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GADSDEN COUNTY
BOARD OF COUNTY COMMISSIONERS

EDWARD J. BUTLER
GADSDEN COUNTY GOVERNMENTAL COMPLEX

GADSDEN COUNTY PLANNING COMMISSION

Thursday, October 17, 2019

6:00 p.m.

Board of County Commissioners Chambers
1B East Jefferson Street
Quincy, Florida 32351

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1. PLEDGE OF ALLEGIANCE
 2. INTRODUCTION OF MEMBERS – Roll call
 3. APPROVAL OF THE AGENDA
 4. DISCLOSURES AND DECLARATIONS OF CONFLICT

PUBLIC HEARINGS

5. 1604 FLAT CREEK ROAD, VRASHA, INC. (SSPA 2019-02) – Consideration of a Comprehensive Plan Small Scale Future Land Use Map amendment to change the future land use designation from Agriculture 3 to the Neighborhood Commercial for a 1.85 acre parcel located at 1604 Flat Creek Road, Chattahoochee, FL (Tax Parcel ID #2-34-3N-6W-0000-00143-0100).
6. 2434 Kemp Road, Lillian Thompson-Johnson (SSPA 2019-03) – Consideration of a Comprehensive Plan Small Scale Future Land Use Map amendment to change the future land use designation from Agriculture 1 to the Public/Institutional for a 7.72 acre parcel located at 2334 Kemp Road, Havana, FL (Tax Parcel ID #2-25-3N-2W-0000-00440-0100).
7. 5411 Old Federal Road, Judy Keele (SSPA 2019-04) – Consideration of a Comprehensive Plan Small Scale Future Land Use Map amendment to change the future land use designation from Agriculture 2 to the Commercial for a 5 acre parcel

located at 5411 Old Federal Road, Quincy, FL (Tax Parcel ID #5-0L-0R-0S-0000-48100-0100).

8. Citizen's Growth Management and Planning Bill of Rights (LDR 2018-01) – Consideration of an amendment to Section 7001.1, The Citizens Growth Management and Planning Bill of Rights and moving it to Chapter 1, Administration and Enforcement of the Land Development Code.

GENERAL BUSINESS

11. PLANNING COMMISSIONER QUESTIONS AND COMMENTS
12. DIRECTOR'S /PLANNER COMMENTS
13. ADJOURNMENT OF MEETING

The next regularly scheduled meeting is November 14th, 2019 at 6:00 pm.

Pursuant to Section 286.0105, Florida Statutes, the County hereby advises the public that: If a person decides to appeal any decision made by this Board, agency, or meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the County for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should call the Planning & Community Development Department at 875-8663, no later than 5:00 p.m. at least 48 hours prior to the meeting.

Gadsden County Planning Commission Agenda Request

Date of Meeting: October 17, 2019
To: Honorable Chairperson and Members of the Commission
From: Jill Jeglie, AICP, Senior Planner
Through: Suzanne Lex, Growth Management Director
Subject: Public Hearing (Legislative) – 1604 Flat Creek Road Small Scale Comprehensive Plan Future Land Use Map Amendment (SSPA 2019-01)

Statement of Issue:

A request for consideration of a Small Scale Comprehensive Plan Future Land Use Map (FLUM) amendment to change the future land use category from Agriculture 3 (AG 3) to Neighborhood Commercial (NC) (See Attachments #2 & 3).

Background:

Vrasha, Inc., owner of the Krina Foodmart, represented by Jim Stidham and Associates, Inc. has applied for a FLUM amendment so that the existing convenience store (foodmart) with gasoline pumps can become conforming with the future land use category and they can then rebuild/expand the convenience store (See Attachment #4).

Analysis:

Location of Property: 1604 Flat Creek Road, Chattahoochee, Florida
Tax Parcel ID Number: #2-34-3N-6W-0000-00143-0100
Area of Subject Parcel: 1.85 acres
Current Use : Convenience Store with gasoline sales
Proposed Use: Replacement and expansion of existing convenience store and gasoline station
Wetlands: Not Applicable
Flood Zone: Zone X
Available Sanitary Sewer Facilities: Private on-site system (septic tank).
Available Potable Water

Facilities: Private Well

Electric Provider: Talquin Electric Cooperative

Current and Proposed Use of the Property:

The current (existing) use of the subject parcel is as a convenience store with gasoline pumps and canopy and sheds for storage. The property is assessed as ‘Store 1’ on the Gadsden County Property Appraiser (See Table 1 below.).

Table 1. Future Land Use Designation	
Current (Existing)/Change From:	Agriculture 3 (AG-3) (1 d/u per 20 acres)
Proposed/Change To:	Neighborhood Commercial (Minimum 1 acre and maximum of 3 acres parcel size and a maximum of 5,000 square feet of floor area.)

The subject property is located in the Agriculture 3 (AG-3) future land use category. AG-3 is described in Policy 1.1.1.H of the Comprehensive Plan. AG-s allows residential density of not more than one unit per 20 acres; agriculture related uses including silviculture, houses of worship, commercial activities associated with agriculture, etc. The convenience store with gasoline pumps is a legal, nonconforming use in the AG-3 future land use category. As a legal nonconforming use, the site cannot be redeveloped or expanded in AG-3. Therefore, the applicant is requesting a change from AG-3 to the Neighborhood Commercial future land use category on the Future Land Use Map (FLUM).

The Neighborhood Commercial future land use category and uses are described in Policy 1.1.1.J of the Comprehensive Plan and Subsection 4103 of the Land Development Code (Attachment #3). The intent of the Neighborhood Commercial future land use category is to provide areas for limited commercial activities to serve daily needs. Allowable uses include convenience commercial uses.

Surrounding Future Land Use Designations and Current (Existing) Land Use: The future land use category and the existing uses on the adjacent properties are listed in the following Table 2, below:

Table 2: Adjacent Future and Current (Existing) Land Uses			
Direction	Future Land Use Category	Current (Existing Use)	Acreage
North & West	Agriculture 3	Timber II	382.45 acres
East	Agriculture 3	Flat Creek Road & Timber II	40.60 acres and 11.05 acres of a 30.55 acre tract

South	Agriculture 3	Timber II	19.5 acres of a 30.55 acre tract
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Source: Application exhibits and Gadsden County Property Appraiser.

Access: The property is located approximately 800' south of Interstate 10 accessing on to the west side of Flat Creek Road (CR 270A). Flat Creek Road is a paved county roadway designated as 'minor collector, rural' on the Gadsden County Functional Classification Map (FDOT, 2014).

Historical Resources: The Florida Department of State, Division of Historical Resources has issued a letter determining that the proposed land use amendment and "demolition of the existing convenience store will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places." (Attachment #4)

Applicable Comprehensive Plan Objectives and Policies:

The following Comprehensive Plan Objectives and Policies are referenced as they apply to a Future Land Use Map Amendment. Other Objectives and Policies that are pertinent to a specific development will be addressed at the time of development order review. Attachment #4 includes the applicant's analysis of applicable Comprehensive Plan Policies.

Policy 1.2.8: Development shall be restricted from areas that have severe site limitations due to existing floodways.

The property does not contain areas within a floodway and/or wetlands.

Policy 1.2.9: Developments shall only be approved by the County when the adopted levels of service standards meet or exceed the capacities adopted within this Plan. These standards shall include those for potable water, sanitary sewer, solid waste and recreational facilities and services.

The proposed development will comply with the requirements for potable water, sanitary sewer, solid waste and recreational facilities and services as indicated in the analysis of Policy 1.2.13, below.

Policy 1.2.10: The County will coordinate with the School Board to assure that proposed public school facility sites are consistent with this Future Land Use Element.

School capacity will not be impacted by the neighborhood commercial use.

Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:

A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

The parcel does not contain jurisdictional wetlands (See Attachments #4 & 5).

B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.

Talquin Electric Cooperative will continue to provide electric. The site is served by a well and by a septic system. There are no central utilities available within ¼ of a mile.

C. Proposed location of ingress and egress of development.

Per Policy 1.1.1.J, Neighborhood Commercial land use must be located along a collector or arterial roadway. Flat Creek Road is designated as a minor collector, rural road on the adopted Gadsden County Functional Classification Map (FDOT, 2014).

D. Distance and location of nearest same land use category.

Currently there are no mapped Neighborhood Commercial districts/properties. The nearest Commercial designated property is located 0.55+ of a mile southeast on Flat Creek Road and includes a campground, a mortuary and the former jai lai site.

E. Description of adjacent land use categories.

See Table 2, above. The property is adjacent to AG 3 designated property to the west; north, south and east.

F. In addition, for any land use category which supports residential development:

- 1) Existing and proposed school capacities (See Policy 10.6.1).
- 2) Existing and proposed park space (See Policy 6.3.3).

Not applicable.

Policy 1.1.1.J Neighborhood Commercial:

The intent of this category is to provide areas for limited commercial activities that serve to meet daily needs. The designation criteria apply to “areas within the county that are located to serve vicinity residents with daily needs.” Allowed uses include convenience commercial uses with a total maximum square footage of development of 5,000 square feet. The applicant proposes to expand the existing convenience store (See Attachment #3).

Policy 1.4.1: New non-residential development which is proposed contiguous to land designated Rural Residential on the Future Land Use Map shall be of a scale and intensity appropriate to the existing residential neighborhood.

The existing neighborhood commercial use and expansions are not adjacent to property designated as Rural Residential on the Future Land Use Map (Table 2, above).

Policy 1.4.2: Neighborhood character shall be preserved and promoted by working

toward maintaining compatibility of surrounding land uses.

There are no residential neighborhoods adjacent to or in the vicinity (.25 of a mile) from the subject parcel. The adjacent uses are designated timber by the property appraiser.

Policy 2.2.3: The minimum levels of service for roadways within Gadsden County shall be evaluated at a PM peak hour volume data. The minimum adopted level of service (LOS) for a minor rural collector roadway is 'D'.

"Level of service (LOS) is a quantitative stratification of the quality of service into six letter grade levels" (A through F, with A being the highest LOS) per the FDOT Quality of Level of Service Handbook, 2013). Flat Creek Road is currently operating at LOS B per the FDOT District 3 Gadsden County Level of Service Report for Gadsden County, 2016. It is estimated that the estimated increase in transportation trips an additional 4,000± square feet would be an estimated 144.88± peak hour trips for a 5,000 sq. ft. convenience market (852) per the Institute of Traffic Engineers 'Trip Generation Manual', 9th Edition.

Policy 2.2.5: With exception to those developments that meet the de minimis impact threshold, all new development impacts shall not decrease the roadway minimum level of service requirements of Policy 2.2.3. For the purposes this Element, a de minimis impact shall be that which does not impact a roadway by greater than one percent of the maximum capacity of the adopted level of service standard for the affected roadway segment, as shown in the FDOT District 3 Level of Service reports for Gadsden County.

See Policy 2.2.3. The FDOT maximum peak hour/ peak day (ph/pd) volume on Flat Creek Road is 850 trips. The current peak hour per peak day is 31 trips. The addition of 144.88 trips (a total of 175.88 trips) will not exceed the FDOT & Local Maximum volume of 850 peak hour/peak day trips and therefore will not reduce the level of service standard on Flat Creek Road. Additional detail is provided in Attachment #7, Transportation Level of Service Analysis.

Policy 5.3.4: Any amendment to the Future Land Use Map shall consider the impact to the functionality of adjacent and on-site wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and regulations in this Plan and the Land Development Code.

There are no wetlands located on the subject parcel (See map in Attachment #5).

Public Notice & Citizens Bill of Rights Meeting:

The applicant held a Citizen's Bill of Rights meeting on-site on Tuesday, August 6th, 2019. With the exception of the property owner and his agent(s), there were no (0) attendees (See Attachment #6).

Pursuant to Subsection 1302, Legislative Hearing Procedures, Land Development Code (LDC), a public hearing notice was mailed at least thirty (30) days prior to the public

hearing; a legal advertisement was placed in the local newspapers; and, a sign was posted on the property.

Planning Commission Role:

An amendment to the Future Land Use Map of the Comprehensive Plan is a legislative process. Pursuant to Chapter 163.3174, Florida Statutes (F.S.), as the local planning agency, the Planning Commission shall review proposed comprehensive plan amendments and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan or element and an analysis of the amendment as required pursuant to §163.3177(5)(a)(7), F.S. (See analysis above.).

Planning Commission Options:

1. Recommend approval of the 1604 Flat Creek Rd. (Vrasha, Inc.) (SSPA-2019-02) Small Scale Comprehensive Plan Future Land Use Map Amendment from the Agriculture 3 to the Neighborhood Commercial future land use category.
2. Recommend denial of the 1604 Flat Creek Rd. (Vrasha, Inc.) (SSPA-2019-02) Small Scale Comprehensive Plan Future Land Use Map Amendment from the Agriculture 3 to the Neighborhood Commercial future land use category.
3. Planning Commission Discretion.

Planning Staff Recommendation:

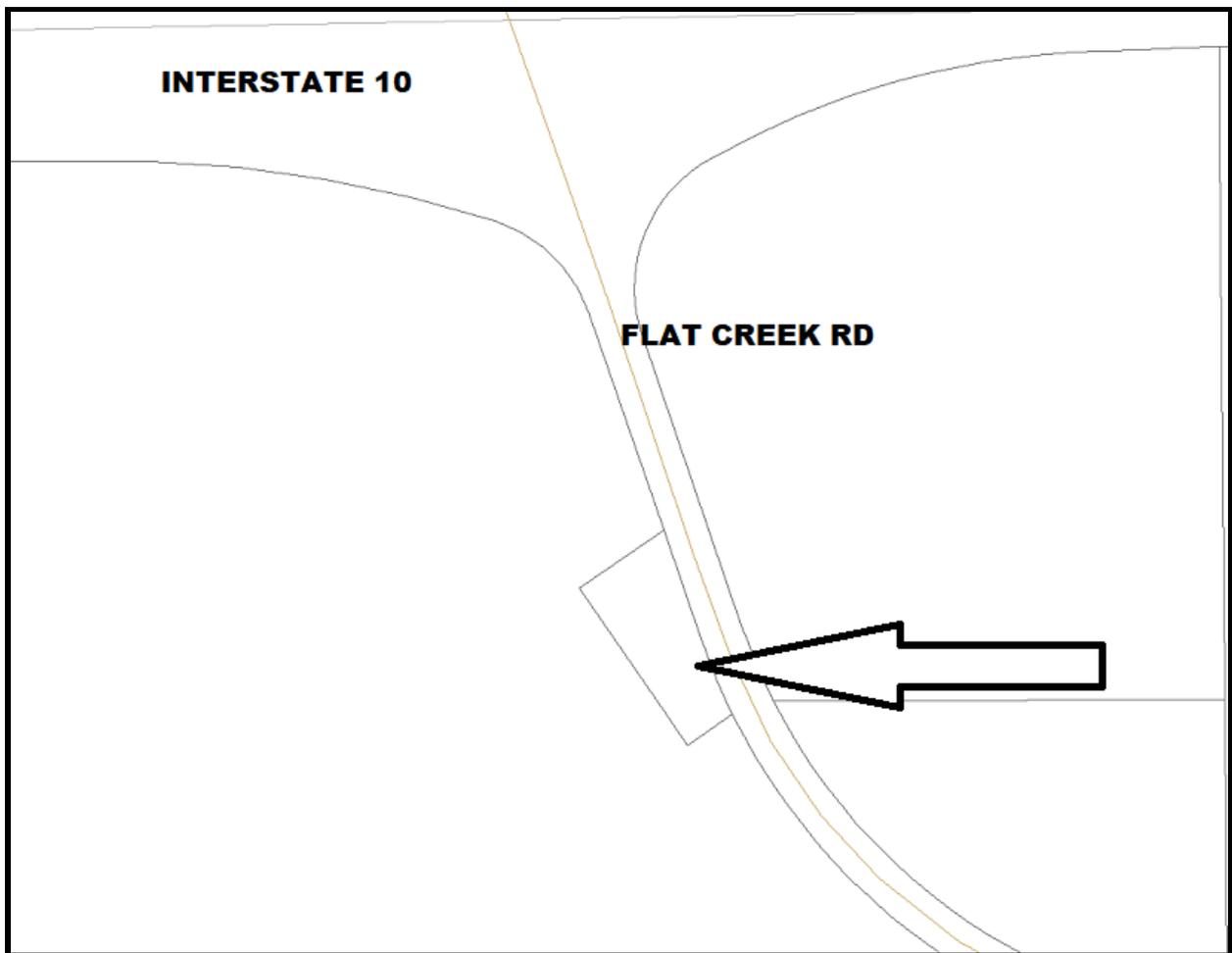
Option #1

Attachments:

1. Location Map
2. Existing and Proposed Future Land Use maps
3. Policy 1.1.1.F and Policy 1.1.1.J
4. Applicant's analysis of Comprehensive Plan Policies
5. Application w/ Survey and Aerial
6. Citizens Bill of Rights Public Hearing Notice & Summary
7. Transportation Level of Service Analysis

LOCATION MAP

Tax Parcel #2-34-3N-6W-0000-00143-0100
1604 Flat Creek Rd., Chattahoochee, 32324





Future Land Use, Existing

Tax Parcel #2-34-3N-6W-0000-00143-0100
1604 Flat Creek Rd., Chattahoochee, 32324



EXHIBIT 'A'

FUTURE LAND USE - PUBLIC

Tax Parcel #2-34-3N-6W-0000-00143-0100
1604 Flat Creek Rd., Chattahoochee, 32324



Gadsden County Comprehensive Plan

Future Land Use Element

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

F. Agriculture-1

- 1) Purpose and Intent – The intent of this category is to provide areas for agricultural activities.
- 2) Designation Criteria – Agriculture uses and residences associated with such uses.
- 3) Density – No more than one dwelling unit per five (5) acres
- 4) Impervious Surface Area – No more than 0.10 lot coverage except the centralized utilities uses are exempted from impervious surface requirements.
- 5) Allowable Uses – Agriculture related uses; Silviculture; residential; houses of worship; cemeteries; recreational activities; commercial activities associated with the primary agricultural use; home occupations; centralized utilities and package plants.
- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

G. Agriculture-2

Development within the Agriculture-2 category shall be the same parameters as the Agriculture-1 land use category in F. above, except that:

- 1) Density - No more than one dwelling unit per ten (10) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels ten (10) acres or greater in size.

H. Agriculture-3

Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

**COMPREHENSIVE PLAN
FUTURE LAND USE ELEMENT**

The purpose of the Future Land Use Element and accompanying Future Land Use Map is to designate the future general distribution, location, and extent of the use of land within the unincorporated areas of Gadsden County.

GOAL 1A: PROVIDE A SYSTEM FOR ORDERLY GROWTH AND DEVELOPMENT

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

J. Neighborhood Commercial

- 1) Purpose and Intent – The intent of this category is to provide areas for limited commercial activities that serve to meet daily needs.
- 2) Designation Criteria – Areas within the county that are located to serve vicinity residents with daily needs.
- 3) Density – None
- 4) Intensity – The floor area ratio shall not exceed 0.60.
- 5) Impervious Surface Area – No more than .75 lot coverage, except the centralized utilities uses are exempted from impervious surface requirements.
- 6) Allowable Uses – Convenience commercial uses; retail sales and services; child care facilities; restaurants; professional office and services; centralized utilities and package plants; private recreation; houses of worship.
- 7) Development Restrictions – No outdoor storage of equipment is allowed; the sale of alcohol may be permitted only as an accessory use to a commercial retail use, or for consumption in a restaurant use; must be located along a collector or arterial roadway, as designated on the Functional Classification of Roadways Map in the Transportation Element; minimum lot size is one (1) acre with a maximum lot size of three (3) acres. Commercial uses are limited to under five thousand (5,000) square feet in size of heated and cooled space.

K. Commercial

- 1) Purpose and Intent – The intent of this category is to provide areas for general commercial activities.
- 2) Designation Criteria – Areas along collector or arterial roadways, as designated on the Functional Classification of Roadways Map in the Transportation Element.
- 3) Density – 0.00 except for mobile home parks which shall be limited to a maximum of five units per acre.
- 4) Intensity – The floor area ratio shall not exceed 1.0.
- 5) Impervious Surface Area – No more than 0.75 lot coverage, except the centralized utilities uses are exempted from impervious surface requirements.
- 6) Allowable Uses – All uses allowable in the Neighborhood Commercial category; museums; galleries; other civic activities; lodging establishments; private clubs; entertainment; wholesale sales; shopping centers; office complexes; light

manufacturing uses that are restricted to in-plant assembly; mobile home parks, recreational vehicle parks.

- 7) Development Restrictions – The storage of outdoor equipment must be screened from the public right-of-way. Junk yards or construction and debris landfills are prohibited in this category. Mobile home parks shall be on a centralized water and waste water system to receive a density of greater than one dwelling unit per acre.



Post Office Box 1799, Quincy, FL 32353-1799

Phone (850) 875-8663 Fax (850) 875-7280

E-mail: planning@gadsdencountyfl.gov

Web site: www.gadsdengov.net

FUTURE LAND USE MAP AMENDMENT APPLICATION

Application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

Small Scale Future Land Use Map Large Scale Future Land Use Map
 Small scale amendment in Rural Area of Opportunity as set forth in §. 288.0656(7) F.S.
Change From: Agriculture To: Neighborhood Commercial
Existing future land use designation Proposed future land use designation

APPLICANT INFORMATION (If the applicant differs from the owner, a signed affidavit to represent is required authorizing a representative to act on the property owner's behalf)

Owner: Vrasha, Inc. Contact Person: Dinesh Prajapati

Address: 1604 Flat Creek Rd.

Telephone: (850) 442-9060 Mobile: _____

E-Mail Address: dkp.spgs@gmail.com

Authorized Representative: Jim Stidham & Associates, Inc.

Address: 547 N. Monroe St., Suite 201

Telephone: (850) 222-3975 Mobile: (850) 766-9263

E-Mail Address: tholley@jsna.com

PROPERTY INFORMATION

Property Address: 1604 Flat Creek Rd.

Tax Parcel ID#: 2-34-3N-6W-0000-00143-0100

Legal Description: Attached

(A legal description is needed for adoption of the ordinance. A legal description may be found on the title certificate or warranty deed. Please attach a copy as required with application.)

Total Acreage Proposed for Amendment: 1.85

Current Use of Property: Gas station / Convenience store

Describe reason for the Future Land Use Map amendment (include proposed use of the property): propose rezoning from agriculture to neighborhood commercial, in preparation for proposed retail store expansion.

SUBMITTAL REQUIREMENTS - The following items must accompany the completed Comprehensive Plan Future Land Use Map amendment application at time of submittal:

- a. Fee, \$1250.00 for large scale amendment; \$500.00 for small scale amendment made out to Gadsden County Board of County Commissioners.
- b. Two (2) copies of the signed and notarized application and submittal documents.
- c. An electronic copy (in .pdf format) of the submittal package.
- d. A vicinity map showing the location of the subject property (8.5" by 11").
- e. A copy of a certificate of title or a copy of the recorded deed, title insurance policy or other instrument demonstrating ownership and bearing a legal description of the property.
- f. Authorization to Represent, if applicable.
- g. Verification of a Citizen's Bill of Rights Public Meeting, if required. (Copy of mailed notice and newspaper ad, postage receipt, written meeting summary.)
- h. For small scale (map) amendments as defined under §288.0656(2)(d) F.S. to increase the site area to a maximum of 20 acres within a rural area of opportunity, provide a written confirmation from the Planning Division indicating that the plan amendment furthers the economic objectives set forth in the executive order issued under §. 288.0656(7) F.S.
- i. Two aerial photographs obtained from the Gadsden County Planning Division or County Property Appraisers Office which identifies the subject property and all property within 500 foot radius of the subject property. Provide an 8.5" X 11" copy.
- j. An 8.5" by 11" signed and sealed survey containing a legal description indicating acreage. The legal description must be submitted in a format that can be copied and pasted into an ordinance (e.g. in Word format or in an e-mail).
- k. A scaled drawing of the property showing all boundaries, adjacent properties, adjacent land use designation, existing use of adjacent property, roads, easements, flood zones, size of the parcel in square feet or acres, dimensions in linear feet, wetlands, and other environmental sensitive lands, as applicable. Provide an 11" X 17" copy.
- l. Copy of Letter to Division of Historical Resources, Dept. of State to determine whether or not there are any historical resources recorded on the site as listed on the Florida Master Site File (Policy 6.4.8)).
- m. Address the requirements of Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:
 - A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.
 - B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.
 - C. Proposed location of ingress and egress of development.
 - D. Distance and location of nearest same land use category.
 - E. Description of adjacent land use categories.
 - F. In addition, for any land use category which supports residential development:
 - 1) Existing and proposed school capacities (See Policy 10.6.1).
 - 2) Existing and proposed park space (See Policy 6.3.3).
- n. A written analysis of consistency with the relevant policies of the Comprehensive Plan. Specifically, the analysis shall address at minimum, and as applicable, the following

Gadsden County Comprehensive Plan Future Land Use Map Amendment Application

policies. This list is **not** all inclusive and each applicant shall address relevant policies to the request.

- Policy 1.2.4
- Policy 1.2.5
- Policy 1.2.9 (Level of service analysis/concurrency)
- Policy 1.2.13
- Policy 1.2.16
- Policy 1.2.19
- Policy 1.4.1
- Policy 1.4.2
- Policy 1.4.5 (Compatibility Analysis)
- Policy 4.5.2
- Policies 5.3.2, 5.33 & 5.3.4
- Policy 5.4.4

I understand that the application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

 I AM THE OWNER

I AM THE LEGAL REPRESENTATION OF THE OWNER (See attached Authorization to Represent) of the property described by this Comprehensive Plan Future Land Use Map application. I declare that I have read said application and all sketches, data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief. I understand that by signing this document, I am giving the County or agent thereof the authority to duplicate, disseminate, and reproduce any and all items submitted as part of this request, whether copyrighted or not. And that, upon submission said application and documents, as well as all correspondence, become a matter of public record.

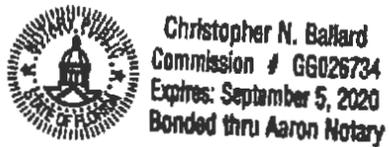
[Signature] 8/27/19
Signature of Property Owner or Authorized Representative Date

State of Florida County of Leon

Sworn to and subscribed before me this 27 day of August, 2019 by Anthony Holley who is personally known to me/or has produced _____ as identification and did not take an oath.

Notary Seal

Chris Ballard
Notary Signature
Christopher Ballard
Notary Name Printed

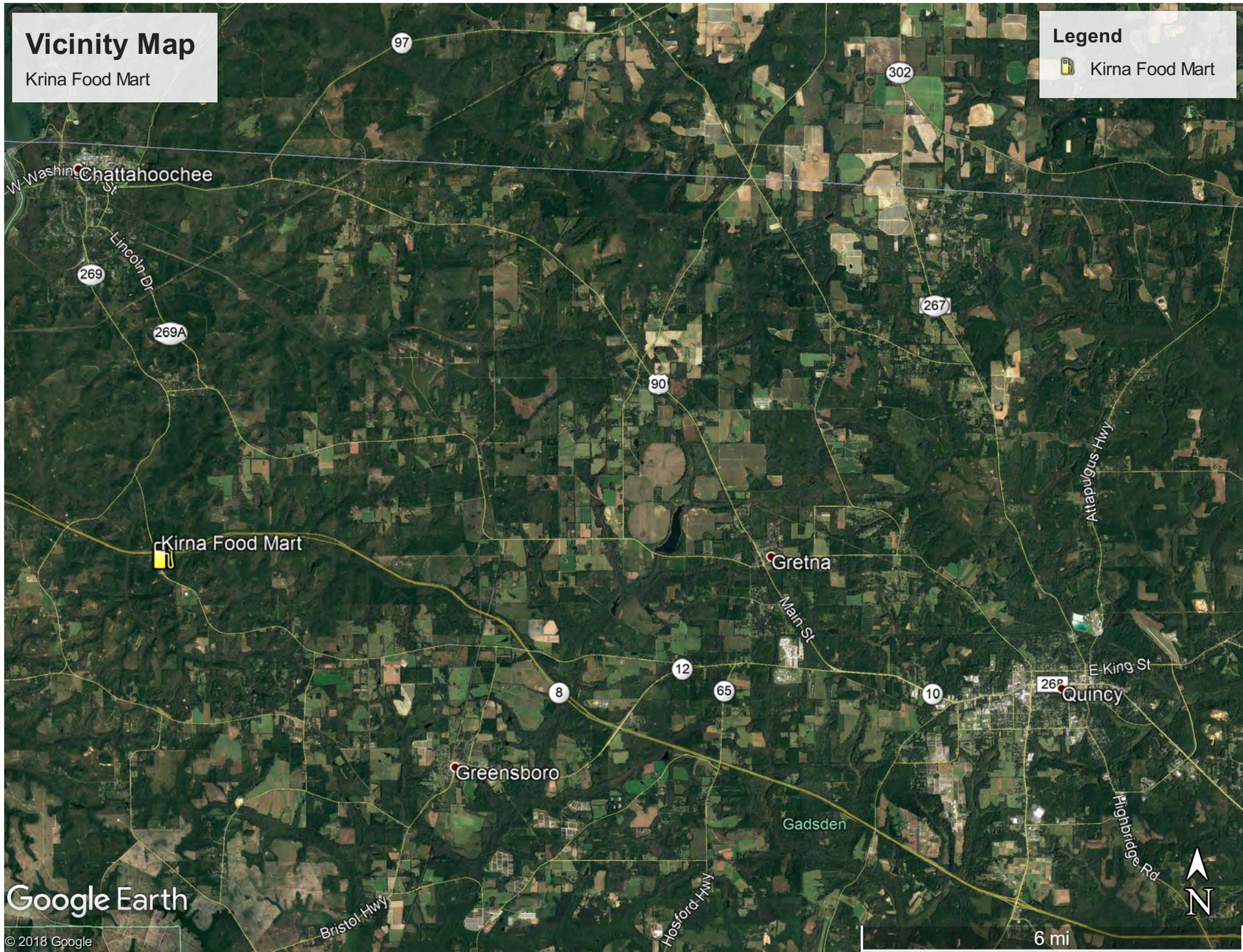


Vicinity Map

Kirna Food Mart

Legend

 Kirna Food Mart



Google Earth

© 2018 Google

6 mi

This Instrument Prepared By and
Please Return to:
A. Clay Milton
Fuqua & Milton, P.A.
P. O. Box 1508
Marianna, FL 32447
(850) 526-2263
Florida Bar No.: 13185
File No: 2016-85 FA

GADSDEN COUNTY NICHOLAS THOMAS
Instrument: 160006956 Recorded: 10/07/2016 10:29 AM

Recording Fee: \$18.50
Doc Stamps: \$1,645.00

General Warranty Deed

Made this September 13th, 2016 A.D. By Ganpati 5, Inc., a Florida corporation, whose post office address is: 1604 Flat Creek Road, Chattahoochee, FL 32324, hereinafter called the grantor, to Vrasba, Inc., a Florida Corporation, whose post office address is: 1604 Flat Creek Road, Chattahoochee, FL 32324, 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 Gadsden County, Florida, viz:

See Attached Schedule "A"

As partial consideration for the purchase of the property referenced herein, Grantee is assuming that certain Promissory Note and Mortgage and Security Agreement dated December 1, 2014, by and between Grantor and Jai Alai, Inc. in the original principal amount of \$210,000.00, recorded in OR Book 796, Page 685 the current outstanding principal balance of which is \$162,286.90.

