Town of Orange Park
Planning and Zoning Board Meeting
Thursday, June 11, 2026
6:00 PM
Agenda

1. Call to Order / Verification of Quorum
2. Invocation and Pledge of Allegiance
3. Election of Chair
4. Election of Vice Chair
5. Chair Comments
6. Approval of Minutes
    a. Approval of the PZB Minutes for the May 14, 2026 Regular Meeting
7. New Business
    a. Conditional Use (C-1-2026) for 1345 Park Avenue - Liquor Store in CG
    b. Variance Application (V-2-2026) for 2245 Holly Leaf Lane
    c. Report on Planned Unit Development (PUD) Draft Amendment
8. Old Business
    a. Update on Subcommittee Meeting for Standing Rules (Chair)
    b. Article III Subdivisions Draft Update (Staff)
    c. LDR Update on Recovery Homes (Staff)
9. Audience Comment
10. Board Member Comments
11. Information
    a. There is a Planning and Zoning Board Workshop scheduled for Wednesday, June 24, 2026 at 5:00 P.M.
    b. The next regular meeting of the Planning and Zoning Board is on Thursday, July 9, 2026 at 6:00 P.M.
12. Adjournment

Town of Orange Park
Planning & Zoning Board
Thursday, May 14, 2026
6:00 P.M.
Minutes DRAFT

The Town of Orange Park Planning and Zoning Board meeting was called to order in the Town Council Chambers on Thursday, May 14, 2026 at 6:00 p.m. by Chairman Alex Hawkins. The following Board members were present: Mr. Pete Johnston, Mr. George Niles, Mr. Marc Jernigan and Mr. Paul Bement. Others present were Economic and Community Development Director Stephen Smith, Town Clerk Courtney Russo and Town Attorney Lawsikia Hodges.

The invocation was given by Mr. Hawkins, followed by the Pledge of Allegiance.

CHAIR COMMENTS

The presiding official opened the public comment portion of the meeting by inviting attendees to address the board on both agenda and non-agenda items. To facilitate an organized process, speakers were requested to complete a comment card and submit it to the Town Clerk prior to approaching the microphone.

Members of the public were further instructed to state their full name and residential address for the official audio record upon reaching the podium. Additionally, the assembly was asked to silence all mobile devices to maintain decorum and ensure the clarity of the recording throughout the proceedings.

APPROVAL OF THE PZB MINUTES FOR THE APRIL 9, 2026 REGULAR MEETING

Mr. Johnston moved to approve the minutes, and Mr. Niles seconded, which passed 5-0.

CONDITIONAL USE (C-1-2026) FOR 1345 PARK AVENUE-LIQUOR STORE IN CG

The board opened a quasi-judicial public hearing to consider conditional use application C-1-2026 for a proposed liquor store located at 1345 Park Avenue. The subject property is currently zoned Commercial General (CG) with a medium-intensity land use designation. Mr. Hawkins requested disclosure of any ex-parte communications; there were none. Mr. Smith presented the staff report, noting that the 2,600-square-foot building—formerly a money lending establishment—is situated on a heavily commercial corridor. Staff confirmed that the location meets the 500-foot setback requirement from schools and churches and identified only one other retail liquor store within a half-mile radius, suggesting the use would not oversaturate the area.

Despite an initial recommendation for denial in previous months, staff now recommends approval subject to five specific conditions. These include restricting retail parking to the Park Avenue lot, installing "No Parking" signage at the Stiles Avenue entrance, and submitting a comprehensive landscape plan. Additionally, the applicant must construct a defined curb, sidewalk, and apron along Stiles Avenue and adhere to limited hours of operation, specifically 7 a.m. to 9 p.m. for the store and 9 a.m. to 11 p.m. for the drive-thru. The applicant's attorney, Paul Harden, stated his clients accept all proposed conditions and argued that the application meets the criteria for an entitled right under the current zoning code.

Mr. Johnston expressed significant concern regarding the sudden change in staff's recommendation since March and April. He specifically questioned the shift from citing public health and safety concerns to now claiming the project supports those same factors. Mr. Johnston also challenged the lack of detailed analysis regarding the ten subjective criteria outlined in the Town Code, such as morals, order, comfort, and general welfare, arguing that the current report focuses too narrowly on convenience and appearance.

Attorney Hodges advised the board that a conditional use is permitted by the board if specific criteria are met, and the legal standard requires competent substantial evidence to support a denial. She clarified that the code's list of qualifiers is disjunctive, meaning the application only needs to promote at least one of the listed factors to be eligible for approval. The Chair and other board members debated whether a net negative impact across several categories could outweigh a positive in one, such as convenience. Following the legal and staff exchange, the Chair moved to open the floor for public comment to gather testimony from local residents.

Debra Gaskins spoke in strong opposition to the conditional use application, citing concerns over neighborhood safety and the potential for increased traffic on Stiles Avenue due to the building's drive-thru. She argued that the community is already well-served by existing liquor retailers and stated that the proposed establishment offers no benefit to the public or the surrounding residential area.

Amy Klurich strongly opposed the application, citing research that links higher concentrations of alcohol outlets to increased violent crime and public safety risks. She emphasized that the store would compromise the quality of life and pedestrian safety on narrow residential streets like Stiles Avenue, noting that these fundamental safety concerns cannot be resolved through simple aesthetic conditions.

Slayden MacGregor strongly opposed the application, highlighting that Stiles Avenue is a major pedestrian route used by families and children to reach the riverfront. He argued that a drive-thru liquor store would likely lead to open-container consumption and impaired driving through residential streets and noted that the proximity to Orange Park Elementary School makes the proposal a significant moral and safety concern.

Joseph DeMarco strongly opposed the proposal, stating that a drive-thru liquor store would degrade the property values and character of the historic neighborhood while increasing litter and reckless driving. He emphasized the risk to pedestrians and school children, noting that residents already struggle with illegal traffic behavior and the encroachment of commercial interests into their residential sweet spot.

Ryan Stevens, who lives in the home immediately abutting the subject property, expressed that the prospect of a drive-thru liquor store less than 100 feet from his family's residence terrifies him. As a father of two young children, he moved to the area for the quiet solitude of Stiles Avenue and argued that the business fails to meet any of the Town's criteria for public welfare, acting only as a convenience that would inevitably lead to increased traffic, litter, and safety risks for his family and neighbors.

Madison Hilt expressed opposition to the application by citing peer-reviewed longitudinal studies from the National Institute of Health, which link a higher density of liquor stores to adverse health outcomes, increased violent crime, and negative impacts on youth development. She argued that the Town's conditional use ordinance is being interpreted too loosely and suggested that adding another establishment would actually harm public convenience by increasing traffic hazards in an already well-served area.

In his rebuttal, Paul Harden emphasized that alcohol is a legal product and that the property owner is exercising a right already established by the Town's legislative body within the Commercial General zoning category. He argued that the applicant has met all legal criteria for a conditional use and asserted that no competent substantial evidence had been presented to legally justify a denial.

Mr. Hardin concluded by stating that property owners must be able to rely on the existing zoning code when purchasing land for commercial use. He urged the board to follow established law and grant the request, noting that any broader objections to alcohol sales in this district should be addressed as a legislative policy change rather than through the conditional use application process.

During the public comment period, resident Debra Gaskins requested to speak on a non-agenda item regarding the degrading of the neighborhood, linking her concerns to the previous discussion on the proposed liquor store. She criticized the installation of a Narcan distributor at the end of River Road. She argued that providing such resources in a residential area encourages drug use and questioned the lack of community input regarding the project. The Chair ultimately requested that she save further comments for the designated non-agenda portion of the meeting to keep the current hearing on track.

Following the close of the public hearing for Conditional Use Application C-1-2026, the Planning and Zoning Board engaged in a lengthy debate regarding the legal standards for approval. Board members expressed concern that the staff report only addressed a few of the ten public interest criteria required by the Town Code, specifically focusing on convenience while neglecting subjective elements like morals, comfort, and general welfare. Board members argued that resident testimony regarding quiet enjoyment and local character should be considered competent substantial evidence for criteria such as comfort.

Attorney Hodges cautioned the board that under quasi-judicial rules, they must rely on competent substantial evidence, typically provided by experts, rather than subjective resident opinions to justify a denial. She clarified that the code requires the application to promote only one of the ten descriptors, not all ten. Despite this advice, a majority of the board felt that a more comprehensive analysis of all ten criteria was necessary to determine if the project's negative impacts outweighed its benefits.

Mr. Niles moved to table the application until the next meeting. Mr. Johnston made a friendly amendment to include a directive for Town staff to investigate and address all ten public interest

elements in a revised report. Mr. Hawkins seconded the motion, which passed 4 to 1, with Mr. Bement dissenting.

Additionally, while the public hearing is officially closed, the applicant's representative agreed to meet with residents in the interim to discuss potential conditions, such as adjusted hours or aesthetic restrictions, that might make the proposal more palatable to the community.

SITE PLAN REVIEW (SP-2-2026) FOR 1324 KINGSLEY AVENUE (ST. JOHN'S CLASSICAL ACADEMY CHARTER SCHOOL)

The board reviewed the site plan for St. John's Classical Academy Charter School, focusing on updated traffic mitigation strategies and enrollment restrictions. Mr. Hawkins requested disclosure of any ex-parte communications; there were none. Staff reported that the school board has formally approved a cap on the institution to grades K-8, a move that reduces the maximum student population from approximately 1,000 to 574. Based on this reduction, both the Florida Department of Transportation and the Town's engineering consultants expressed no further concerns regarding the proposal. Consequently, staff recommended approval of the site plan under three specific conditions: the implementation of a two-bell staggered drop-off and pickup system with a 30-minute interval, a permanent grade level cap of K-8, and a total student enrollment limit of 574.

Headmaster Anthony Bradley of St. John's Classical Academy expressed the school's commitment to its mission of classical education and civic responsibility, confirming their agreement with the proposed enrollment cap and the two-bell staggered schedule. While he acknowledged that limiting the school to grades K-8 presents a challenge to their goal of developing high school graduates, he emphasized that they are prioritizing traffic remedies to eventually support future growth. During the board's discussion, members clarified that the 574-student limit provides flexibility across grade levels within the K-8 structure and noted that the Florida Department of Transportation's earlier concerns were based on a much larger student body.

The board commended the school's current traffic management, with one member likening the precision of their staff-led car stacking to operations on an aircraft carrier. While concerns regarding illegal U-turns and local neighborhood impacts remain, the Assistant Chief of Police confirmed that there will be an increased enforcement presence to monitor traffic behavior. Mr. Bradley also reminded the board that as a publicly funded charter school, they operate within the Clay County School District framework rather than as a private institution.

The Chair moved to open the floor for public comment to gather testimony from local residents.

Paige Eilers, a parent from Green Cove Springs, spoke in strong support of the school's impact on her daughter's education and character. While praising the current traffic management, she expressed deep disappointment regarding the proposed eighth-grade cap, noting that many families enrolled with the expectation of a full K-12 experience as originally planned. She argued that the school should not be solely responsible for infrastructure costs and urged the board to consider the disruption this cap causes for students who hoped to graduate from the academy.

Nicole Capps, a resident of Jacksonville, spoke in support of the school's K-12 mission, noting that her family specifically chose the academy for its Hillsdale curriculum. She questioned the fairness of requiring the school to fund road infrastructure that was designed for different property uses and suggested that actual traffic volume would be lower than projected because many students are siblings traveling in a single vehicle. Additionally, she argued that the school serves as a significant regional attraction that enhances the overall prestige and appeal of the Orange Park community.

Madison Hilt, a long-time resident, expressed strong opposition to the site plan, arguing that the school has created significant safety hazards and traffic gridlock that locks in the Montclair neighborhood during peak hours. The speaker questioned why staff recommended a 30-minute bell stagger despite previous engineering concerns and criticized the school for failing to follow its initially approved traffic plan. Ultimately, she contended that the burden of infrastructure costs should fall solely on the school rather than being subsidized by local taxpayers who are currently facing the resulting safety risks and loss of neighborhood peacefulness.

Jason Midgett, a resident of Orange Park and parent of three students at St. John's Classical Academy, spoke in favor of the school and requested a spirit of collaboration between the Town and the institution. While acknowledging the importance of safe roads and responsible planning, he highlighted research suggesting that investment in public schools significantly increases nearby home values. He expressed concern that the proposed grade level cap would disrupt his children's education and urged the board to work with the school to find a path for growth, arguing that the academy provides essential stability, opportunity, and community pride for the area.

Elizabeth Morrow, a parent who moved specifically for the school's classical curriculum, testified that the academy has provided a safe, high-character environment for her daughter following negative experiences elsewhere. She emphasized that the school serves as a regional draw that brings outside economic activity into Orange Park and expressed deep concern over the long-term impact of a permanent grade-level cap. The Chair acknowledged her concerns but noted that the board's decision is constrained by its legal jurisdiction, suggesting that larger infrastructure solutions would likely require coordination with higher-level elected officials.

Mr. Bement clarified for the public that the decision to cap the academy at grade 8 was made voluntarily by the school rather than mandated by the Town or the Planning and Zoning Board. He noted that while the initial request sought expansion to grade 12, the school elected to adjust its own proposal, possibly due to the costs associated with the traffic mitigation requirements identified in the studies. He emphasized that because this was a choice made by the applicant and not a permanent restriction imposed by the Town, the school could potentially seek to expand to a full high school in the future as funds become available for necessary infrastructure improvements. The Chair acknowledged this as an important distinction for the record, clarifying the timeline and origin of the current enrollment restrictions.

Erica Simmons, a former teacher and academy parent, suggested that the decision to cap enrollment at eighth grade was a forced compromise to ensure the school could receive immediate approval for necessary facilities. She argued that the traffic impact of a high school is minimal

compared to the existing grammar school car lines and questioned why the school's long-term growth is being restricted by persistent infrastructure issues. While the board acknowledged her concerns, the Chair noted that the specific negotiations regarding the enrollment cap occurred between the school board and Town staff, placing those details outside the Planning and Zoning Board's direct jurisdiction.

Daniel Wright, a teacher at the academy, addressed the board regarding the jurisdictional boundaries of the traffic debate. He argued that because Kingsley Avenue is a state-managed road, the responsibility for funding and infrastructure should rest with the Florida Department of Transportation (FDOT) rather than being used as leverage to restrict the school's growth. He concluded that blurring these institutional responsibilities overcomplicates the process and risks stifling the long-term success of an important community institution.

Lynn Marquez, an Orange Park resident and mother of four, emphasized the logistical and academic benefits of having all her children attend the same school. She noted that the academy's current dismissal time already follows that of Montclair Elementary, suggesting that the traffic overlap is manageable and that parents are committed to cooperating with any necessary mitigation strategies. She expressed her deep appreciation for the board's time and shared her sincere hope that the school will eventually be allowed to expand through the 12th grade to support her children's long-term education.

Nikia Patterson, an Orange Park resident with children in multiple grade levels, highlighted the importance of having all her children at a single campus for family stability. She raised a strategic point regarding traffic analysis, questioning whether the academy is being unfairly singled out when several other schools, including Montclair, Lakeside Elementary, and Lakeside Middle, all utilize the same corridors. She also noted that high school enrollment is typically smaller than grammar school numbers, suggesting that the additional traffic impact from grades 9–12 would be minimal compared to the existing student body.

