres. Office and retail uses are not limited to small scale uses. Light industrial shall be permitted within the CR 739 Interchange Village Center.

The quantification of land uses in an Interchange Village Center shall be consistent with ranges identified in the following table. *Amendment 10-1, August 2010.*

Land Use Interchange Village Center	Minimum Required (Acres)	Maximum Permitted (Acres)
Residential	10%	50%
Office	10%	60%
Commercial/Retail	15%	40%
Light Industrial	0%	30%
Civic/Public Parks	10%	No Max

ORDINANCE NO. 2017-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING THE CLAY COUNTY 2025 COMPREHENSIVE PLAN (THE "PLAN") INITIALLY ADOPTED PURSUANT TO THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES, UNDER ORDINANCE No. 09-41, AS SUBSEQUENTLY AMENDED, IN ORDER TO AMEND EXHIBIT M, KNOWN AS THE LAKE ASBURY MASTER PLAN, AS FOLLOWS: AMENDING LAKE ASBURY MASTER PLAN L.A. POLICY 4.12 RELATING TO VILLAGE CENTERS WITH REGARD TO THE SIZE AND LOCATION REQUIREMENTS FOR COMMERCIAL USES; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CLERK OF THE BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 27, 2009, the Board of County Commissioners of Clay County, Florida (the "Board"), adopted Ordinance No. 09-41, which adopted the Clay County 2025 Comprehensive Plan (the Plan); and,

WHEREAS, Section 163.3184, Florida Statutes, outlines the process for the adoption of comprehensive plans or amendments thereto; and,

WHEREAS, the Board desires to amend the Plan as provided for below.
Be it ordained by the Board of County Commissioners of Clay County:

Section 1. Clay County Ordinance No. 09-41, as amended, is hereby amended such that the plan adopted thereunder is amended as provided in Section 2 hereof.

Section 2. Exhibit M of the Plan, known as the Lake Asbury Master Plan, is amended to revise Policy 4.12 with regard to size and location requirements for commercial uses in Village Centers, which amendment is more particularly set forth in Exhibit A.

Section 3. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The Clerk of the Board of County Commissioners is authorized and directed within 10 days of the date of adoption of this ordinance to send certified, complete and accurate copies of this ordinance by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, the Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399-4120, the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216, and any other agency or local government that provided timely comments as specified in Section 163.3184(4), Florida Statutes.

Section 5. In accordance with Section 163.3184, Florida Statutes, if the Plan amendment provided by this ordinance is not timely challenged, then the effective date of said Plan shall be the 31st day after the date the Department of Economic Opportunity notifies the County that the plan amendment is complete. If the Plan amendment is timely

challenged, however, said effective date shall be the date a final order is entered by the Department of Economic Opportunity or the Administrative Commission determining the amendment to be in compliance. No development orders, development permits or land uses dependent on these Plan amendments may be issued or commence before they have become effective. If a final order of non-compliance is issued, these Plan amendments may nevertheless be made effective by adopting of a resolution affirming their effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, The Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399-4120. The resolution shall not become effective until receipt of a written notice from the Department of Economic Opportunity that it has received the resolution.

Duly Adopted by the Board of County Commissioners of Clay County, Florida, this ____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

Wayne Bolla
Its Chairman

ATTEST:

S.C. KOPELOUSOS
County Manager and Clerk of the
Board of County Commissioners

Exhibit A

Policy 4.12: **Village Center**

Village Centers shall serve as the mixed use focal point and central place of a village, and shall provide community shopping, parks and elementary schools, arranged in a walkable and human-scale manner. The retail and office component is limited to small-scale uses, except for stand-alone grocery stores and drug stores. Village Center size may not be greater than 75 acres, with this figure not including schools and community parks. There shall be not more than nine Village Centers in LAMPA. Village Centers must be located around the intersections of roads classified as minor collector or above.

Residential uses are allowed in the form of small-lot single-family subdivisions, townhomes, apartments, and upper floor units above non-residential uses, all with a required traditional neighborhood development design. Project residential density shall be between six and 10 units per acres, not applicable to upper floor units in non-residential developments. Projects utilizing upland preservation density bonus shall be allowed a density of up to 12 units per net acre. Non-residential Project Floor Area Ratios shall not exceed 70%. Commercial uses must ~~either be in a compact, walkable form accessible by sidewalk (minimum 15 acres in size) or as first floor uses under residential or office uses.~~

The village center shall be designed to provide connections to the surrounding pedestrian/bicycle path system and to integrate with the street network of surrounding neighborhoods. Open space requirements will provide park space in the form of civic spaces, plazas, and urban parks, as well as community parks. The quantification of uses shall be consistent with the ranges identified in the following table.

Land Use	Minimum Required (Acres)	Maximum Permitted (Acres)
Residential	25%	65%
Office	0%	25%
Commercial/Retail	25%	65%
Civic, Public Parks	10%	No Max

Village Centers in the Rural Community are limited to elementary schools, parks, and rural commercial development, with individual buildings (excluding schools) not to exceed 5,000 square feet and total building area not to exceed 15,000 square feet.

The Interchange Village Centers (IVC) shall be located at the First Coast Expressway~~Outer Beltway~~ interchanges with State Road 16 and County Road 739. No development will occur within an Interchange Village Center until the interchange with the future First Coast Expressway~~Outer Beltway~~ is constructed and open to traffic.

The IVC located at State Road 16 shall have a maximum size of 150 acres. Office and retail uses can be of a regional scale and shall not be limited to small scale uses. Permitted uses within this Interchange Village Center shall include light industrial. Light industrial uses shall be limited to light manufacturing and processing, assembly, packaging, fabrication, distribution, warehousing and storage of products that are not objectionable to surrounding land uses with regard to safety, smoke, noise, odor, fumes, dust, toxic chemicals and hazardous wastes. Light industrial performance standards, shall be established in the interchange Village Center zoning designation to implement this land use category.

The IVC located at County Road 739 shall have a maximum size of 18.75 acres. Office and retail uses are not limited to small scale uses. Light industrial shall be permitted within the CR 739 Interchange Village Center.

The quantification of land uses in an Interchange Village Center shall be consistent with ranges identified in the following table. *Amendment 10-1, August 2010.*

Land Use Interchange Village Center	Minimum Required (Acres)	Maximum Permitted (Acres)
Residential	10%	50%
Office	10%	60%
Commercial/Retail	15%	40%
Light Industrial	0%	30%
Civic/Public Parks	10%	No Max



Comprehensive Plan Amendment 2017-05 LA Village Center

Planning & Zoning / Economic and
Development Services

CPA 2017-05

- Applicant: Planning Division Staff
- Public Hearing to consider a text amendment to Lake Asbury Master Plan Policy 4.12 to revise the size and location of commercial uses in the Village Center.
- Previously an amendment to the Lake Asbury LDRs was approved to make the same change to the commercial uses.

LA Policy 4.12

- Policy 4.12...Commercial uses must either be in a compact walkable form accessible by sidewalk ~~(minimum 15 acres in size)~~ or ~~as first floor uses under residential or office uses.~~
- Also amend references as follows:
- First Coast Expressway ~~Outer Beltway~~

Recommendation

- Staff recommends approval of CPA 2017-05.
- BCC will consider transmittal at public hearing on June , 2017.