Parcel ID Number: 2-34-3N-6W-0000-00143-0100

This conveyance is subject to easements, restrictions, limitations and conditions of record, if any now exist, but any such interests that may have been terminated are not hereby re-imposed.

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

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

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

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

Signed, sealed and delivered in our presence:

A. Clay Milton
Witness Printed Name: A. Clay Milton

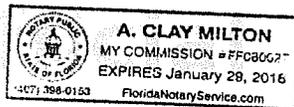
Dhaval Kumar Prajapati (Seal)
Ganpati 5 Inc., a Florida corporation
By: Dhavalkumar Prajapati
Its: President
Address: 1604 Flat Creek Road, Chattahoochee, FL 32324

Shanta Sapp
Witness Printed Name: Shanta Sapp

State of Florida
County of Jackson

The foregoing instrument was acknowledged before me this 13th day of September, 2016, by Dhavalkumar Prajapati president of Ganpati 5 Inc., a Florida corporation, who is personally known to me or who has produced _____ as identification.

A. Clay Milton
Notary Public
Print Name: A. Clay Milton
My Commission Expires: _____



Schedule "A"

A PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 6 WEST, GADSDEN COUNTY, FLORIDA, LYING SOUTH AND WEST OF THE RIGHT OF WAY BOUNDARY OF STATE ROAD NO. 270-A (AS PER THE STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 50001-2404--CENTERLINE RELOCATION) SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT A CONCRETE MONUMENT (FOUND) MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, AND RUN; THENCE NORTH 01 DEGREE 24 MINUTES 43 SECONDS WEST ALONG THE WESTERLY BOUNDARY OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 321.57 FEET TO A CONCRETE MONUMENT (SET) MARKING A POINT OF INTERSECTION OF SAID WESTERLY BOUNDARY AND THE SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY OF SAID STATE ROAD NO. 270-A; THENCE SOUTH 34 DEGREES 20 MINUTES 16 SECONDS EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY BOUNDARY A DISTANCE OF 383.96 FEET TO CONCRETE MONUMENT (SET) MARKING A POINT OF INTERSECTION OF SAID SOUTHWESTERLY RIGHT OF WAY BOUNDARY AND THE SOUTHERLY BOUNDARY OF SAID SOUTHEAST QUARTER AND THE NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 46 MINUTES 58 SECONDS WEST ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING. SAID LAND SITUATE, LYING AND BEING IN THE COUNTY OF GADSDEN AND STATE OF FLORIDA.

AND:

PARCEL "A"

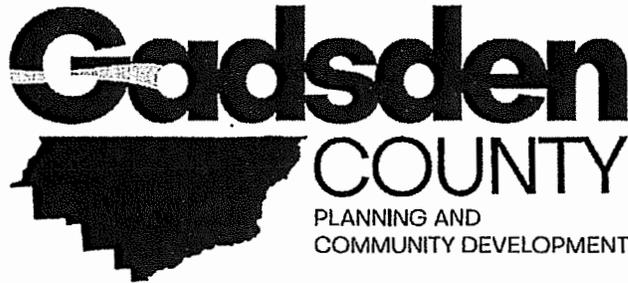
A TRIANGULAR PARCEL OF LAND LYING IN THE NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 6 WEST, GADSDEN COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER AND RUN THENCE SOUTH 34 DEGREES 20 MINUTES 16 SECONDS EAST 114.03 FEET; THENCE NORTH 55 DEGREES 39 MINUTES 44 SECONDS EAST 174.79 FEET TO A POINT OF INTERSECTION OF THE WESTERLY RIGHT OF WAY BOUNDARY OF FLAT CREEK ROAD (STATE ROAD NO. 270-A, AS PER STATE OF FLORIDA RIGHT OF WAY MAP SECTION NO. 50001-2404) AND THE NORTHERN BOUNDARY OF SAID NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER; THENCE SOUTH 88 DEGREES 46 MINUTES 58 SECONDS WEST ALONG SAID NORTHERN BOUNDARY A DISTANCE OF 208.70 FEET TO THE POINT OF BEGINNING.

PARCEL "B"

A TRIANGULAR PARCEL OF LAND LYING IN THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 6 WEST, GADSDEN COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER AND RUN THENCE NORTH 34 DEGREES 20 MINUTES 16 SECONDS WEST 269.92 FEET; THENCE NORTH 55 DEGREES 39 MINUTES 44 SECONDS EAST 174.79 FEET TO A POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY BOUNDARY OF FLAT CREEK ROAD (STATE ROAD NO. 270-A, AS PER STATE OF FLORIDA RIGHT OF WAY MAP SECTION NO. 50001-2404) AND THE EASTERN BOUNDARY OF SAID SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER; THENCE SOUTH 01 DEGREE 24 MINUTES 43 SECONDS EAST ALONG SAID EASTERN BOUNDARY A DISTANCE OF 321.57 FEET TO THE POINT OF BEGINNING.



AUTHORIZATION TO REPRESENT

If the applicant is not the property owner an 'Authorization to Represent' is required.

This letter serves as notice that on this date: August 23, 2019
I/We, Vrasha, Inc.
(Print name of property owner(s) and/or entity & authorized representative)

Hereby give authorization to,
Jim Sidham & Associates, Inc.
(Print name of authorized representative or entity. Print the name of all individuals representing the entity)
(850) 222-3975 tholley@jsna.com
Telephone number E-mail Address

To apply for an Future land use map amendment application(s) and all necessary permits as part of the Gadsden County, Florida review process from the Gadsden County Building & Planning & Department for the property described below:

2-34-3N-6W-0000-00143-0100 1604 Flat Creek Rd.
(Parcel identification number) (E911 address)

B. Jaych. Prajapati, Dinesh
(Signature of property owner or entity & representative) (Print name of property owner and/or entity)

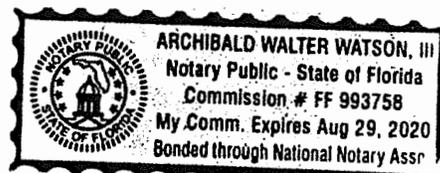
State of Florida
County of Gadsden

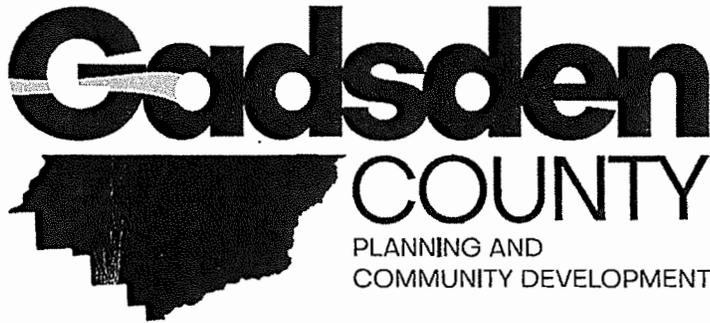
The foregoing instrument was acknowledged before me this 26th day of AUGUST, 2019
by PRAJAPATI DINESH who is personally known to me/or has produced
P621-160-68-365-0 as identification and did not take an oath.
Driver's License

Archibald Walter Watson, III
Notary Signature

ARCHIBALD WALTER WATSON, III
Notary Name Printed

Notary Seal





Citizen's Growth Management & Planning Bill Of Rights

Submittal Requirements Check List

Applicants are responsible for Public Hearing Notice & Advertisements

The following items must be addressed and written verification provided with applications requiring Planning Commission review and Board of County Commission Approval Subsection 7001.1 of the Land Development Code as adopted by Ordinance #2010-05:

Check List

1. Date of the Citizens Bill of Rights (CBR) meeting (within 90 days of application).
2. Copy of the CBR Mailing List to Property Owners within 0.50 of a mile from the subject parcels
3. Copy of receipt for mailing receipt verifying the date & number of pieces mailed.
4. Copy of legal advertisement from the closest local newspaper., Gadsden County Times (Quincy), and the Herald (Havana and Chattahoochee editions).
 1. Gadsden County Times - advertising@gadscotimes.com
 2. The Herald – mail@prioritynews.net *gadco times.com*
5. The advertisement should include the following information:
 - i. A title. For example, "You are invited to attend a Public Meeting to discuss (development name & description) as required by the Gadsden County Growth Management and Planning Bill of Rights."
 - ii. A location map indicating the subject property and properties within a 0.50 radius or greater sufficient so that the location can be identified.
 - iii. The date, time, place of the meeting
6. Copy of Sign-up Sheet with the Name, Address & Phone numbers of attendees
7. A summary of the meeting that identifies issues raised and/or discussed and whether they were resolved or not; and, how the plans incorporated and/or resolved the issues.



Signature Owner or Authorized Representative

8/27/2019

Date

RECORD OF ATTENDANCE - Citizens Bill of Rights Meeting

Project: Bill of Rights Meeting for the Chattahoochee Krina Food Mart

Date: Tuesday August 6th, 2019

Time: 6:00 P.M.

Location: 1604 Flat Creek Rd., Chattahoochee, FL

Parcel #: 2-34-3N-6W-0000-00143-0100

Proposed Land Use Change: Neighborhood Commercial

First and Last Name	Home Address	Phone Number
John Larry Bell	4405 Cool Emerald Dr Tall	850-766-4818
Dinesh. Prayapati	1604. Flat Creek Road Chattahoochee	850-693-4934
	Stor	850. 442-9060
Anthony Holley	547 North Monroe St. Suite 201, Tallahassee	850-222-3775
Randi Peddie, JBA	"	"

Summary: Only attendees were property owner, representative of engineering firm. No concerns or issues were identified.

Citizens Bill of Rights Meeting

RE: Notice of Citizens Bill of Rights Meeting for the Chattahoochee Krina Food Mart

Parcel ID Number: 2-34-3N-6W-0000-00143-0100

Acreage: 1.85

Proposed Land Use: Neighborhood Commercial

Current Land Use: Agriculture 3

Date: August 6, 2019

Time: 6:00 pm to 7:00 pm

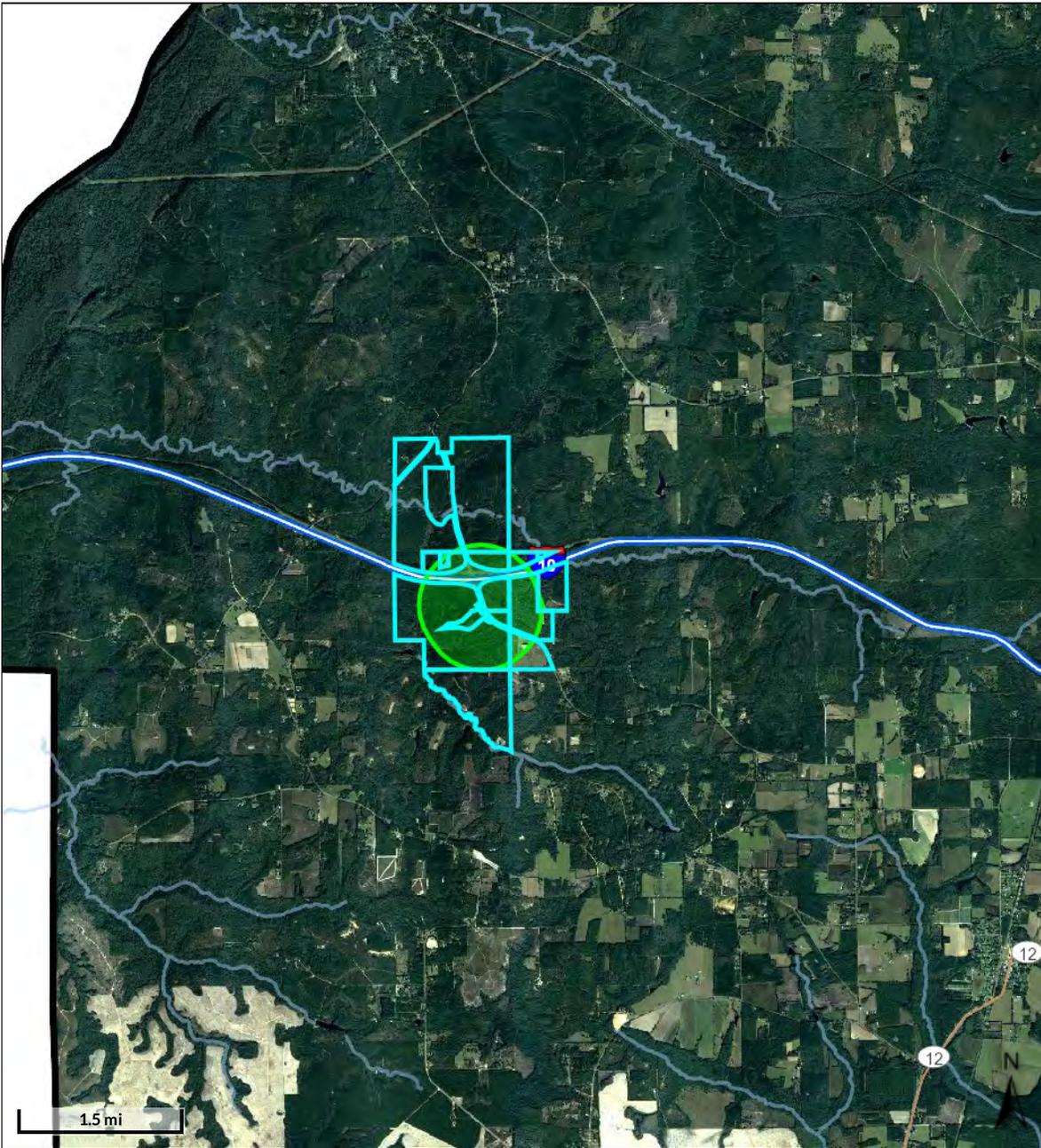
To whom it may concern:

Please be advised that the property located at 1604 Flat Creek Rd. is being considered for a future land use amendment. The applicant has requested that their property's future land use designation be changed from Agriculture 3 to Neighborhood Commercial on the Gadsden County Future Land Use Map to correctly reflect the current use of the property.

You are invited to attend a Public Meeting to discuss this proposal, as required by the Gadsden County Growth Management and Planning Bill of Rights.

The public meeting will be held on the subject property located at 1604 Flat Creek Rd. on August 6, 2019, beginning at 6:00 pm, to discuss the project details. Affected parties will be permitted to present their questions and concerns regarding the intended use of the property.

If you have any questions regarding this meeting, please contact Tony Holley, with Jim Stidham and Associates at (850) 222-3975.



Overview



Legend

- Parcels
- USA Major Highways
 - Limited Access
 - Highway
 - Major Road
 - Local Road
 - Minor Road
 - Other Road
 - Ramp
 - Ferry
 - Pedestrian Way
 - Streams and River (Large)

Date created: 6/20/2019
Last Data Uploaded: 6/19/2019 8:14:53 PM

Developed by Schneider
GEOSPATIAL

Mailing List

Elizabeth & James Kellum
P.O. Box 863
Havana, FL 32333

FDOT – District 3
1074 Hwy 90
Chipley, FL 32428

Anil & Mira Patel, Trustees
3514 Barnstaple Dr.
Tallahassee, FL 32317

Yon Creek Plantation LLC X2
908 South 20th St.
Tampa, FL 33605

Fia Timber Growth Florida 1
3575 Piedmont Rd NE
Atlanta, GA 30305

Modahl Soper Holding CO I LLC
P.O. Box 260
Loughman, FL 33858

Jonh & Joanne Kavanagh
1902 Whispering Way
Tarpon Springs, FL 34689

Praful & Dharmistha Patel
8326 Amherst Hills Ln
Jacksonville, FL 32256

Batten Forest Inc.
P.O. Box 1690
Lynn Haven, FL 32444

THE GADSDEN TIMES
Quincy, Gadsden County, Florida
STATE OF FLORIDA
COUNTY OF GADSDEN

SS

Before the undersigned authority personally appeared a representative of FLORIDA NEWSPAPERS, INC. who on oath does say they are the publisher of The Gadsden County Times, a newspaper published in Quincy, Florida.

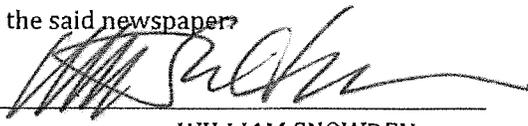
PUBLIC NOTICE

RE: NOTICE OF PUBLIC HEARING
Citizens Bill of Rights Meeting

The above public notices were published in The Gadsden County Times newspaper issues on the following dates...

July 18, 2019

Affiant further says said The Gadsden County Times is a newspaper published in Quincy, in said Gadsden County, Florida, and the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each Thursday and has been entered as second class mail matter at the post office in Quincy in said Gadsden County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says he has neither paid nor promised any person, firm or corporation any discount, in securing this advertisement for publication in the said newspaper.



WILLIAM SNOWDEN

Sworn to and subscribed before me

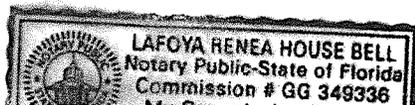
On **July 18, 2019**

Notary: 

State of Florida at Large

WILLIAM SNOWDEN is personally known to me

NOTARY PUBLIC:



PUBLIC NOTICES

For our readers' convenience, The Gadsden County Times provides this Public Notice Section for all Public Notices not published in the Legal Notice section of the newspaper.



FLORIDA
PUBLIC NOTICES

WWW.FLORIDAPUBLICNOTICES.COM

NOTICE OF PUBLIC HEARING

Citizens Bill of Rights Meeting

Notice is hereby given that a public meeting on August 6, 2019 will be held from 6:00 to 7:00 pm at the Chattahoochee Krina Food Mart, located at 1604 Flat Creek Rd., Tax Parcel ID #2-34-3N-6W-0000-00143-0100, to discuss the proposal to have the property's future land use designation changed from Agriculture 3 to Neighborhood Commercial to correctly represent the current property use and to allow for expansion of the existing facility. If you have any questions regarding this meeting, please contact Tony Holley with Jim Sidham and Associates at (850) 222-3976.

Keep up with The Times!
The Gadsden County Times.
Miss a week, Miss a lot.

THE HERALD
PUBLISHED WEEKLY
HAVANA, GADSDEN COUNTY, FLORIDA

State of Florida
County of Gadsden

Before the undersigned personally appeared Mark Pettus, who on oath says that he is the publisher of The Herald, a weekly newspaper published at Havana, in Gadsden County, Florida; that the attached copy of advertisement, being a Legal in the matter of

Citizen's Bill of Rights Meeting Notice

In the _____ Court, was published in said newspaper in the issues of _____

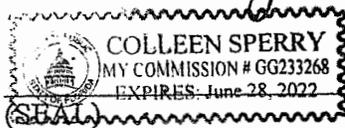
July 18, 2019

Affiant further says that the said The Herald is a newspaper published at Havana, in said Gadsden County, Florida, and that the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each week and has been entered as second class mail matter at the post office in Havana, in said Gadsden County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporations any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this 16

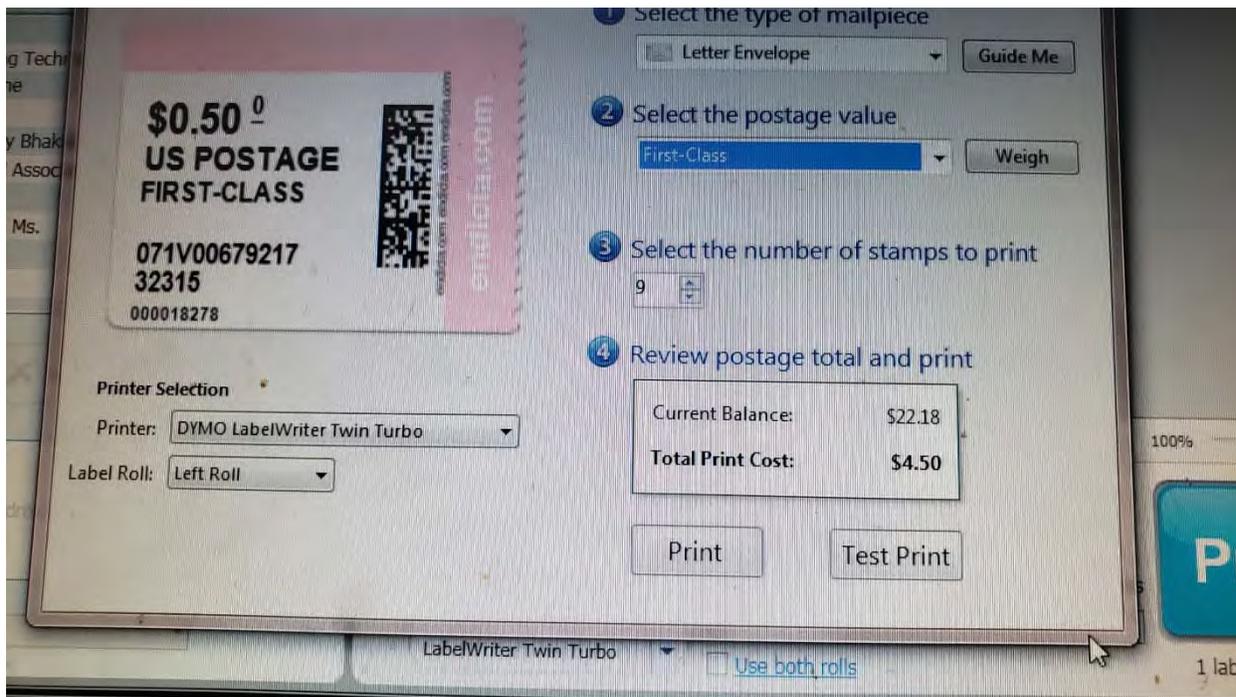
day of August, A.D. 20 19

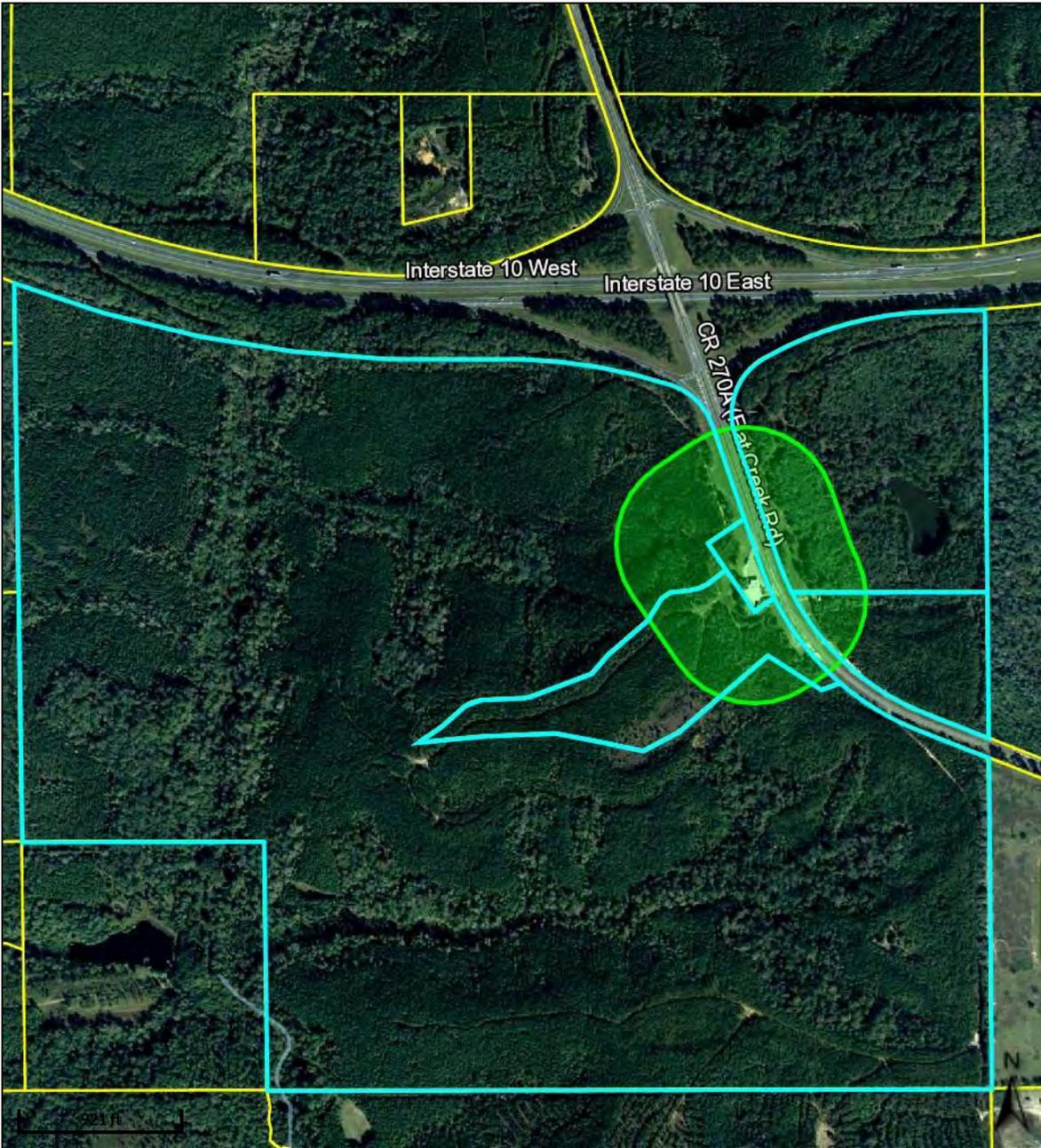


Colleen Sperry
Notary Public

NOTICE OF PUBLIC HEARING
Citizens Bill of Rights Meeting
Notice is hereby given that a public meeting on August 6, 2019 will be held from 6:00 to 7:00 pm at the Chattahoochee Krina Food Mart, located at 1604 Flat Creek Rd., Tax Parcel ID #2-34-3N-6W-0000-00143-0100, to discuss the proposal to have the property's future land use designation changed from Agriculture 3 to Neighborhood Commercial to correctly represent the current property use and to allow for expansion of the existing facility. If you have any questions regarding this meeting, please contact Tony Holley with Jim Stidham and Associates at (850) 222-3975.
11/7/18

Verification Number of Pieces of Mail Sent





Overview

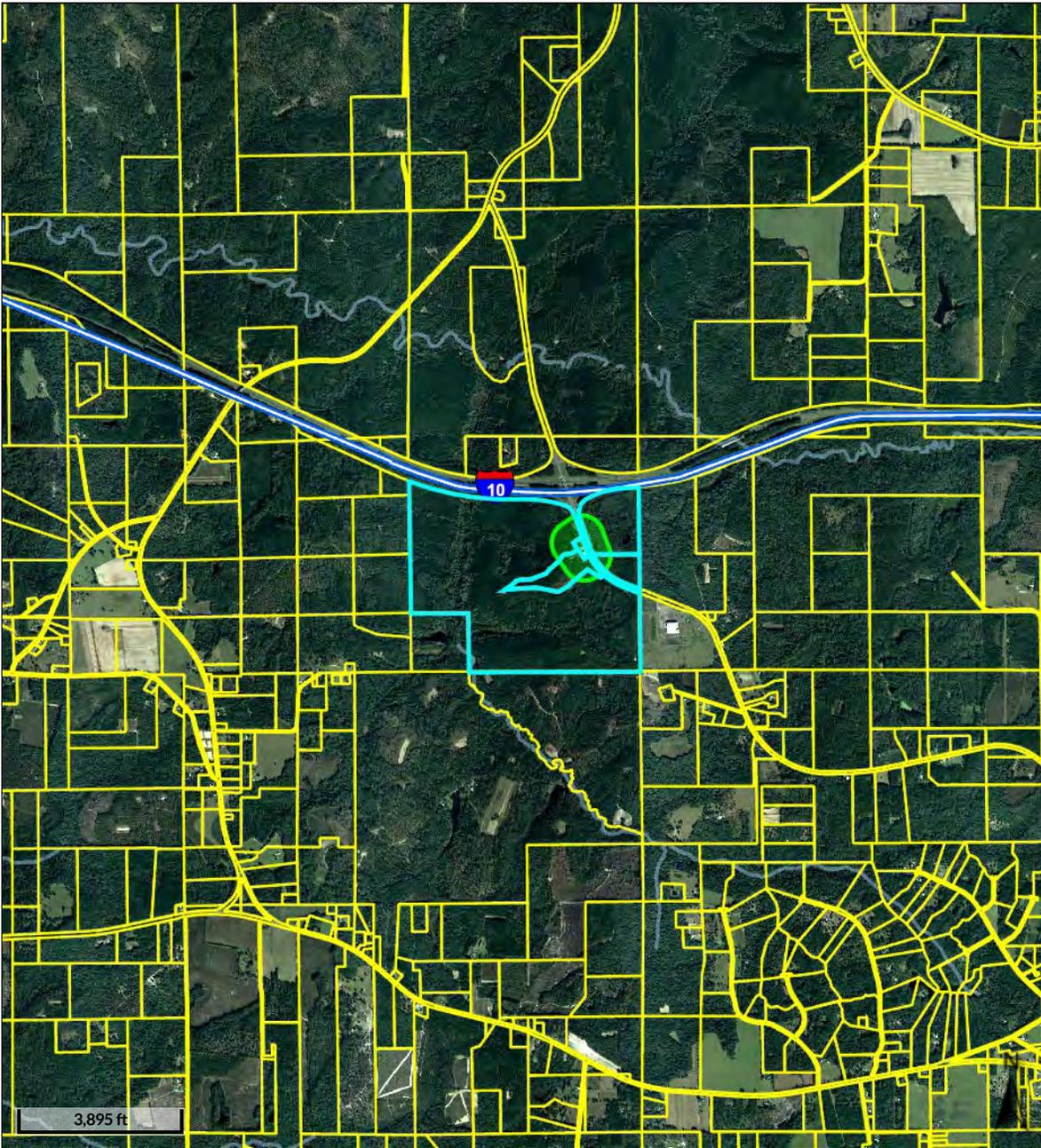


Legend

- Parcels
- Roads (Local)
- Roads (Major)
- Streams and River (Large)