Sherri Glynn, a teacher and parent at the academy, highlighted the school's academic impact, noting how the curriculum, specifically Latin and cursive, provided her daughter with a superior education and reignited her own passion for teaching. She argued that the mission to instill virtues and educate youth is far more important than a traffic study, contending that school funds should not be diverted toward infrastructure costs. Ultimately, she urged the board to prioritize the positive development of the community's children over bureaucratic and financial hurdles.

Headmaster Bradley concluded by emphasizing the school's mission to develop intelligent and virtuous American citizens. He clarified that the decision to cap enrollment at grade 8 was a strategic move by the school board to ensure they could accommodate current students immediately, but it is not intended to be a permanent end. He expressed a commitment to working with Town staff to find long-term traffic solutions that would eventually allow the school to expand to a full K-12 program.

The board addressed public concerns regarding infrastructure costs, clarifying that Kingsley Avenue is a state-owned road governed by the FDOT, not the Town. Board members noted that

their primary responsibility is to ensure that school growth doesn't negatively impact the surrounding neighborhood, specifically regarding traffic safety and the potential for neighborhood streets to become overflow parking as students reach driving age. While the board expressed strong support for the school's mission, they maintained that their role is quasi-judicial, focused strictly on assessing the facts of the site plan and current law.

Mr. Johnston moved to approve the site plan for St. John's Classical Academy, incorporating specific conditions to manage the school's impact on the local area beginning with the 2026-2027 school year. Under this agreement, the school must implement and maintain a mandatory two-bell system for student drop-off and pickup, ensuring a minimum of 30 minutes between the first and second bells for both morning and afternoon sessions. Additionally, the school's academic structure is officially capped at grades K-8, with a strict total student enrollment limit of 574 scholars. Mr. Niles seconded the motion, which passed 5 to 0.

Following the vote, the board clarified for concerned parents that while the current plan resolves the immediate need for eighth-grade classes and portables, the underlying traffic issues remain an ongoing conversation. The Chair reiterated his desire to see the school grow in the future but stressed that further expansion would require solving the significant funding and infrastructure hurdles that currently exist.

SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (FLUM) FROM CMI TO MDR FOR 1701 PARK AVENUE (APPLICATION CP-1-2026)

There was a recess from 9:15 p.m.-9:24 p.m.

Mr. Hawkins requested disclosure of any ex-parte communications; there were none. The public hearing was opened.

Staff presented application CP-1-2026, a small-scale comprehensive plan amendment for approximately 8.63 acres of the Moose Haven campus located at 1701 Park Avenue. The request seeks to revert the land use from Commercial Medium-Intensity (CMI) back to Medium-Density Residential (MDR). This change effectively restores the designation the property held prior to 2008.

The companion rezoning application (R-1-2026) seeks to change the zoning from Commercial General (CG) to Residential, General-1 (RG-1). This alignment is intended to permit future residential development, such as elderly housing or multi-family units, which are not currently allowed under the commercial zoning. Staff noted that this change would actually decrease potential traffic intensity compared to commercial use and that the Town has ample water and sewer capacity to support the proposed maximum of 69 units.

Paul Hamilton, with the Moosehaven executive team, clarified that while there are no immediate plans to build on the US-17 frontage, the amendment provides the flexibility needed for future campus growth. He noted that Moosehaven has served the community since 1922 and emphasized

their ongoing commitment to local outreach, including their traditional large-scale community events.

Mr. Johnston disclosed that he has been a member of the Moose for over 15 years. After a brief consultation with the Town Attorney regarding potential future benefits and the appearance of a conflict of interest, he chose to recuse himself from the vote to ensure total transparency and ethical compliance.

Mr. Johnston submitted Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, to the Town Clerk's office on May 18, 2026. The form has been incorporated into the minutes.

There were no audience comments, so the public hearing was closed.

Mr. Bement made a motion to recommend that the Town Council approve the small-scale land-use application CP-1-2026 per staff recommendation. Mr. Niles seconded the motion, which passed 4 to 0.

REZONING APPLICATION FROM CG TO RG-1 FOR 1701 PARK AVENUE (APPLICATION R-1-2026)

Mr. Hawkins requested disclosure of any ex-parte communications; there were none. The public hearing was opened.

The rezoning application R-1-2026 seeks to reclassify approximately 8.63 acres of the Moosehaven campus from Commercial General (CG) to Residential, General-1 (RG-1). This change was found to be consistent with the 2045 Comprehensive Plan and specifically aligns with goals to provide suitable locations for senior living and special residential facilities. Staff confirmed that the rezoning is compatible with the surrounding land uses—including the neighboring church and daycare and will not conflict with existing Town regulations.

There were no audience comments, so the public hearing was closed.

Mr. Bement moved to recommend that the Town Council approve the rezoning application R-1-2026 per staff recommendation. Mr. Niles seconded the motion, which passed 4 to 0.

REVIEW OF PUD REVISIONS

Mr. Tony Robbins conducted a thorough review with the board of the second draft of the Planned Unit Development (PUD) ordinance rewrites, which aims to establish more rigorous standards and transparency for future developments. Key updates include a mandatory 30% open space requirement for all PUDs and a 20-foot natural or landscaped buffer along the entire project perimeter. To ensure meaningful community involvement, the new language requires applicants to hold a public workshop and provide a concise statement explaining how the project benefits the Town, including a specific account of how public feedback was addressed.

Additionally, the revisions clarify the legal burden of proof, requiring developers to provide substantial competent evidence that their project aligns with the Comprehensive Plan. A significant new safety measure ensures that if a PUD project expires, the land will automatically revert to its original zoning designation. The board expressed strong support for these changes, noting that the heightened standards allow the PUD tool to remain flexible for unique projects without becoming a loophole. Staff was directed to transition this draft into a formal ordinance for a final recommendation vote before it heads to the Town Council for adoption.

COMPREHENSIVE PLAN (EAR) UPDATE

Mr. Smith informed the board that the Florida Department of Commerce officially found the Town's updated Comprehensive Plan to be in full compliance as of May 1, 2026. This announcement marks the successful completion of the Evaluation and Appraisal Review (EAR) process, a milestone that validates the extensive work performed by the board over the past year. With the state's approval secured, the Town is now authorized to move forward with the implementation of its long-term goals and strategic planning initiatives. The board celebrated the news briefly before proceeding to the remaining items on the agenda.

UPDATE ON SUBCOMMITTEE MEETING FOR STANDING RULES

The board discussed the next steps for updating its standing rules, noting that while the Town Council has finalized its own rules, the board will use those as a template to modernize its procedures. A key addition to this process is the upcoming ex parte ordinance, which is scheduled to be introduced to the Town Council in June. Because this specific component must be integrated into the municipal code rather than just internal rules, it requires a formal ordinance process, including public hearings and newspaper notifications.

The subcommittee anticipates being ready to review these updates in late June. The board tentatively aimed for a meeting in the latter half of the month to coordinate these changes once the legislative framework for the ex parte communications is established. With the PUD revisions and the Comprehensive Plan update largely concluded, the board plans to shift its focus toward these internal rules and the upcoming Article 3 subdivision draft updates to ensure all administrative procedures remain current and transparent.

ARTICLE III SUBDIVISIONS DRAFT UPDATE

Mr. Smith reported that there is currently nothing new to report on the Article 3 Subdivisions draft update. However, now that the Town has hopefully progressed through the Planned Unit Development (PUD) process, staff anticipates being able to move forward with this update and other related items in the near future.

LDR UPDATE ON RECOVERY HOMES

Mr. Smith noted that the Land Development Regulations (LDR) update concerning recovery homes is in the same posture as the previous item. No new actions have been taken at this time, but the matter will be actively addressed and reviewed by staff in the near future.

AUDIENCE COMMENTS

There were no comments at this time.

BOARD MEMBER COMMENTS

Mr. Jernigan apologized and announced that he will be out of town on June 11th. Consequently, he will be unable to attend the meeting scheduled for that date. No other board member comments were made during this section of the agenda.

INFORMATION

The next regular meeting of the Planning and Zoning Board is on Thursday, June 11, 2026, at 6:00 p.m.

ADJOURNMENT

Mr. Hawkins adjourned the meeting at 9:55 p.m.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
JOHNSTON - PETER - MICHAEL	PLANNING & ZONING BOARD
MAILING ADDRESS 1563 SHEFFIELD PLACE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: X CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY ORANGE PARK COUNTY CLAY	NAME OF POLITICAL SUBDIVISION: Town of Orange Park
DATE ON WHICH VOTE OCCURRED MAY 14, 2026	MY POSITION IS: ☐ ELECTIVE X APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, PETER M. JOHNSTON, hereby disclose that on MAY 14, 20 26:

(a) A measure came or will come before my agency which (check one or more)

✓ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

REZONING OF A PARCEL OF LAND WITH MOOSEHAVEN. I AM A MEMBER OF THE MOOSE, HOWEVER I AM NOT A RESIDENT OF MOOSEHAVEN.

I CHOSE TO RECLUSE MYSELF FROM THIS BOARD ITEM SO THAT THERE APPEARED NO PREJUDICE OF INTEREST IN THIS BOARD ITEM.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

MAY 15, 2026
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
JOHNSTON - PETER - MICHAEL	PLANNING & ZONING BOARD
MAILING ADDRESS 1563 SHEFFIELD PLACE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: ORANGE PARK COUNTY: CLAY	NAME OF POLITICAL SUBDIVISION: Town of Orange Park
DATE ON WHICH VOTE OCCURRED MAY 14, 2026	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, PETER M. JOHNSTON, hereby disclose that on MAY 14, 20 26:

(a) A measure came or will come before my agency which (check one or more)

✓ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

REZONING OF A PARCEL OF LAND WITH MOOSEHAVEN. I AM A MEMBER OF THE MOOSE, HOWEVER I AM NOT A RESIDENT OF MOOSEHAVEN.

I CHOSE TO RECLUSE MYSELF FROM THIS BOARD ITEM SO THAT THERE APPEARED NO PREJUDICE OF INTEREST IN THIS BOARD ITEM.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

MAY 15, 2026
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

STAFF REPORT - PLANNING AND ZONING BOARD
REVISED 5/14/2026

Agenda Item: 7a

Application Number: C-1-2026
Owner: Brian K. Lynn
Applicant: Roland Aldib
Location: 1345 Park Avenue, between Stiles Avenue and Blake Avenue.

Zoning District: Commercial General (CG)
Future Land Use Category: Commercial Medium Intensity (CMI)

Date: May 14, 2026

The Economic and Community Development Department hereby forwards to the Planning and Zoning Board its comments and recommendation regarding Application for Conditional Use C-1-2026.

REQUEST

The application is a request to consider a conditional use for the retail sale of all alcoholic beverages for off-premise consumption in the Commercial General (CG) zoning district, pursuant to Section 2.04.00.02 (Table II.1) of the Land Development Regulations.

NOTICES

Notices of this public hearing were mailed to all property owners within 300 feet of the subject property, as indicated in the public records of the Clay County Property Appraiser. The properties were posted with signs at least 15 days in advance of the public hearing. Legal notices were advertised in the Clay Today in conformance with Florida Statute and Town of Orange Park Code of Ordinances.

CRITERIA FOR REVIEW

Pursuant to the provisions of Article II, Section 02.08.14.01 of the Zoning Code, the Planning and Zoning Board may grant a conditional use and may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of Article II (Zoning Code). In order to authorize a conditional use from the terms of the

ordinance the applicant must show and the board must find that the use is consistent with the following definition:
Conditional use. A use that would not be appropriate generally or without restriction throughout the zoning division or district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning division or district as conditional uses, if specific provision for such conditional use is made in the zoning ordinance.

(1) *Controlled as to number, area, location, or relation to the neighborhood;*

Location. The subject property is located at the northeast corner of Park Avenue (US 17/SR 15) and Stiles Avenue. Park Avenue is an Urban Principal Arterial with six to eight divided lanes. The existing one-story, 2,646-square-foot structure was previously used as a money-lending establishment. Two existing driveways provide access to the subject property; a right-in only from Park Avenue and one from Stiles Avenue.

Area. The liquor survey submitted with the application indicates there are no churches or schools within five-hundred (500) feet of the property. Additionally, according to town records, there are no other similar establishments located within 500 feet of the property.

Number. There is an existing retail liquor store in the area (1910 Park Avenue) that is within approximately one-half mile of the subject property. Additionally, the Sunshine Food Mart (located at 206 Park Avenue) was approved for the retail sale of all alcoholic beverages. However, it closed in last year or two. That leaves one remaining retail store on Park Avenue approved for the retail sale of all alcoholic beverages. Adding a second store along Park Avenue, which is predominately a commercial area, would not oversaturate the area with this type of use and is consistent with the intent of the Conditional Use criteria.

Relation to the neighborhood. The subject property sits in close proximity to the neighborhood and Stiles Avenue is the primary access point for both. Additionally, the driveway along Stiles Avenue doesn't meet the Town's Standard Construction Details for driveway design and construction. Improvements such as adding a defined curb on Stiles Avenue adjacent to the subject property would promote vehicle safety and support public health for the proposed use and adjacent neighborhood.

The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CMI	CG	Furniture store
South	CMI	CG	Car wash
East	CMI/LDR	CG/RG-2	Office/storage, single family residential
West	CMI	CG	Convenience store with gas pumps

If approved, the proposed development would be consistent with the Commercial Medium Intensity (CMI) functional land use category of the 2045 Comprehensive Plan to the extent that the CMI category consists primarily of retail and service establishments, medical and dental offices and clinics, shopping center, auto service stations, churches, and community sales and services.

(2) *Would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare;*

Convenience. The proposed liquor store appears to satisfy the convenience requirement since there is only one other liquor store (1910 Park Avenue) on Park Avenue. Adding a second location would generally satisfy these criteria subject to the recommended conditions.

Appearance and Safety. The exterior appearance of the vacant building is generally kept up. However, there is an outstanding Code Compliance infraction (Case #20250626) for an abandoned sign. Additionally, the following activity was reported to the Police Department by the previous business:

5/2/24 - Fraud
6/10/24 - Grand Theft
2/28/25 - Trespassing

This does not appear to be a concern as it's associated with the previous use.

ANALYSIS

In summary, the proposed liquor store appears to be consistent with the definition of a conditional use primarily due to location including being located in an established commercial corridor, convenience and number which provides an additional store choice on Park Avenue. The recommended conditions assist with addressing additional factors such as public health, safety, welfare and appearance, and promote an improved transition from commercial to residential with the nearby neighborhood.

SUPPLEMENTAL INFORMATION

1. Upon visual inspection of the subject property on February 24, 2026 the required Notice of Public Hearing sign was posted.
2. A map (Exhibit A) depicting the approximate distance from an existing liquor store is attached.
3. Attached to this report is a copy of the application, including the site plan.
4. Unless otherwise approved, a conditional use shall be nontransferable and granted to the applicant only and shall commence within ninety (90) days from the effective date of the final order.