Date created: 8/27/2019
Last Data Uploaded: 8/26/2019 6:14:51 PM

Developed by  Schneider
GEOSPATIAL



Overview

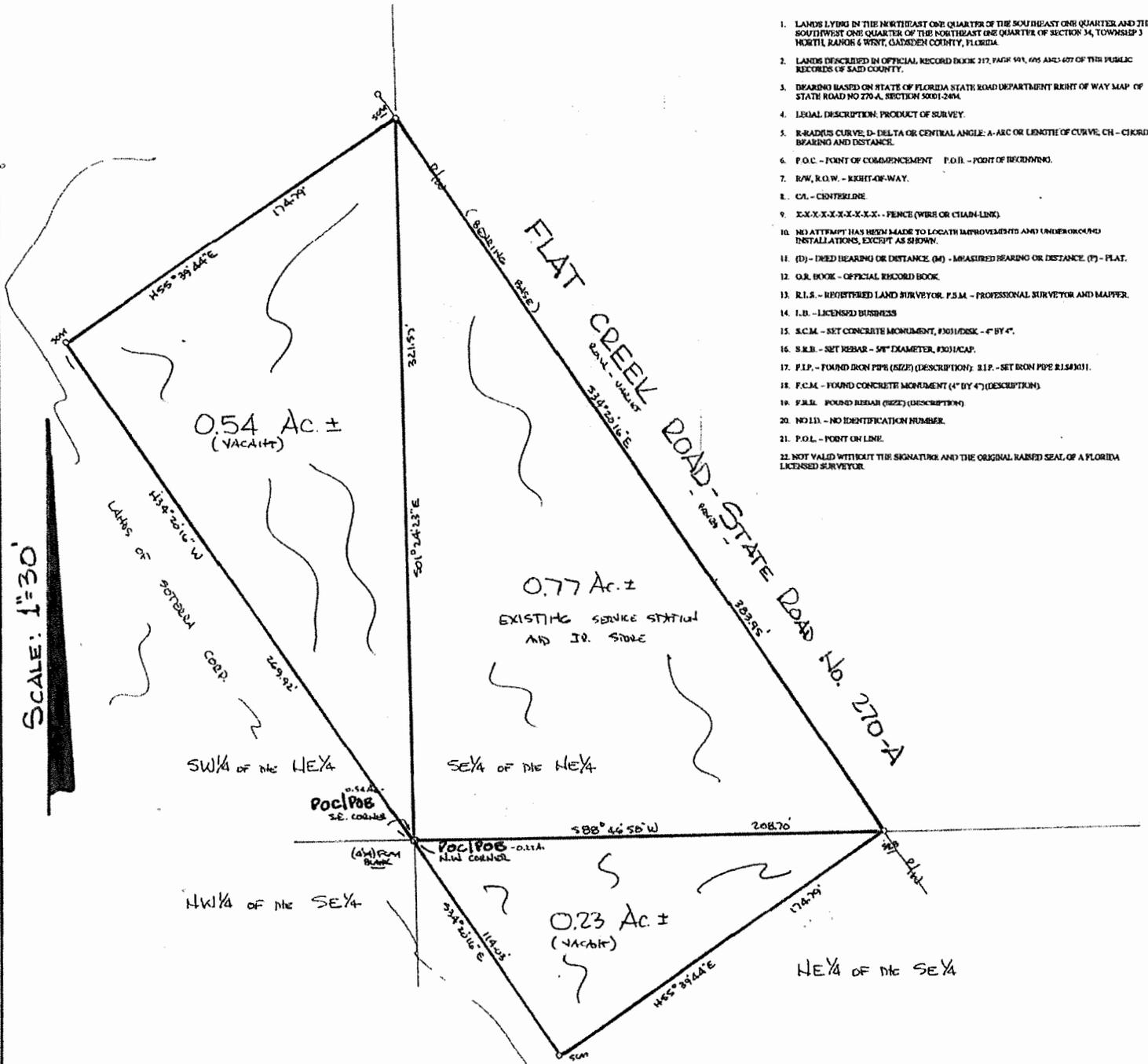


Legend

- Parcels
- Roads (Local)
- Roads (Major)
- Streams and River (Large)

Date created: 8/14/2019
Last Data Uploaded: 8/13/2019 6:08:52 PM

Developed by  Schneider
GEOSPATIAL



1. LANDS LYING IN THE NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER, AND THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 6 WEST, GADSDEN COUNTY, FLORIDA.
2. LANDS DESCRIBED IN OFFICIAL RECORD BOOK 217, PAGE 593, 695 AND 407 OF THE PUBLIC RECORDS OF SAID COUNTY.
3. DEARING BASED ON STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP OF STATE ROAD NO 270-A, SECTION 3001-2404.
4. LEGAL DESCRIPTION: PRODUCT OF SURVEY.
5. R-RADIUS CURVE, D- DELTA OR CENTRAL ANGLE: A- ARC OR LENGTH OF CURVE, CH - CHORD BEARING AND DISTANCE.
6. P.O.C. - POINT OF COMMENCEMENT P.O.R. - POINT OF BEGINNING.
7. R.W., R.O.W. - RIGHT-OF-WAY.
8. CL. - CENTERLINE.
9. X-X-X-X-X-X-X-X - FENCE (WIRE OR CHAIN-LINK).
10. NO ATTEMPT HAS BEEN MADE TO LOCATE IMPROVEMENTS AND UNDERGROUND INSTALLATIONS, EXCEPT AS SHOWN.
11. (D) - DEED BEARING OR DISTANCE. (M) - MEASURED BEARING OR DISTANCE. (P) - PLAT.
12. O.R. BOOK - OFFICIAL RECORD BOOK.
13. R.L.S. - REGISTERED LAND SURVEYOR, P.S.M. - PROFESSIONAL SURVEYOR AND MAPPER.
14. L.B. - LICENSED BUSINESS.
15. S.C.M. - SET CONCRETE MONUMENT, #301/DISK - 4" BY 4".
16. S.R.B. - SET REBAR - 5/8" DIAMETER, #301/CAP.
17. F.I.P. - FOUND IRON PIPE (SIZE) (DESCRIPTION); S.I.P. - SET IRON PIPE #154301.
18. F.C.M. - FOUND CONCRETE MONUMENT (4" BY 4") (DESCRIPTION).
19. F.R.B. - FOUND REBAR (SIZE) (DESCRIPTION).
20. NO ID. - NO IDENTIFICATION NUMBER.
21. P.O.L. - POINT ON LINE.
22. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL, OF A FLORIDA LICENSED SURVEYOR.

A triangular parcel of land lying in the Southwest one quarter of the Northeast one quarter of Section 34, Township 3 North, Range 6 West, Gadsden County, Florida, more particularly described by metes and bounds as follows:
 BEGIN at the Southeast corner of said Southwest one quarter of the Northeast one quarter and run,
 Thence North 34 degrees 20 minutes 16 seconds West 269.92 feet;
 Thence North 55 degrees 39 minutes 44 seconds East 174.79 feet to a point of intersection of the Western right of way boundary of Flat Creek Road (State Road No. 270-A, as per State of Florida Right of Way Map Section No. 30001-2404) and the Eastern boundary of said Southwest one quarter of the Northeast one quarter;
 Thence South 01 degree 24 minutes 43 seconds East along said Eastern boundary a distance of 321.57 feet to the POINT OF BEGINNING.
 Containing 0.54 acre, more or less.

A triangular parcel of land lying in the Northeast one quarter of the southeast one quarter of Section 34, Township 3 North, Range 6 West, Gadsden County, Florida, more particularly described by metes and bounds as follows:
 BEGIN at the Northwest corner of said Northeast one quarter of the Southeast one quarter and run,
 Thence South 14 degrees 20 minutes 16 seconds East 114.03 feet;
 Thence North 55 degrees 39 minutes 44 seconds East 174.79 feet to a point of intersection of the Western right of way boundary of Flat Creek Road (State Road No. 270-A, as per State of Florida Right of Way Map Section No. 30001-2404) and the Northern boundary of said Northeast one quarter of the Southeast one quarter;
 Thence South 88 degrees 46 minutes 58 seconds West along said Northern boundary a distance of 208.70 feet to the POINT OF BEGINNING.
 Containing 0.23 acre, more or less.

I HEREBY CERTIFY TO JAI ALAI, INC, FIRST AMERICAN TITLE INSURANCE COMPANY, AND AUSLEY & McMULLEN, P.A. THAT THE SURVEY SHOWN MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, (CHAPTER 61G17-6, F.A.C.)

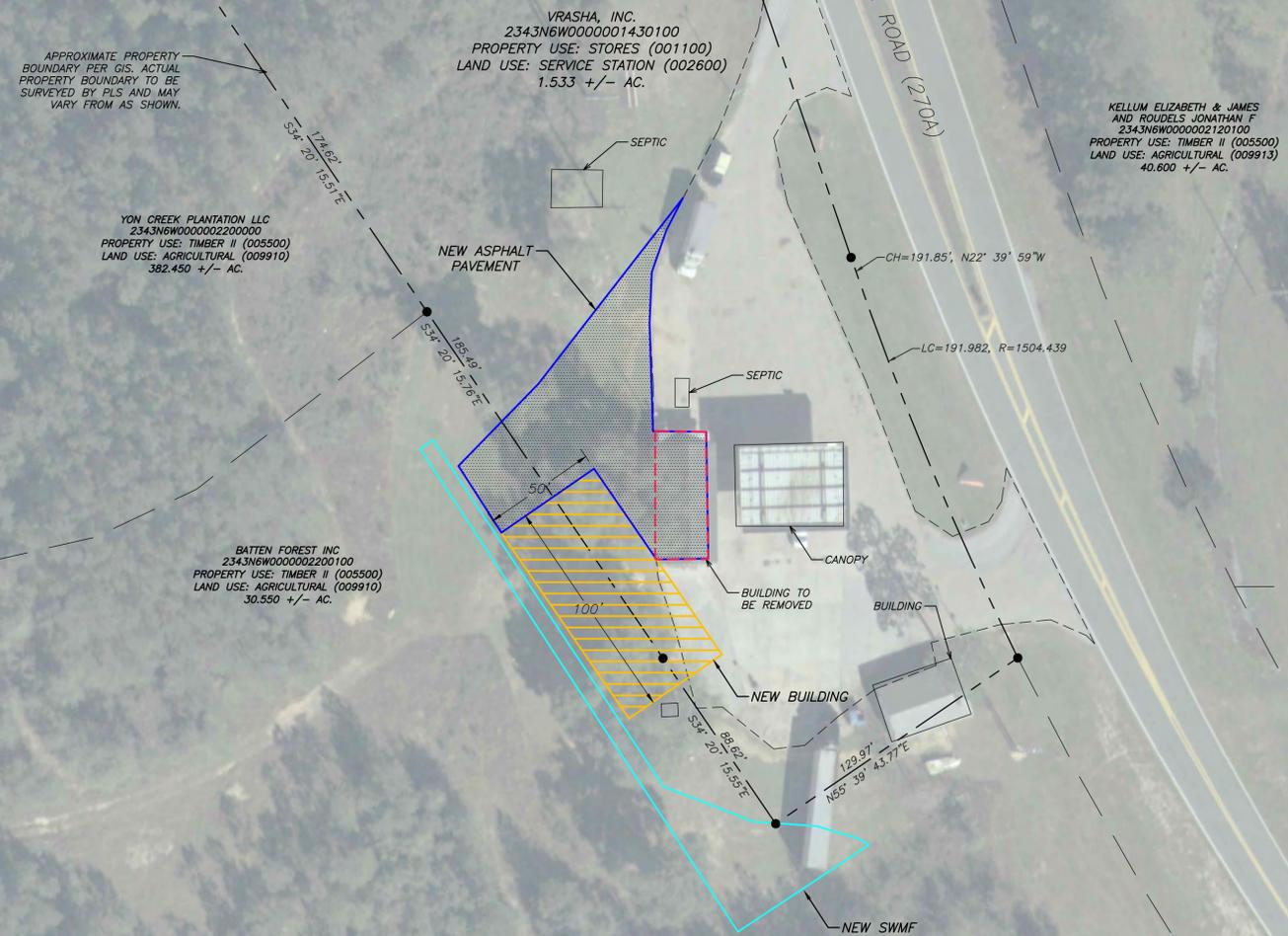
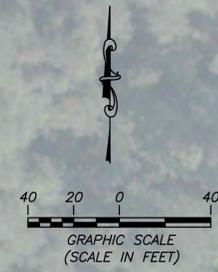
THOMAS P. SKIPPER
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE NUMBER 13301

BOUNDARY SURVEY FOR:
JAI ALAI, INC.

PREPARED BY:
THOMAS P. SKIPPER
 PROFESSIONAL SURVEYOR AND MAPPER
 16 EAST WASHINGTON STREET
 QUINCY, FLORIDA 32351
 (850) 627-9754

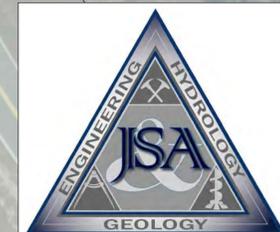
14 OCTOBER 2004 (DATE OF SURVEY)

FILE # 78-164



NOTES:

1. THE EXISTING SITE FEATURES SHOWN ARE NOT A PROFESSIONAL LAND SURVEY. PROPERTY BOUNDARIES SHOWN WERE COMPILED FROM GIS. THE LENGTHS, BEARINGS, AND LOCATIONS OF PROPERTY LINES SHOWN ARE APPROXIMATE.
2. IMAGERY SHOWN WAS OBTAINED FROM A-PLUS VIA FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC DATABASE.
3. PROPERTY DATA SHOWN FOR ADJACENT PARCELS WAS OBTAINED FROM THE GADSDEN COUNTY PROPERTY APPRAISERS' INTERACTIVE MAP SERVER.
4. THE SUBJECT PROPERTY IS OUTSIDE OF THE 100-YEAR FLOOD PLAIN. THIS SITE IS SITUATED WITHIN A 'ZONE X' PER FEMA PANEL NO. 12039C0200C, EFFECTIVE DATE 02/04/2009.
5. TOPOGRAPHIC CONTOURS NOT SHOWN.



JIM STIDHAM & ASSOCIATES, INC.
Hydrology, Geology, Civil & Environmental Engineering
Offices: Tallahassee, Florida
PHONE : 850/222-3975 FACSIMILE: 850/681-0560
FBPE CERTIFICATE OF AUTHORIZATION: 00005629

NOT FOR CONSTRUCTION
**CONCEPTUAL
SITE PLAN AERIAL**

PROJECT NAME
KRINA MART
1604 FLAT CREEK ROAD
CHATTAHOOCHEE, FL 32324



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Randi Peddie
Staff Engineer
Jim Stidham & Associates, Inc.
547 North Monroe Street, Suite 201
Tallahassee, Florida 32301

August 20, 2019

RE: DHR Project File No.: 2019-4848, Received by DHR: August 14, 2019
Project: *LOCORD - Gadsden County Land Use Amendment Application: 1604 Flat Creek Road, Chattahoochee, Florida*
Gadsden County Parcel No. 2-34-3N-6W-0000-00143-0100
County: Gadsden

Ms. Peddie:

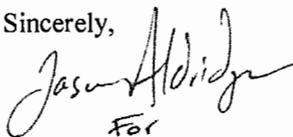
In accordance with the procedures contained in the Gadsden's Comprehensive Plan Amendment requirements, we reviewed the referenced property for possible impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, archaeological, or architectural value.

It is the opinion of this office that the proposed land use amendment and demolition of the existing convenience store will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

However, our office requests the opportunity to review the planned new construction once the project plans are available as the parcel contains portions of the archeological site Asphalt (Florida Master Site File No. 8GD0463) and is in the immediate vicinity of the archeological sites Lucky Butterfly (Florida Master Site File No. 8GD0451), Impala (Florida Master Site File No. 8GD0452), Scatter (Florida Master Site File No. 8GD0465), Big Spider (Florida Master Site File No. 8GD0466), and Hort (Florida Master Site File No. 8GD0467).

If you have any questions, please contact Corey Lentz, Historic Sites Specialist, by email at Corey.Lentz@dos.myflorida.com, or by telephone at 850.245.6339.

Sincerely,


For

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



Timothy A Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

Comprehensive Plan Future Land Use Amendment Analysis

This application is being submitted for the property located at 1604 Flat Creek Rd (Parcel ID# 2-34-3N-6W-0000-00143-0100) to amend the future land use map designation from Agriculture 3 to Neighborhood Commercial in order to correctly reflect the current use of the property. The property is anticipating to expand the retail store in the future. Please note the following information with regards to the Gadsden County Comprehensive Plan:

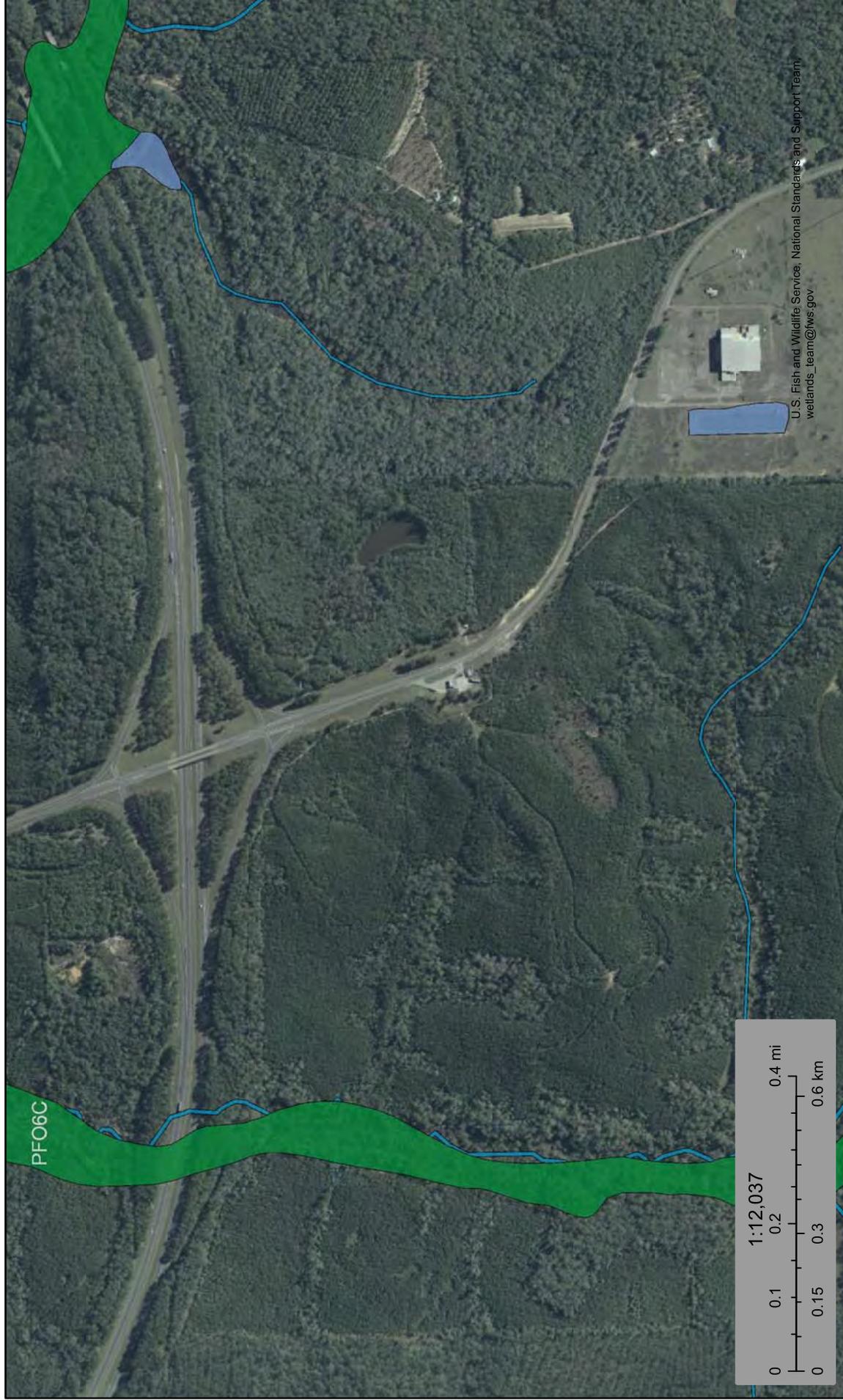
- The proposed development is not located within one-half mile of existing potable water or sanitary sewer infrastructure. The proposed parcel is not located within one-quarter (1/4) mile of an existing centralized sewage disposal system. There are no existing or proposed potable water and sanitary sewer utilities available for this property. (Policy 1.2.4, 1.2.5, 1.2.13, 4A.1.3 and 4B.1.2)
- There are no adjacent or on-site jurisdictional wetlands. The proposed development is not located within 100 or 50 feet of a jurisdictional wetlands. (Policy 1.2.13, 5.3.2, 5.3.3, 5.3.4)
- The property is located approximately one-quarter of a mile away from another parcel designated as commercial on the Gadsden County Future Land Use Map. The proposed designation is not for residential development and therefore is compatible with adjacent agricultural use and/or operations. Surrounding land use designations do not include rural residential. The proposed land use amendment does not include residential development. Adjacent land use designations are agriculture and timber. The proposed land use category does not support residential development. (Policy 1.2.13, 1.2.16, 1.2.19, 1.4.5, 1.4.1)
- The proposed location of ingress and egress is the FDOT road access. (Policy 1.2.13)
- Future development plans include improving the existing structure while continuing to operate as a retail gas station, preserving the neighborhood character. (Policy 1.4.2)



U.S. Fish and Wildlife Service

National Wetlands Inventory

Krina Food Mart - Chattanooga



August 19, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**Gadsden County Planning Commission
Agenda Request**

Date of Meeting: October 17, 2019
To: Honorable Chairperson and Members of the Commission
From: Jill Jeglie, AICP, Senior Planner
Through: Suzanne Lex, Planning and Community Development Director
Subject: Public Hearing (Legislative) - 2434 Kemp Road Small Scale Comprehensive Plan Future Land Use Map (FLUM) Amendment (SSPA 2019-03)

Statement of Issue:

A request for consideration of a Small Scale Comprehensive Plan Future Land Use Map (FLUM) amendment to change the future land use category from Agriculture 1 (AG 1) to Public/Institutional (PI) (Attachments 2 & 3).

Background:

Lillian Thompson-Johnson, owner, represented by Florida Environmental Services, Inc. has applied for a FLUM amendment to allow a school, the HLC Academy, to open on the subject property. This application proposes changing the FLUM designation from Agriculture 1 to Public/Institutional (PI). If the FLUM amendment is approved, the applicant would then submit for a site plan, special exception use and building permit approval to open a school in the existing 4,266 dwelling unit.

Analysis

<u>Location of Property:</u>	2434 Kemp Road, Havana, FL
<u>Tax Parcel ID Number:</u>	#2-25-3N-2W-0000-00440-0100
<u>Area of Subject Parcel:</u>	7.72 acres
<u>Current Use:</u>	Residential
<u>Proposed Use:</u>	Private School
<u>Wetlands:</u>	Not Applicable
<u>Flood Zone:</u>	Zone X
<u>Available Sanitary Sewer Facilities:</u>	Private on-site system (septic)
<u>Available Potable Water Facilities:</u>	Private Well
<u>Electric Provider:</u>	Talquin Electric Cooperative

Current (Existing) and Proposed Future Land Use Categories: The future land use category and the current (existing uses) on the adjacent properties are listed in Table I.

Table 1. Future Land Use Designation	
Current(Existing)/Change From:	Agriculture 1 (1 d/u per 5acres)
Proposed/Change To:	Public/Institutional (PI)

The intent of the Agriculture 1 future land use category per Policy 1.1.1.F is to provide areas for agriculture activities and residential uses associated with agriculture activities at a density of 1 unit per 5 acres. It does not allow schools.

The intent of the Public/Institutional (PI) future land use category per Policy 1.1.1.E of the Comprehensive Plan is to provide areas for civic and community uses which includes educational facilities (Attachment #3). There are 2,727 acres designated Public on the FLUM, less than 1 percent (0.84%) of the entire county land area.

Surrounding Future Land Use Designations and Current (Existing) Land Use: The future land use category and the existing uses on the adjacent properties are listed in Table 2:

Table 2: Adjacent Future and Current (Existing) Land Uses and Acreage			
Direction	Future Land Use Category	Current (Existing) Use	Acreage
North	Agriculture 2	Kemp Rd, Single Family Dwelling Unit	1.94 and 84 acres
West	Agriculture 2	Mobile Home, Dwelling Unit	8.12
South	Agriculture 1	Pastureland	50.05
East	Agriculture 2	Timber II, Clubhouse (1,020 sf. porch, 2,760 sf. base area, 3,000 sf. Unfinished storage.)	101.5

Source: Application exhibits and Gadsden County Property Appraiser.

Access: The subject property accesses the south side of Kemp Road, a paved county roadway designated as 'minor collector, rural' on the Gadsden County Functional Classification Map (FDOT, 2014) (Attachments #1 & 2).

Historical Resources: A letter was issued by the Florida Department of State, Division of Historical Resources indicating that the amendment will have "no effect on

historic properties listed, or eligible for listing, in the National Register of Historic Places" (Attachment #5).

Applicable Comprehensive Plan Objectives and Policies:

The following Comprehensive Plan Objectives and Policies are referenced as they apply to a Future Land Use Map Amendment. Other Objectives and Policies that are pertinent to a specific development will be addressed at the time of development order review. Attachment #4 includes the applicant's analysis of applicable Comprehensive Plan Policies.

Policy 1.1.1.E, Public/Institutional:

The intent of this category is to provide areas for civic and community uses. Allowable uses include educational facilities (See Attachment #3). Proposed uses will be required to be reviewed for compliance with the Comprehensive Plan and the Land Development Code requirements for Public and Institutional uses as well as the Florida Building Code.

The subject parcel is located 1.04 miles east of the Public designated Havana Middle School (50 acres). The County owns a 20.81 acre vacant parcel designated Public located 0.14 of a mile north of the subject parcel (See Attachment #2).

Policy 1.2.8: Development shall be restricted from areas that have severe site limitations due to existing floodways.

The southeastern boundary of the site includes an area located within floodway (0.27 acres. Development will be required to be located outside of the required 50' natural area (Policies 5.3.2 & 5.3.3)(See Attachment #4).

Policy 1.2.9: Developments shall only be approved by the County when the adopted levels of service standards meet or exceed the capacities adopted within this Plan. These standards shall include those for potable water, sanitary sewer, solid waste and recreational facilities and services.

The proposed development will comply with the requirements for sanitary sewer, solid waste and recreational facilities and services as indicated in the analysis of Policy 1.2.13, below and as provided by the applicant in Attachment #4, below.

Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:

A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

The application indicates that there is a 0.27 area of flood plain (3.5% of the subject parcel) located at the extreme south of the parcel. The property appraiser's website

indicates this as a small area of wetlands (Figure 2 Aerial Map)(See Attachments #4 & 5).

A. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.

Talquin Electric Cooperative will continue to provide electric. The site is served by a well and by a septic system. The septic system was upgraded to serve the proposed use and Department of Health was issued final approved. There are no central utilities (water or sewer) available within $\frac{1}{4}$ of a mile (See Attachment #5).

B. Proposed location of ingress and egress of development.

The parcel accesses Kemp Road, a paved county roadway. The driveway may require improvements to meet Land Development Code standards.

C. Distance and location of nearest same land use category.

The subject parcel is located 1.04 miles east of the Public designated Havana Middle School (50 acres). The County owns a 20.81 acre vacant parcel designated Public located 0.14 of a mile north of the subject parcel.

D. Description of adjacent land use categories.

See Table 2, above. The property is adjacent to AG 1 designated property to the west; and south. Adjacent land use to the north and east designated as AG 2 on the FLUM.

E. In addition, for any land use category which supports residential development:

1) Existing and proposed school capacities (See Policy 10.6.1).

2) Existing and proposed park space (See Policy 6.3.3).

Not applicable.

Policy 1.2.16: As recognition that agriculture operations are a viable business in Gadsden County, existing agricultural uses and operations shall be protected from residential encroachment. Proposed residential development adjacent to lands designated as Agriculture on the Future Land Use Map shall demonstrate compatible development plans to the agriculture use and/or operations prior to the issuance of a development order.

Residential development is not an allowed use except as accessory to an allowable use in the Public/Institutional future land use category.

Policy 1.4.1: New non-residential development which is proposed contiguous to lands designated Rural Residential on the Future Land Use Map shall be of a scale and intensity appropriate to the existing residential development.

The proposed Public/Institutional FLUM designation and private school are not located adjacent to property designated as Rural Residential on the Future Land Use Map.

The nearest rural residential designated property is located approximately 0.50 of a mile to the west of the site (See Attachment #2). However, the proposed use will potentially serve the needs of residential properties in the vicinity.

Policy 1.4.2: Neighborhood character shall be preserved and promoted by working toward maintaining compatibility of surrounding land uses.

The adjacent properties are designated as Agriculture future land use on the FLUM. Within 1/4 of a mile there are two (2) Public/Institutional designated properties. Parcel sizes of adjacent tracts range from 8.12 acres to 101.5 acres south of Kemp Road with a 1.94 acre parcel located to the north across Kemp Road.

The adjacent property uses and setbacks of the proposed school to property lines will serve as a buffer from adjacent uses. Property uses range from single family to the north to timber and clubhouse (as indicated by the property appraiser's website) to the east. The proposed school will be located approximately 55' from the western property boundary owned by Lillian Thompson-Johnson; 200'+ from the western property line designated as timber use; 445'± from Kemp Road, to the north and 335'± to the wetlands and the pond located on the property to the south (See Attachments #2 and #5).

Policy 2.2.3: The minimum levels of service for roadways within Gadsden County shall be evaluated at a PM peak hour volume data and shall be LOS D for a Minor Collector, Rural Road.

Level of service (LOS) is a quantitative indicator of the quality of service provided by or proposed divided into six letter grade levels, A through F, with A being the highest LOS) (FDOT Quality LOS Handbook, 2013). Neither the Florida Department of Transportation (FDOT) nor the county has LOS data for Kemp Road. The only data available from the FDOT is the number of 'average annual daily traffic 'AADT' which is 1,100 trips for the roadway segment east of Iron Bridge Rd. For additional detail see Attachment #7, Transportation Level of Service Analysis.

Policy 2.2.5: With exception to those developments that meet the de minimis impact threshold, all new development impacts shall not decrease the roadway minimum level of service requirements of Policy 2.2.3. For the purposes this Element, a de minimis impact shall be that which does not impact a roadway by greater than one percent of the maximum capacity of the adopted level of service standard for the affected roadway segment, as shown in the FDOT District 3 Level of Service reports for Gadsden County.

Utilizing the FDOT AADT of 1,100 trips, the estimated increase in daily trips is 5.4% of the AADT and less than .001 percent of the estimated FDOT maximum volume (AADT) of 17,300 trips for a proposed 24 student school.

Policy 5.3.4: Any amendment to the Future Land Use Map shall consider the impact to the functionality of adjacent and on-site wetlands. The protection and conservation

of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and regulations in this Plan and the Land Development Code.

A minimum of a 50' natural area buffer adjacent to wetlands and a 100' septic system setback are required to be maintained adjacent to any wetlands (See Attachments #4 & #5).

Public Notice & Citizens Bill of Rights Meeting:

The applicant held a Citizen's Bill of Rights meeting on-site on Tuesday, August 6th, 2019. There were six (6) attendees at the meeting. In addition, letters of support were submitted (See Attachment #6).

Per Subsection 1302, Legislative Hearing Procedures of the Land Development Code, a public hearing notice was mailed at least thirty (30) days prior to the public hearing; a legal advertisement was placed in the local newspapers; and, a sign was posted on the property.

Planning Commission Role:

Pursuant to Chapter 163.3174, Florida Statutes (F.S.), as the local planning agency, the Planning Commission shall review proposed comprehensive plan amendments and make recommendations to the governing body as to the compatibility with the surrounding areas and consistency of the proposal with the adopted comprehensive plan or element and an analysis of the amendment as required pursuant to §163.3177(5)(a)(7), F.S. (See analysis above and Attachment #4.).

Planning Commission Options:

1. Recommend approval of the 2434 Kemp Road, Havana (Lillian Thompson-Johnson) (SSPA 2019-03) Small Scale Comprehensive Plan Future Land Use Map Amendment from the Agriculture 1 to the Public future land use category.
2. Recommend denial of the 2434 Kemp Road, Havana (Lillian Thompson-Johnson) (SSPA 2019-03) Small Scale Comprehensive Plan Future Land Use Map Amendment.
3. Planning Commission Discretion.

Planning Division Recommendation:

Option #1

Attachments:

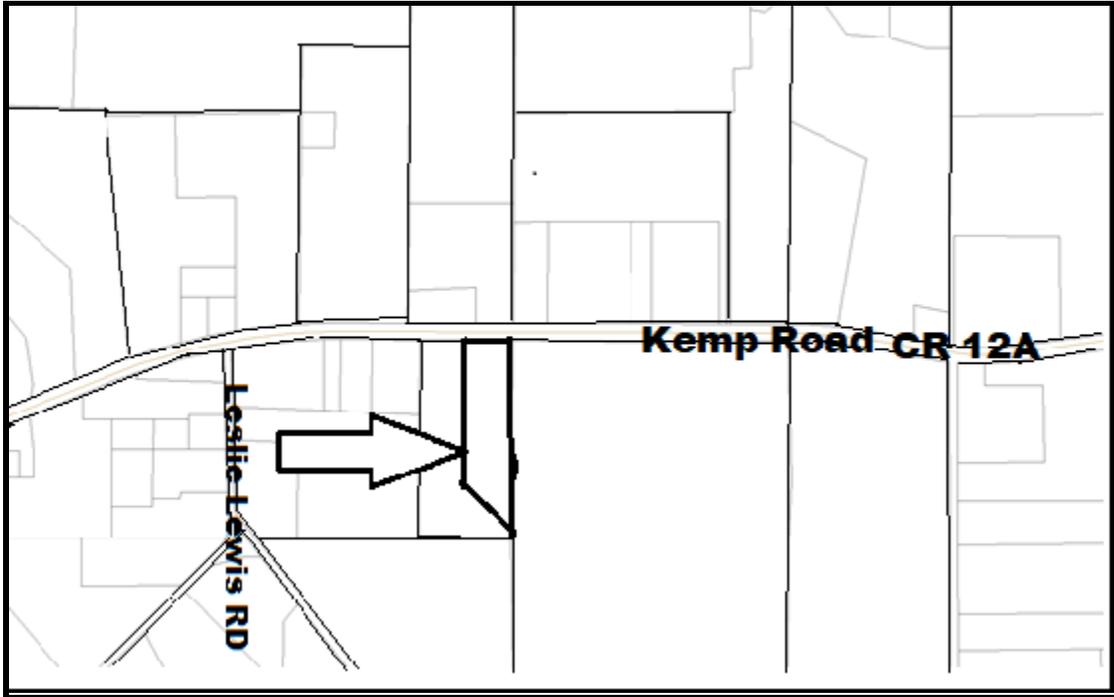
1. Location Map
2. Existing and Proposed Future Land Use maps
3. Policy 1.1.1.F-H and Policy 1.1.1.E

4. Applicant's Analysis of Comprehensive Plan Policies
5. Application w/ Survey and Aerial
6. Citizens Bill of Rights Public Hearing Notice & Summary
7. Transportation Level of Service Analysis

LOCATION MAP

Tax Parcel #2-25-3N-2W-0000-00440-0100

2434 Kemp Road, Havana, FL



Future Land Use Map, Existing

Tax Parcel #2-25-3N-2W-0000-00440-0100

2434 Kemp Road, Havana, FL



EXHIBIT 'A'

FUTURE LAND USE – PUBLIC

Tax Parcel #2-25-3N-2W-0000-00440-0100

2434 Kemp Road, Havana, FL



Gadsden County Comprehensive Plan

Future Land Use Element

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

F. Agriculture-1

- 1) Purpose and Intent – The intent of this category is to provide areas for agricultural activities.
- 2) Designation Criteria – Agriculture uses and residences associated with such uses.
- 3) Density – No more than one dwelling unit per five (5) acres
- 4) Impervious Surface Area – No more than 0.10 lot coverage except the centralized utilities uses are exempted from impervious surface requirements.
- 5) Allowable Uses – Agriculture related uses; Silviculture; residential; houses of worship; cemeteries; recreational activities; commercial activities associated with the primary agricultural use; home occupations; centralized utilities and package plants.
- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

G. Agriculture-2

Development within the Agriculture-2 category shall be the same parameters as the Agriculture-1 land use category in F. above, except that:

- 1) Density - No more than one dwelling unit per ten (10) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels ten (10) acres or greater in size.

H. Agriculture-3

Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

Gadsden County Comprehensive Plan

Future Land Use Element

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- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

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Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

GADSDEN COUNTY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT

The purpose of the Future Land Use Element and accompanying Future Land Use Map is to designate the future general distribution, location, and extent of the use of land within the unincorporated areas of Gadsden County.

GOAL 1A: PROVIDE A SYSTEM FOR ORDERLY GROWTH AND DEVELOPMENT

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

E. Public/Institutional

- 1) Purpose and Intent – The intent of this category is to provide areas for civic and community uses.
- 2) Designation Criteria – Uses or lands which are owned by a governmental entity for the purpose to provide services to the citizenry; houses of worship; institutions; public or privately owned medical care facilities.
- 3) Density – Residential uses shall be limited to those incidental to the primary use such as a caretaker's quarters or a single parsonage.
- 4) Intensity – The floor area ratio shall not exceed 0.70.
- 5) Impervious Surface Area – No more than 0.75 lot coverage, except the centralized utilities uses are exempted from impervious surface requirements.
- 6) Allowable Uses – Educational facilities; museums; galleries; houses of worship; institutions; other civic and governmental uses; residential as an accessory use; centralized utilities and package plants; cemeteries; public or non-commercial private recreational uses.
- 7) Development Restrictions – Uses associated with incarceration shall be approved by the County Commission during a public hearing to ensure appropriate notification of adjacent property owners, and compatibility with surrounding uses.

Comprehensive Plan-Future Land Use Map Amendment Application

Policy 1.2.4: If the proposed development is located within one half mile of existing potable water or sanitary sewer infrastructure, the developer shall connect to the existing service provider for potable water or sanitary sewer services.

Sanitary sewer infrastructure is not available within ½ mile of the site. A septic tank is in place. Water service is in place through a private well and is not within ½ mile of exiting potable water.

Policy 1.2.5 If the proposed development is located within one half mile of existing potable water or sanitary sewer infrastructure, and current capacity does not exist to provide for the projected demands of the development, dry lines shall be installed and provided to serve the projected capacities of the development when the service provider obtains the capacity to serve the development.

The property is serviced by an existing well. No sanitary sewer connection is available within ½ mile at this time. No sanitary sewer connection is proposed at this time. The site is served by a septic tank. Since the project is a single user, installation of dry lines for a subdivision is not applicable.

Policy 1.2.9: Developments shall only be approved by the County when the adopted levels of service standards meet or exceed the capacities adopted within this Plan. These standards shall include those for potable water, sanitary sewer, solid waste and recreational facilities and services.

- Potable water at the property will be through the existing well and meet/exceed the needs of the small private school. According to the Gadsden County Health Department, the designation of the well is adequate to serve the small school with 24 people or less.
- Sanitary sewer is not available within ½ mile of the site. A septic tank is being used and has been inspected and deemed that it is approved to meet the needs of the school.
- No residential classifications are requested. The property has a playground for use by the students. No additional recreational facilities are proposed at this time. There are no anticipated impacts to the adopted Level of Service Standards for recreational facilities and services. The students will return to their home location after the school day and on the weekends.
- Waste Pro provides solid waste services for Gadsden County. No exceedance of level of service standards for waste is anticipated from this development.

Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:

A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

No wetlands are located on the parcel. There is a pond to the south of the parcel and a small amount of FEMA floodplain (0.27 acre) is located at the extreme southern end of the parcel.

B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.

Water is provided by a private well that has been inspected by the Gadsden County Health Department and septic treatment will be provided by an existing septic tank that has also been inspected by the Health Department. Water and sewer services are not available within ½ mile of the property.

C. Proposed location of ingress and egress of development.

Ingress/egress exists and will remain along the northern side of the property County Road 12A (Kemp Road).

D. Distance and location of nearest same land use category.

There are two locations within reasonable distance to the subject property that share the same land use category (Public). One property 0.16 miles to the north and owned by Gadsden County is designated as public land use. This property appears to be undeveloped. One property 1 mile to the west owned by School Board of Gadsden County is designated as public land use (Havana Middle School).

E. Description of adjacent land use categories.

The three adjacent properties to the north and across Kemp Rd are owned by the Hill, Blackburn and Sellers families. They are all designated as Agriculture 2 agricultural land use and are being utilized as agricultural with residences and the Blackburn property appears to have a borrow pit. The western and southern boundaries are owned by Mrs. Lillian Thompson-Johnson and are designated as Agricultural 1 land use. This parcel is utilized as agricultural and residential and contains a pond. The eastern boundary of the property is owned by the Bass family and has the Agricultural 2 land use category and is used as agricultural and a residence. To the south is a parcel owned by the Kelly family and is designated as Agriculture 1 land use and is in use as agricultural.

F. In addition, for any land use category which supports residential development:

- 1) Existing and proposed school capacities (See Policy 10.6.1).
- 2) Existing and proposed park space (See Policy 6.3.3).

No residential development is proposed. This proposal will add school capacity.

Policy 1.2.16: As recognition that agriculture operations are a viable business in Gadsden County, existing agricultural uses and operations shall be protected from residential encroachment. Proposed residential development adjacent to lands designated as Agriculture on the Future Land Use Map shall demonstrate compatible development plans to the agriculture use and/or operations prior to the issuance of a development order.

The applicant is not proposing any residential development on this property.

Policy 1.2.19: No large scale land use amendment shall be approved which converts lands from any Agriculture land use category to the Rural Residential land use category unless a development agreement is recorded which requires the development to be served by central water and sewer utilities, or a wastewater package plant.

The applicant is not proposing to convert land to rural residential and is not a large scale land use amendment.

Policy 1.4.1: New non-residential development which is proposed contiguous to lands designated Rural Residential on the Future Land Use Map shall be of a scale and intensity appropriate to the existing residential development.

The applicant is not proposing any development contiguous to lands designated as rural residential.

Policy 1.4.2: Neighborhood character shall be preserved and promoted by working toward maintaining compatibility of surrounding land uses.

The applicant is not proposing any residential development on this property. There are two land use properties that are also public located within 1 mile of the subject property. This property is otherwise surrounded within areas that are in agricultural use. Historically this property has been used as a home. No further development is proposed for this property therefore it will continue to preserve compatibility with surrounding land use. A Citizens Bill of Rights meeting was held and comments from nearby property owners supporting the school were obtained and copies are included.

Policy 1.4.5: A compatibility analysis shall be submitted by the applicant for any proposed land use change contiguous to existing land designated Rural Residential on the Future Land Use Map. Compatibility shall mean a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

The applicant is not proposing any development contiguous to lands designated as rural residential.

Policy 4.5.2: The County shall allow existing OSTDS and package treatment plants to be used in Urban Service Areas and Rural Residential Areas. New development within ¼ mile of an existing central sanitary sewer system must connect to such system within 24 months providing there is sufficient permitted capacity.

This policy does not apply to this application. The property is not within the Urban Service Area and is not proposed to be rural residential. There is an existing septic tank at the site that will be utilized.

Policy 5.3.2: Development shall be required to maintain a fifty (50) foot minimum natural setback around all FDEP and U.S. Army Corps of Engineers jurisdictional wetlands with exception to utility and transportation networks and water dependent uses such as docks and platforms.

The property does not contain any wetlands. There is a pond immediately south of the parcel. Development will be a minimum of 50' from the edge of the wetlands.

Policy 5.3.3: The location of septic tanks and drain fields shall be prohibited within one hundred (100) feet of all perennial rivers, streams, creeks, lakes and wetlands.

The property does not contain any wetlands, rivers, streams, creeks or lakes. The septic tank will be located at least 100 feet away from all perennial rivers, streams, creeks, lakes and wetlands.

Policy 5.3.4: Any amendment to the Future Land Use Map shall consider the impact to the functionality of adjacent and on-site wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and regulations in this Plan and the Land Development Code.

The Thompson-Johnson LUA complies with **Objective 5.3** which requires that projects maintain a 50-foot natural buffer around wetlands on the subject parcel. The septic tank will be at least 100 feet away from all perennial rivers, streams, creeks, lakes and wetlands. The adjacent property to the south contains a wetland.

Policy 5.4.4: The County shall protect Endangered and Threatened Species by requiring the following to be submitted in conjunction with any Comprehensive Plan Map amendment request to a more intense category which is more than ten (10) acres. Such assessment may be conducted with readily available information through desktop GIS and/or the most recent state agency published documentation.

- (a) Any finding that lists any Endangered or Threatened Species located on site;
- (b) Soil types on site as noted in the Soil Survey in Policy 5.2.11.
- (c) Wetlands on site as shown on the National Wetlands Inventory.

This policy does not apply as the proposed land use amendment only covers 7.72 acres.

A. The property is mowed and maintained. No protected species are anticipated to be located on the property.

B. Soil types found on the property are Cowarts-Dothan-Fuquay complex, 5-8% slopes, Dothan-Fuquay complex, 2-5% slopes, Orangeburg loamy sand 2-5% slopes, and Albany-Garcon-Bibb complex, 0-5% slopes (occasionally flooded).

C. There is a wetland on the property to the south but no onsite wetlands. There is no construction proposed to occur that would impact the wetland.



SSPA 2019-03 #5

Post Office Box 1799, Quincy, FL 32353-1799

Phone (850) 875-8663 Fax (850) 875-7280

E-mail: planning@gadsdencountyfl.gov

Web site: www.gadsdengov.gov

FUTURE LAND USE MAP AMENDMENT APPLICATION

Application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

Small Scale Future Land Use Map Large Scale Future Land Use Map

Small scale amendment in Rural Area of Opportunity as set forth in §. 288.0656(7) F.S.

Change From: Ag 1 To: Public

Existing future land use designation Proposed future land use designation

APPLICANT INFORMATION (If the applicant differs from the owner, a signed affidavit to represent is required authorizing a representative to act on the property owner's behalf)

Owner: Lillian Thompson - Johnson Contact Person: Lillian Thompson - Johnson

Address: 2350 Kemp Rd. Havana, FL 32333

Telephone: 850-539-1315 Mobile: 850-284-0728

E-Mail Address: hlcacademy1315@gmail.com

Authorized Representative: Lillian Thompson - Johnson

Address: 2350 Kemp Rd.

Telephone: 850-539-8970 Mobile: 850-284-0728

E-Mail Address: hlcacademy1315@gmail.com

PROPERTY INFORMATION

Property Address: 2350 Kemp Rd. Havana, FL 32333

Tax Parcel ID#: 225312W000000440000

Legal Description: Attached

(A legal description is needed for adoption of the ordinance. A legal description may be found on the title certificate or warranty deed. Please attach a copy as required with application.)

Total Acreage Proposed for Amendment: 7.72 parcel

Current Use of Property: Residential

Describe reason for the Future Land Use Map amendment (include proposed use of the property): intention for A private Christian School

8-27-19
RECEIVED

Gadsden County Comprehensive Plan Future Land Use Map Amendment
Application

SUBMITTAL REQUIREMENTS - The following items must accompany the completed Comprehensive Plan Future Land Use Map amendment application at time of submittal:

- a. Fee, \$1250.00 for large scale amendment; \$500.00 for small scale amendment.
- b. Two (2) copies of the signed and notarized application and submittal documents.
- c. An electronic copy (in .pdf format) of the submittal package.
- d. A vicinity map showing the location of the subject property (8.5" by 11").
- e. A copy of a certificate of title or a copy of the recorded deed, title insurance policy or other instrument demonstrating ownership and bearing a legal description of the property.
- f. Authorization to Represent, if applicable.
- g. Verification of a Citizen's Bill of Rights Public Meeting, if required. (Copy of mailed notice and newspaper ad, postage receipt, written meeting summary.)
- h. For small scale (map) amendments as defined under §288.0656(2)(d) F.S. to increase the site area to a maximum of 20 acres within a rural area of opportunity, provide a written confirmation from the Planning Division indicating that the plan amendment furthers the economic objectives set forth in the executive order issued under §. 288.0656(7) F.S.
- i. Two aerial photographs obtained from the Gadsden County Planning Division or County Property Appraisers Office which identifies the subject property and all property within 500 foot radius of the subject property. Provide an 8.5" X 11" copy.
- j. An 8.5" by 11" signed and sealed survey containing a legal description indicating acreage. The legal description must be submitted in a format that can be copied and pasted into an ordinance (e.g. in Word format or in an e-mail).
- k. A scaled drawing of the property showing all boundaries, adjacent properties, adjacent land use designation, existing use of adjacent property, roads, easements, flood zones, size of the parcel in square feet or acres, dimensions in linear feet, wetlands, and other environmental sensitive lands, as applicable. Provide an 11" X 17" copy.
- l. Copy of Letter to Division of Historical Resources, Dept. of State to determine whether or not there are any historical resources recorded on the site as listed on the Florida Master Site File (Policy 6.4.8)).
- m. A written analysis of consistency with the relevant policies of the Comprehensive Plan. Specifically, the analysis shall address at minimum, and as applicable, the following policies. This list is **not** all inclusive and each applicant shall address relevant policies to the request.
 - Policy 1.2.4
 - Policy 1.2.5
 - Policy 1.2.9 (Level of service analysis/concurrency)
 - Policy 1.2.13
 - Policy 1.2.16
 - Policy 1.2.19
 - Policy 1.4.1
 - Policy 1.4.2
 - Policy 1.4.5 (Compatibility Analysis)
 - Policy 4.5.2
 - Policies 5.3.2, 5.33 & 5.3.4
 - Policy 5.4.4

Gadsden County Comprehensive Plan Future Land Use Map Amendment Application

- Policy 1.2.4
- Policy 1.2.5
- Policy 1.2.9 (Level of service analysis/concurrency)
- Policy 1.2.13
- Policy 1.2.16
- Policy 1.2.19
- Policy 1.4.1
- Policy 1.4.2
- Policy 1.4.5 (Compatibility Analysis)
- Policy 4.5.2
- Policies 5.3.2, 5.33 & 5.3.4
- Policy 5.4.4

I understand that the application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

I AM THE OWNER

I AM THE LEGAL REPRESENTATION OF THE OWNER (See attached Authorization to Represent) of the property described by this Comprehensive Plan Future Land Use Map application. I declare that I have read said application and all sketches, data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief. I understand that by signing this document, I am giving the County or agent thereof the authority to duplicate, disseminate, and reproduce any and all items submitted as part of this request, whether copyrighted or not. And that, upon submission said application and documents, as well as all correspondence, become a matter of public record.

Lillian Johnson
Signature of Property Owner or Authorized Representative

2-21-2019
Date

State of Florida County of Gadsden

Sworn to and subscribed before me this 21st day of February, 2019 by Lillian Johnson who is personally known to me /or has produced _____ as identification and did not take an oath.

Effie Randolph Boone
Notary Signature

EFFIE RANDOLPH BOONE
Notary Name Printed

Notary Seal



AUTHORIZATION TO REPRESENT

If the applicant is not the property owner an 'Authorization to Represent' is required.

This letter serves as notice that on this date: August 21, 2019

I/We, Lillian Thompson Johnson
(Print name of property owner(s) and/or entity & authorized representative)

Hereby give authorization to,

Florida Environmental & Land Services - Elva Peppers
(Print name of authorized representative or entity. Print the name of all individuals representing the entity)

850-385-6255
Telephone number

elva.peppers@felsi.org
E-mail Address

To apply for an Land Use Amendment application(s) and all necessary permits as part of the Gadsden County, Florida review process from the Gadsden County Building & Planning & Department for the property described below:

2253 N2W 00000044 00000
(Parcel identification number)

2434 Kemp Rd
(E911 address)

Lillian Thompson Johnson
(Signature of property owner or entity & representative)

Lillian Thompson Johnson
(Print name of property owner and/or entity)

State of Florida
County of Gadsden

The foregoing instrument was acknowledged before me this 21st day of August, 2019 by Lillian Thompson Johnson who is personally known to me/or has produced FL Drivers License as identification and did not take an oath.

Selena A. Jenkins
Notary Signature

Selena A. Jenkins
Notary Name Printed

Notary Seal



SELENA A. JENKINS
Commission # GG 206728
Expires April 10, 2022
Bonded Thru Budget Notary Services

Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Comprehensive Plan
Written Analysis

Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Lot Split Approval
&
Deed



BOARD OF COUNTY COMMISSIONERS
 9-B East Jefferson Street / P. O. Box 1799 · Quincy, Florida 32353
 OFFICE: (850) 875-8650 · FAX: (850) 875-8655 · www.GadsdenCountyFl.gov

Ms. Lillian Thompson Johnson
 2350 Kemp Rd.
 Havana, Fl. 32333

July 25, 2019

Re: Final Approval Lot Split (LS2019-12) (Kemp Rd.)
Parent Parcel # 2-25-3N-2W-0000-00440-0000 /2350 Kemp Rd.
Created Parcel #2-25-3N-2W-0000-00440-0100 /2434 Kemp Rd.

Dear Property Owners:

The Planning and Community Development Department has granted Final Approval for the project referenced above based on a survey and/or map prepared by Douglas W. Nunamaker PSM#6297 dated March 21, 2019, and recorded in the (Official Records Book 865, Pages 65-70. The attached legal description and survey have been reviewed by staff and recorded in compliance with the Conditional Approval letter dated July 17, 2019.

The Final Approval permits the creation of one parcel consisting of approximately (8.12) eight point one two acres identified as Parent Parcel, which is retaining the parcel identification number of 2-25-3N-2W-0000-00440-0000 and (1) one newly created parcel consisting of approximately (7.72) seven point seven two acres with the new parcel identification number of 2-25-3N-2W-0000-0440-0100

The newly created parcels comply with all applicable requirements of the Agricultural 1 Future Land Use category. **Neither parcel will be eligible for further subdivision** under the current land use designation assigned to them. Please note at the date of this correspondence this department is awaiting an application for a land use change from Agricultural 1 to Public-Institutional this amendment is being requested for the purpose of operating a private school on the newly created seven acre parcel.

Legal access to the newly created 7.72 seven point seven two acre parcel shall be provided through its frontage along Kemp Road (CR12-A). Note any proposed driveway connections to the new parcel will require a driveway connection permit acquired through this office. Legal access to the remaining 8 eight acre parent tract will remain as currently configured fronting Kemp Rd. Although Kemp road is a county maintained roadway it is the property owner's responsibility to install / upgrade the driveway connection on newly created parcels to meet the current driveway connection standards.

Should you require additional information, please contact the office at the telephone number listed above, or e-mail Mrs. Pamela Revels at prevels@gadsdencountyfl.gov.

Sincerely: *Pamela Revels*

Pamela Revels
 Environmental Compliance Coordinator
 Planning and Community Development

Cc: Reginald A. Cunningham, Gadsden County Property Appraiser File

Prepared By:
Mrs. Lillian Thompson
2350 Kemp Rd
Havana, Florida 32333

GADSDEN COUNTY NICHOLAS THOMAS
Instrument: 190006042 Recorded: 07/17/2019 3:27 PM

OFFICIAL RECORDS: 1 of 6
Book: 865 Page: 65

Recording Fee: \$52.50
Doc Stamps: \$0.70

After Recording Return To:
Mrs. Lillian n

)
)
)
)
)

TAX PARCEL ID #:
2253N2W0000004400000

QUIT CLAIM DEED

BE IT KNOWN BY ALL, that Mrs. Lillian Thompson, ("*Grantor*"), a married female whose address is 2350 Kemp Rd, Havana, Florida 32333, hereby **REMISES, RELEASES AND FOREVER QUITCLAIMS TO** Mrs. Lillian n ("*Grantee*"), whose address is , , , all right, title, interest and claim to the following real estate property located at 2350 Kemp Rd Rear in the City/Township of Havana, located in the County of Gadsden and State of Florida and ZIP code of 32333, to-wit:

Property having Lot No. , with the Section No. , and property beginning at Commence at Southeast corner of Section 25, Township 3 North, Range 2 West, Gadsden County, Florida and run thence North 00 degrees 10 minutes 19 seconds East 26.50 feet to a 4 inch concrete monument #3031, found marking the Southeast Corner of lands recorded in Official Records Book 345, page 1763, said point also marking the Point of Beginning; From the Point of beginning thence run North 41 degrees 50 minutes 24 seconds West 489.15 feet to a 5/8 inch iron bar and cap #6297, set; Thence run North 00 degrees 24 minutes 45 seconds East 850.85 feet to a 5/8 inch iron bar and cap #6297, set on the South right of way boundary of County Road No. 12-A, said point also lying on the North Boundary of lands previously recorded in Official Records Book 345, page 1763; Thence run along said North boundary and along said South right of way boundary South 89 degrees 25 minutes 04 seconds East 323.82 feet to a 6 inch concrete monument marked "SJPC" found marking the Northeast corner of said lands; Thence leaving said South right of way boundary run along the East boundary of said lands South 00 degrees 10 minutes 19 seconds West 1211.97 feet to the Point of Beginning.

Area contains 7.72 acres, more or less

The Easterly 100.00 feet of the above described parcel of land being subject to a 100.00 foot City of Tallahassee Transmission Line..

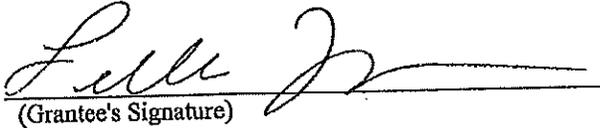
FOR A VALUABLE CONSIDERATION, in the amount of \$1.00 dollars, given in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged as of .