STAFF RECOMMENDATION

Based on the forgoing, it is the recommendation of the Economic and Community Development Department that Application for Conditional Use C-1-20126 be **APPROVED** subject to the following conditions:

1. All retail and non-employee parking shall be restricted to the parking lot located on Park Avenue.
2. A No parking sign shall be installed at the entrance of the Stiles Avenue driveway to prohibit parking in the rear parking lot for all retail and non-employees.
3. A landscape plan shall be submitted to the Economic and Community Development Department ("ECD"). Said landscape plan shall provide for perimeter landscaping within the existing strip of land along the public right-of-way adjacent to Park Avenue consistent with the planting requirements of Section 5.03.00.
4. The applicant shall coordinate with the ECD Department to design and construct a defined curb, driveway aprons, sidewalk, and landscaping along the property's frontage on Stiles Avenue subject to review and approval by the Public Works Department.
5. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. for the store and 9:00 a.m. to 11:00 p.m. for the drive-through.



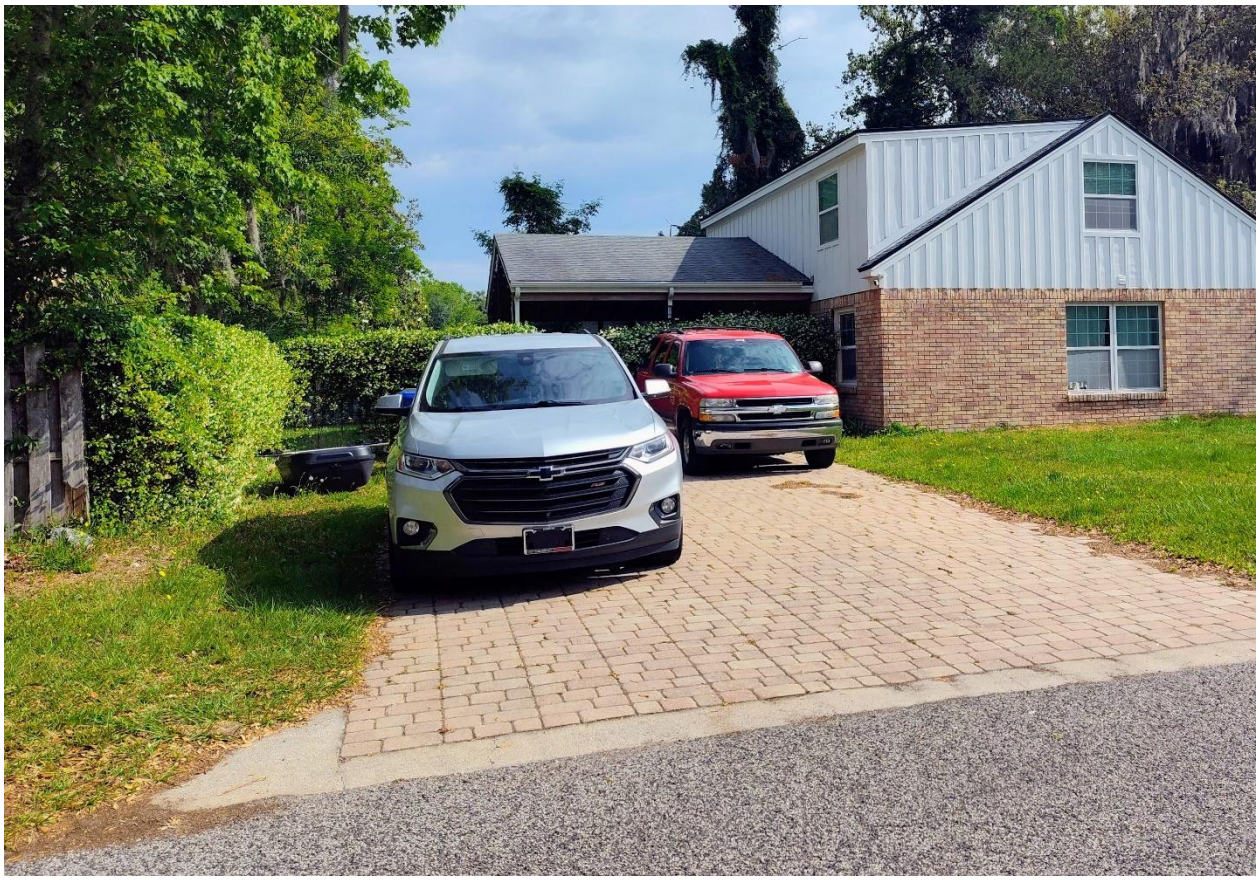
Posted Notice Sign



Area behind building on subject property.



Picture of easternmost driveway on lot behind the subject property.



Single family at residential 1346 Orange Circle South.

20250840

Pd. 2/19/26

23

FOR OFFICE USE ONLY	
Application No.	C-1-2026
Date Submitted:	1/17 20 24
Date Filed:	2/19 20 24
Set for Public Hearing on:	3/12 20 24

TOWN OF ORANGE PARK

APPLICATION FOR CONDITIONAL USE

A. PROJECT

1. Address of Subject Property: 1345 Park Avenue, Orange Park 32073
2. Between Streets: Park Ave And River RD
3. Parcel ID Number(s): 41-04-26-018654-000-00 and 41-04-26-018654-001-00
4. Existing Use of Property: closed
5. Zoning Designation: CG Future Land Use Designation: CMI
6. Land Area (Acres): Date lot was recorded:

B. OWNER/APPLICANT/AGENT INFORMATION

1. Name of Owner(s): Brian K. Lynn
   Address: 12276 San Jose blvd
   City: Jacksonville State: FL Zip: 32223
   Telephone: (904) 504-5205 Email: brian.lynn@lendingbear.com
2. Name of Authorized Agent(s): Roland Aldib
   Address: 8960 blaire Meadows Dr
   City: Jacksonville State: FL Zip: 32257
   Telephone: (904) 383-2093 Email: rolandaldib87@gmail.com

C. STATEMENT OF CONDITIONAL USE SOUGHT

1. Requested Conditional Use: Liquor store & craftbeer
2. Statement of facts for requested conditional use.

Section 02.08.14.01 of the Ordinance Code provides that the Planning and Zoning Board may grant a conditional use and may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of Article II (Zoning Code). Please provide any relevant information relating to the characteristics of the conditional use sought. You may attach a separate sheet if necessary.

Attached

D. ATTACHMENTS (One hard copy or one copy in PDF format)

1. Copy of Warranty Deed or other proof of ownership
2. Legal Description (may be either lot and block or metes and bounds)
3. Survey or Site Plan.

E. FILING FEES

1. Application Fee: **$500.00 (Nonresidential)** **$250.00 (Residential)**
2. The applicant is responsible to pay the cost of notifications (per addressee within 300 feet of the subject property), advertising and signs.

NOTICE TO THE APPLICANT / OWNER

No application will be accepted as "Complete and filed" until all the requested information has been supplied and the required fee has been paid.

A completeness review of the application will be conducted within five (5) business days of receipt. The applicant will be notified if the application is determined to be incomplete.

The required signs will be posted on the property at least 15 days prior to the public hearing. The Sign(s) must remain posted and maintained until a final determination has been made on the application.

I/We hereby certify and acknowledge that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Signature of Owner

Signature of Authorized Agent

Brian K. Lynn, Managing Member, Lynn Investments II, LLC
Typed or printed name and title of applicant

Roland Aldib
Typed or printed name of authorized agent

12/15/25
Date

12.15.2025
Date

State of Florida County of Clay

The foregoing application is acknowledge before me this 15th day of Dec., 20 25

By Brian K. Lynn, who is/~~are~~ personally known to me or has/have produced _____ as identification.

NOTARY SEAL

KELLY JO MOSLEY
MY COMMISSION # HH 276329
EXPIRES: August 28, 2028

Kelly Jo Mosley
Signature of Notary Public, State of Florida

Applicant: Roland Aldib
Owner: Brian LLY
Property Address: 1345 Park Avenue, Orange Park, Florida 32073

The Applicant seeks approval of a Conditional Use to allow the operation of a package liquor store at the subject property. The proposed use consists of the retail sale of alcoholic beverages, including distilled spirits, wine, and craft beer, for off-premises consumption only. No on-site consumption, bar service, tasting room, or entertainment is proposed.

The requested Conditional Use is appropriate for the subject property due to its location within an established commercial corridor along Park Avenue and its compatibility with surrounding retail and service-oriented uses. The proposed use will operate entirely within an enclosed commercial space and will not create excessive traffic, parking demand, noise, or other adverse impacts.

The Applicant will comply with all applicable City of Orange Park ordinances, Clay County regulations, and Florida Department of Business and Professional Regulation (DBPR) requirements, including licensing, age verification, and operational standards. The business will be maintained in a safe, clean, and orderly condition and will operate during hours consistent with City regulations.

Based on these facts, the Applicant respectfully requests approval of the Conditional Use as it meets the intent and standards of the City's Land Development Code and will not be detrimental to the public health, safety, or welfare.

INSTR 09005725
OR BK 3031 Pages 1877 - 1878
RECORDED 02/06/09 10:22:55
JAMES B. JETT CLERK CIRCUIT COURT
CLAY COUNTY
DOC STMP-D: $1750.00
DEPUTY CLERK WESTA D#2

Prepared by, record and return to:

Liana Rothstein Hood
Adams, Rothstein & Siegel, P.A.
4417 Beach Boulevard, Suite 104
Jacksonville, Florida 32207

File Number: 08-0504
Parcel ID No: 410426-018654-000-00

Quit Claim Deed

Made this 15 day of December, 2008 A.D.by **BRIAN K. LYNN, a married man, and KATHRYN L. STRICKLAND, a married woman, FORMERLY KATHRYN H. LYNN, an unmarried woman,** hereinafter called the Grantor, to **LYNN INVESTMENTS II, LLC, a Florida Limited Liability Company,** whose post office address is: 1345 Park Avenue, Orange Park, Florida 32073, hereinafter called the Grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the Grantee forever, all the right, title, interest, claim and demand which the said Grantor has in and to, all that certain land situate in Clay County, Florida, viz:

A parcel of land situated in Orange Park, Clay County, Florida and being a portion of Lots 8 & 9, Block 7, Section 1, Orange Park, according to Plat Book 1, page 23, of the public records of Clay County, Florida; said parcel being more particularly described as follows:

Begin at the southwest corner of Mammoth Oaks Unit 1, according to map recorded in said records in Official Records Book 36, page 221; thence run on the north line of Stiles Avenue, South 88 degrees 19 minutes 15 seconds West, a distance of 123.11 feet to the Point of Beginning; Thence continue South 88 degrees 19 minutes 15 seconds West a distance of 115.24 feet to a point; Thence run North 46 degrees 23 minutes 22 seconds West a distance of 17.06 feet to a point; Thence run North 1 degrees 40 minutes 45 seconds West along the East right-of-way line of Park Avenue (S.R. No. 15) a distance of 87.87 feet to a point; Thence run North 88 degrees 19 minutes 15 seconds East a distance of 127.24 feet to a point; Thence run South 01 degrees 46 minutes 15 seconds East a distance of 100.00 feet to the Point of Beginning.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE OF A TITLE SEARCH, TITLE EXAM OR TITLE INSURANCE AND THE PREPARER MAKES NO REPRESENTATIONS, EXPRESSED OR IMPLIED, REGARDING THE STATUS OF TITLE.

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

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

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:

Susan A. Clayton
Witness Printed Name SUSAN A. CLAYTON

Kimberly Tull
Witness Printed Name Kimberly Tull

BK
BRIAN K. LYNN (Seal)
Address 1828 REAR ADMIRAL LN
JACKSONVILLE, FL 32259

Witness Printed Name SUSAN A. CLAYTON

Witness Printed Name Kimberly Tull

KATHRYN L. STRICKLAND, (Seal)
FORMERLY KATHRYN H. LYNN
Address: 1265 HARBOR VISTA CIRCLE
ST. AUGUSTINE, FL 32084

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of December, 2008, by **BRIAN K. LYNN, a married man,** who is personally known to me or who has produced a Florida Driver's License as identification.

DOLORES A. SCOTT
Notary Public - State of Florida
My Commission Expires Jun 24, 2010
Commission # DD 530688
Bonded By National Notary Assn.

Notary Public
Print Name: DOLORES A. SCOTT
My Commission Expires: JUNE 24, 2010

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of December, 2008, by **KATHRYN L. STRICKLAND, a married woman, FORMERLY KATHRYN H. LYNN, an unmarried woman,** who is personally known to me or who has produced a Florida Driver's License as identification.

DOLORES A. SCOTT
Notary Public - State of Florida
My Commission Expires Jun 24, 2010
Commission # DD 530688
Bonded By National Notary Assn.

Notary Public
Print Name: DOLORES A. SCOTT
My Commission Expires: JUNE 24, 2010

Lynn Investments, LLC
Attn: Brian Lynn
1345 Park Avenue
Orange Park, FL 32073
Phone: (904) 260-2224
Email: brian.lynn@lendingbear.com

Date: November 1, 2025

To:
Town of Orange Park
Economic & Community Development Department
2042 Park Avenue
Orange Park, FL 32073

Subject: Authorization Letter for Tenant to Apply for Building Permit

Dear Sir or Madam,

I, **Brian Lynn**, as the property owner and authorized representative of **Lynn Investments, LLC**, owner of the property located at **1345 Park Avenue, Orange Park, FL 32073**, hereby authorize my tenant, **Roland Aldib**, to act on my behalf to apply for and obtain all necessary **building and construction permits** from the Town of Orange Park.

This authorization includes, but is not limited to, permits related to:
- Remodeling and renovation of the existing store interior;
- Installation of a **walk-in cooler**;
- Construction of a **drive-thru window**;
- **Electrical, plumbing, tile, and lighting work** associated with the remodel.