 **CERTIFIED A TRUE COPY**
NICHOLAS THOMAS, CLERK OF CIRCUIT COURT
GADSDEN COUNTY, FLORIDA
BY W Pennick

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof. OFFICIAL RECORDS: 2 of 6 Book: 865 Page: 66

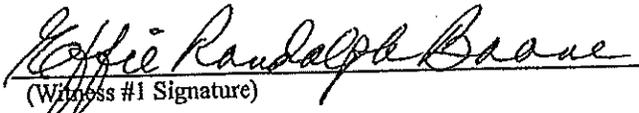

(Grantor's Signature)

Mrs. Lillian Thompson
(Grantor's Printed Name)

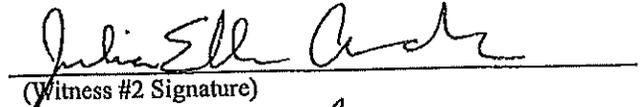

(Grantee's Signature)

Mrs. Lillian Thompson
(Grantee's Printed Name)

Signed in our presence:


(Witness #1 Signature)

Effie Randolph Boone
(FIRST WITNESS NAME TYPED)


(Witness #2 Signature)

Julia Ellen Andrews
(SECOND WITNESS NAME TYPED)

Grantee's Address:

Mrs. Lillian N

Grantor's Address:

Mrs. Lillian Thompson
2350 Kemp Rd
Havana, Florida 32333

Mail Subsequent Tax Bills To:

Lillian Thompson
2350 Kemp Rd
Havana, Florida 32333

STATE OF FLORIDA

COUNTY OF GADSDEN

)
)
)
SS.

The foregoing Quit Claim Deed was acknowledged before me on 17th July 2019 by Mrs. Lillian Thompson, who is personally known to me or who has produced a valid driver's license and/or passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

[Handwritten Signature]

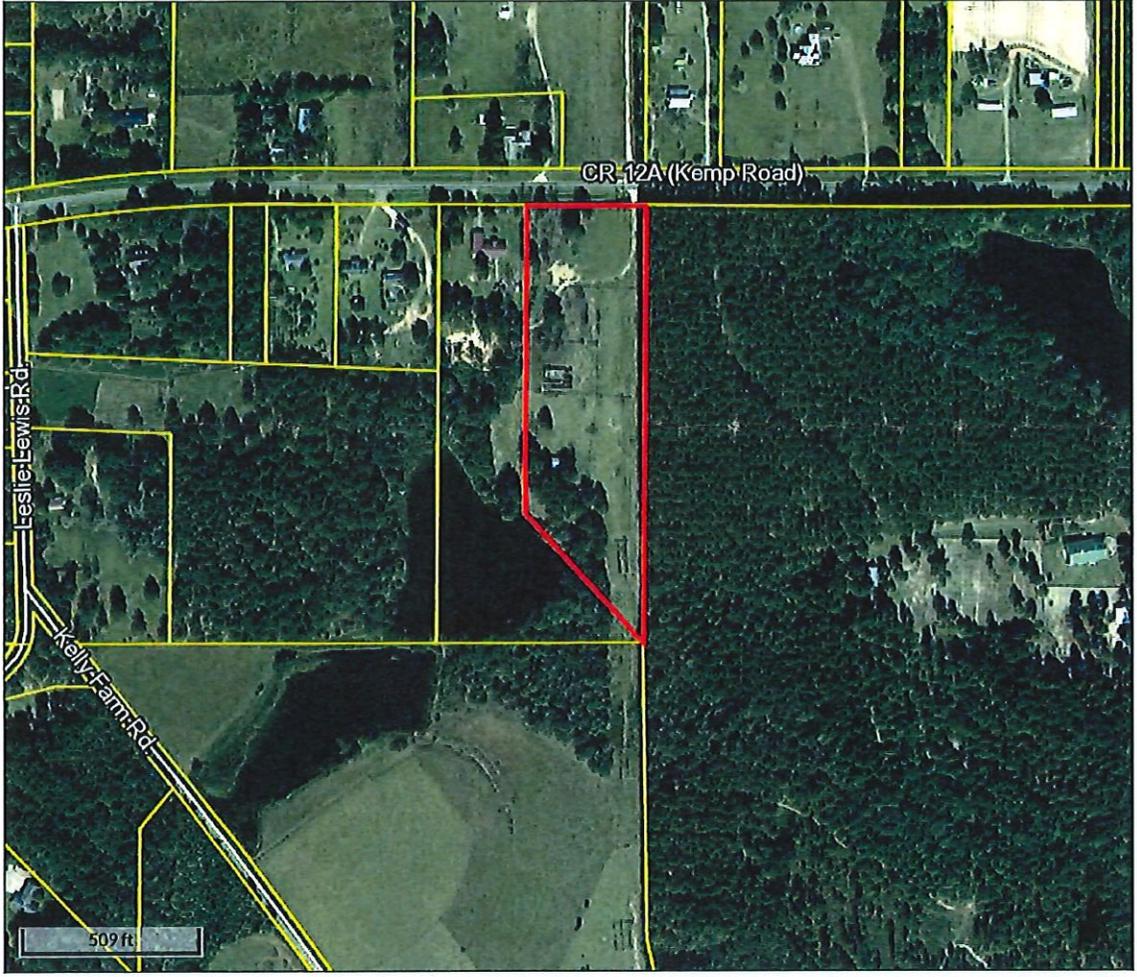
(Signature of Notary)

Maria V. Hernandez

(Printed Notary Name) Gadsden, Florida

My Commission expires:





- Legend**
-  Parcels
 -  Roads (Local)
 -  Roads (Major)
 -  Streams and River (Large)

Parcel ID	2-25-3N-2W-0000-00440-0100	Alternate ID	2N3W2250000004400100	Owner Address	THOMPSON LILLIAN
Sec/Twp/Rng	25-3N-2W	Class	SINGLE FAM		2350 KEMP RD
Property Address	KEMP RD	Acreage	7.72		HAVANA, FL 32333
	HAVANA				
District	7				
Brief Tax Description	OR 865 P 65				
	(Note: Not to be used on legal documents)				

Date created: 7/26/2019
 Last Data Uploaded: 7/26/2019 9:05:37 AM

Developed by  **Schneider**
 GEOSPATIAL



Parcel Summary

Parcel ID 2-25-3N-2W-0000-00440-0100
 Location KEMP RD
 Address HAVANA 32333
 Brief OR 865 P 65 OR 345 P 1763 OR 377 P 766 PARCEL "2" COMMENCE AT THE SOUTHEAST CORNR OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 2 WEST, GADSDEN COUNTY, FLORIDA AND RUN THENCE NORTH 00 DEGREES 10 MINUTES 19 SECONDS EAST 26.50 FEET TO A 4 INCH CONCRETE MONUMENT #3031, FOUND MARKING THE SOUTHEAST CORNR OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 345, PAGE 1763, SAID POINT ALSO MARKING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING THENCE RUN NORTH 41 DEGREES 50 MINUTES 24 SECONDS WEST 489.15 FEET TO A 5/8 INCH IRON BAR AND CAP #6297, SET; THENCE RUN NORTH 00 DEGREES 24 MINUTES 45 SECONDS EAST 850.85 FEET TO A 5/8 INCH IRON BAR AND CAP #6297, SET ON THE SOUTH RIGHT OF WAY BOUNDARY OF COUNTY ROAD NO. 12-A, SAID POINT ALSO LYING ON THE NORTH BOUNDARY OF LANDS PREVIOUSLY RECORDED IN OFFICIAL RECORDS BOOK 345, PAGE 1763; THENCE RUN ALONG SAID NORTH BOUNDARY AND ALONG SAID SOUTH RIGHT OF WAY BOUNDARY SOUTH 89 DEGREES 25 MINUTES 04 SECONDS EAST 323.82 FEET TO A 6 INCH CONCRETE MONUMENT MARKED "SJPC" FOUND MARKING THE NORTHEAST CORNR OF SAID LANDS; THENCE LEAVING SAID SOUTH RIGHT OF WAY BOUNDARY RUN ALONG THE EAST BOUNDARY OF SAID LANDS SOUTH 00 DEGREES 10 MINUTES 19 SECONDS WEST 1211.97 FEET TO THE POINT OF BEGINNING. CONTAINING 7.72 AC M/L. THE EASTERLY 100 FT BEING SUBJECT TO A 100 FT CITY OF TALLAHASSEE TRANSMISSION LINE.
 *The Description above is not to be used on legal documents.
 Property Use Code SINGLE FAM (000100)
 Sec/Twp/Rng 25-3N-2W
 Tax District GADSDEN COUNTY (District 7)
 Millage Rate 15.4102
 Acreage 7.720
 Homestead N

[View Map](#)

Owner Information

Primary Owner
 Thompson Lillian
 2350 Kemp Rd
 Havana, FL 32333

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
100115	MARKET 1 15 AC	7.72	AC	0	0

Buildings

Building 1
 Type SINGLE FAM
 Total Area 4,374
 Heated Area 4,266
 Exterior Walls VINYL SIDG;.
 Roof Cover MTL RIB PN;.
 Interior Walls DRYWALL;.
 Frame Type N/A
 Floor Cover SHT VINYL; CARPET
 Heat CENTRAL
 Air Conditioning CENTRAL
 Bathrooms 3
 Bedrooms 0
 Stories 1
 Actual Year Built 2005
 Effective Year Built 2005

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
0292	SHED, FRAME	1	0x0x0	1	UT	2018
0292	SHED, FRAME	1	0x0x0	1	UT	2018
0130	FENCE, MISC TYPE	1	0x0x0	1	UT	2018
0292	SHED, FRAME	1	0x0x0	1	UT	2018

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	07/17/2019	\$100	QC	865	65	Unqualified (U)	Improved	LILLIAN THOMPSON	LILLIAN THOMPSON

Sketches

THE HERALD
PUBLISHED WEEKLY
HAVANA, GADSDEN COUNTY, FLORIDA

State of Florida
County of Gadsden

Before the undersigned personally appeared Mark Pettus, who on oath says that he is the publisher of The Herald, a weekly newspaper published at Havana, in Gadsden County, Florida; that the attached copy of advertisement, being a Legal in the matter of

Land use Amendment Meeting

In the _____ Court, was published in said newspaper in the issues of _____

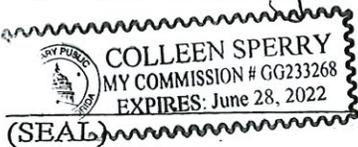
July 4, 2019

Affiant further says that the said The Herald is a newspaper published at Havana, in said Gadsden County, Florida, and that the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each week and has been entered as second class mail matter at the post office in Havana, in said Gadsden County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporations any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Handwritten Signature]

Sworn to and subscribed before me this 5

day of July, A.D. 2019

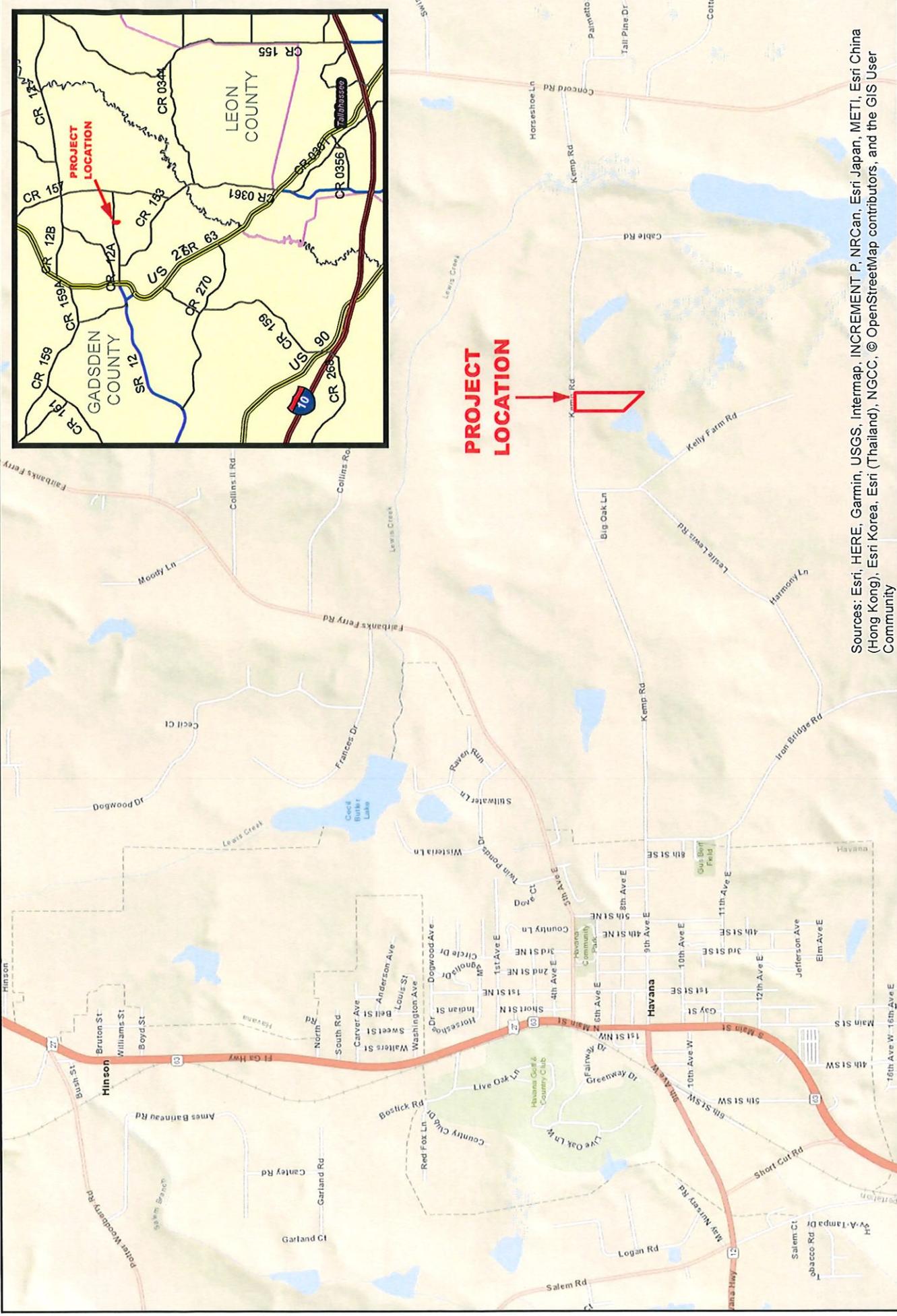

(SEAL)

Colleen Sperry
Notary Public

LAND USE AMENDMENT MEETING
The purpose of this notice is to notify the surrounding residents of a property land use change for the parcel located on Kemp Road, Havana, Florida 32333 owned by Lillian Thompson-Johnson, Tax Parcel ID# 2253N2W0000004400000.
The meeting will be held on the property site at 2350 Kemp Road, Havana, Florida 32333, on July 12, 2019 from 6:30 p.m. - 7:30 p.m. to discuss the land split changes.
1t: 7/4

Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Vicinity Map
Figure 1



PROJECT LOCATION

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community



Page: 1
Of: 1

TITLE: **Figure 1- Location Map**

DATE:	BY:	CHECK:	FELSI PROJECT #
AUG-26-2019	JLB	EP	19-1668

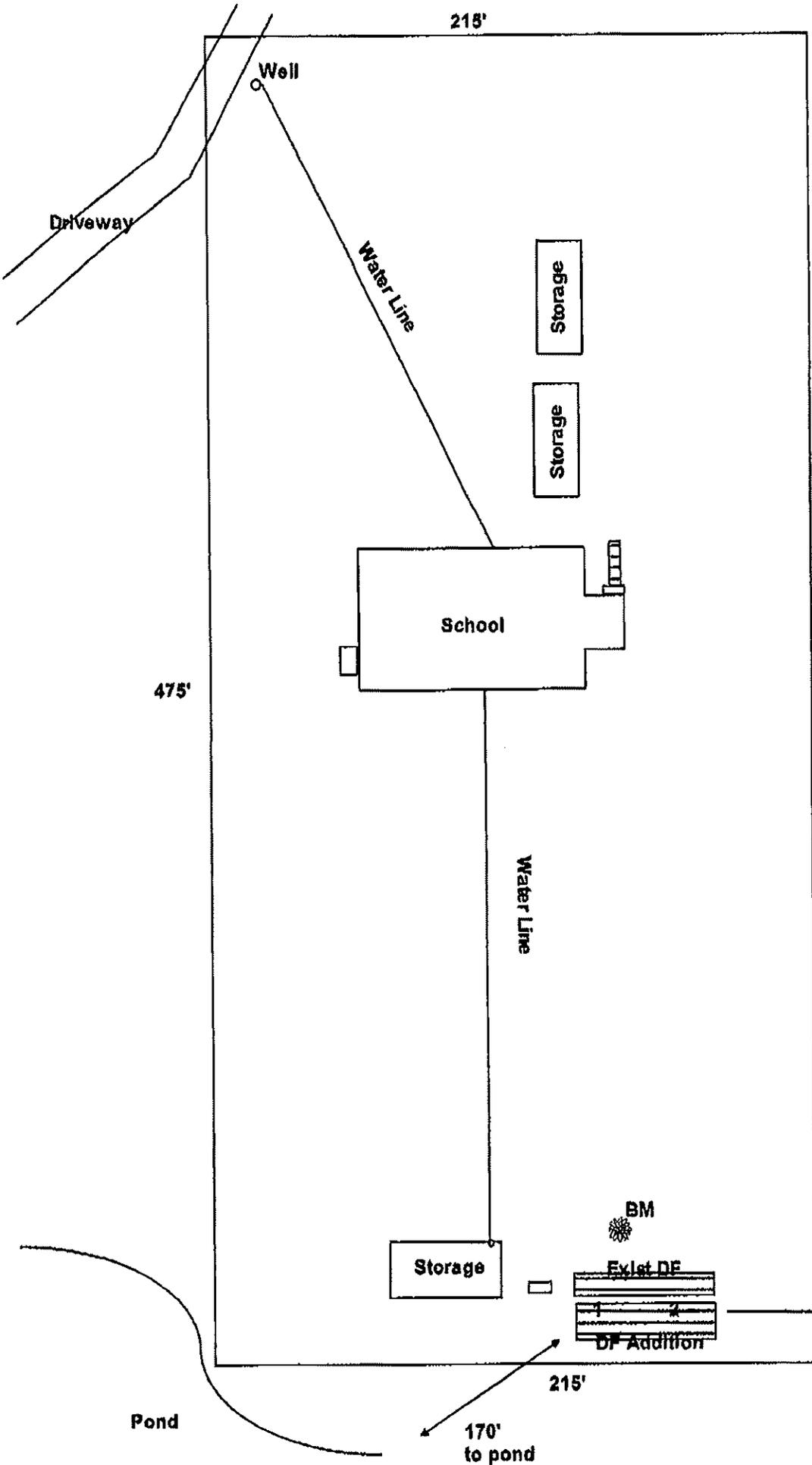
PROJECT: **Thompson-Johnson: LUA**

FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC.

221-4 DELTA COURT
TALLAHASSEE, FL 32303
(850) 385-6255 (850) 385-6355 (FAX)

GADSDEN COUNTY, FLORIDA

HLC Leadership Academy
2350 Kemp Rd
Havana FI 32333



Scale: 1" = 50'

Melissa Durkin
CEHP #1722
2/26/19

150' to property
line

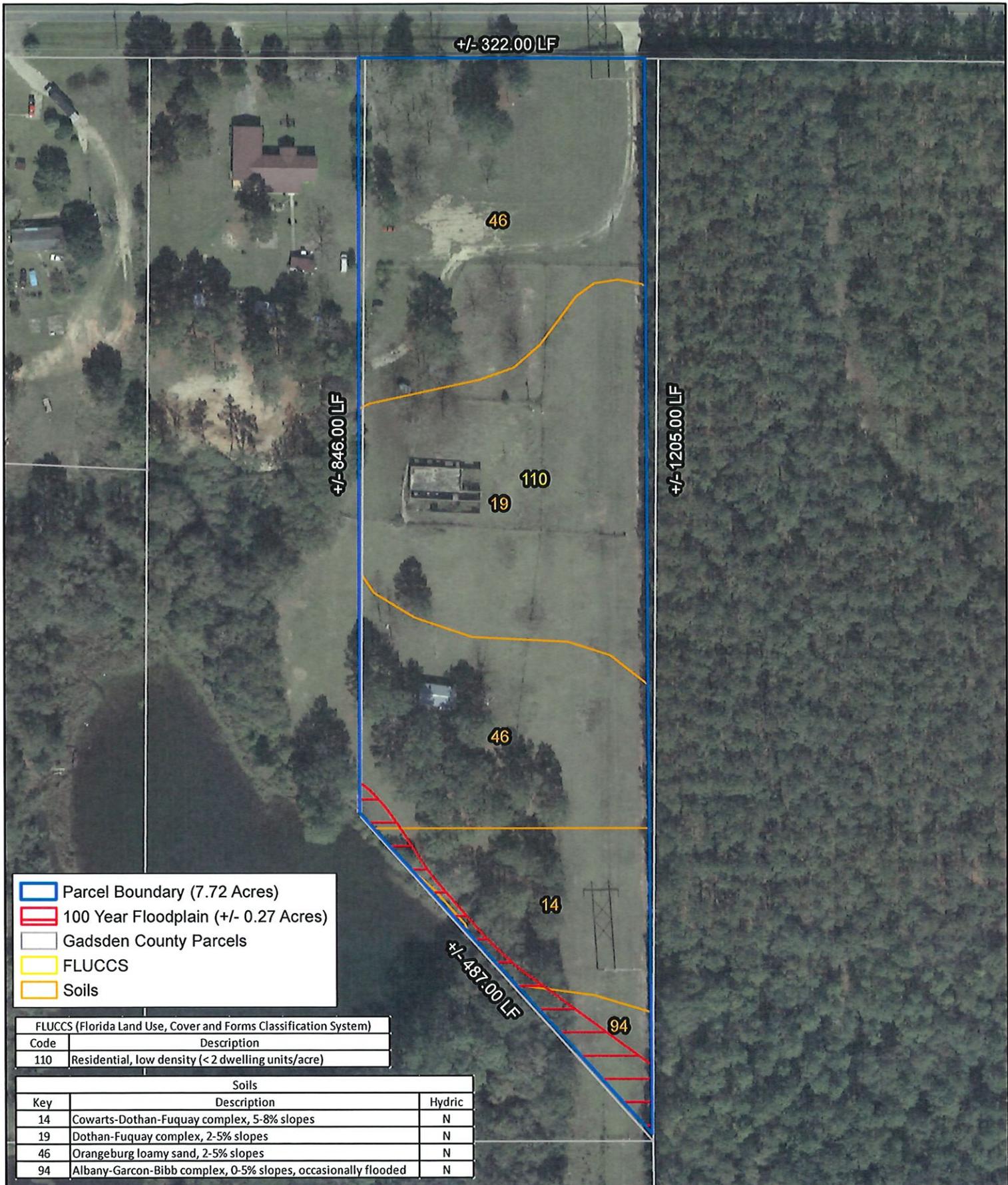
215'

170'
to pond

Pond

Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Aerial
Figures 2 and 3



- Parcel Boundary (7.72 Acres)
- 100 Year Floodplain (+/- 0.27 Acres)
- Gadsden County Parcels
- FLUCCS
- Soils

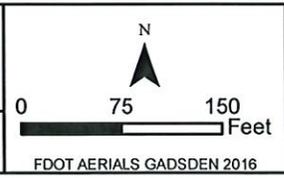
FLUCCS (Florida Land Use, Cover and Forms Classification System)	
Code	Description
110	Residential, low density (< 2 dwelling units/acre)

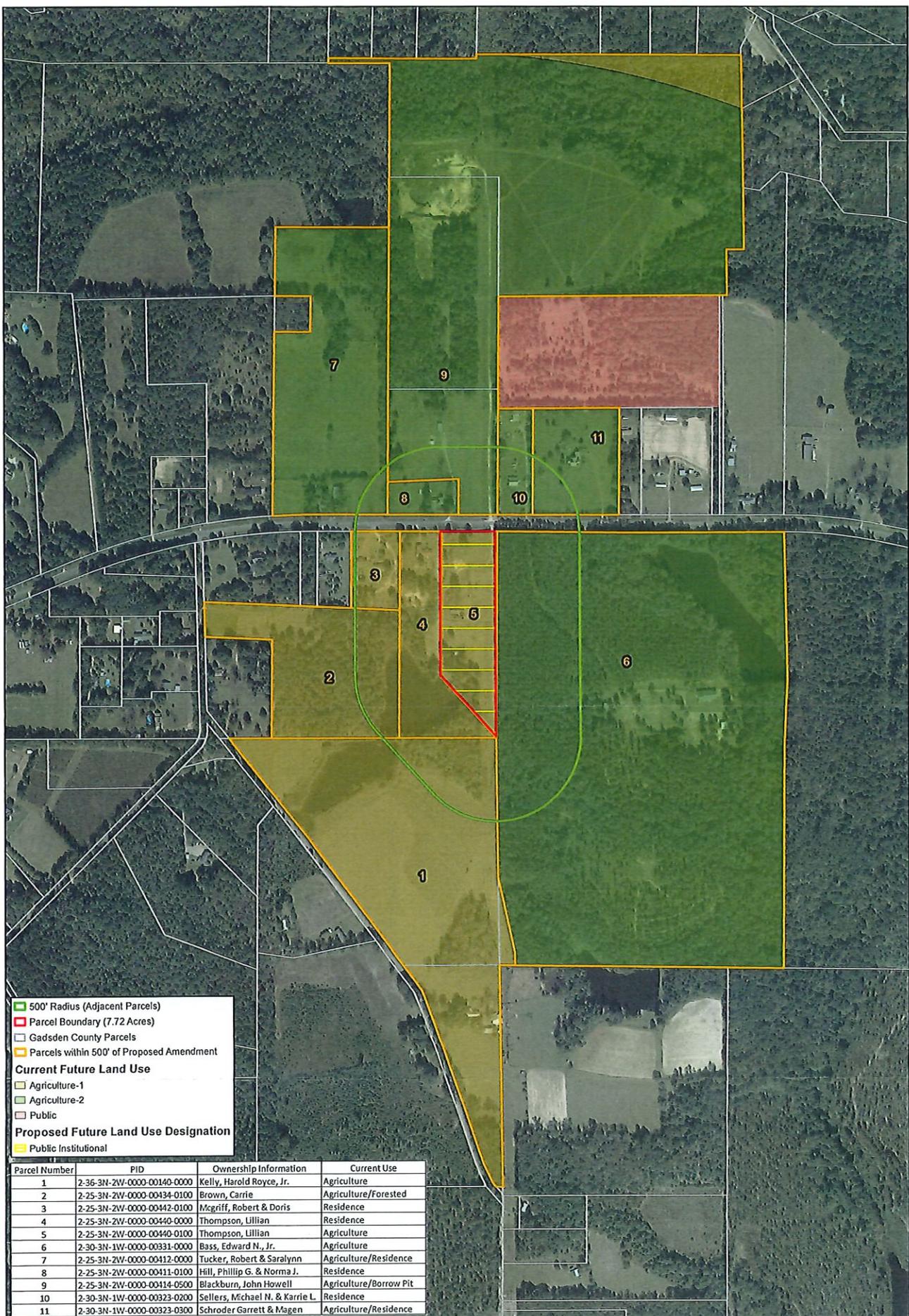
Soils		
Key	Description	Hydric
14	Cowarts-Dothan-Fuquay complex, 5-8% slopes	N
19	Dothan-Fuquay complex, 2-5% slopes	N
46	Orangeburg loamy sand, 2-5% slopes	N
94	Albany-Garcon-Bibb complex, 0-5% slopes, occasionally flooded	N

FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC.
 221-4 DELTA COURT
 TALLAHASSEE, FL 32303
 (850) 385-6255 (850) 385-6355 (FAX)

PROJECT:
**Thompson-Johnson
 LUA**
 GADSDEN COUNTY, FLORIDA

TITLE:
**Figure 2
 Aerial Map**
 DATE: AUG-26-2019 BY: JLB CHECK: EP FELS/PROJECT #: 19-1668





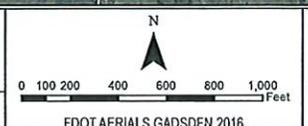
■ 500' Radius (Adjacent Parcels)
■ Parcel Boundary (7.72 Acres)
□ Gadsden County Parcels
□ Parcels within 500' of Proposed Amendment
Current Future Land Use
□ Agriculture-1
□ Agriculture-2
□ Public
Proposed Future Land Use Designation
□ Public Institutional