Sincerely,

Brian Lynn
Owner / Lynn Investments, LLC
Signature: _____
Date: 10/29/25

Stephen Smith

From: Orange Park <wo@iworq.net>
Sent: Thursday, February 19, 2026 7:44 AM
To: ECD; Mark Crosier; Beth Anderson; Freda Hudson
Subject: A CC Payment was made for Permit # 20250840

ginated from outside of the organization. Do not click links or open attachments unless you recognize the sender an

A CC Payment was made for Permit # 20250840

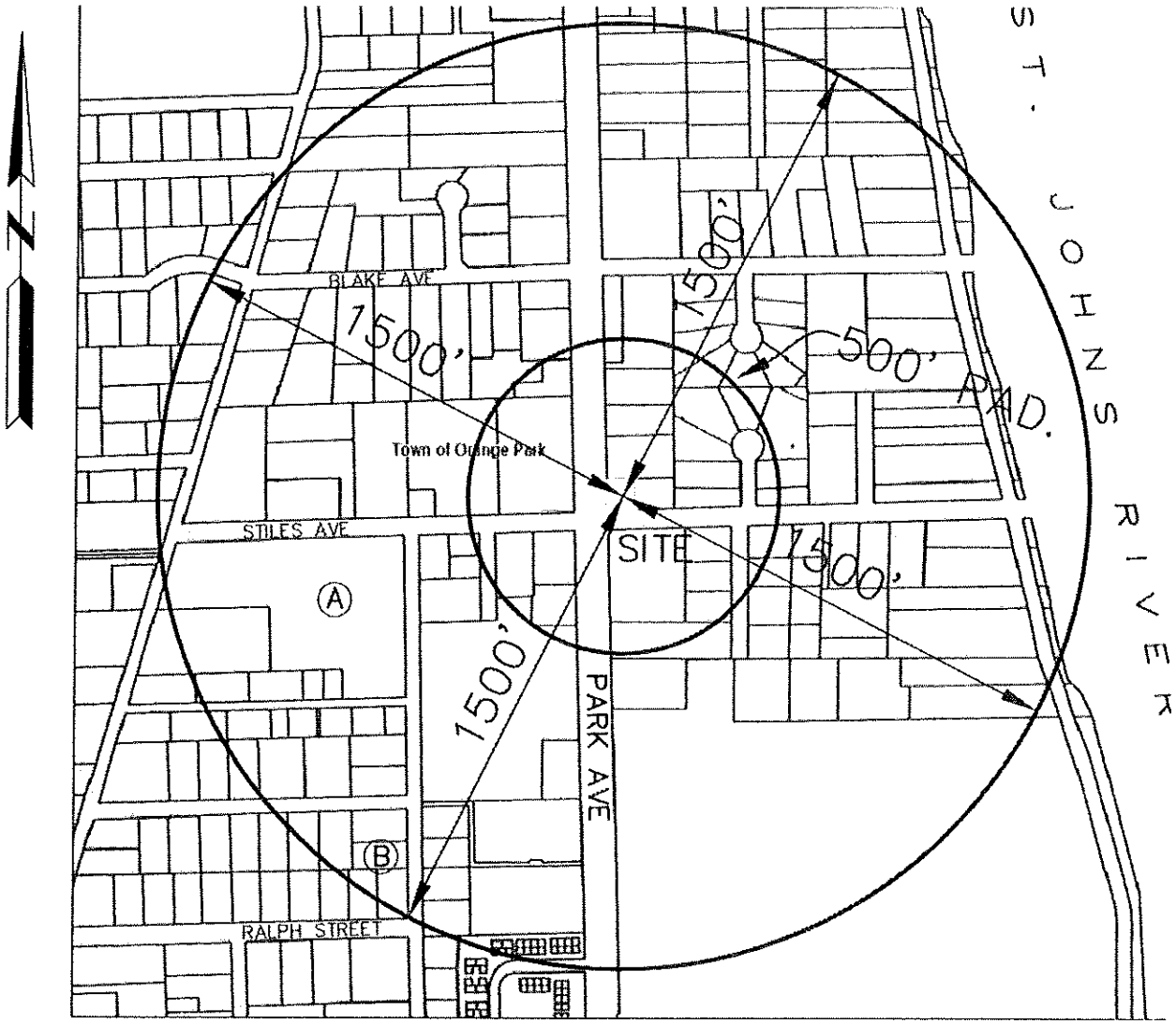
Click Here to open Permit # 20250840



Permit #: 20250840
Permit Type:
Address: 1345 PARK AVE
City: ORANGE PARK
State:
Zip: 32073
Owner: Lending Bear LYNN INVESTMENTS II LLC
Owner Address: 12276 SAN JOSE BLVD SUITE 534
Owner City: JACKSONVILLE
Owner State: FL
Owner Zip: 32223
Owner Phone: 904-264-2300
Owner Email:
Receipt #: 6428
Date: 02/19/2026
Paid By:
Description: 1569433
Payment Type: IBX CC
Payment Type Description:
Accepted By:

Fees Paid

Fee Name	Fee Type	Description	Factor	Total Fee Amount	Amount Paid
Rezoning	Land Development	Enter Fee Amount	500.00	500.00	500.00



Distances are measured by following a straight line from the nearest point of the building or portion of the building used as part of the proposed location to the nearest point of the grounds used as part of the churc school facilities, or adult entertainment facility.

A. ORANGE PARK ELEMENTARY SCHOOL – 1401 PLAINFIELD AVE	730 FEET
B. HAILE ACADEMEY OF HIGHER LEARNING – 1624 SMITH ST	1275 FEET

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

NOTES

1. *Bearings are assumed.*
2. *This is a MAP SHOWING SPECIFIC PURPOSE SURVEY*
3. *The specific purpose of this survey is to depict the location of any schools, churches or adult entertainment establishments within a 1,500 foot radius of the subject building.*
4. *Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.*
5. *There may be Restrictions or Easements of Record evidenced by title examination that*

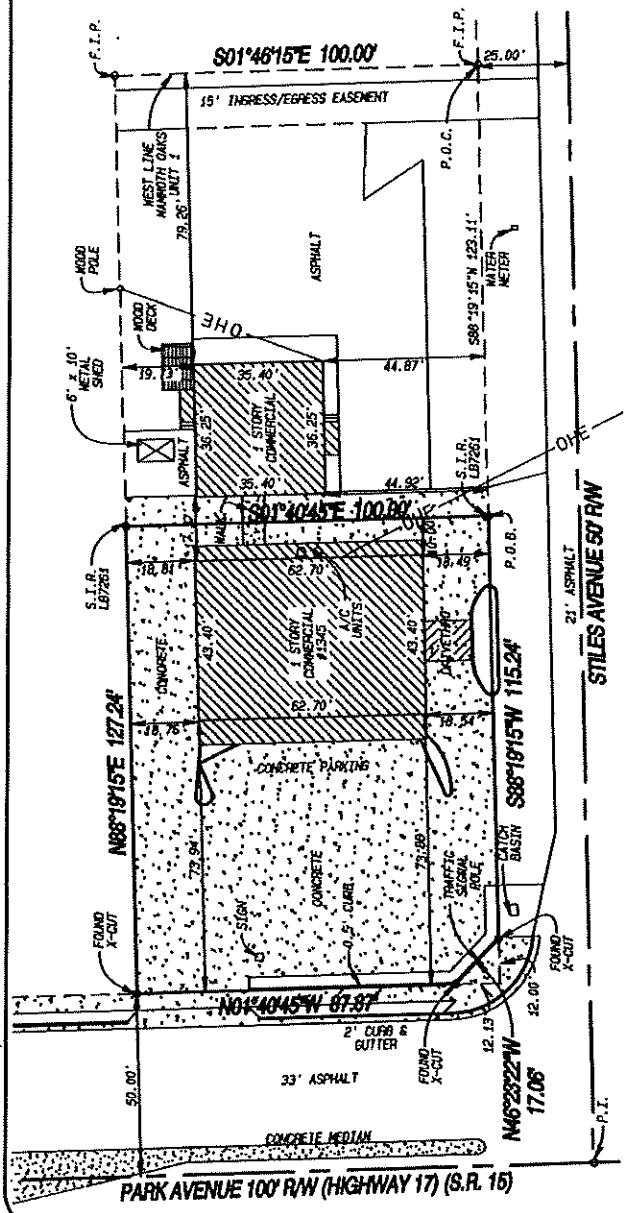
LEGEND

- ⊛ DENOTES CONCRETE MONUMENT
- x—x DENOTES FENCE
- ○ DENOTES FOUND "X-CUT" (NO I.D.)
- ● DENOTES IRON PIPE FOUND (AS NOTED)

DATE	1-2-
SCALE	1"=6
JOB No.	26-
F.B.	-
page	-
Comp. File	26-

MAP OF SURVEY
"BOUNDARY"

DESCRIPTION:
A PARCEL OF LAND SITUATED IN ORANGE PARK, CLAY COUNTY, FLORIDA AND BEING A PORTION OF LOTS 8 AND 9, BLOCK 7, SECTION 1, ORANGE PARK, ACCORDING TO PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF MAMMOUTH OAKS UNIT 1 ACCORDING TO MAP RECORDED IN SAID RECORDS IN OFFICIAL RECORDS BOOK 36, PAGE 221; THENCE RUN ON THE NORTH LINE OF STILES AVENUE, S88° 19' 16" W A DISTANCE OF 123.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S88°19'15"W A DISTANCE OF 115.24 FEET TO A POINT; THENCE RUN N46°23'22"W A DISTANCE OF 17.06 FEET TO A POINT; THENCE RUN N01°40'45"W ALONG THE EAST RIGHT-OF-WAY LINE OF PARK AVENUE (S.R. NO. 15) A DISTANCE OF 87.87 FEET TO A POINT; THENCE RUN N88°19'15"E A DISTANCE OF 127.24 FEET TO A POINT; THENCE RUN S01°46'15"E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.



SCALE: 1" = 40'

SURVEY NOTES:

BEARINGS ARE BASED ON THE EAST R/W LINE OF S.R. NO. 15 BEING N01°40'45"W.

UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER STRUCTURES WERE NOT LOCATED BY THIS SURVEY.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM MAP PANEL NO. 120066 0005 B, EFFECTIVE 3/18/80, THE PROPERTY DESCRIBED HEREON LIES IN ZONE "C".

CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

BRIAN K. AND KATHRYN H. LYNN

ADDRESS: 1345 PARK AVENUE

I HEREBY CERTIFY THAT THE MAP OF SURVEY SHOWN HEREON IS IN ACCORDANCE WITH THE TECHNICAL STANDARDS AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

MICHAEL C. FLYNN NO. 3268
FLORIDA REGISTERED LAND SURVEYOR AND MAPPER. NOT VALID WITHOUT THE SIGNATURE & THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

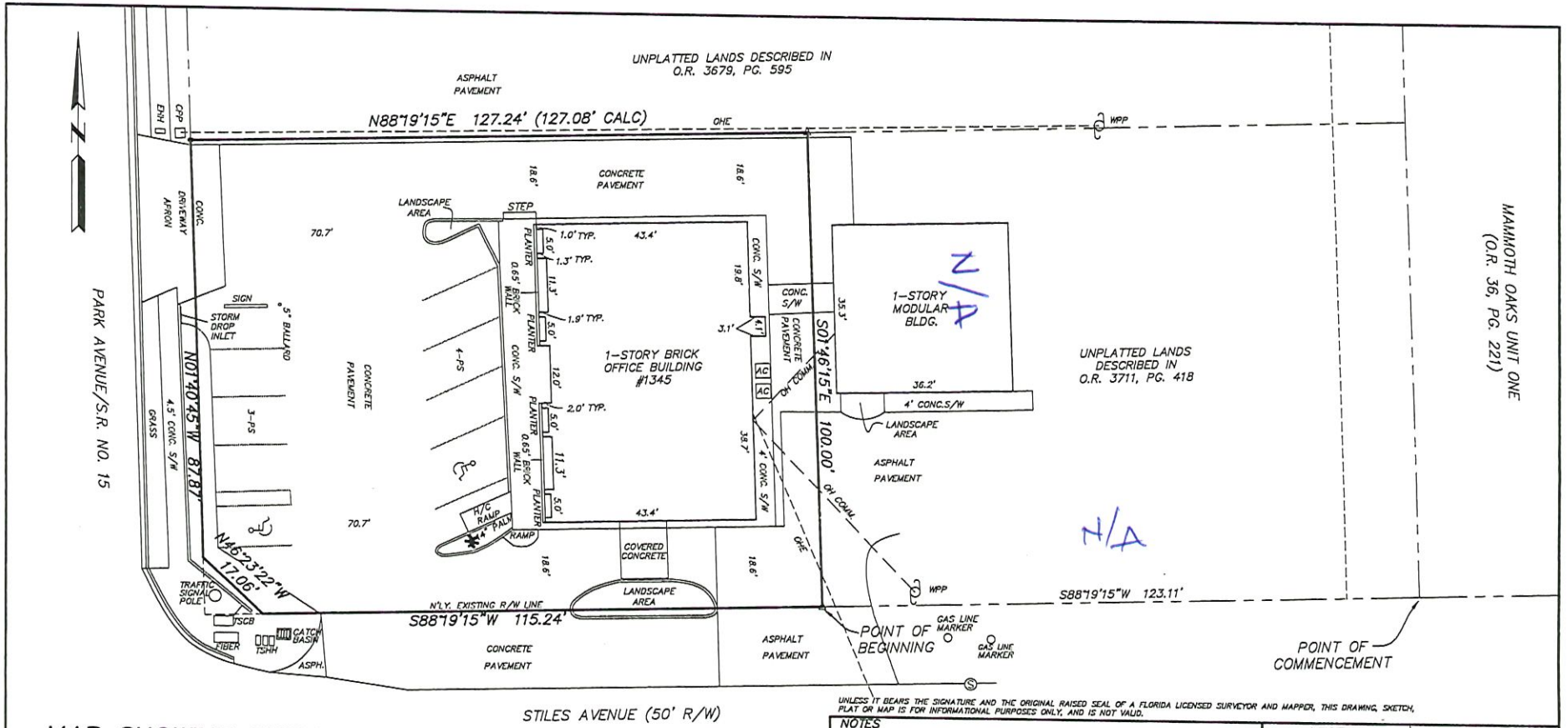
FCM	= FOUND CONCRETE MONUMENT	C.M.	= CONCRETE MONUMENT	D	= DELTA OR CENTRAL ANGLE	FEN	= FENCE
F.I.R.C.	= FOUND IRON ROD AND CAP	P.T.	= POINT OF TANGENCY	P.I.	= POINT OF INTERSECTION	CLR	= CLEAR
F.I.R.	= FOUND IRON ROD	P.C.	= POINT OF CURVATURE	A/C	= AIR CONDITIONING UNIT	FND	= FOUND
S.I.R.	= SET IRON ROD	U.E.	= UTILITY EASEMENT	R	= RADIUS	(P)	= PLAT
S.I.R.C.	= SET IRON ROD AND CAP	D.E.	= DRAINAGE EASEMENT	L	= ARC LENGTH	EL	= ELEVATION
F.N&D	= FOUND NAIL AND DISK	C & G	= CURB & GUTTER	NTS	= NOT TO SCALE	CONC.	= CONCRETE
(M)	= FIELD MEASUREMENT	R/W	= RIGHT OF WAY	(P)	= PROPOSED	ESMT	= EASEMENT
(C)	= CALCULATED MEASUREMENT	C/L	= CENTERLINE	(E)	= EXISTING	COR	= CORNER

FILE NAME: C:\Program Files\Trimble\Landers\3852B.pro

PREPARATION DATE
PLOT PLAN
BOUNDARY 9/3/2004
FORMBOARD
FOUNDATION
FINAL

FIRST COAST LAND SURVEYING, INC.
8096 BEAVER CREEK DRIVE, JACKSONVILLE, FL. 32210
PHONE (904) 779-2062 FAX (904) 779-7784
CERTIFICATE NO. LB 7261

PROJECT INFORMATION
ORDER NO. 3852 B
DRAWN BY: mcf
REVIEWED BY: MCF



UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

MAP SHOWING SURVEY OF

A parcel of land situated in Orange Park, Clay County, Florida and being a portion of Lots 8 and 9, Block 7, Section 1, Orange Park, according to Plat Book 1, page 23, of the public records of Clay County, Florida; said parcel being more particularly described as follows:

Begin at the southwest corner of Mammoth Oaks Unit 1, according to map recorded in said records in Official Records Book 36, page 221; thence run on the north line of Stiles Avenue, South 88 degrees 19 minutes 15 seconds West, a distance of 123.11 feet to the Point of Beginning; Thence continue South 88 degrees 19 minutes 15 seconds West, a distance of 115.24 feet to a point; Thence run North 46 degrees 23 minutes 22 seconds West, a distance of 17.06 feet to a point; Thence run North 1 degrees 40 minutes 45 seconds West, along the East right-of-way line of Park Avenue (S.R. No. 15) a distance of 87.87 feet to a point; Thence run North 88 degrees 19 minutes 15 seconds East, a distance of 127.24 feet to a point; Thence run South 01 degrees 46 minutes 15 seconds East, a Distance of 100.00 feet to the Point of Beginning.