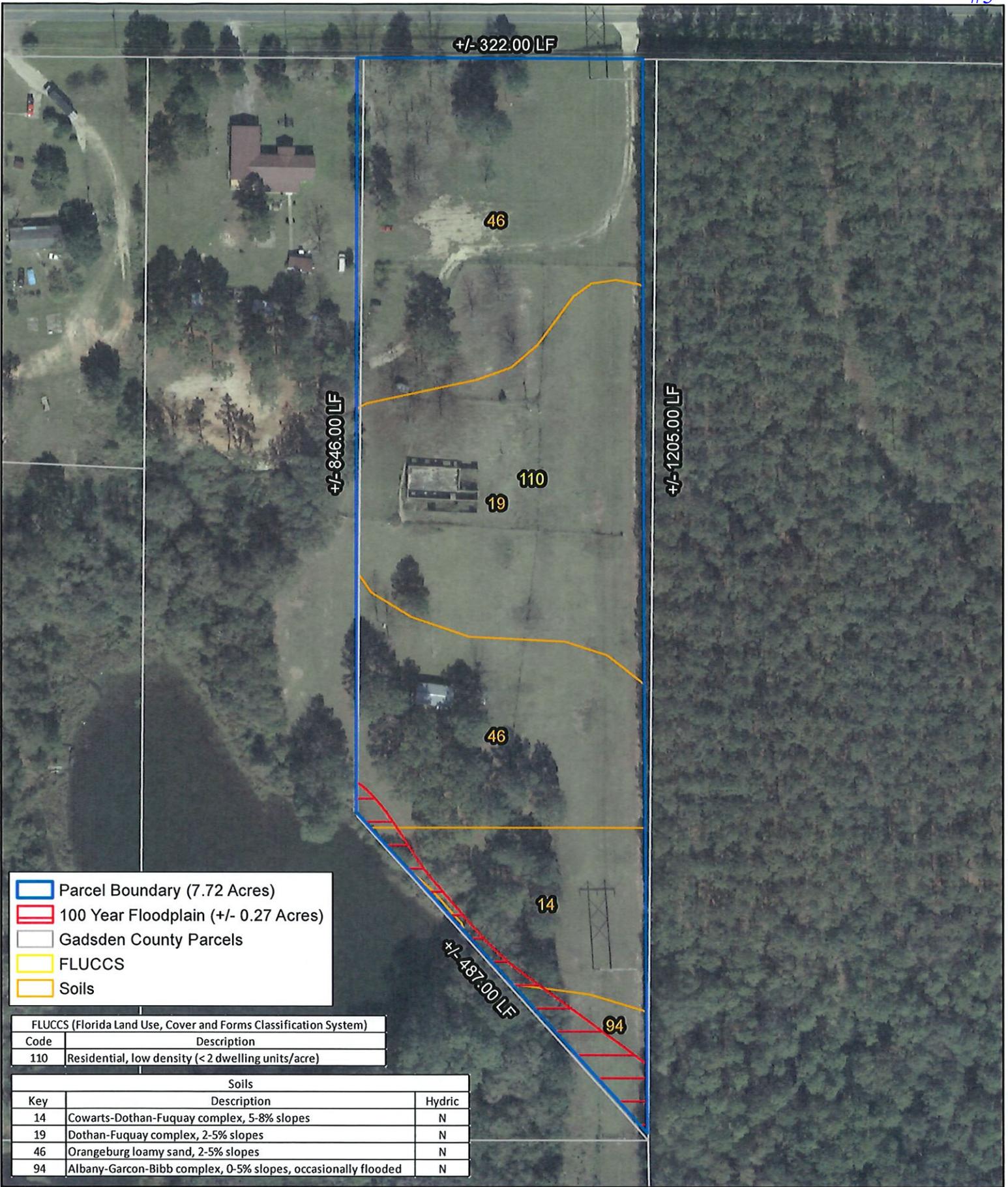
Parcel Number	PID	Ownership Information	Current Use
1	2-36-3N-2W-0000-00140-0000	Kelly, Harold Royce, Jr.	Agriculture
2	2-25-3N-2W-0000-00434-0100	Brown, Carrie	Agriculture/Forested
3	2-25-3N-2W-0000-00442-0100	McGriff, Robert & Doris	Residence
4	2-25-3N-2W-0000-00440-0000	Thompson, Lillian	Residence
5	2-25-3N-2W-0000-00440-0100	Thompson, Lillian	Agriculture
6	2-30-3N-1W-0000-00331-0000	Bass, Edward N., Jr.	Agriculture
7	2-25-3N-2W-0000-00412-0000	Tucker, Robert & Saralynn	Agriculture/Residence
8	2-25-3N-2W-0000-00411-0100	Hill, Phillip G. & Norma J.	Residence
9	2-25-3N-2W-0000-00414-0500	Blackburn, John Howell	Agriculture/Borrow Pit
10	2-30-3N-1W-0000-00323-0200	Sellers, Michael N. & Karrie L.	Residence
11	2-30-3N-1W-0000-00323-0300	Schroder Garrett & Magen	Agriculture/Residence

FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC.
 221-4 DELTA COURT
 TALLAHASSEE, FL 32303
 (850) 385-6255 (850) 385-6355 (FAX)

PROJECT:
Thompson-Johnson:
LUA
 GADSDEN COUNTY, FLORIDA

TITLE:
Figure 3
Current and Future Land Use
DATE: AUG-26-2019 **BY:** JLB **CHECK:** EP **FELSPROJECT #** 19-1668





- Parcel Boundary (7.72 Acres)
- 100 Year Floodplain (+/- 0.27 Acres)
- Gadsden County Parcels
- FLUCCS
- Soils

FLUCCS (Florida Land Use, Cover and Forms Classification System)

Code	Description
110	Residential, low density (<2 dwelling units/acre)

Soils		
Key	Description	Hydric
14	Cowarts-Dothan-Fuquay complex, 5-8% slopes	N
19	Dothan-Fuquay complex, 2-5% slopes	N
46	Orangeburg loamy sand, 2-5% slopes	N
94	Albany-Garcon-Bibb complex, 0-5% slopes, occasionally flooded	N

Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Signed & Sealed Survey
&
Legal Descriptions

Douglas W. Nunamaker, PSM 6297
 Professional Land Surveyor & Mapper
 13 S. Calhoun Street, Quincy, Florida 32351
 Phone: 850.627.7788 landsurveyor@tds.net
 gadsdencountysurveyor.com



- LEGEND**
- SET 5/8" IRON BAR & CAP #6297
 - FOUND IRON BAR, UNLESS NOTED
 - FOUND 4" CONCRETE MONUMENT
 - SNC SET NAIL AND CAP #6297
 - (D) PER DEEDS OF PUBLIC RECORD
 - (P) PER RECORDED PLAT
 - OHU OVERHEAD UTILITIES
 - UP UTILITY POLE
 - R/W RIGHT OF WAY
 - O.R. --- OFFICIAL RECORDS BOOK --- P ---
 - P. --- OF THE PUBLIC RECORDS OF
 - GADSDEN COUNTY, FLORIDA
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING

ALL DATA SHOWN ARE BY FIELD MEASUREMENTS, UNLESS NOTED OTHERWISE.

Notes:
 The undersigned surveyor has not been provided with a current title opinion or abstract of matters that could possibly affect title or boundary of subject property. It is possible there are deeds of record, unrecorded deeds, easements, or other instruments, which could affect the boundary.

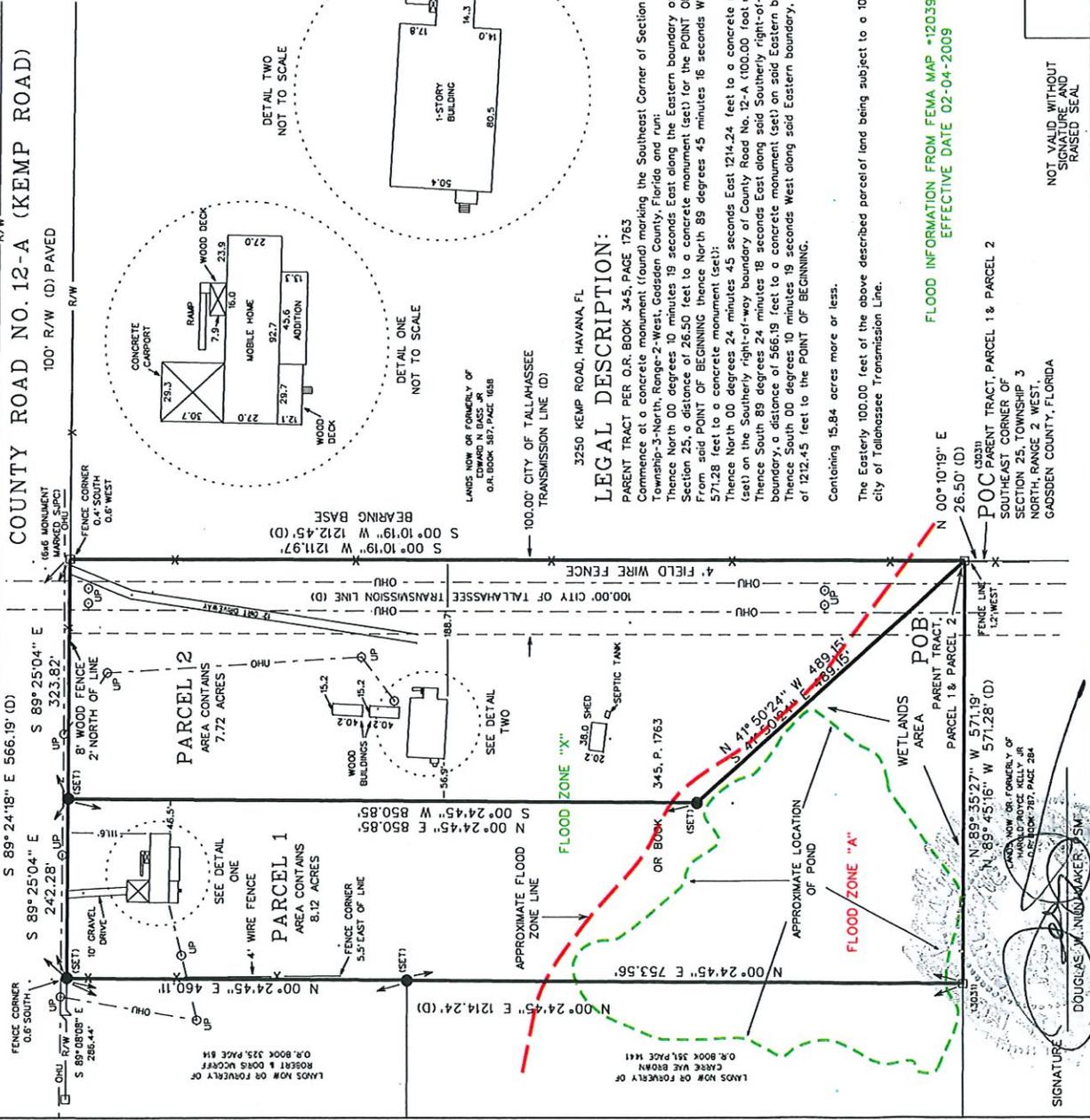
There are no visible encroachments on the property depicted herein other than those shown on this plot. No other lot has been made to locate side and rear boundaries of lots, utility, etc.

Only visible interior improvements pertinent to this survey have been shown or located on this plot. I hereby certify that, to the best of my knowledge and ability, this plot accurately represents land surveyed under my direct supervision and control.

This survey cannot be altered or changed in any way without the written consent of this signing surveyor.

BEARING SOURCE:
 PER DEED RECORDED IN OR BOOK 345, PAGE 1763 OF THE PUBLIC RECORDS OF GADSDEN COUNTY, FLORIDA

SCALE:
 1" = 150'



CERTIFIED TO:
LILLIAN THOMPSON

SEE SEPARATE SHEETS FOR LEGAL DESCRIPTIONS

SHEET 1 OF 1

DATE MAR 21, 2019

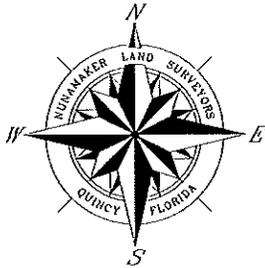
JOB NO. 1950

NOT VALID WITHOUT SIGNATURE AND RAISED SEAL

DATE 47 / 60

FB 47 / 60

SIGNATURE: DOUGLAS W. NUNAMAKER, PSM



Douglas W. Nunamaker, PSM No. 6297
Professional Land Surveyor & Mapper

#5

13 S. Calhoun Street Quincy, Florida 32351 – Ph: 850.627.7788
landsurveyor@tds.net Online - gadsdencountysurveyor.com
Noah Nunamaker, PSM No. 6943 - Seth Nunamaker, Associate
Micah Nunamaker, Associate

June 20, 2019

LEGAL DESCRIPTION

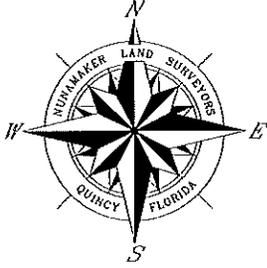
PARENT TRACT

Per Official Records Book 345, page 1763 of the Public Records of Gadsden County, Florida.

Commence at a concrete monument (found) marking the Southeast Corner of Section 25, Township-3-North, Range-2-West, Gadsden County, Florida and run;
Thence North 00 degrees 10 minutes 19 seconds East along the Eastern boundary of said Section 25, a distance of 26.50 feet to a concrete monument (set) for the POINT OF BEGINNING.
From said POINT OF BEGINNING thence North 89 degrees 45 minutes 16 seconds West 571.28 feet to a concrete monument (set);
Thence North 00 degrees 24 minutes 45 seconds East 1214.24 feet to a concrete monument (set) on the Southerly right-of-way boundary of County Road No. 12-A (100.00 foot right-of-way);
Thence South 89 degrees 24 minutes 18 seconds East along said Southerly right-of-way boundary, a distance of 566.19 feet to a concrete monument (set) on said Eastern boundary;
Thence South 00 degrees 10 minutes 19 seconds West along said Eastern boundary, a distance of 1212.45 feet to the POINT OF BEGINNING.

Containing 15.84 acres more or less.

The Easterly 100.00 feet of the above described parcel of land being subject to a 100.00 foot City of Tallahassee Transmission Line.



Douglas W. Nunamaker, PSM No. 6297
Professional Land Surveyor & Mapper

13 S. Calhoun Street Quincy, Florida 32351 – Ph: 850.627.7788
 landsurveyor@tds.net Online - gadsdencountysurveyor.com
 Noah Nunamaker, PSM No. 6943 - Seth Nunamaker, Associate
 Micah Nunamaker, Associate

June 20, 2019

LEGAL DESCRIPTION

PARCEL 1

A parcel of land lying in the Southeast Quarter of Section 25, Township 3 North, Range 2 West, Gadsden County, Florida, being a portion of lands previously recorded in Official Record Book 345, page 1763 of the Public Records of Gadsden County, being more particularly described by recent survey as follows:

Commence at the Southeast Corner of Section 25, Township 3 North, Range 2 West, Gadsden County, Florida and run thence North 00 degrees 10 minutes 19 seconds East 26.50 feet to a 4 inch concrete monument #3031, found marking the Southeast Corner of lands recorded in Official Records Book 345, page 1763, said point also marking the Point of Beginning;

From the Point of Beginning thence run along the South line of said lands North 89 degrees 35 minutes 27 seconds West 571.19 feet to a 4 inch concrete monument #3031, found marking the Southwest Corner of said lands;

Thence run along the West line of said lands North 00 degrees 24 minutes 45 seconds East 753.56 feet to a 5/8 inch iron bar and cap #6297, set, marking the Southeast Corner of lands recorded in Official Records book 325, page 614;

Thence continue North 00 degrees 24 minutes 45 seconds East 460.11 feet to a 5/8 inch iron bar and cap #6297, set on the South right of way boundary of County Road No. 12-A said point also marking the Northwest Corner of said lands recorded in Official Records Book 345, page 1763;

Thence run along the North boundary of said lands and along said South right of way boundary South 89 degrees 25 minutes 04 seconds East 242.28 feet to a 5/8 inch iron bar and cap #6297, set;

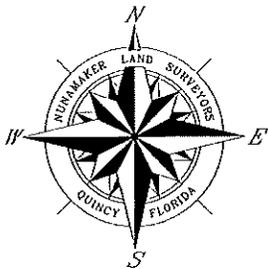
Thence leaving said North line and said South right of way boundary run South 00 degrees 24 minutes 45 seconds West 850.85 feet to a 5/8 inch iron bar and cap #6297, set;

Thence run South 41 degrees 50 minutes 24 seconds East 489.15 feet to the Point of Beginning.

Area contains 8.12 acres, more or less.

The Southeasterly 100.00 feet of the above described parcel of land being subject to a 100.00 foot City of Tallahassee Transmission Line.

Douglas W. Nunamaker
 Professional Surveyor and Mapper



Douglas W. Nunamaker, PSM No. 6297

Professional Land Surveyor & Mapper

13 S. Calhoun Street Quincy, Florida 32351 – Ph: 850.627.7788
 landsurveyor@tds.net Online - gadsdencountysurveyor.com
 Noah Nunamaker, PSM No. 6943 - Seth Nunamaker, Associate
 Micah Nunamaker, Associate

June 20, 2019

LEGAL DESCRIPTION

PARCEL 2

A parcel of land lying in the Southeast Quarter of Section 25, Township 3 North, Range 2 West, Gadsden County, Florida, being a portion of lands previously recorded in Official Record Book 345, page 1763 of the Public Records of Gadsden County, being more particularly described by recent survey as follows:

Commence at the Southeast Corner of Section 25, Township 3 North, Range 2 West, Gadsden County, Florida and run thence North 00 degrees 10 minutes 19 seconds East 26.50 feet to a 4 inch concrete monument #3031, found marking the Southeast Corner of lands recorded in Official Records Book 345, page 1763, said point also marking the Point of Beginning;

From the Point of Beginning thence run North 41 degrees 50 minutes 24 seconds West 489.15 feet to a 5/8 inch iron bar and cap #6297, set;

Thence run North 00 degrees 24 minutes 45 seconds East 850.85 feet to a 5/8 inch iron bar and cap #6297, set on the South right of way boundary of County Road No. 12-A, said point also lying on the North boundary of lands previously recorded in Official Records Book 345, page 1763;

Thence run along said North boundary and along said South right of way boundary South 89 degrees 25 minutes 04 seconds East 323.82 feet to a 6 inch concrete monument marked "SJPC" found marking the Northeast corner of said lands;

Thence leaving said South right of way boundary run along the East boundary of said lands South 00 degrees 10 minutes 19 seconds West 1211.97 feet to the Point of Beginning.

Area contains 7.72 acres, more or less.

The Easterly 100.00 feet of the above described parcel of land being subject to a 100.00 foot City of Tallahassee Transmission Line.

Douglas W. Nunamaker
 Professional Surveyor and Mapper



Florida Environmental
& Land Services Inc.

221-4 Delta Court
Tallahassee, Florida 32303
Tel (850) 385.6255

August 22, 2019

Bureau of Historic Preservation
R.A. Gray Building, 4th Floor
500 S. Bronough Street
Tallahassee, Florida 32399-0250

RE: Review Letter Request
HLC Academy
2350 Kemp Road, Havana, FL 32333

To whom it may concern,

I am requesting a review letter for the above referenced project in preparation of a Gadsden County Land Use Amendment application. The project purpose is only to change the land use of the project area from Agriculture-1 to Public Institutional. The school will utilize already existing structures and an existing driveway. There is no proposed construction, ground disturbance, or impact. The project area is located off of Kemp Road (12A). Please see the attached map for a more defined project area.

Project Name:	HLC Academy
Location Address:	2350 Kemp Road, Havana FL 32333
Parcel ID #s:	2-25-3N-2W-0000-00440-0000 and 2-25-3N-2W-0000-00440-0100
Township:	3N
Range:	2W
Section:	25
County:	Gadsden

Please address response to **Lillian Thompson-Johnson**.

Please call should you have any questions regarding this request.

Elva Peppers
Project Manager



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Elva Peppers
Project Manager
Florida Environmental & Land Services, Inc.
221-4 Delta Court
Tallahassee, Florida 32303

September 12, 2019

RE: DHR Project File No.: 2019-5236, Received by DHR: August 22, 2019
Project: *LOCORD - Gadsden County Land Use Amendment Application:*
HLC Academy, 2350 Kemp Road, Havana, Florida 32333
Gadsden County Parcel ID Nos. 2-25-3N-2W-0000-00440-0000 & 2-25-3N-2W-0000-
00440-0100
County: Gadsden

Ms. Peppers:

In accordance with the procedures contained in the Gadsden's Comprehensive Plan Amendment requirements, we reviewed the referenced property for possible impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, archaeological, or architectural value.

It is the opinion of this office that the proposed land use amendment will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

If you have any questions, please contact Corey Lentz, Historic Sites Specialist, by email at Corey.Lentz@dos.myflorida.com, or by telephone at 850.245.6339.

Sincerely,

For
Timothy A Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



Post Office Box 1679
Quincy, Florida
32353-1679
Quincy: (850) 627-7651



1640 West Jefferson Street
Quincy, Florida
32351-5679
Tallahassee: (850) 878-4414

September 9, 2019

MEMORANDUM

RE: 2434 Kemp Road

To: Jill Jeglie

From: RaSarah Browder Johnson, Development Coordinator (On Behalf of Talquin Engineering and Water Department)

Talquin would have no objections to this proposed private school project. Currently we have 1-ph aerial (OH) electric facilities traversing the property that serve Member(s) at this location. 3-ph power is available along Kemp Road if needed. (refer to attached TECI Partner Map) Additional utility easements may be needed to serve any new building on this site & this can be determined once we receive 100 % construction plans for the proposed School. We do not have water in this area. Closest water is on Iron Bridge Road at the western entrance to the school.



Gadsden County
Land Use Amendment Application
Lillian Thompson-Johnson
Kemp Road

Verification of
Citizen's Bill of Rights Public Meeting

THE HERALD
PUBLISHED WEEKLY
HAVANA, GADSDEN COUNTY, FLORIDA

State of Florida
County of Gadsden

Before the undersigned personally appeared Mark Pettus, who on oath says that he is the publisher of The Herald, a weekly newspaper published at Havana, in Gadsden County, Florida; that the attached copy of advertisement, being a Legal in the matter of

Land use Amendment

In the _____ Court, was published in said newspaper in the issues of _____

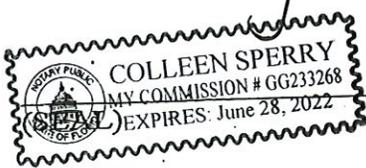
July 11, 2019

Affiant further says that the said The Herald is a newspaper published at Havana, in said Gadsden County, Florida, and that the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each week and has been entered as second class mail matter at the post office in Havana, in said Gadsden County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporations any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Handwritten signature in blue ink]

Sworn to and subscribed before me this 12

day of July, A.D. 2019



[Handwritten signature: Colleen Sperry]
Notary Public

LAND USE AMENDMENT/PRIVATE CHRISTIAN EDUCATIONAL FACILITY. The purpose of this notice is to notify the surrounding residents of a property land use for the above purpose located at 2350 Kemp Road. Havana, FL 32333. Owned by Lillian Thompson-Johnson, Tax Parcel ID# 2253N2W0000004400000. The meeting will be held on the property site at 2350 Kemp Road Havana, FL 32333 The time will be 6:30 to 7:30 PM on July 12, 2019 to discuss these changes.
11: 7/11

Priority News Inc.
103 W. 7th Ave.
Havana, FL 32333
(850) 539-6586
mail@prioritynews.net



THE HERALD

Havana Printing & Office Supply

HAVANA PUBLISHING

BILL TO

LILLIAN JOHNSON
Lillian Johnson

INVOICE # 5002

DATE 07/08/2019

DUE DATE 07/11/2019

TERMS Due on receipt

DATE	ACTIVITY	QTY	RATE	AMOUNT
07/11/2019	Legal Ad Legal ad (standard) THE HERALD / LAND USE LEGAL AD / JULY 11th ISSUE	2	7.00	14.00

Effective July 1, 2018 we are transitioning to electronic billing. Please send your current email address to billing@prioritynews.net. Customers who do not have an email on file will continue to receive paper invoices and statements. Beginning August 1, 2018 a \$1.00 printing and mailing fee will be added to each paper invoice and statement.

BALANCE DUE

\$14.00

Priority News Inc.
103 W. 7th Ave.
Havana, FL 32333
(850) 539-6586
mail@prioritynews.net



THE HERALD

Havana Printing & Office Supply

HAVANA PUBLISHING

BILL TO

LILLIAN JOHNSON
Lillian Johnson

INVOICE # 4948

DATE 06/26/2019

DUE DATE 07/04/2019

TERMS Due on receipt

DATE	ACTIVITY	QTY	RATE	AMOUNT
07/04/2019	Legal Ad Legal ad (standard) THE HERALD / LAND USE LEGAL AD / JULY 4 ISSUE	2	7.00	14.00

Effective July 1, 2018 we are transitioning to electronic billing. Please send your current email address to billing@prioritynews.net. Customers who do not have an email on file will continue to receive paper invoices and statements. Beginning August 1, 2018 a \$1.00 printing and mailing fee will be added to each paper invoice and statement.

PAYMENT
BALANCE DUE

14.00

\$0.00

PAID

HLC Leadership Academy Meeting Sign-In Sheet

Support the land use for a Private Christian School

Meeting Date 07/12/2019

Location: 2350 Kemp Road, Havana, Florida 32333

Name (please print)	Email	Phone	Address
Philip C. Hivi	pnhk@hiv.112000@yahoo.com	329-7716	2367 Kemp Rd, Havana
Leticia C. Moore	leticia.moore@gmail.com	850-559-5344	690 McAvir Rd, Havana, FL 32333
Elaine Peters	elaine.peters@gmail.com	850-339-1871	916 Ft S.E. Havana, Fla.
Mary T. Robinson	MaryTRobinson@Comcast.net	850-568-5195	5539 Mossy Top Way, Tallahassee, FL
Leticia Robinson	LRobinson@Comcast.net	850-933-0706	6163 Stonewall rd, Tallahassee, FL
Jerilyn Robinson	11 11 11	850-294-9607	11 11 11 32303

Lillian Thompson-Johnson
2350 Kemp Road
Havana, Florida 32333
850-539-1315
Email: hlccademy1315@gmail.com

June 26, 2019

Pastor and Mrs. Lawrence Singleton
2159 Kemp Road
Havana, Florida 32333

Dear Pastor and Mrs. Singleton:

Please be advised that a formal application has been submitted to Gadsden County Building and Zoning seeking approval for a Land Split Application for the following described property: 2350 Kemp Road, Havana, Florida 32333, Tax Parcel Number 2253N2W0000004400000.

The above owner is asking the County to approve this application to allow Land Split for the purpose of a Private Christian educational facility.

In compliance with the Land Development Code requirements, a neighborhood information meeting will be held to provide you an opportunity to become fully aware of our development and give you an opportunity for its approval to this location.

The meeting will be held July 12, 2019 from 6:30 p.m. – 7:30 p.m., on the property site located at 2350 Kemp Road, (rear) Havana, Florida 32333. Should you have any questions prior to the meeting please feel free to contact me.

Sincerely in Christ,

Lillian Thompson-Johnson

Lillian Thompson-Johnson
2350 Kemp Road
Havana, Florida 32333
850-539-1315
Email: hlccademy1315@gmail.com

June 26, 2019

Mr. and Mrs. Michael Sellers
2441 Kemp Road
Havana, Florida 32333

Dear Mr. and Mrs. Sellers:

Please be advised that a formal application has been submitted to Gadsden County Building and Zoning seeking approval for a Land Split Application for the following described property: 2350 Kemp Road, Havana, Florida 32333, Tax Parcel Number 2253N2W0000004400000.

The above owner is asking the County to approve this application to allow Land Split for the purpose of a Private Christian educational facility.

In compliance with the Land Development Code requirements, a neighborhood information meeting will be held to provide you an opportunity to become fully aware of our development and give you an opportunity for its approval to this location.

The meeting will be held July 12, 2019 from 6:30 p.m. – 7:30 p.m., on the property site located at 2350 Kemp Road, (rear) Havana, Florida 32333. Should you have any questions prior to the meeting please feel free to contact me.

Sincerely in Christ,

Lillian Thompson-Johnson

Lillian Thompson-Johnson
2350 Kemp Road
Havana, Florida 32333
850-539-1315
Email: hlcacademy1315@gmail.com

June 26, 2019

Mr. and Mrs. Robert McGriff
2280 Kemp Road
Havana, Florida 32333

Dear Mr. and Mrs. McGriff:

Please be advised that a formal application has been submitted to Gadsden County Building and Zoning seeking approval for a Land Split Application for the following described property: 2350 Kemp Road, Havana, Florida 32333, Tax Parcel Number 2253N2W0000004400000.

The above owner is asking the County to approve this application to allow Land Split for the purpose of a Private Christian educational facility.

In compliance with the Land Development Code requirements, a neighborhood information meeting will be held to provide you an opportunity to become fully aware of our development and give you an opportunity for its approval to this location.

The meeting will be held July 12, 2019 from 6:30 p.m. – 7:30 p.m., on the property site located at 2350 Kemp Road, (rear) Havana, Florida 32333. Should you have any questions prior to the meeting please feel free to contact me.

Sincerely in Christ,

Lillian Thompson-Johnson

Lillian Thompson-Johnson
2350 Kemp Road
Havana, Florida 32333
850-539-1315
Email: hlcacademy1315@gmail.com

June 26, 2019

Mr. and Mrs. Augustus Byrd
2248 Kemp Road
Havana, Florida 32333

Dear Mr. and Mrs. Byrd:

Please be advised that a formal application has been submitted to Gadsden County Building and Zoning seeking approval for a Land Split Application for the following described property: 2350 Kemp Road, Havana, Florida 32333, Tax Parcel Number 2253N2W0000004400000.

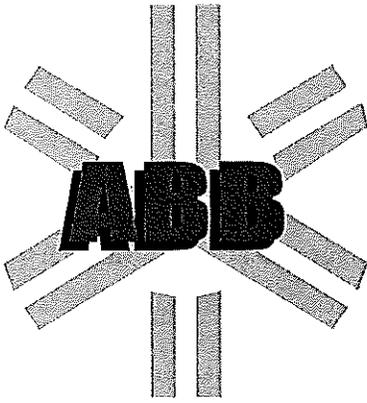
The above owner is asking the County to approve this application to allow Land Split for the purpose of a Private Christian educational facility.

In compliance with the Land Development Code requirements, a neighborhood information meeting will be held to provide you an opportunity to become fully aware of our development and give you an opportunity for its approval to this location.

The meeting will be held July 12, 2019 from 6:30 p.m. – 7:30 p.m., on the property site located at 2350 Kemp Road, (rear) Havana, Florida 32333. Should you have any questions prior to the meeting please feel free to contact me.