NOTES

1. Bearings are based on the DEED OF RECORD.
2. This is a BOUNDARY SURVEY.
3. Elevations shown thus (15.0) refer to North American Vertical Datum of 1988, (NAVD 88).
4. By Graphic plotting only, the property shown hereon lies within Zone: "X" as shown on the Federal Emergency Management Agency (F.E.M.A.), National Flood Insurance Program, Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 12019C 0087 E Map Revised date : 3-17-14
5. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.
6. There may be Restrictions or Easements of Record evidenced by title examination that have not been shown hereon.

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION
P.C.P.	Permanent Control Point
P.R.M.	Permanent Reference Monument
P.O.B.	Point of Beginning
P.C.	Point of Curvature
P.T.	Point of Tangency
P.R.C.	Point of Reverse Curvature
P.I.	Point of Intersection
R/W	Right of Way
O.R.V.	Official Records Volume
D.B.	Deed Book
PG.	page
B.R.L.	Building Restriction Line
Esmt	Easement

ABBREVIATION	DEFINITION
L.B.	Licensed Business
R.L.S.	Registered Land Surveyor
J.E.A.	Jacksonville Electric Authority
EQUIP	Equipment
A/C	Air Conditioner
C.A.T.V.	Cable Television
OHL	Overhead Lines
(F.M.)	Field Measured
R=	Radius equals
L=	Arc Lenth equals
CH.=	Chord Bearing & Distance equals
Δ=	Delta or Central Angle equals
I.P.	Iron Pipe
Conc.	Concrete

LEGEND

- ⊙ DENOTES CONCRETE MONUMENT
- x—x DENOTES FENCE
- ○ DENOTES 1/2" IRON PIPE SET WITH CAP, LB 8295
- ● DENOTES IRON PIPE FOUND (NOTED)
- △ DENOTES SET NAIL/DISK (L.B. 8295)

DATE	2-5-26
SCALE	1"=20'
JOB No.	26-15095
F.B.	1490
page	33
Comp. File	26-15095.dwg
Drawn by	WJM/W.L.

MELROSE SURVEYING AND MAPPING, INC.
PROFESSIONAL LAND SURVEYORS
11437 CENTRAL PARKWAY, SUITE 107
JACKSONVILLE, FLORIDA 32224
L.B. No. 8295
Tel. (904) 721-1226

THIS IS TO CERTIFY THAT THIS SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY, MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS, AS OUTLINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 5J-17, (formerly CHAPTER 61G17-6), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY: _____
WILLIAM J. MELROSE, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 3843

STAFF REPORT - PLANNING AND ZONING BOARD

Agenda Item: 7b
Application Number: V-2-2026
Owner: Mark and Desiree Dillaberry
Applicant/Agent: Jeff Caudel
Location: 2245 Holly Leaf Lane
Zoning District: Residential Single Family-2 (RS-2)
Future Land Use Category: Low Density Residential (LDR)
Date: June 11, 2026

The Economic and Community Development Department hereby forwards to the Planning and Zoning Board its comments and recommendation regarding Application for Variance V-2-2026.

REQUEST

The applicant seeks a variance for relief from Section 2.04.02.06 (b) to reduce the side yard setback from ten (10) feet to seven (7) feet eight (8) inches (7'8") for a garage addition.

GENERAL INFORMATION

The applicant proposes a 3-car garage addition to the front of the existing house, which is located on approximately 0.452 acres. The proposed addition would align with the original existing exterior side wall of the house, which has a side yard setback of approximately 7.8 feet. The subject property is located in the Holly Grove Subdivision (Unit Two), which was platted in 1965. Most of the twenty-two (22) platted lots in the subdivision are approximately 100 feet wide, which meets the 100-foot minimum requirement for the RS-2 zoning district. Staff is unaware of the original side yard setback requirement for this platted subdivision. However, the subject property was constructed in 1965 and, like many of the other lots in this subdivision, does not meet the minimum setback requirement for one or both side yards. According to attached Table 1, over fifty (50) percent of the twenty-two (22) homes built do not meet one or more of the side yard setback requirements.

A variance shall be nontransferable and does not run with the property, unless

otherwise approved by the Planning and Zoning Board.

NOTICES

Notices of this public hearing were mailed to all property owners within 300 feet of the subject property, as indicated in the public records of the Clay County Property Appraiser. The properties were posted with signs at least 15 days in advance of the public hearing. Legal notices were advertised in Clay Today in conformance with Florida Statute and Town of Orange Park Code of Ordinances.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 02.08.14.02(a) of the Zoning Code, the Planning and Zoning Board may grant a variance from the terms of the zoning ordinance that will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of the ordinance the applicant must show and the board must find:

(1) That special conditions and circumstances exist because of size, shape, topography or other physical conditions which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;

Special circumstances exist that over fifty (50) percent of the similarly platted twenty-two (22) single family homes were constructed with a side yard less than 10 feet for one or both side yards. Therefore, the special conditions and circumstances exist because of the size, shape, and physical conditions which are peculiar to the structure or building involved for this platted subdivision and generally are not applicable to other lands, structures or buildings in the same zoning district.

(2) That the special conditions and circumstances do not result from the actions of the applicant;

The current owner purchased the house in 2024. The special conditions and circumstances were established when the original structure was built in 1965.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;

Based on the information in this report indicating that special conditions existed prior to the owner's purchase of the property, granting the variance will not confer

a special privilege on the applicant, nor will these unique circumstances set a precedent for future requests.

(4) That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant;

Based on available surveys, site plans and other permitting information noted in attached Table 1, more than half of the twenty-two (22) homes in the platted subdivision have a nonconforming side yard setback. Depriving the applicant of rights commonly enjoyed by these other properties with similar circumstances would create an undue hardship on the applicant.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of land, building;

Yes. Given the existing structure's nonconforming side yard setback, granting the variance is the minimum necessary to allow reasonable use of the property.

(6) That the grant of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Yes. The grant of the variance will be in harmony with the general intent and purpose of the ordinance based on the facts that many other single family dwellings in this subdivision have similar nonconforming side yards. Therefore, granting the variance would not be injurious to the area involved or detrimental to the public welfare.

In passing upon a request for variance, the board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business, or operation which is not otherwise allowed in such district by a specific provision of this ordinance (see section 2.02.01.165).

The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RS-2	Single-family
South	LDR	RS-2	Single-family

East	LDR	RS-2	Single-family
West	LDR	RS-2	Single-family

STAFF RECOMMENDATION

Based on the criteria for a variance, pursuant to Section 02.08.14.02(a) of the Zoning Code, staff recommends that Application V-2-2026 be **APPROVED and subject to the following:**

1. That the variance shall be transferable.

SUPPLEMENTAL INFORMATION

1. Upon visual inspection of the subject property on May 27, 2026 the required Notice of Public Hearing sign was posted.
2. A copy of the Holly Grove Unit Two Plat is attached to this report.
3. A survey of existing side yard setbacks for this subdivision is attached as Table 1.
4. Attached to this report is a copy of the application, including a survey of the existing property.



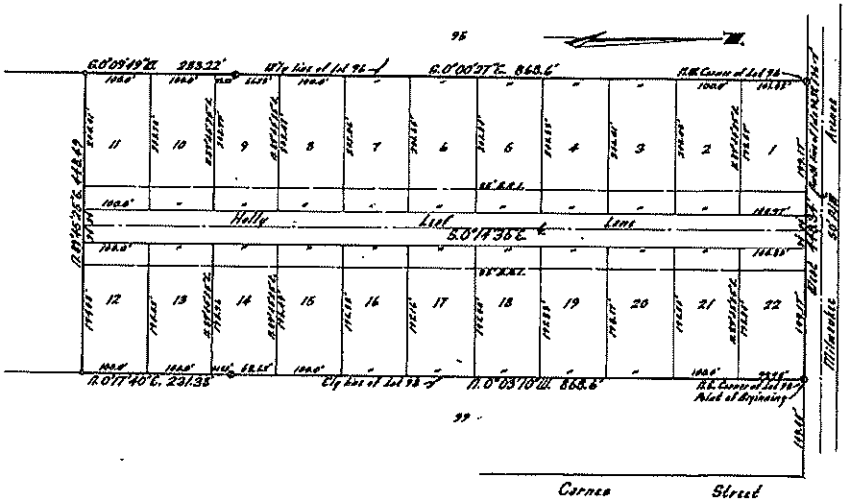
Variance sign.

Holly Grove Unit Two

City of Orange Park, Clay County, Florida

PLAT BOOK 7 PAGE 2

Being a replat of part of lots 96, 97 & 98 as shown on plat of Section 4, Orange Park, Florida, according to plat recorded in Plat Book 1, Page 28, Public Records of Clay County, Florida and being more particularly described as follows: Beginning at the southwest corner of said lot 98; thence West along the North line of said lots 98, 97 & 96, a distance of 448.49 feet to the northwest corner of said lot 96; thence S.0°00'27"E. along the westerly line of said lot 96, a distance of 862.4 feet; thence continue along said westerly line S.0°09'49"W., a distance of 233.22 feet; thence N.89°45'26"E., a distance of 448.49 feet to a point in the easterly line of said lot 98; thence N.0°11'40"E. along said easterly line 281.38 feet; thence continue along said easterly line N.0°03'10"W., a distance of 868.6 feet to the point of beginning.



—Notes—

Permanent Reference Monuments shown thus ●

B.R.L. denotes Building Restriction Line

Graphic Scale

1" = 100'

Dedication

This is to certify that Atwood Homes Inc. of Jacksonville, a corporation under the laws of the State of Florida is the lawful owner of the land described in the caption hereon, and that said owner has caused these lands to be surveyed and subdivided and this plat made in accordance with said survey, is hereby adopted as the true and correct plat of said lands, and so much of said lands as is included within the rights-of-way of roads as shown on said plat, is hereby irrevocably dedicated to the public use.

In witness whereof Atwood Homes Inc. of Jacksonville, has caused these presents to be signed by its President and Vice Pres., and with authority of its Board of Directors, in its name and with its corporate seal affixed this 4th day of February A.D. 1965.

Signed and Sealed
in the presence of:

Witnesses

Atwood Homes Inc. of Jacksonville
A. E. Atwood Jr.
Its President
David E. Atwood
Its Vice President

State of Florida
County of Clay

I hereby certify that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, A. E. Atwood Jr. and David E. Atwood, respectively, President and Vice Pres. of Atwood Homes Inc. of Jacksonville, a corporation under the laws of the State of Florida, to me well known to be the persons described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be their free act and deed for the purposes therein mentioned.

Witness my signature and official seal of Clay County, Florida, this 8th day of February A.D. 1965.

Ruth S. Yoke
Notary Public, State of Florida at Large
My Commission Expires March 19, 1968

Commission Approval

Examined and approved this 8th day of February A.D. 1965 by the Board of City Commissioners of Orange Park, Florida.

Walter W. Oliver
Mayor

Florence Rapp
Deputy Clerk

Approval for Record

Examined and approved this 2 day of Feb A.D. 1965 by the Board of County Commissioners of Clay County, Florida.

By: [illegible]
Chairman

Attest: George L. Carlisle II
Clerk

Clerks Certificate

I hereby certify that this plat has been examined and that it complies in form with Chapter No. 10275, Laws of Florida of 1925, and is filed for record and recorded in Plat Book 7 Page 2 of the Public Records of Clay County, Florida, this 9th day of February A.D. 1965.

George L. Carlisle
Clerk of the Circuit Court

Surveyors Certificate

This is to certify that this plat is a correct representation of the lands surveyed and platted and described thereon; that permanent reference monuments have been placed according to the laws of the State of Florida.

Signed this 4th day of February A.D. 1965.

L.D. Brollier & Associates

Table 1

Holly Grove Subdivision, Unit Two			Side Yard Setbacks		
Address		Lot No.	North	South	
2206	Holly Leaf Ln.	1	28'	9'	
2220	Holly Leaf Ln.	2	23'2"	8'7"	
2232	Holly Leaf Ln.	3	?	?	
2244	Holly Leaf Ln.	4	?	?	
2258	Holly Leaf Ln.	5	9'1"	7'3"	
2272	Holly Leaf Ln.	6	11'6"	8'2"	
2304	Holly Leaf Ln.	7	?	?	
2320	Holly Leaf Ln.	8	23'5"	9'4"	
2334	Holly Leaf Ln.	9	9'7"	8'1"	
2346	Holly Leaf Ln.	10	10'8"	9'2"	
2360	Holly Leaf Ln.	11	7'*	>10'	
2361	Holly Leaf Ln.	12	9'2"	>10'	
2347	Holly Leaf Ln.	13	11'2"	25'	
2335	Holly Leaf Ln.	14	>10'	9'	
2321	Holly Leaf Ln.	15	10'	>10'	
2305	Holly Leaf Ln.	16	7'6"	7'6"	
2273	Holly Leaf Ln.	17	Approx 18'	<10'	
2259	Holly Leaf Ln.	18	?	9'5"	
2245	Holly Leaf Ln.	19	7'8"	7'7"	*Subject Property*
2233	Holly Leaf Ln.	20	9'	15'8"	
2219	Holly Leaf Ln.	21	13'5"	13'5"	
2207	Holly Leaf Ln.	22	31'8"	10'9"	
*Variance granted to reduce side yard from 10' to 7' in 1990.					
Note: Subdivision Plat Recorded in 1965					

FOR OFFICE USE ONLY
Application No. V - 2. 2026
Date Submitted: 4/28 20 26
Date Filed: 5/15 20 26
Set for Public Hearing on: 6/11 20 26

TOWN OF ORANGE PARK

APPLICATION FOR ZONING VARIANCE

A. PROJECT

1. Address of Subject Property: 2245 Holly Leaf Lane
2. Between Streets: 300' south of Milwaukee Av And _____
3. Parcel ID Number(s): ~~019799-00-00~~ 019779-000-00
4. Existing Use of Property: Residential
5. Zoning Designation: RS-2 Future Land Use Designation: LDR
6. Land Area (Acres): 0.452 Date lot was recorded: 02/09/1965

B. OWNER/APPLICANT

1. Name of Owner(s): Mark J & Desiree Dillaberry
   Address: 2245 Holly Leaf Lane
   City: Orange Park State: FL Zip: 32073
   Telephone: (904) 505-0584 Email: mjdillaberry@gmail.com

2. Name of Applicant (if different from owner): Jeff Caudel
   Address: 151- 17 College Dr
   City: Orange Park State: FL Zip: 3265
   Telephone: (904) 272-5005 Email: LISA@LEGACYCLAY.COM

C. STATEMENT OF VARIANCE SOUGHT

1. Requested Variance: Reduce side setback from 10' to approximately 7.8'.
2. Section of Zoning Code from which the Variance is sought: Sec. 2.04.00 - Table #2
3. Reason Variance is requested: New addition to existing house w/ 7.8' setback (built in 1965)
4. Statement of facts for requested variance side yard

Section 02.08.14.02 Ordinance Code, provides that the Planning and Zoning Board may grant a variance from the terms of the zoning ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of the ordinance the applicant must show and the board must find:

(Please provide answers to the following questions. You may attach a separate sheet if necessary. These facts will be used by the staff to make a recommendation to the Planning and Zoning Board.)

(i). That special conditions and circumstances exist because of size, shape, topography or other physical conditions which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
The subdivision - Holly Grove Unit Two, was platted in 1965 and houses in the subdivision were built with less than 10' side setback.

(ii). That the special conditions and circumstances do not result from the actions of the applicant;
Holly Grove Unit Two was platted and recorded in 1965 and the house was built in 1965 prior to the current owner acquiring the property.

(iii). That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;
According to the Clay County Property Appraiser records, Holly Leaf Lane lots 2259, 2305 and 2334 have less than 10' setback due to house widths.

(iv). That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant;
The existing house at 2245 Holly Leaf Lane and other houses on the street are currently located within the 10' setback.

(v). That the variance granted is the minimum variance that will make possible the reasonable use of land, building;
The variance proposed is the only way to keep the clean asrchitectural lines in lieu of offsetting the building and the roof between the existing house and proposed garage.

(vi). That the grant of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
The variance will allow continuation of the existing side yard setback without changing the original and current use of the neighborhood.

(vii). In passing upon a request for variance, the board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business, or operation which is not otherwise allowed in such district by a specific provision of this ordinance (see section 2.02.02.124).2
The proposed attached garageis allowed by ordinance.

D. ATTACHMENTS (One hard copy or one copy in PDF format)

1. Copy of Warranty Deed or other proof of ownership
2. Legal Description (may be either lot and block or metes and bounds)
3. Survey or Site Plan indicating setback, proposed construction and requested variance.

E. FILING FEES

1. Application Fee: **$500.00 (Nonresidential)** **$250.00 (Residential)**
2. The applicant is responsible to pay the cost of notifications (per addressee within 300 feet of the subject property), advertising and signs.

NOTICE TO THE APPLICANT / OWNER

No application will be accepted as "Complete and filed" until all the requested information has been supplied and the required fee has been paid.

A completeness review of the application will be conducted within five (5) business days of receipt. The applicant will be notified if the application is determined to be incomplete.

The required signs will be posted on the property at least 15 days prior to the public hearing. The Sign(s) must remain posted and maintained until a final determination has been made on the application.

I/We hereby certify and acknowledge that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)

Signature: _____

Print name: Mark Dillaberry

Date: 4/13/26

Applicant or Agent (if different than owner)*

Signature: _____

Print name: _____

Date: _____

Owner(s)

Signature: Desiree W Dillaberry

Print name: Desiree Dillaberry

Date: 04/13/2026

*An agent authorization letter is required if the application is made by any person other than the property owner.

CFN # 2024021358, OR BK: 4819 PG: 328, Pages 1 / 2, Recorded 5/6/2024 10:14 AM, Doc: D
TARA S. GREEN Clerk of Court and Comptroller, Clay County, FL Rec: $18.50 Doc D: $3,150.00
Deputy Clerk MAYST

42

Prepared by, Record & Return to:
Geraldine C. Hartin
Hamilton & Hartin, P.A.
3168 U.S. Highway 17, Suite A
Fleming Island, Florida 32003

File Number: 24-C109
Consideration: $450,000.00

General Warranty Deed

Made this May 3, 2024 A.D. By **Dennis D. Frick and Suzan D. Frick, husband and wife,**
whose post office address is: 246 River Road, Orange Park, FL 32073
hereinafter called the grantor,

to **Mark J. Dillaberry and Desiree W. Dillaberry, husband and wife,** a/k/a Mark Jason Dillaberry and Desiree Walker Dillaberry
whose post office address is: 2245 Holly Leaf Lane, Orange Park, Florida 32073
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:

Lot Nineteen (19), HOLLY GROVE UNIT TWO, according to plat thereof recorded in Plat Book 7, Page 2, Public Records of Clay County, Florida.

SUBJECT TO covenants, conditions, restrictions and easements of record and taxes for the current year.

Parcel ID Number: **41-04-26-019779-000-00**

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, 2023.

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 Sign
Witness #1 Printed Name Geraldine C. Hartin
Address: 3168 US Hwy 17, Suite A
Fleming Island, FL 32003

Witness #2 Sign
Witness #2 Printed Name Christina Gordon
Address: 3168 Hwy 17, Suite A Fleming Island FL 32003

(Seal)
Dennis D. Frick
Address: 246 River Road
Orange Park, FL 32073

(Seal)
Suzan D. Frick
Address: 246 River Road
Orange Park, FL 32073

Prepared by, Record & Return to:
Geraldine C. Hartin
Hamilton & Hartin, P.A.
3168 U.S. Highway 17, Suite A
Fleming Island, Florida 32003

File Number: 24-C109
Consideration: $450,000.00

State of Florida

County of Clay

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this May 3, 2024, by Dennis D. Frick and Suzan D. Frick, husband and wife, who are personally known to me or who has produced FLDL as identification.

Notary Public
Print Name:
My Commission Expires:

GERALDINE C. HARTIN
Commission # HH 020598
Expires August 23, 2024
Bonded Thru Troy Fain Insurance 800-385-7019

Parcel Summary

Parcel ID	41-04-26-019779-000-00
Location Address	2245 HOLLY LEAF Ln Orange Park 32073
Brief Tax Description*	LOT 19 HOLLY GROVE UNIT 2 AS REC O R 4819 PG 328 (Note: *The Description above is not to be used on legal documents.)
Property Use Code	Single Family (0100)
Sec/Twp/Rng	41/4/26
Tax District	Tax Dist 004 - OP
Millage Rate	18.1484
Acreage	0.452
Homestead	YES, Granted 2025

Map



Owner Information

Dillaberry Mark J
2245 Holly Leaf Ln
Orange Park FL 32073

Dillaberry Desiree W
2245 Holly Leaf Ln
Orange Park FL 32073

Land Information

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth
SINGLE FAMILY (0100)	1.00	Residential Lot	Site	100	197

Buildings

Building	1
Building Type	Single Family / 0100
Gross Sq Ft	3,859
Finished Sq Ft	3,023
Stories	1.0 Stories
Heat	AIR DUCTED
Interior Walls	DRYWALL
Exterior Walls	COMMON BRK
Year Built	1965
Effective Year Built	1970
Frame	
Roof Type	GABLE/HIP
Roof Coverage	SHINGLE
Flooring Type	PARQUET with 50% CARPET
Heating Type	AIR DUCTED
Bedrooms	5
Full Bathrooms	3
Half Bathrooms	0

Yard Items

Description	Full Description	Year Built	Size	Quantity	Units
CONC DW 1/1300	CONCRETE DRIVEWAY 1 - 1300 SF	1965	0 x 0	1	1300 SF
CONC 1301+	CONCRETE DRIVEWAY 1301 SF +	1965	0 x 0	1	668 SF
FPL 1STY A	FIREPLACE 1 STORY - AVERAGE QUALITY	1965	0 x 0	1	1 UT
Pool-525 GN	POOL GUNITE 451-525 sf	1965	35 x 15	1	525 SF
STORAGE F	STORAGE - FAIR	1985	0 x 0	1	74 SF
WOOD P 4'	WOOD PRIVACY FENCE 4'	1985	0 x 0	1	75 SF
WOOD P 6'	WOOD PRIVACY FENCE 6'	1985	0 x 0	1	150 SF
WOOD P 8'	WOOD PRIVACY FENCE 8'	1985	0 x 0	1	50 SF

Sales

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Transfer Code	Multi-Parcel Sale	Vacant or Improved	Grantor	Grantee
5/3/2024	$450,000	Warranty Deed	4819	328	Qualified	01	No	Improved	Frick Dennis O	Dillaberry Mark J
11/1/1984	$110,000	Warranty Deed	829	607	Qualified		No	Improved		

For detailed information on applying the transfer codes, click HERE

Recent Sales In Area

Sale date range:

From: 03/25/ To: 03/25/

Search Sales by Neighborhood

Distance: 1500 Units: Feet Search Sales by Distance

Skip to main content

TRIM Notice

2025 TRIM Notice (PDF)

Clay County Property Appraiser's Office

Valuation

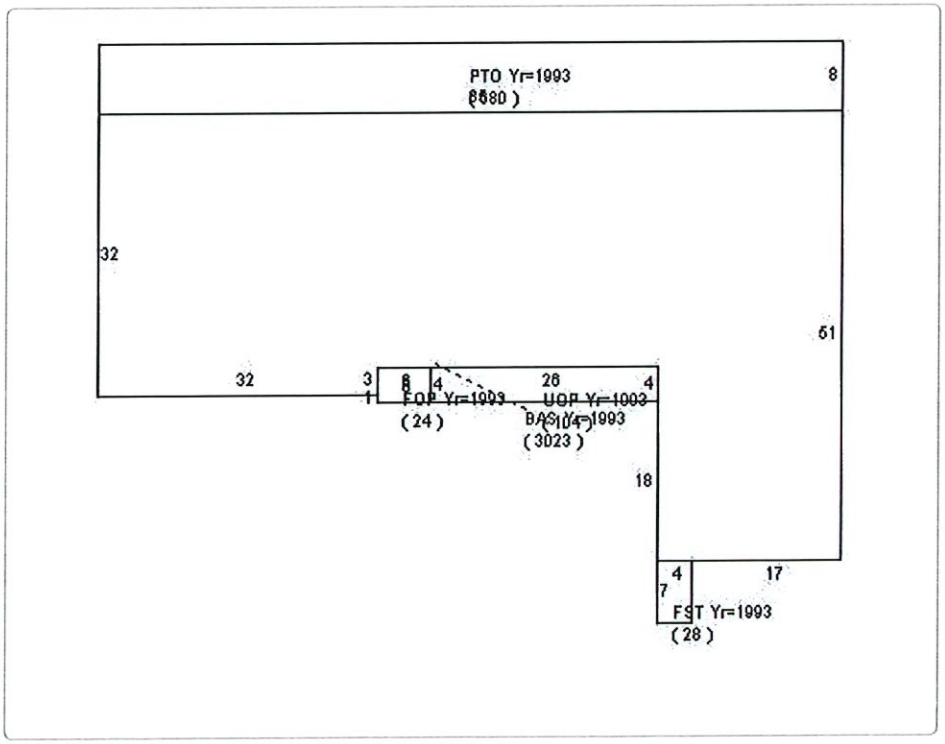
		2025 Certified	2024 Certified	2023 Certified	2022 Certified
+	Building Value	$332,482	$313,438	$292,439	$230,287
+	Extra Features Value	$10,274	$10,274	$10,274	$8,123
+	Land Value	$40,000	$40,000	$40,000	$40,000
	Land Agricultural Value	$0	$0	$0	$0
	Agricultural (Market) Value	$0	$0	$0	$0
=	Just Market Value	$382,756	$363,712	$342,713	$278,410
=	Total Assessed Value	$237,246	$159,158	$154,523	$150,023
-	Exempt Value	($50,722)	($50,000)	($50,000)	($50,000)
=	Total Taxable Value	$186,524	$109,158	$104,523	$100,023
	Maximum Save Our Homes Portability / AGL Differential	$145,510	$204,554	$188,190	$128,387

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Property Record Card

2025 Property Record Card (PDF)

Sketches



No data available for the following modules: Photos.

The Property Appraiser makes every effort to produce the most accurate information possible. However, the data herein is exclusively intended for the purpose of producing an annual assessment roll, and is subject to change. No warranties, either express or implied, are made regarding the accuracy, use, or interpretation of the data or maps. The Property Appraiser and employees of the CCPAO are not responsible for any unintended use of this information, nor for any errors or omissions.
| User Privacy Policy | GDPR Privacy Notice
Last Data Upload: 3/25/2026, 7:09:04 AM

Contact Us

Developed by SCHNEIDER GEOSPATIAL

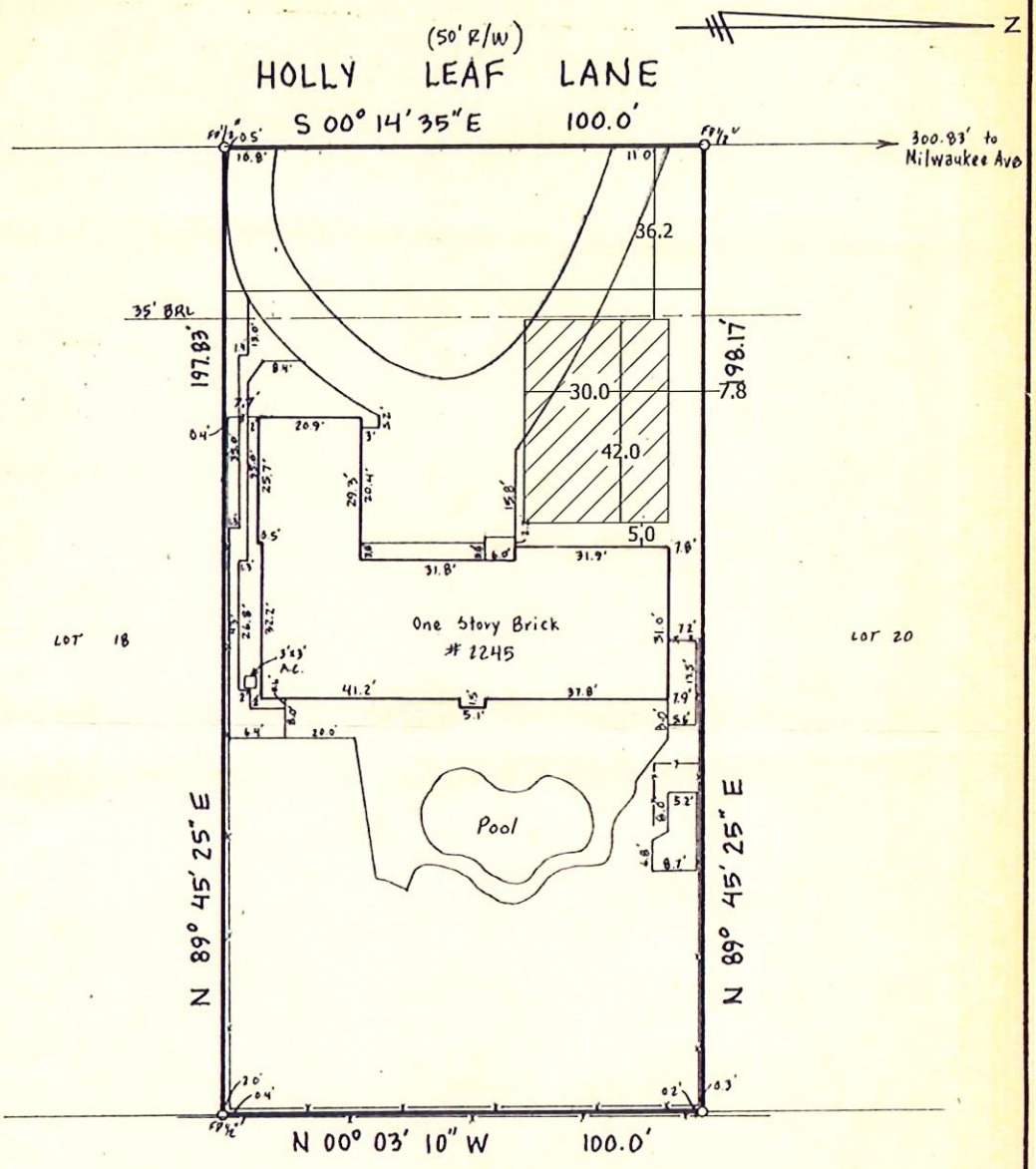
MAP SHOWING BOUNDARY SURVEY OF

LOT 19 BLOCK — AS SHOWN ON MAP OF

HOLLY GROVE UNIT TWO

AS RECORDED IN PLAT BOOK 7 PAGE 2 OF THE PUBLIC RECORDS OF CLAY CO., FLA.