Sincerely in Christ,

Lillian Thompson-Johnson



A Better Body^{501C3}

#6

**REAL Essentials Life Skills Bully Prevention
Personal Safety Training Karate Fitness**

Ms Lillian Johnson
HLC Leadership Academy
2350 Kemp Rd Havana, FL 32333
July 8, 2019

To Whom It May Concern:

I have had a professional relationship with Ms. Lillian for over eight years. Her grandson has taken karate from our program years ago. We have taught REAL Essentials Life Skills at her facility for the past several years. She is a wonderful leader in her Academy and the community. She has unselfishly given of her personal possessions to help make sure the children in the community have a place to grow and learn.

She tirelessly gives to those in need whether it by a word of encouragement or by funding raising efforts. She never lets anything stand in the way of reaching her goals and or prevent her from providing for her students. She employs the best staff to create a strong team.

We at A Better Body.US, fully recommend her and the HLC Leadership Academy as a means to provide quality instruction. Each child taught by the HLC Team is given love, guidance, knowledge and support; all things they need to succeed in life.

I am available for further comment if needed.

Sincerely,

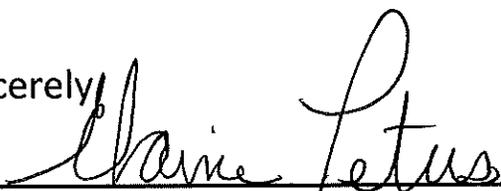
Anne Radke
Executive Director
A Better Body.US, Inc.

850/514-4334 ✨ 850/566-4544
1412 FL GA HWY, Havana, FL 32333
www.abetterbody.org ✨ mastertrainer@abetterbody.org

This Letter is in regards to Mrs. Lillian Johnson and the HLC Leadership Academy.

I Elaine Peters had the opportunity to work as a volunteer aid at the Academy. My experience working with Mrs. Johnson and her staff was very rewarding to see such a great team of leadership, Caring, and Educational skills. Mrs. Johnson and her staff provide the kids at the Academy with a great amount of tools and attention needed in order for them to advance in the educational area. The kids are provided with all the essentials that would allow them to advance and prosper in the society today. Each child is given the amount of attention they need to feel they can and will be successful. The HLC academy brings growth to a town of little resources to kids that may need the extra attention provide by the Academy. This Academy should remain operating in order to insure that each child has a fair and equal opportunity for a better education. I would gladly recommend that Mrs. Johnson and her staff continue to be the bridge of education for kids in the community. If anyone can help a child to have a better education Mrs. Johnson has the skills and experience to do so. HLC Academy has given hope and opportunity to kids who felt they did not fit in. To see the smiles on their faces while volunteering there was priceless. We did not have this sort of opportunity when I was a child and I saw so many of my peers fall short of education due to the lack of resources and windows of choice. If anyone can help our community and kids have a better education. Mrs. Johnson and her team of dedicated staff are the tools for our kids to succeed.

Sincerely,



7-10-19

Elaine Peters

850-339-1871

February 14, 2019

Re: HLC Learning Academy

This letter is written in regards to the HLC Learning Academy that is under the leadership of Mrs. Lillian Johnson. I have been privileged to volunteer at this school and witnessed the hard work of teachers working with students that are academically challenged. My address is 2159 Kemp Rd, Havana Florida 32333. My husband and I currently have no complaints of the location of the school that is in our neighborhood.

Signature: Gwendolyn Singlet

Signature: Lawrence Singlet

Lillian Thompson-Johnson
 2350 Kemp Road
 Havana, Florida 32333
 850-539-1315

Email: hlcacademy1315@gmail.com

June 26, 2019

Mr. Charlie Blackburn
 2423 Kemp Road
 Havana, Florida 32333

*I have no objections to
 the school being at this location.
 It can be reached at 352-514-2419
 should you have any questions.*



Dear Mr. Blackburn:

Please be advised that a formal application has been submitted to Gadsden County Building and Zoning seeking approval for a Land Split Application for the following described property: 2350 Kemp Road, Havana, Florida 32333, Tax Parcel Number 2253N2W0000004400000.

The above owner is asking the County to approve this application to allow Land Split for the purpose of a Private Christian educational facility.

In compliance with the Land Development Code requirements, a neighborhood information meeting will be held to provide you an opportunity to become fully aware of our development and give you an opportunity for its approval to this location.

The meeting will be held July 12, 2019 from 6:30 p.m. – 7:30 p.m., on the property site located at 2350 Kemp Road, (rear) Havana, Florida 32333. Should you have any questions prior to the meeting please feel free to contact me.

Sincerely in Christ,

Lillian Thompson-Johnson

To Whom It May Concern:

HLC Leadership Academy is in the community, where I resides and I feel its a great advantage to this community.

Letitia Moore
~~Letitia Moore~~
7/8/19



Lillian Johnson <hlcacademy1315@gmail.com>

HLC

1 message

Keith Johnson <Keith.Johnson@taiquinelectric.com>

Wed, Jul 10, 2019 at 7:31 PM

To: "hlcacademy1315@gmail.com" <hlcacademy1315@gmail.com>

To Whom it may concern:

I want to let you know how pleased I was to hear that Ms. Lillian Johnson was planning to move her school, Havana Leadership Academy, into our community on Kemp Rd.

I am eagerly awaiting this move and am planning to support her and the school in any way I can. Thank you.

Sincerely,

Keith Johnson

159 Harmony Ln

Havana, FL 32333

850-545-6085

Sent from my iPhone

To Whom It May Concern:

We, will be happy to offer our support to our neighbor, Lillian Johnson on behalf of the Private Christian School located on Kemp Road, in Havana, Florida 32333. This school has caused no problem and has not been a noise issue, and actually if you did not see the sign you would not know a school was there. We are in total support.

We live at 2280 Kemp Rd
Havana FL 32333

Robert McGriff

Robert McGriff

Doris McGriff

Doris McGriff

Date: 2-14-19 Phone Number 850-294-6437

To Whom It May Concern:

My family are all in support of Lillian Johnson opening a private Christian in our community here on Kemp Road, in Havana, Florida. This lady has done so much in the years she have been in Havana, not only for Havana but for Gadsden County, she is a blessing to our community our town, she is a blessing for our children have known her for over 20 years and never seen her do nothing but help especially our children and seniors. We support her 100% in all she do and will do, the school was a blessing for our community, you don't even know it's there you don't hear the kids, and nothing, if you did not see a sign you would not even know a school exist. God bless Lillian Johnson and the school.

Lilly Byrd

Augustus Byrd

2248 Kemp Road

Havana, Florida 32333

To whom it may concern,
We have nothing but praise, and
joy for Gillian and the HLC
Leadership Academy. We wish her
success.

Wanda Bell

Havana Abo
and
Weighor

2441 Kemp Rd
850-539-1757
7-11-19

To whom it may concern,

I live (in building) across the street from the school. I have no problem with the school being next-door. The school is good for the community.

Thank you for your time

Philip Heil

850 - 329 - 7716

Transportation Level of Service Analysis 2434 Kemp Road (Proposed 24 Student School)

Policy 2.2.3: The minimum levels of service for roadways within Gadsden County shall be evaluated at a PM peak hour volume data and shall be for Kemp Road, a Minor Collector, RURAL, LOS D.

However, it is important to note that for a private school the weekday A.M. peak hour of the generator typically coincides with the peak hour of the adjacent street traffic. The P.M. peak hour varies between 2:00 and 4:00 (Institute of Transportation Engineers (ITE)).

Gross Floor Area (1,000 sq. ft.)	ITE Code 536 PM & AM peak hour (PH) trip generation rate	New Total PM PH Trips	NEW Total AM PH Trips
4.27 heated	11.39 AM/PH 6.53 PM/PH	27.88	48.63

Note: Pass-by trip rate source ITE Trip Generation Handbook (9th Generation, 9th Addition)

Policy 2.2.5: With exception to those developments that meet the de minimis impact threshold, all new development impacts shall not decrease the roadway minimum level of service requirements of Policy 2.2.3. For the purposes this Element, a de minimis impact shall be that which does not impact a roadway by greater than one percent of the maximum capacity of the adopted level of service standard for the affected roadway segment, as shown in the FDOT District 3 Level of Service reports for Gadsden County.

Segment	FDOT Max Peak Hour/Peak Day (PH/PD) Volume*	2015 PH/PD	Projected PH/PD Volume	Projected % Max Volume PH/PD
Not available				

Neither the Florida Department of Transportation (FDOT) nor the County have level of service data for CR 12A, Kemp Road. The only data collected by the FDOT is that there is a 1,100 trip (Average Annual Daily Trips (AADT)) for the roadway segment. However, with the addition 59.52 student daily trips (2.48 trips per 24 students plus staff) will result in an approximately 7.7%+ increase in daily trips. This should not reduce the LOS.

Gadsden County Planning Commission Agenda Request

Date of Meeting: October 17, 2019
To: Honorable Chairperson and Members of the Commission
From: Jill Jeglie, AICP, Senior Planner
Through: Suzanne Lex, Growth Management Director
Subject: Public Hearing (Legislative) - 5411 Old Federal Road Small Scale Comprehensive Plan Future Land Use Map Amendment (SSPA 2019-04)

Statement of Issue:

A request for consideration of a Small Scale Comprehensive Plan Future Land Use Map (FLUM) amendment to change the future land use category from Agriculture 2 (AG 2) to Commercial (COMM) (See Attachments 1 & 2).

Background:

Judy Keele, owner of the subject property, represented by Allara Mills-Gutcher, The Planning Collaborative, has applied for a FLUM amendment from the Agriculture 2 to the Commercial future land use category to allow commercial development of a five (5) acre parcel currently developed with a single family residence (See Attachment #6).

Analysis :

Location of Property: 5411 Old Federal Road, Havana, Florida
Tax Parcel ID Number: #5-0L-0R-0S-0000-48100-0100
Area of Subject Parcel: 5.0 acres
Current Use : Single Family Residential Use
Proposed Use: Commercial (Dollar General)
Wetlands: Not Applicable
Flood Zone: Zone X
Available Sanitary Sewer Facilities: Private on-site system (septic tank).
Available Potable Water Facilities: Central Water – Talquin Electric Cooperative

Electric Provider: Talquin Electric Cooperative

Current (Existing) and Proposed Use of the Property:

The subject property is five (5) acres and is developed with a single dwelling unit with accessory structure. Ten (10) acres is the minimum acreage required to comply with the density requirements for the AG-2 of the Comprehensive Plan. Therefore, the subject five (5) acre parcel is a non-conforming parcel as to density and was created by court order in 1998. Further subdivision of this property will require the conformance of all parcels with the applicable Comprehensive Plan and Land Development Code (LDC) requirements.

Table 1: Current (Existing) & Proposed Future Land Use Categories	
Current (Existing) and Proposed Future Land Use Category	Future Land Use Designation
Current/Change From:	Agriculture 2 (1 d/u per 10 acres)
Proposed/Change To:	Commercial (Policy 1.1.1.K, Attachment #3)

The Agriculture 2 category is described in Policy 1.1.1G of the Comprehensive Plan and allows residential density at not more than one unit per 10 acres; agriculture and related uses including silviculture, houses of worship, commercial activities associated with agriculture, etc. (See Attachment #3).

The intent of the Commercial future land use category is described in Policy 1.1.1.K of the Comprehensive Plan and Subsection 4105 and 4202.D of the Land Development Code. Policy 1.1.1K lists a wide range of commercial uses as allowable including but not limited those uses allowed in the Neighborhood Commercial future land use, retail sales and services, daycares, restaurants, shopping centers, civic organizations, private clubs, entertainment, office complexes and light manufacturing restricted to in plant assembly, mobile home parks (See Attachment #3).

Surrounding Future Land Use Designations and Current (Existing) Uses: The future land use category and the existing uses on the adjacent properties are listed in the following table:

Table 2: Adjacent Future Land Use and Current (Existing) Use			
Direction	Future Land Use Category	Current (Existing) Use	Acreage
North & West	Agriculture 2 (AG-2)	Timber III w/ 1 Single Family Dwelling Unit	23.12
South	Agriculture 3 (AG-3)	Single Family Dwelling Unit	9.22 acres

South East	Agriculture 1 (AG-1)	Central Utilities, Electrical Substation	5.0
East	Agriculture 2 (AG-2)	Single Family Dwelling Unit	9.69 acres

Source: Application exhibits and Gadsden County Property Appraiser.

Access: The property is located at the northwest corner of the intersection of Pat Thomas Parkway (SR 267) and Old Federal Road (CR 65B). Pat Thomas Parkway is a ‘major collector roadway, rural’ and Old Federal Road is a ‘minor collector road as designated on the Gadsden County Functional Classification Map (FDOT, 2014). The conceptual plan provided indicates access on Old Federal Road, only.

Historical Resources: The Florida Department of State, Division of Historical Resources has issued a letter determining that the proposed land use amendment will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places” (See Attachment #4).

Applicable Comprehensive Plan Objectives and Policies:

The following Comprehensive Plan Objectives and Policies are referenced as they apply to a Future Land Use Map Amendment. Other Objectives and Policies that are pertinent to a specific development will be addressed at the time of development order review. Attachments #4 and #5 of this report includes the applicant’s analysis of applicable Comprehensive Plan Policies.

Policy 1.1.1.K Commercial:

The allowed uses and development restrictions for the Commercial future land use category are listed in Attachment #3. The intent of the Commercial future land use category is to provide areas for general commercial activities. Allowable uses include all uses allowable in the Neighborhood Commercial category; museums; galleries; other civic activities; lodging establishments; private clubs; entertainment; wholesale sales; shopping centers; office complexes; light manufacturing used that are restricted to in-plant assembly; mobile home parks; recreational vehicle parks. Development Restrictions include that the storage of outdoor equipment must be screened from the public right-of-way. Junk yards or construction and debris landfills are prohibited (See Attachment #3). There is no maximum square footage adopted for the Commercial future land use category.

The Future Land Use Map amendment will increase the non-conformity of the existing residential home unless the use as a residence is ceased.

Policy 1.2.8: Development shall be restricted from areas that have severe site limitations due to existing floodways.

The property does not contain areas within a floodway and/or wetlands.

Policy 1.2.9: *Developments shall only be approved by the County when the adopted levels of service standards meet or exceed the capacities adopted within this Plan. These standards shall include those for potable water, sanitary sewer, solid waste and recreational facilities and services.*

The proposed development will comply with the requirements for potable water, sanitary sewer, solid waste and recreational facilities and services as indicated in the analysis of Policy 1.2.13, below (See Attachment #5).

Policy 1.2.10: The County will coordinate with the School Board to assure that proposed public school facility sites are consistent with this Future Land Use Element.

School Capacity will not be impacted by a commercial use.

Policy 1.2.13: *Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:*

A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

The parcel does not contain jurisdictional wetlands (See maps located in Attachments #4, Policy 1.2.3 A and Exhibit).

B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.

Talquin Electric Cooperative will continue to provide electric and central water. The site will be served by septic system. There are no central sanitary sewer utilities available within ¼ of a mile.

C. Proposed location of ingress and egress of development.

Per Policy 1.1.1.K of the Comprehensive Plan, Commercial land use must be located in areas along collector or arterial roadways. The location will be finalized at site plan approval. As currently proposed, access will be on to Old Federal Road, a paved county roadway. Old Federal Road is designated as a minor collector, rural road on the adopted Gadsden County Functional Classification Map (FDOT, 2014).

D. Distance and location of nearest same land use category.

The nearest Commercial designated property is located approximately four (4) ± miles north of the subject property and south of Interstate 10 and a mining site designated as commercial approximately 2.25± miles over land. There is also a small convenience store, designated as AG 3 on the FLUM, located approximately .625 of a mile south of the subject site.

E. Description of adjacent land use categories.

See Table 2, above. The subject parcel is adjacent to and surrounded by property designated as Agriculture but utilized primarily as low density residential (acreage) or

timber with the exception of a parcel at the south east corner of Pat Thomas Parkway, which is developed as an electrical substation, an allowed use in most future land use districts. The subject parcel was subdivided from the adjacent parcel to the north and west designated as AG-2.

F. In addition, for any land use category which supports residential development:

- 1) Existing and proposed school capacities (See Policy 10.6.1).*
- 2) Existing and proposed park space (See Policy 6.3.3).*

Not applicable.

Policy 1.4.1: *New non-residential development which is proposed contiguous to land designated Rural Residential on the Future Land Use Map shall be of a scale and intensity appropriate to the existing residential neighborhood.*

The proposed Commercial use is not adjacent to property designated as Rural Residential on the Future Land Use Map. The existing character of the area is very low residential and timber. The designation of property adjacent to and in the vicinity is designated as Agriculture future land use on the Future Land Use Map (Table 2, above). A utility substation located to the southeast of the parcel is an allowed use in all agriculture future land use districts.

Policy 1.4.2: *Neighborhood character shall be preserved and promoted by working toward maintaining compatibility of surrounding land uses.*

The character of the existing parcel and the parcels, adjacent to and in the vicinity of the intersection, consists of timber, residential uses on slightly less than 10 acre tracts and an electrical substation. A change to the Commercial future land use district would change the existing development pattern from very low density residential on (AG) Future Land Use to the more intense Commercial land use.

Policy 2.2.3: *The minimum levels of service for roadways within Gadsden County shall be evaluated at a PM peak hour volume data. The level of service (LOS) for a major collector roadway is LOS D.*

“Level of service (LOS) is a quantitative stratification of the quality of service into six letter grade levels” (A through F, with A being the highest LOS)(FDOT Quality of Level of Service Handbook (2013). The counties adopted level of service is peak hour ‘D’ for a major or minor collector rural road is LOS ‘D’. Per the ‘Florida Department of Transportation (FDOT), District 3 Level of Service (LOS) Report (2016)’, Pat Thomas Parkway is operating at LOS ‘B’ from Interstate 10 to SR 20. Level of Service data is not available for Old Federal Road (CR 65B). Pursuant to the analysis provided by the applicant in Attachment #5 the proposed impact will not drop the LOS from LOS ‘B’.

Policy 2.2.5: *With exception to those developments that meet the de minimis impact threshold, all new development impacts shall not decrease the roadway minimum level of service requirements of Policy 2.2.3. For the purposes this Element, a de minimis impact shall be that which does not impact a roadway by greater than one percent of*

the maximum capacity of the adopted level of service standard for the affected roadway segment, as shown in the FDOT District 3 Level of Service reports for Gadsden County.

Pursuant to the applicant's analysis, the development will not diminish the adopted LOS (See Attachment #5, p. 8).

Policy 5.3.4: *Any amendment to the Future Land Use Map shall consider the impact to the functionality of adjacent and on-site wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and regulations in this Plan and the Land Development Code.*

There are no wetlands located on the subject parcel (See Attachment #5, p. 5).

Public Notice & Citizens Bill of Rights Meeting:

The applicant held a Citizen's Bill of Rights meeting on-site on Monday, August 12th, 2019. Eight (8) were in attendance in addition to the property representative. The summary of the discussion includes many concerns including but not limited to that the intersection is dangerous; Traffic moves too fast on HWY 267; bottleneck for traffic at intersection; trucks making the turn; Crime; Slowness of response by law enforcement; disruption of the agriculture feel of the area; driveway locations; impact on property values; environmental; danger to wildlife; creation of sprawl. There was one letter in support of the development (See Attachment #6). In addition, petitions have been submitted with over 200 signatures against the project (See Attachment #8).

Pursuant to Subsection 1302, Legislative Hearing Procedures if the Land Development Code, a public hearing notice was mailed at least thirty (30) days prior to the public hearing; a legal advertisement was placed in the local newspapers; and, a sign was posted on the property.

Planning Commission Role:

An amendment to the Future Land Use Map of the Comprehensive Plan is a legislative process. In addition, pursuant to Chapter 163.3174, Florida Statutes (F.S.), as the local planning agency, the Planning Commission shall review proposed comprehensive plan amendments and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan or element and an analysis of the amendment as required pursuant to §163.3177(5)(a)(7), F.S. (See analysis above and in Attachments #4 & 5).

Planning Commission Options:

1. Recommend approval of the 5411 Old Federal Road, (Keele/Terramore) (SSPA-2019-04) Small Scale Comprehensive Plan Future Land Use Map Amendment from the Agriculture 2 to the Commercial future land use category.

2. Recommend denial of the 5411 Old Federal Road, (Keele/Terramore) (SSPA-2019-04) Small Scale Comprehensive Plan Future Land Use Map Amendment from the Agriculture 2 to the Commercial future land use category.
3. Planning Commission Discretion.

Planning Staff Recommendation:

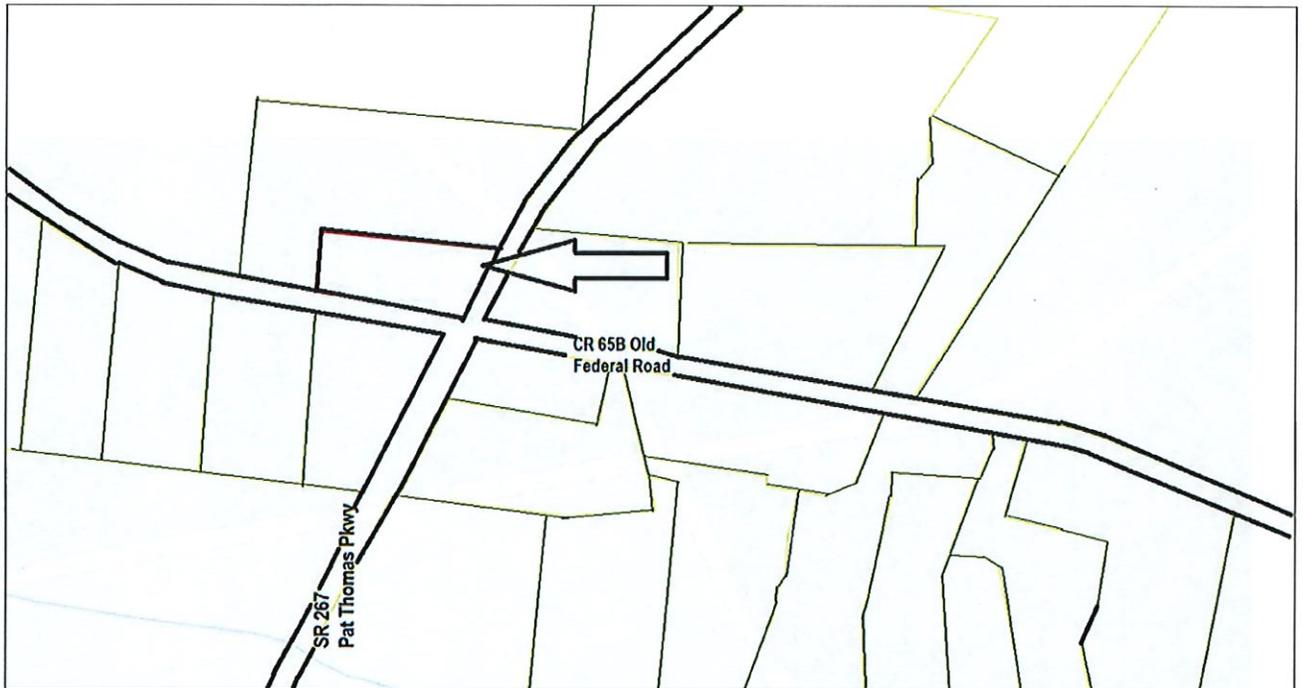
Option #3.

Attachments:

1. Location Map
2. Existing and Proposed Future Land Use maps
3. Policy 1.1.1.F & Policy 1.1.1.J
4. Applicant's analysis of Comprehensive Plan Policy 1.2.13
5. Applicant's analysis of consistency with the Comprehensive Plan
6. Application w/ Survey and Aerial
7. Citizens Bill of Rights Public Hearing Notice & Summary
8. Signed Petitions with Signatures

LOCATION MAP

Tax Parcel # 5-0L-0R-0S-0000-48100-0100
5411 Old Federal Road, Quincy, FL 32351



FUTURE LAND USE MAP, EXISTING

Tax Parcel # 5-0L-0R-0S-0000-48100-0100
5411 Old Federal Road, Quincy, FL 32351

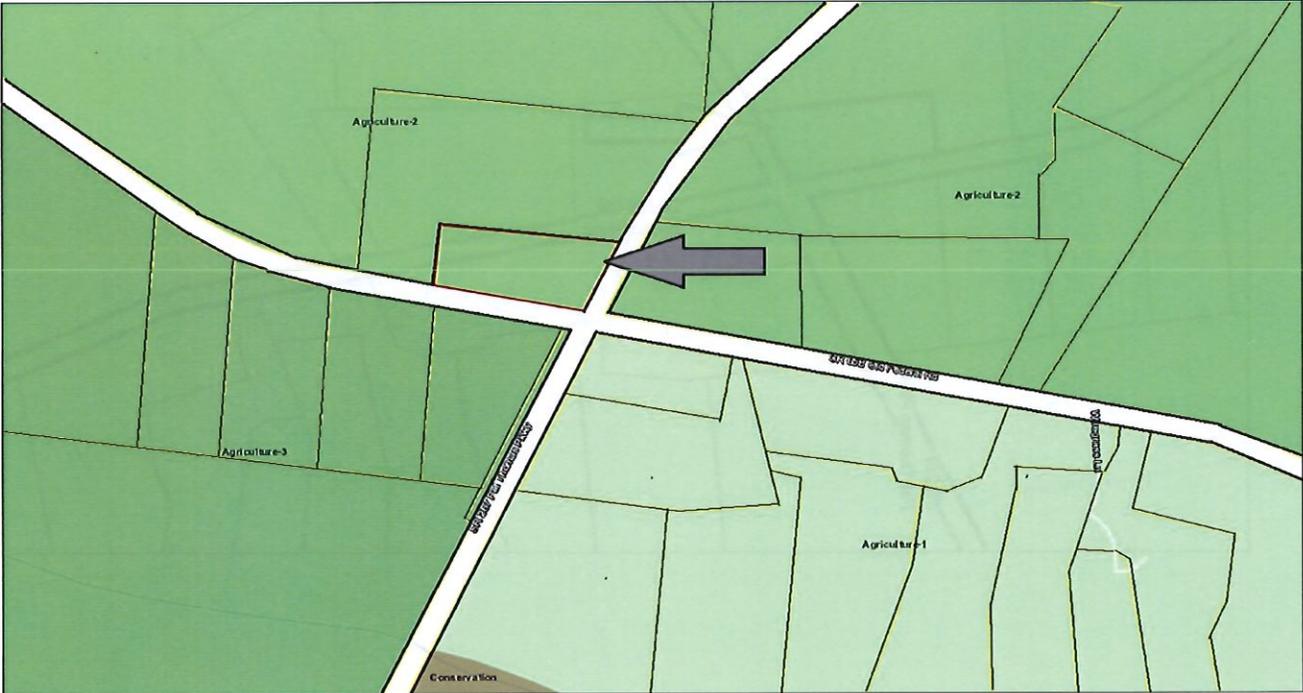


EXHIBIT 'A'

FUTURE LAND USE MAP, PROPOSED

Tax Parcel # 5-0L-0R-0S-0000-48100-0100

5411 Old Federal Road, Quincy, FL 32351



Gadsden County Comprehensive Plan

Future Land Use Element

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

F. Agriculture-1

- 1) Purpose and Intent – The intent of this category is to provide areas for agricultural activities.
- 2) Designation Criteria – Agriculture uses and residences associated with such uses.
- 3) Density – No more than one dwelling unit per five (5) acres
- 4) Impervious Surface Area – No more than 0.10 lot coverage except the centralized utilities uses are exempted from impervious surface requirements.
- 5) Allowable Uses – Agriculture related uses; Silviculture; residential; houses of worship; cemeteries; recreational activities; commercial activities associated with the primary agricultural use; home occupations; centralized utilities and package plants.
- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

G. Agriculture-2

Development within the Agriculture-2 category shall be the same parameters as the Agriculture-1 land use category in F. above, except that:

- 1) Density - No more than one dwelling unit per ten (10) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels ten (10) acres or greater in size.

H. Agriculture-3

Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

Gadsden County Comprehensive Plan

Future Land Use Element

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

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- 1) Purpose and Intent – The intent of this category is to provide areas for agricultural activities.
- 2) Designation Criteria – Agriculture uses and residences associated with such uses.
- 3) Density – No more than one dwelling unit per five (5) acres
- 4) Impervious Surface Area – No more than 0.10 lot coverage except the centralized utilities uses are exempted from impervious surface requirements.
- 5) Allowable Uses – Agriculture related uses; Silviculture; residential; houses of worship; cemeteries; recreational activities; commercial activities associated with the primary agricultural use; home occupations; centralized utilities and package plants.
- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

G. Agriculture-2

Development within the Agriculture-2 category shall be the same parameters as the Agriculture-1 land use category in F. above, except that:

- 1) Density - No more than one dwelling unit per ten (10) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels ten (10) acres or greater in size.

H. Agriculture-3

Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

Attachment I – Requirements of Policy 1.2.13 of the Gadsden County Comprehensive Plan

Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:

- A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

According to the National Wetlands Inventory and the Gadsden County Property Appraiser mapping system, there are no wetlands occurring onsite.¹

- B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.

An on-site septic system will be used to serve the sanitary sewer needs of the development. Permits will be obtained from the appropriate agencies.

Talquin Electric will be the potable water supplier. There is adequate capacity to serve the development. (Exhibit 1)

- C. Proposed location of ingress and egress of development.

The ingress and egress to the site will be from Old Federal Highway. (Exhibit 2)

- D. Distance and location of nearest same land use category.

The distance of the nearest property with the same land use category, Commercial, is an approximately ten-acre parcel approximately two (2) miles to the southwest. This property is located south of Old Federal Road.