FOR: Dennis Frick & COMMONWEALTH LAND TITLE INS. CO.



RECERTIFIED W.O. 12-2340, 4-29-1987

BEARINGS BASED ON PLAT AS SHOWN

I HEREBY CERTIFY THAT THE LOT SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE C AS SHOWN ON FLOOD INSURANCE RATE MAP 5 FOR THE CITY OF ORANGE PARK, CLAY CO, FLORIDA, DATED 3-18-80

ALL AMERICAN SURVEYORS, INC.

LAND SURVEYORS - 4220 1000 RD - JACKSONVILLE, FLORIDA, 32217 - 904/768-4155

LEGEND

- ⓒ CONC MON
- ● IRON COR (SET) (WITH CAP #LB 3857)
- -X- FENCE
- ○ IRON COR (FD.)
- ⊗ CROSS CUT

F.B. 423:35

I HEREBY CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 472.027, FLORIDA, STATUTES

JAMES D. HARRISON, JR., P. L. S. No. 2647
LARRY G. EDDY, P. L. S. No. 4144

SCALE 1" = 30'

DATE 7-29-86

REGISTERED SURVEYOR, STATE OF FLORIDA

ALL AMERICAN SURVEYORS, INC.

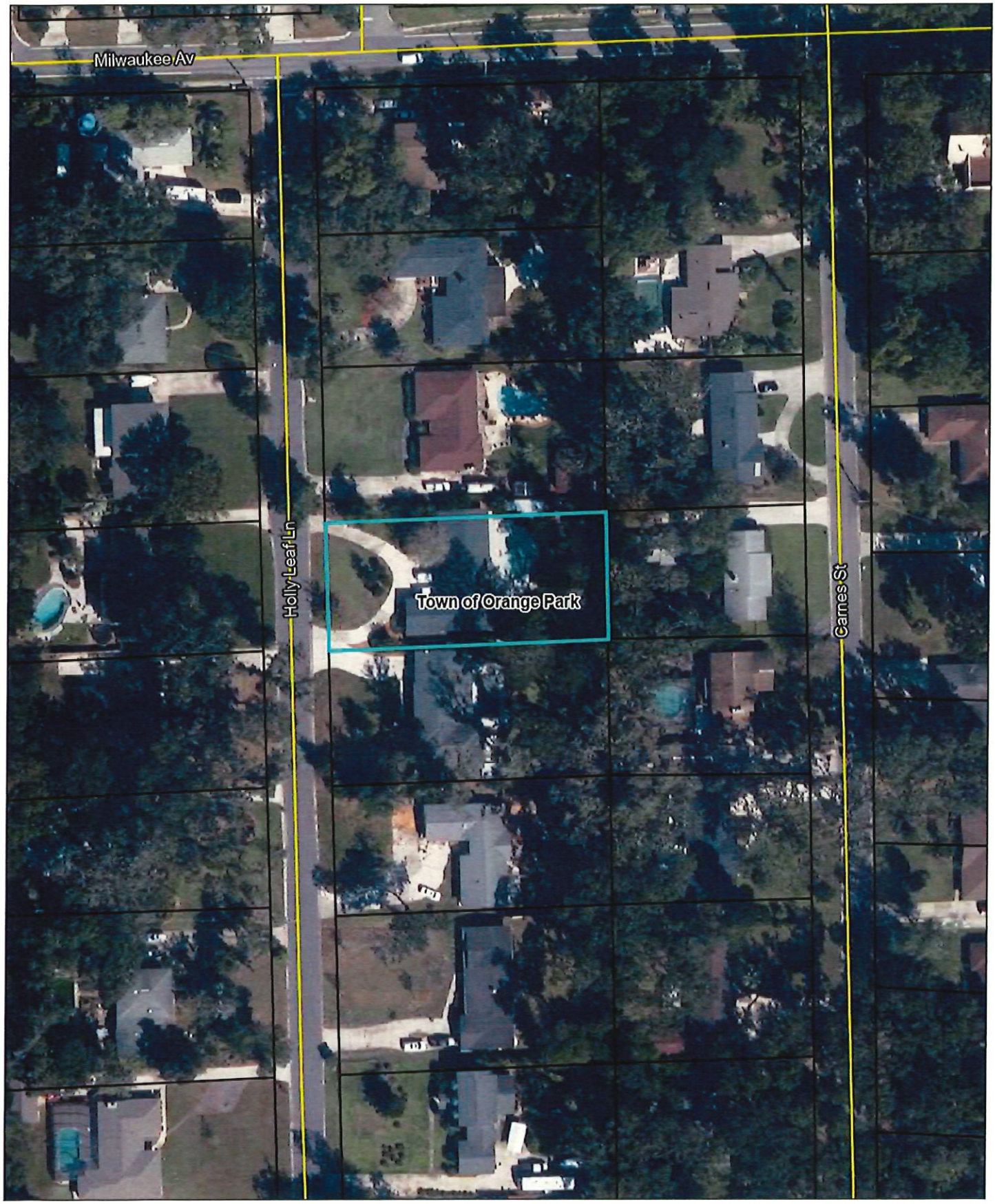
ORDER NO. 11-4370



Proposed garage addition for 2245 Holly Leaf Ln.



Clay County Property Appraiser's Office



Item No. 7.c

Town of Orange Park
Agenda Memorandum

To:	Planning and Zoning Board
Agenda Date:	June 11, 2026
Submitting Department:	Economic Community Development

Item Title: Report on Planned Unit Development (PUD) Draft Amendment

Check one:
[ ] Consent Agenda [X] Regular Agenda

Financial Impact if Applicable:

Background Information: At its May 14, 2026 meeting, the Planning and Zoning Board reviewed a second proposed draft (Draft 2) amendment to the PUD zoning district regulations and recommended preparing a draft ordinance for the proposed amendment. The proposed amendment is attached and identified as Attachment 1 and Attachment 2.

Action Requested: Recommend to the Town Council to approve the proposed changes to the Planned Unit Development Zoning District.

Information Attached:
Ordinance_2026_PUD_Revisions_v.1.pdf
Ordinance_2026_PUD_Revisions_Attach_1_v.1.pdf
Ordinance_2026_PUD_Revisions_Attach_2_v.1.pdf

ORDINANCE NO.: _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ORANGE PARK, FLORIDA, REGARDING REZONING TO PLANNED UNIT DEVELOPMENT; AMENDING PORTIONS OF SECTION 2.04.12 AND 2.08.15, ORANGE PARK TOWN CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Town Council of Orange Park:

Section 1. Amending Section 2.04.12.01 (Defined); Section 2.04.12.03.01 (Application for Rezoning to PUD); Subsection 2.04.12.03.02(c)(Sketch plan to accompany application); Section 2.04.12.03 (Action by the Planning and Zoning Board and the Orange Park Town Council); Section 2.04.12.03.05 (Expiration of Time Limits Provided in Ordinance Creating a PUD); 2.04.12.05 (Standards and Criteria for Review); 2.04.12.05.02 (Open Space), and creation of Section 2.04.12.05.07 (Public Participation Required), as specified in Attachment 1.

Section 2. Amending Section 2.08.15.06 (Limitations on Rezoning of Land) as specified in Attachment 2.

Section 3. **Conflict**. If any portion of this ordinance is in conflict with any portion of any other ordinance, then the provisions of this ordinance shall govern.

Section 4. **Severability**. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. **Codification Instructions**. The Codifier and the Town Attorney are authorized to make the Orange Park Town Code "tables of contents" consistent with the changes set forth herein. Such editorial changes and any others necessary to make the Orange Park Town Code consistent with the intent of this ordinance are approved and directed herein.

Section 6. **Effective Date**. This ordinance shall become effective upon adoption by the Town Council.

Passed on first reading this _____ day of _____, 2026.

Passed on second reading this ____ day of _____, 2026.

_____
MAYOR

ATTEST:

_____
TOWN CLERK

FORM APPROVED:

_____
TOWN ATTORNEY

2.04.12 Planned Unit Development (PUD)

Intent. The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of this Article and with the Town's general planning program and such comprehensive plans as may from time to time be adopted by the Town Council; but in which such development differs in one (1) or more respects from the usual application of provisions of this Article. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers, to produce developments which are in keeping with overall land use intensity and open space objectives of this Article, while departing from the strict application of use, setback, height and minimum lot size requirements of the several zoning districts. The intent of this part is to permit such flexibility and provide performance criteria for planned unit developments which:

a) Permit a creative approach to the development of land by promoting more design compatibility among buildings and groups of buildings; and,
b) Accomplish a more desirable environment that would be possible through the strict application of minimum requirements of this Article; and,
c) Promote high-quality and compatible mixed-use development and redevelopment; and,
d) Provide for an efficient use of land, resulting in small networks of utilities and streets and thereby lower development costs; and,
e) Enhance the appearance of the area through preservation of natural features, the provision of underground utilities and the provision of recreation areas and open space in excess of existing zoning and subdivision requirements; and,
f) Provide an opportunity for new approaches to ownership; and,
g) Provide an environment of stable character compatible with surrounding areas; and,
h) Retain property values over the years and stimulate investment in, and strengthen the economic vitality of the Town; and,
i) Foster development that respects pedestrian and bicycle activity, while still accommodating automobile and truck traffic.

2.04.12.01 Defined

For the purpose of this Article, a planned unit development (PUD) shall mean the development of land under unified control which is planned and developed as a whole in a single or programmed series of operations with uses and structures substantially related to the character of the entire development. In addition to the open space requirement, a PUD must consist of a minimum of two (2) additional land uses such as residential, commercial, industrial, recreation, institutional or civic. A PUD must also include a program for the provision, maintenance, and operation of all areas, improvements, facilities, and necessary services for the common use of all occupants thereof.

2.04.12.02 Permissible Uses

Any use which is permitted or permissible by conditional use in any zoning district may be included and approved in a PUD.

2.04.12.03 Procedures

2.04.12.03.01 Application for Rezoning to PUD

An application for rezoning to PUD shall proceed in general as for other applications for rezoning; and, in addition to the information usually required for such applications, the following shall be required:

a) Plats and/or metes and bounds legal description of the property~~area~~ within the PUD.
b) The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents the owner.
c) Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.
d) An agreement by all owners within the PUD which includes their commitment to:

    1) Proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the Town Council in such ordinance; and,
    2) Provide a written statement of a proposal for completion of such development according to plans approved by such ordinance, and for continuing operating and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the Town of Orange Park pursuant to written agreement; and,
    3) To bind their successors in title to any commitments made in their application.

2.04.12.03.02 Materials to Accompany Applications

An application for rezoning to PUD shall be accompanied by the following, in sufficient copies as deemed necessary by the Economic and Community Development Department for referrals and recommendations:

a) Plans, maps, studies and reports, as may reasonably be required by the Economic and Community Development Department in order to make the findings, and determinations and recommendations; and,
b) Written description of the intended plan of development, clearly indicating where approval of the PUD will benefit the future occupants of the proposed development and the Town in general and shall clearly describe all the following:

    1) Permitted uses and structures, permitted accessory uses and structures, permissible uses by exception, minimum lot requirements (width/area), maximum lot coverage by all buildings and structures, minimum and/or maximum yard requirements, maximum height of structures and any limitations on permitted and/or permissible uses by exceptions.
    2) The name of the project and the names of the professional project planners(s), architect(s), engineer(s), developer(s) and quantitative data as follows: size in acres of the total development; total number of dwelling units and/or nonresidential floor area or both; total amount of recreation and/or open space; amount of public and/or private right-of-way, and the proposed land coverage of all buildings and structures.
    3) A schedule indicating the approximate date(s) when construction of the phases within the proposed Planned Unit Development are to be initiated and completed.
    4) A written statement of the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the Town.

All required and supplementary data, exhibits, information, site plan(s), etc. submitted as part of an application for rezoning to the Planned Unit Development district, including any additional data, exhibits, information, site plan(s), etc. and amendments thereto, shall be clearly identified by title, name, date, exhibit and/or other notation acceptable to the Economic and Community Development Department.

c) A sketch plan at an appropriate scale supporting the above statement illustrating:
   1) The preliminary location, grouping, and height of all uses and facilities.
   2) In the case of residential development, the number of residential units proposed, their general location, number of stories, indicating those area's to be owner occupied and those to be renter occupied.
   3) A preliminary vehicular and pedestrian circulation system including driveways, walkways, parking areas, and streets to be dedicated.
   4) Estimates of acreage for each use~~A system of open space and recreational uses, with estimates~~ to be dedicated and that to be retained in common ownership.
   5) A topographic map at an appropriate scale showing contour lines, including all existing building and wooded areas.
   ~~5)~~6) A buffer from adjacent properties along the entire perimeter of the property. The natural and/or landscaped buffer shall be not less than twenty (20) feet in width. The landscaped buffer qualifies as part of the required open space so long as it contains any combination of lawns, trees, shrubbery, and/or decorative features including sculpture, patterned walks, and fountains. Trees and shrubs suitable for the town are listed in the Preferred Plant List, Section 5.21.00.
d) Preliminary statements indicating how the problems of maintenance and ownership of common facilities will be resolved.
e) Preliminary schedules of development, including the staging and phasing of:
   1) Areas to be developed in order of priority; and,
   2) The construction of streets, utilities and other improvements necessary to serve the proposed development; and,
   3) The dedication of land to public use.
f) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the schedule of development be such that a staged implementation of the planned unit development would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved planned unit development.
g) Application(s) for rezoning to PUD meeting all requirements of this Section shall be referred by the Economic and Community Development Department to the Planning and Zoning Board and Town Council for public hearing(s) and consideration of the application(s).

2.04.12.03.03 Action by the Planning and Zoning Board and the Orange Park Town Council

Following the public hearing as required for all applications for rezoning, the Planning and Zoning Board may recommend and the Town Council may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:

a) The proposed PUD does not adversely affect the orderly development of the town and is consistent with the Comprehensive Plan;~~The proposed PUD does not affect adversely the orderly development of the Town, as embodied in this Article and in any comprehensive plan or portion thereof adopted by the Town Council.~~
b) The proposed PUD will not adversely affect public health, safety, or welfare, or the natural environment, and will be compatible with adjacent land uses.~~The proposed PUD will not affect adversely the health and safety of residents in the area and will not be detrimental~~

~~to the natural environment or to the use or development of adjacent properties or the general neighborhood.~~

c) The proposed PUD will accomplish the objectives and will meet the standards and performance criteria of section 2.04.12.05.

d) The proposed PUD is consistent with the Concurrency Management System and the adopted level of service standards in the Comprehensive Plan.

e) The proposed PUD offers a character, design and appropriate blending of the proposed land uses, encourage desirable living conditions, provides separation and screening between uses where desirable, and preserves the natural amenities of the property.

~~e)~~f) The proposed PUD shall identify how it addresses or chooses not to address public comments contained in the written summary of the public workshop (see Section 2.04.12.05.07).

~~f)~~g) All decisions of the Planning and Zoning Board shall be based upon findings of fact supported by competent and substantial evidence contained in the public record.

2.04.12.03.04 Deviations from Ordinance Creating PUD

In order to facilitate minor adjustments to the plans approved as part of the ordinance creating a PUD, the Planning and Zoning Board may approve changes in such plans which comply with the following criteria:

a) There are the same or fewer number of dwelling units and/or floor area; or,
b) The open space is in the same general location and in the same general amount, or a greater amount; or,
c) There is no change to any condition(s) set forth by the Town Council in the ordinance which approved the Planned Unit Development district; or,
d) The roads and drives follow approximately the same course; and have the same public or private rights therein.

2.04.12.03.05 Expiration of Time Limits Provided in Ordinance Creating a PUD

If development actions required by the ordinance creating a PUD are not taken within any time limits set by the Town Council in such ordinance, the approval of a PUD as provided in such ordinance shall become invalid and no further action shall be permitted under same unless extended by the Town Council following a public hearing. Any such expired PUD shall revert back to the conventional zoning classification(s) that existed prior to the rezoning to PUD.

2.04.12.04 Implementation of a PUD

2.04.12.04.01 Development Plan

Following the enactment of an ordinance creating a PUD, a detailed development plan of all or part of the PUD shall be submitted to the Planning and Zoning Board for review in accordance with the schedule of development, as contained in the ordinance, which shall include:

a) All materials, drawings, information, and other documentation, as required by the Planning and Zoning Board in accordance with section 2.04.12.05 to certify substantial compliance with the PUD ordinance.
b) Agreements, contracts, deed restrictions and sureties acceptable to the Town of Orange Park for completion of such development according to plans approved in the ordinance, and for continuing operation and maintenance to such areas, functions and facilities as are not to be provided, operated, or maintained by the Town of Orange Park pursuant to written agreement.

2.04.12.04.02 Record Plans

If the PUD ordinance requires the recording of record plats, such plats shall accompany the submission of the development plan to the Planning and Zoning Board and shall be included in its approval of such plan, and plats so approved shall be recorded, as provided by law.

2.04.12.04.03 Approval of Development Plan

The Planning and Zoning Board shall review the final development plan; and, if found in compliance with this Article, the PUD ordinance and standards established pursuant to section 2.04.12.05, shall approve same and forward an approved copy thereof to the Economic and Community Development Department Director.

2.04.12.04.04 Permits Required

All construction in the development of a PUD shall proceed only under applicable permits, issued by the Economic and Community Development Department Director; and no building permit, certificate, or other document authorizing construction or occupancy within a PUD shall be issued, except in accordance with the approved development plan.

2.04.12.05 Standards and Criteria for Review

In evaluation and consideration of an application for rezoning to the Planned Unit Development district, the Economic and Community Development Department, Planning and Zoning Board and the Town Council shall evaluate and consider the following criteria in addition to the findings set forth in Section 2.04.12.03.03:

a) *Consistency with the Comprehensive Plan.* No Planned Unit Development may be approved unless it is consistent with the Comprehensive Plan.
b) *Consistency with the Concurrency Management System.* The established levels of service standards adopted in the Comprehensive Plan.
c) *Internal compatibility.* All land uses proposed within a proposed Planned Unit Development should be compatible with other proposed uses and not have any undue adverse impact on any neighboring use. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

1) The streetscape;
2) The ~~existence or absence of, and the~~ location of at least 30% of the gross acreage being open spaces, which may include plazas, recreational areas and common areas;
3) The use of existing and proposed landscaping;
4) Traffic and pedestrian circulation pattern;
5) Sidewalks, trails, and bikeways;
6) The use and variety of building setback lines, separations and buffering;
7) The use and variety of building groupings;
8) The particular land uses proposed and the conditions and limitations thereon;
9) The use and variety of building sizes and architectural styles;
10) The form of ownership proposed for various uses;
11) Compatible relationship between land uses in a mixed-use project; and
12) Any other factor deemed relevant to privacy, safety, preservation, protection or welfare of any use within the proposed Planned Unit Development.

d) *External compatibility.* All land uses within a proposed Planned Unit Development should be compatible with existing and planned uses of properties surrounding the proposed Planned Unit Development and not have any avoidable or undue adverse impact on existing or planned surrounding uses. An evaluation of the external compatibility of a proposed Planned Unit Development shall be based on the following factors:

1) Those areas of the proposed Planned Unit Development located on or near its perimeter and the conditions and limitations thereon;
2) The type, number and location of surrounding external uses;
3) The Comprehensive Plan and existing zoning on surrounding lands;
4) Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed Planned Unit Development which includes any existing or planned use of such lands.

e) *Off-Street parking including loading and unloading areas.* Sufficient off-street parking, including loading and unloading areas for vehicles, including bicycles shall be provided.

2.04.12.05.01 Density and Intensity of Developments

The total number of residential units shall not exceed the maximum density allowed in the designated Future Land Use category. The development intensity for nonresidential uses shall not exceed the allowed intensity of the designated Future Land Use category.

2.04.12.05.02 Open Space

The PUD may include residential lots of smaller size than would be permitted by the zoning regulations otherwise applicable to the site, provided the overall density is not increased. Not less than thirty (30) percent of the total acreage within the PUD~~The excess land~~ shall be designated~~utilized~~ as open space. The open space area shall be recorded upon the final development plan of the PUD. The open space shall be utilized as a park, for either passive or active recreation or as a conservation area. The open space shall either be dedicated to the Town of Orange Park or be maintained by a community association composed of residents of the PUD. Land recorded as open shall not be encroached upon by any residential, commercial or industrial primary or accessory use.

2.04.12.05.03 Waiver of Yard, Dwelling Unit, Frontage Criteria, and Use Restriction

Minimum yard, lot size, type of dwelling unit, height and frontage requirements and use restrictions are waived for the PUD, provided the spirit and intent of the zoning ordinance is complied with the total development of the PUD. However, the Orange Park Town Council may, at its discretion, require adherence to minimum zone requirements within certain portions of the site if deemed necessary in order to maintain the spirit and intent of the zoning ordinance.

2.04.12.05.04 Support Legal Documents for Open Space

Legal documents which assure adequate management and maintenance of the open space area must be provided by the developer for all areas proposed for common ownership by the residents of the PUD. Legal instruments provided for dedications, covenants, community associations, and subdivision controls shall:

a) Place title of common property in a form of common ownership by the residents of the PUD; e.g., a duly constituted and legally responsible community association, cooperative, etc.
b) Appropriately limit the use of common property.
c) Place responsibility for management and maintenance of common property. The Orange Park Town Council, at is discretion, may require the applicant to enter into a contract with Orange Park for maintenance of commonly held properties.
d) Place responsibility for enforcement of covenants.
e) Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

2.04.12.05.05 Access

Access to each single-family dwelling unit shall be provided via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with the residents of the PUD.

2.04.12.05.06 Community Facilities

a) All utility facilities proposed for dedication to Orange Park must be acceptable by the Town as to the size, shape, location, and shown by the applicant to be of benefit to the general public.
b) All requirements for off-street parking and loading (2.06.00) shall apply to the PUD unless otherwise waived or modified.
c) Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.
d) All PUD's shall provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities including grading, gutters, piping and treatment of turf to handle storm waters, prevent erosion and formation of dust.
e) Specifications for street design shall conform to the rules and regulations adopted by the Town of Orange Park.

2.04.12.05.07 Public Participation Required

The public participation process provides for the ability of citizens of the Town to actively participate in the Town's development procedures and allows the Town's citizens to play an essential role in shaping the direction of the Town's development, thereby enhancing the welfare of the community.

Proposed rezonings to PUD shall provide for meaningful community participation by conducting at least one public workshop. The purpose of the workshop is for the applicant to present the PUD intended plan of development and identify how it complements the surrounding neighborhood. The public would be provided an opportunity to ask questions and offer comments. The workshop shall be conducted at least sixty (60) days prior to any Planning and Zoning Board public hearing where the rezoning application is to be considered. Participants shall be defined at the pre-application meeting and shall involve the applicant, the landowner, Town Staff, owners of adjacent property, and residents of the Town.

a) The applicant shall be responsible for providing notice of the workshop by (i) mailing notifications to all property owners located within three hundred (300) feet of the proposed PUD property; (ii) posting a sign on the PUD property with the date, time and

location of the workshop; and (iii) place a public notice of the workshop in the Clay Today at least one month prior to the workshop.

b) Prior to sending mailed notices of the proposed application to property owners, the applicant shall be required to submit a copy of the proposed notice and application summary to Town Staff for review and approval. Once the notice is deemed acceptable, Town Staff shall provide the applicant a list of property owners to which the notice must be mailed;

~~a)~~c) Town Staff shall attend the public workshop(s) to observe public reaction to the proposed PUD; and

~~b)~~d) Within one week following the public workshop, the applicant must provide the Town with a list of attendees and a written summary of major observations, and a concise statement of how the proposed rezoning will benefit the town. Failure to provide the summary within one week following the public workshop shall result in postponement of the Planning and Zoning Board's consideration of the application.

2.08.15 Amendment of Article II and rezoning of land

2.08.15.01 General

This Article may from time to time be amended, supplemented, changed or appealed and the Zoning Map may from time to time be revised by the rezoning of land as provided in this Article.

2.08.15.02 Initiation of Proposals

a) **Rezoning**. An ordinance for the rezoning of land may be proposed by the Orange Park Town Council, the Planning and Zoning Board or by application of the owners of fifty-one (51) percent or more of the area involved in the proposed change. In the latter case the petitioners may be required to assume the cost of public notice and other costs incidental to the holding of public hearings. Said owners of subject property may authorize in writing that attorney or duly authorized agent of owners may sign petition for rezoning.

b) **Other amendments**. An amendment to this Article may be proposed for adoption by the Orange Park Town Council, the Planning and Zoning Board or by application of the owners of fifty-one (51) percent or more of the area involved in the proposed change. In the latter case, the petitioners may be required to assume the cost of public notice and other costs incidental to the holding of public hearings. All proposals shall be submitted in writing accompanied by all pertinent information which may be required by Town Council for proper consideration of the matter.

2.08.15.03 Public Hearing

A public hearing shall be held by the Planning and Zoning Board to consider a proposal for an amendment to Article II or for rezoning of land. Notice of such public hearing shall be made as provided in section 2.08.07.00 and any party shall be heard in person or by agent or attorney.

2.08.15.04 Nature and Requirements of Planning and Zoning Board Report

The report and recommendations to the Town Council as required by Subsection 2.08.15.05 hereof, shall show that the Planning and Zoning Board has studied and considered:

a) The need and justification for the change; and
b) The relationship of the proposed amendment or rezoning to the Town's general planning program and such comprehensive plans as may from time to time be adopted by the Town Council.

2.08.15.05 Planning and Zoning Board Report to Town Council

Unless a longer time be mutually agreed upon by the Town Council and the Planning and Zoning Board, in the particular case, the Planning and Zoning Board shall submit its report and recommendation to the Town Council no later than within forty-five (45) days from the date the Board held a public hearing on a proposed amendment and/or application for rezoning. For purposes of this subsection, the adopted minutes of the Planning and Zoning Board shall constitute the Board’s report to the Town Council.

Failure of the Planning and Zoning Board to submit a report within the prescribed time shall be deemed to be a recommendation for approval of the amendment or application for rezoning. The

report and recommendation of the Planning and Zoning Board shall be advisory only and shall not be construed to be binding upon the Town Council.

If the report and recommendation of the Planning and Zoning Board is adverse to the proposed change, such change shall not become effective except by an affirmative vote of a majority of the entire membership of the Town Council, after due public notice as provided in Section 2.08.07.

2.08.15.06 Limitations on Rezoning of Land

a) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in section 2.04.12, "planned unit development."
b) Whenever the Town Council has, by ordinance, changed the zoning classification of land, the Planning and Zoning Board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
c) Whenever the Town Council has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part, or all of the same land for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning of any part or all the same land for a period of two (2) years from the date of such action denying the last application filed.
d) Whenever an application for rezoning, conditional use or variance shall have been withdrawn by or at the direction of the applicant at any time prior to denial or approval or prior to final disposition of any appeal taken therefrom, no further application shall be filed for the same rezoning, conditional use or variance of any part or all of the same land for a period of twelve (12) months from the date of such withdrawal.
e) An applicant for a proposed rezoning has the burden of proving by substantial, competent evidence that the proposed rezoning:

    (1) Is consistent with the Comprehensive Plan;

    (2) Furthers the goals, objectives and policies of the Comprehensive Plan; and

    (3) Is not in conflict with any portion of the Town's Land Development Regulations.

Upon the applicant proving the proposed rezoning complies with the criteria set forth in subsections (e)(1)—(3) of this Section, the Council shall grant such rezoning request unless the Council determines that there is substantial, competent evidence that maintaining the current zoning district accomplishes a "legitimate public purpose," as such terms are defined in subsection (c) of this Section.

f) A "legitimate public purpose" may be one or more of the following criteria, or such other criteria as may be determined by law from time to time:

    (1) The proposed rezoning will constitute "spot zoning," that is an isolated zoning district unrelated to adjacent and nearby districts;

    (2) Uses permitted under the proposed rezoning will not be consistent or compatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area or will deviate from an established or developing logical and orderly development pattern;

    (3) The proposed rezoning and the development permitted thereunder will result in significant adverse impacts upon property values of adjacent or nearby properties or in the general area more than the types of uses currently permitted;

g) The proposed rezoning and the development permitted thereunder will detract from the character and quality of life in the general area or neighborhood by creating excessive traffic, noise, lights, vibration, fumes, odors, dust, physical activities or other detrimental effects or nuisances.

2.08.15.07 Town Council Action and Appeals

Except in cases where an application for rezoning, conditional use or variance has been withdrawn by the owner or the owner's agent, upon receipt of the report of the Planning and Zoning Board required by Section 2.08.15.05, the Town Council shall set the matter for public hearing in the manner prescribed in Section 2.08.07.01. At the conclusion of the public hearing the Town Council shall either deny the proposed amendment or rezoning, or by ordinance adopt such amendment or rezoning.

Any amendment to Article II or rezoning of land established by ordinance by the Town Council shall be subject to appeal to the circuit court within thirty (30) days of the date of the council action which is subject to appeal by any person aggrieved by such action.