Additionally, approximately four (4) miles to the north there are several parcels designated as Commercial just south of the I-10 interchange on HWY 267 and consist of the hotels located on the east side of the roadway. (Exhibit 3)

¹ U.S. Fish and Wildlife Service, National Wetlands Inventory accessed August 18, 2019; Gadsden County Property Appraiser mapping system accessed August 18, 2019.

E. Description of adjacent land use categories.

The following table describes the land uses assigned to parcels contiguous to the site and are depicted in map form in Exhibit 4:

Direction	Category
Subject Parcel	Agriculture-2
North	Agriculture-2
South	Agriculture-3
Southeast	Agriculture-1
East	Agriculture-2
West	Agriculture-2

All "Agriculture" assigned categories are intended "to provide areas for agricultural activities". The difference in the categories is the number of acres needed to develop a residential dwelling. Agriculture-1 requires 5 acres, Agriculture-2 requires 10 acres, and Agriculture-3 requires 20 acres.

F. In addition, for any land use category which supports residential development:

1. Existing and proposed school capacities.
2. Existing and proposed park space.

Part F of Policy 1.2.13 does not apply as the Commercial Future Land Use designation does not allow for residential development.

Attachment I - Exhibit 1

Post Office Box 1679
Quincy, Florida
32353-1679
Quincy: (850) 627-7651



1640 West Jefferson Street
Quincy, Florida
32351-5679
Tallahassee: (850) 878-4414

Sent Via Email

August 20, 2019

RE: Retail Store Hwy 267/ Old Federal Road

Dear Allara:

Talquin has the capacity to serve the property located at the intersection of Hwy 267 and Old Federal Road with Electric and Water. Talquin can serve the retail store with water services for one or two bathrooms and an irrigation meter if needed. There is no sanitary sewer near this location. If you need further information, please let me know.

Sincerely,

RaSarah B. Johnson

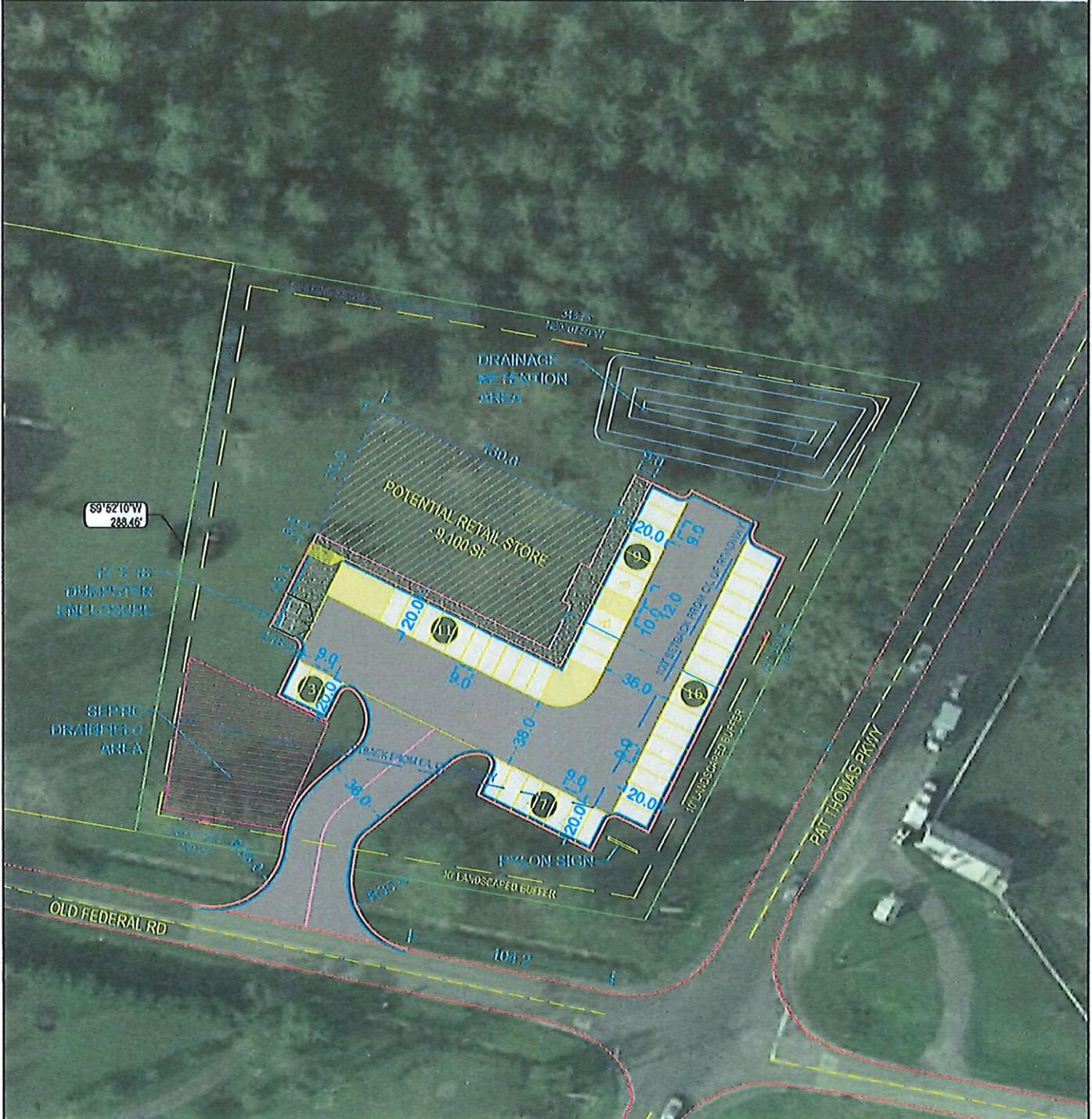
RaSarah Browder Johnson
Development Coordinator

CONCEPTUAL SITE PLAN
Exhibit 2 - Conceptual Layout

CITY, STATE - STREET
QUINCY, GADSDEN COUNTY, FL - PAT THOMAS PARKWAY

PARCEL ID: 5-0L-0R-0S-0000-48100-0100

DEVELOPER	DESIGNER	DATE
		7/30/19



LEGEND

	EXISTING ASPHALT		PROPOSED HD ASPHALT
	PROPOSED CONCRETE		PROPOSED LD ASPHALT
	PROPOSED LANDSCAPING		

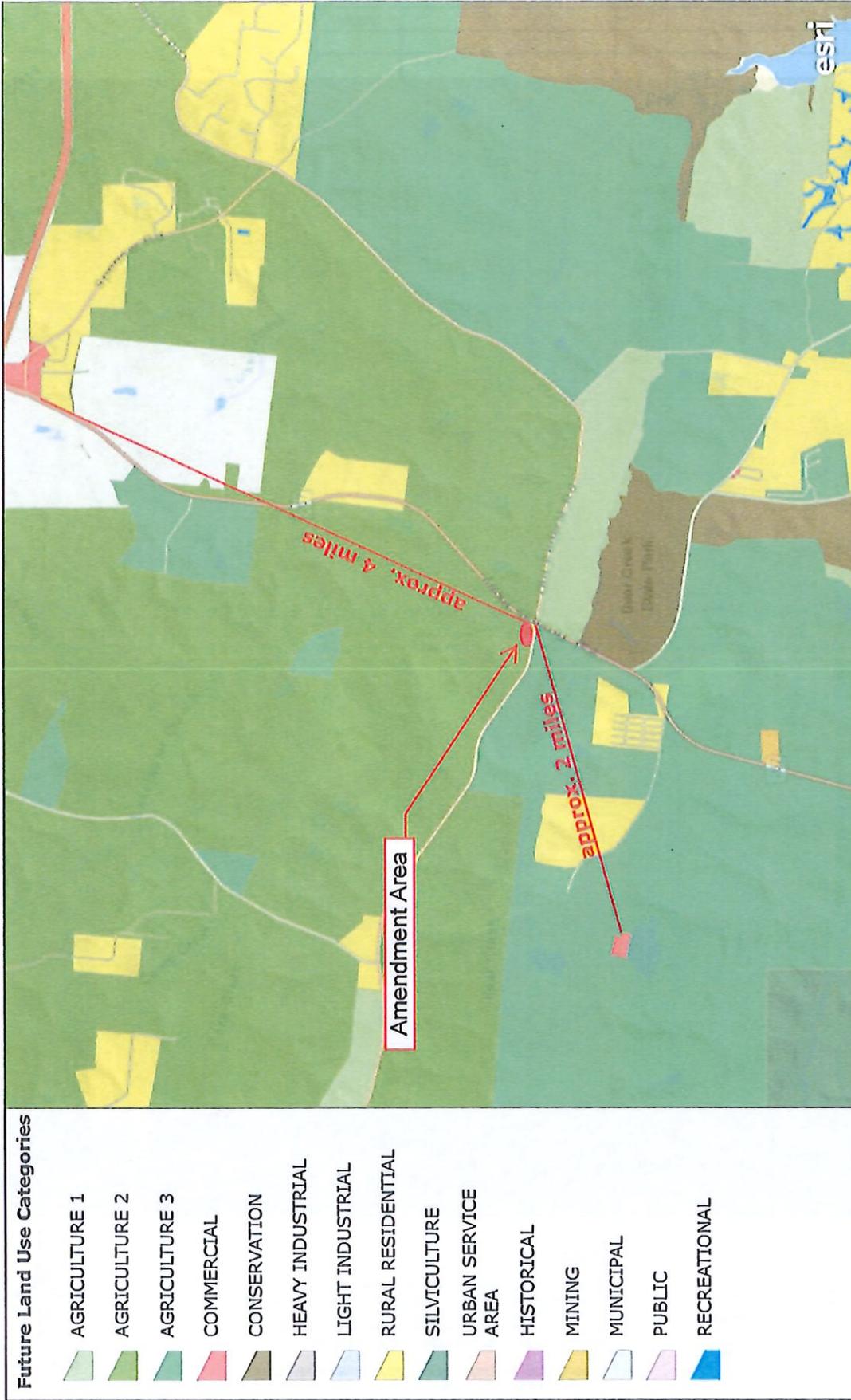
GENERAL NOTES:

1. PRELIMINARY BOUNDARY IS BASED ON INFORMATION FROM PROPERTY APPRAISER AND SHALL BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THIS PLAN SHALL NOT BE INTENDED TO CERTIFY THE ACCURACY OF EXISTING SURFACE OR SUBSURFACE CONDITIONS. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY ACTUAL SURVEY.

2. PROPOSED ACCESS LOCATIONS SHALL BE APPROVED BY REGULATORY AGENCIES HAVING JURISDICTION.

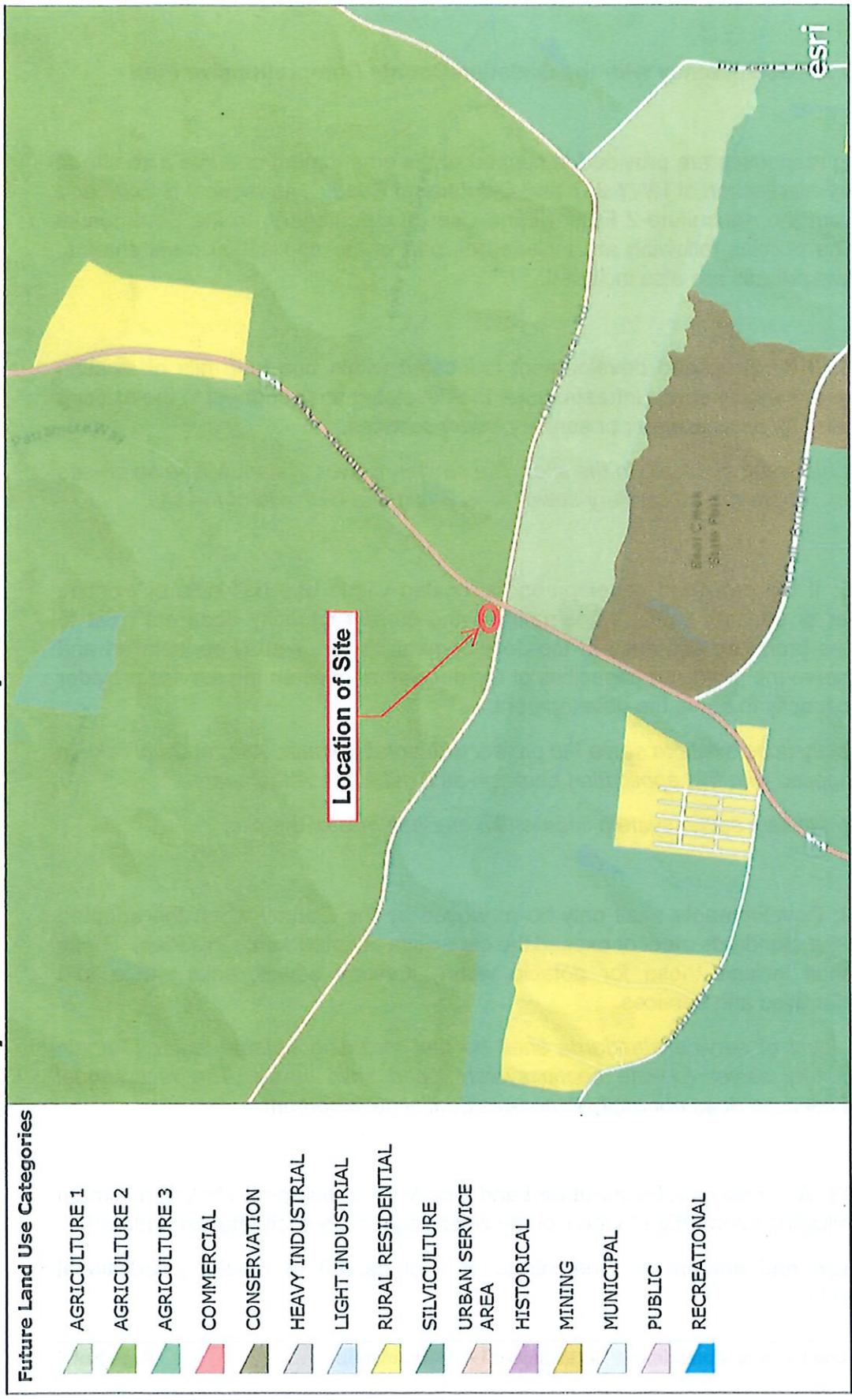


Exhibit 3 - Distance of Closest Commercially Designated Properties



Tallahassee-Leon County GIS, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Exhibit 4 - Gadsden County 2019 Future Land Use Map



FLU Web Map

Tallahassee-Leon County GIS, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Attachment J – Consistency with the Gadsden County Comprehensive Plan

The following responses are provided in support of the amendment of a five acre site at the northwest intersection of HWY 267 and Old Federal Road. The request is to amend the parcel from the Agriculture-2 Future Land Use (FLU) category, to the Commercial category. The policies following are included as part of the application requirements. Other pertinent policies are also included.

Policy 1.2.4: If the proposed development is located within one half mile of existing potable water or sanitary sewer infrastructure, the developer shall connect to the existing service provider for potable water or sanitary sewer services.

There is potable water available to the site. The sanitary sewer system will be an on-site septic system. There are no sanitary sewer lines within one-half mile of the site.

Policy 1.2.5: If the proposed development is located within one half mile of existing potable water or sanitary sewer infrastructure, and current capacity does not exist to provide for the projected demands of the development, dry lines shall be installed and provided to serve the projected capacities of the development when the service provider obtains the capacity to serve the development.

Current capacity does exist to serve the project with potable water. A letter from Talquin Electric is supplied with this application package as Exhibit 1 to Attachment I.

There are no sanitary sewer system lines within one-half mile of the site.

Policy 1.2.9: Developments shall only be approved by the County when the adopted levels of service standards meet or exceed the capacities adopted within this Plan. These standards shall include those for potable water, sanitary sewer, solid waste and recreational facilities and services.

All adopted level of service standards shall be met including potable water (Talquin Electric), sanitary sewer (on-site septic system), and solid waste. The recreational facilities and services does not apply to non-residential development.

Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment:

- A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.

- B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.
- C. Proposed location of ingress and egress of development.
- D. Distance and location of nearest same land use category.
- E. Description of adjacent land use categories.
- F. In addition, for any land use category which supports residential development:
 - 1) Existing and proposed school capacities (See Policy 10.6.1).
 - 2) Existing and proposed park space (See Policy 6.3.3).

Please see Attachment I for the analysis requested in Policy 1.2.13.

Policy 1.2.16: As recognition that agriculture operations are a viable business in Gadsden County, existing agricultural uses and operations shall be protected from residential encroachment. Proposed residential development adjacent to lands designated as Agriculture on the Future Land Use Map shall demonstrate compatible development plans to the agriculture use and/or operations prior to the issuance of a development order.

This policy does not apply. Residential development is not allowed in the Commercial FLU category.

Policy 1.2.19: No large scale land use amendment shall be approved which converts lands from any Agriculture land use category to the Rural Residential land use category unless a development agreement is recorded which requires the development to be served by central water and sewer utilities, or a wastewater package plant.

This policy does not apply for two reasons. First, this request is not, by definition, a "large scale land use amendment" as the request falls under the acreage threshold of ten acres. Second, this request is not for the Rural Residential land use category.

Policy 1.4.1: New non-residential development which is proposed contiguous to lands designated Rural Residential on the Future Land Use Map shall be of a scale and intensity appropriate to the existing residential development.

This policy does not apply. This parcel is not adjacent to property designated as Rural Residential of the Future Land Use Map.

Policy 1.4.2: Neighborhood character shall be preserved and promoted by working toward maintaining compatibility of surrounding land uses.

This site is located in an agricultural area as designated by the Future Land Use Map. The developer of the site shall work toward compatibility of surrounding land uses through the inclusion of buffers, scaling of structures, building orientation, minimization of lighting impacts to include any off-site glare, and landscaping.

Compatibility is defined in §163.3164(9), Florida Statutes as:

"Compatibility means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

The proposed development of a 9,100 square foot retail store on a collector road will be compatible with the surrounding development. No adverse impacts to the existing development will be created such as noise, smoke, dust, emissions, glare, adverse lighting, vibrations, or odors that would be detrimental to the existing surrounding uses or would otherwise disturb the quiet enjoyment of adjacent residents.

Policy 1.4.5: A compatibility analysis shall be submitted by the applicant for any proposed land use change contiguous to existing land designated Rural Residential on the Future Land Use Map. Compatibility shall mean a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

This policy does not apply. There are no lands designated as Rural Residential on the Future Land Use Map contiguous to the subject parcel.

Policy 4.5.2: The County shall allow existing OSTDS and package treatment plants to be used in Urban Service Areas and Rural Residential Areas. New development within ¼ mile of an existing central sanitary sewer system must connect to such system within 24 months providing there is sufficient permitted capacity.

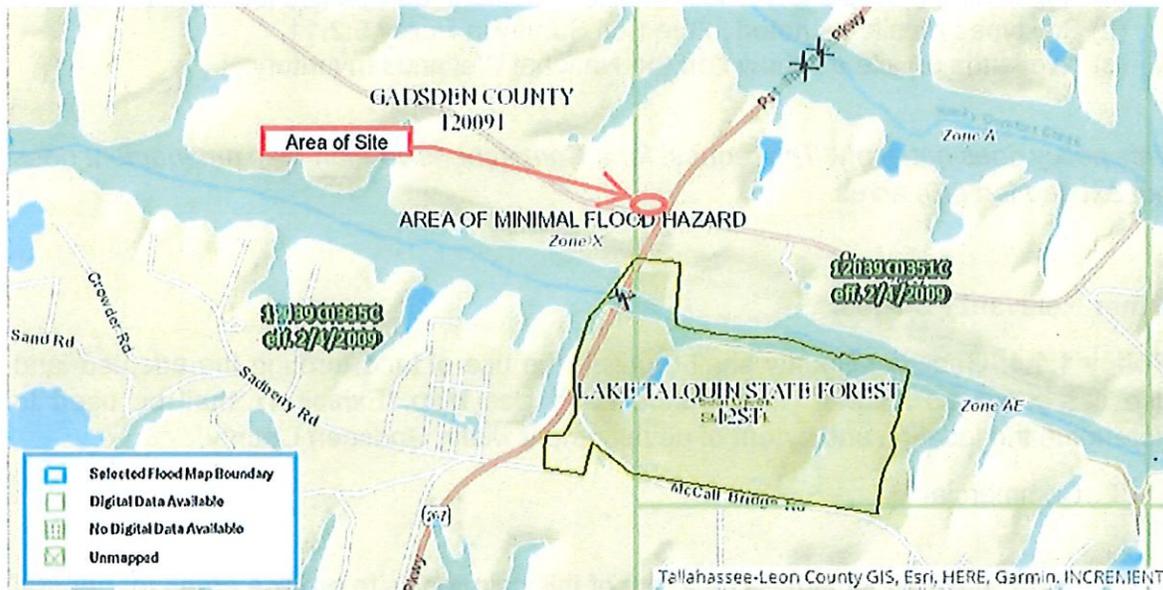
This site is not located in an Urban Service Area nor a Rural Residential area.

This development is not located within a ¼ mile of an existing central sanitary sewer system.

Policy 5.3.2: Development shall be required to maintain a fifty (50) foot minimum natural setback around all FDEP and U.S. Army Corps of Engineers jurisdictional wetlands with exception to utility and transportation networks and water dependent uses such as docks and platforms.

This policy does not apply. Review of the National Wetlands Inventory shows there are no jurisdictional wetlands on site. In addition, the Flood Insurance Rate Map produced by the Federal Emergency Management Agency do not show any designated Special Flood Hazard Areas on this property, which are an indication of low-lying areas.¹

Figure 1 – Flood Insurance Rate Map



Policy 5.3.3: The location of septic tanks and drain fields shall be prohibited within one-hundred (100) feet of all perennial rivers, streams, creeks, lakes and wetlands.

There are no perennial rivers, streams, creeks, lakes or wetlands on this site, nor adjacent to the property boundary. This policy shall be met.

Policy 5.3.4: Any amendment to the Future Land Use Map shall consider the impact to the functionality of adjacent and on-site wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and regulations in this Plan and the Land Development Code.

¹ Federal Emergency Management Agency, Flood Insurance Rate Map 12039C 0351C, effective February 4, 2009.

This policy does not apply. There are no on-site wetlands, or any wetlands adjacent to the site.

Policy 5.4.4: The County shall protect Endangered and Threatened Species by requiring the following to be submitted in conjunction with any Comprehensive Plan Map amendment request to a more intense category which is more than ten (10) acres. Such assessment may be conducted with readily available information through desktop GIS and/or the most recent state agency published documentation.

- (a) Any finding that lists any Endangered or Threatened Species located on site;
- (b) Soil types on site as noted in the Soil Survey in Policy 5.2.11.
- (c) Wetlands on site as shown on the National Wetlands Inventory.

This policy does not apply. The request for a Comprehensive Plan Map amendment does not exceed ten (10) acres.

Other Relevant Policies:

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

K. Commercial

- 1) Purpose and Intent – The intent of this category is to provide areas for general commercial activities.

The purpose and intent of the Commercial category is met by the development of a retail store.

- 2) Designation Criteria – Areas along collector or arterial roadways, as designated on the Functional Classification of Roadways Map in the Transportation Element.

The locational criteria is met as HWY 267 is designated major collector roadway and Old Federal Road is a minor collector roadway, as designated on the Functional Classification of Roadways Map.

- 3) Density – 0.00 except for mobile home parks which shall be limited to a maximum of five units per acre.

There is no density associated with this designation, and no planned density for the project. This criterion is met.

- 4) Intensity – The floor area ratio shall not exceed 1.0.

The planned development area of the parcel is 1.8 acres, or 78,408 square feet. The planning area of the retail store is 9,100 square feet. This creates a Floor Area Ratio of 0.12, must less than the 1.0 maximum limitation. This criterion is met.

- 5) Impervious Surface Area – No more than 0.75 lot coverage, except the centralized utilities uses are exempted from impervious surface requirements.

The planned impervious surface area of the site is approximately

- 6) Allowable Uses – All uses allowable in the Neighborhood Commercial category; museums; galleries; other civic activities; lodging establishments; private clubs; entertainment; wholesale sales; shopping centers; office complexes; light manufacturing uses that are restricted to in-plant assembly; mobile home parks, recreational vehicle parks.

The plan for development meets the criteria of the allowable uses. The Commercial designation states "all uses allowable in the Neighborhood Commercial category" as allowable. The Neighborhood Commercial category provides for "areas for limited commercial activities that serve to meet daily needs." Included in the allowable uses of Neighborhood Commercial is "retail sales and services", which this plan for development meets.

- 7) Development Restrictions – The storage of outdoor equipment must be screened from the public right-of-way. Junk yards or construction and debris landfills are prohibited in this category. Mobile home parks shall be on a centralized water and waste water system to receive a density of greater than one dwelling unit per acre.

This proposal does not include any outdoor equipment storage. No junk yards or construction and debris landfills are planned as part of the development. Additionally, there is not a mobile home park associated with the development of the site. This criterion is met.

Policy 2.1.3: Commercial and other non-residential developments shall provide access to adjacent non-residential development to reduce unnecessary trips on arterial, collector, and local roadways. If no development exists adjacent to the proposed development at the time the development order is requested, then a roadway stub-out shall be planned as part of the development for a future connection.

Access will be provided as required by Gadsden County. This criterion will be addressed at the site plan review stage of the process.

Policy 2.2.5: With exception to those developments that meet the de minimis impact threshold, all new development impacts shall not decrease the roadway minimum level of service requirements of Policy 2.2.3. For the purposes this Element, a de minimis impact shall be that which does not impact a roadway by greater than one percent of the maximum capacity of the adopted level of service standard for the affected roadway segment, as shown in the FDOT District 3 Level of Service reports for Gadsden County.

Policy 2.2.3 of the Transportation Element lists the adopted level of service (LOS) standards. Specifically, rural major and minor collector roads have an adopted LOS of "D".

The FDOT District 3 Level of Service Report (2016) for SR 267 from the Liberty County line to Old Federal Road (section number 50080000, station ID number 500027) and from Old Federal Road to Spooner Road (section number 50080000, station ID number 500322) were evaluated for the purpose of this analysis.

According to the Institute of Traffic Engineers Trip Generation Manual, 10th Edition, PM peak hour trips generated by a variety store (Land Use Code 814) is 6.84 trips per 1,000 square feet. This store is proposed at 9,100 square feet, and therefore will generate 62 total PM peak hour trips. Twenty-one trips, or 34% are pass-by trips. This creates a total of 41 new total PM peak hour trips.

Gross Floor Area (1,000 sq. ft.)	ITE Code 814 PM peak hour (PH) trip generation rate	Total PH Trips	Pass-by Trips (%)	New Total PH Trips	PH/PD trips
9.1	6.84	62	21 (34%)	41	19

Note: Pass-by trip rate source ITE Trip Generation Handbook 3rd Edition, Table E.5.

The maximum capacity for peak hour/peak directional capacity is 850 trips per station. At 19 new peak hour/peak directional trips, this development will not diminish the adopted level of service standard for either segment. The adopted LOS must exceed 850 PH/PD trips.

Segment	FDOT Max PH/PD Volume ¹	2015 PH/PD	2015 % Max Volume of PH/PD	Projected PH/PD Volume	Projected % Max Volume of PH/PD
Liberty County Line to Old Federal Road	850	202	23.8	221	26.0
Old Federal Road to Spooner Road	850	232	27.3	251	29.5

Source: FDOT District 3 2016 Level of Service Report.

¹FDOT Max Volume PH/PD standard is the same as the local PH/PD standard.

Policy 2.2.9: To increase the usage of alternative modes of transportation, require all new non-residential development to provide at least one bicycle parking area within the development site, by including a bicycle parking rack.

This criterion will be addressed at the site plan review stage of the process. All requirements of the Comprehensive Plan and Land Development Code shall be met.

Policy 5.10.2: The County will use the State of Florida Master Site File to identify those areas where cultural, archaeological or historic resources may exist.

Attachment H to this application shows that there are no recorded sites on the Florida Master Site File on the subject property.



Post Office Box 1799, Quincy, FL 32353-1799

Phone (850) 875-8663 Fax (850) 875-7280

E-mail: planning@gadsgdencountyfl.gov

Web site: www.gadsgdengov.net

FUTURE LAND USE MAP AMENDMENT APPLICATION

Application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

Small Scale Future Land Use Map Large Scale Future Land Use Map

Small scale amendment in Rural Area of Opportunity as set forth in §. 288.0656(7) F.S.

Change From: Agriculture-2 To: Commercial

Existing future land use designation Proposed future land use designation

APPLICANT INFORMATION (If the applicant differs from the owner, a signed affidavit to represent is required authorizing a representative to act on the property owner's behalf)

Owner: Judy Keele Contact Person: Amanda Coulter

Address: 5411 Old Federal Road, Quincy, FL 32351 (for Ms. Keele)

Telephone: _____ Mobile: Ms. Coulter - 251.656.7164

E-Mail Address: acoulter@teramore.net

Authorized Representative: Allara Mills-Gutcher

Address: 2311 Lee Street, Lynn Haven, FL 32444

Telephone: 850.319.9180 Mobile: 850.319.9180

E-Mail Address: allara@theplanningcollaborative.com

PROPERTY INFORMATION

Property Address: 5411 Old Federal Road, Quincy, FL 32351

Tax Parcel ID#: 5-0L-0R-0S-0000-48100-0100

Legal Description: Attached

(A legal description is needed for adoption of the ordinance. A legal description may be found on the title certificate or warranty deed. Please attach a copy as required with application.)

Total Acreage Proposed for Amendment: +/- 5 acres

Current Use of Property: Residential dwelling

Describe reason for the Future Land Use Map amendment (include proposed use of the property): The map must be amended to allow for the construction of a neighborhood-scale retail store. The current Agriculture-2 designation does not provide for non-agriculture or non-residential uses.

Gadsden County Comprehensive Plan Future Land Use Map Amendment
Application

SUBMITTAL REQUIREMENTS - The following items must accompany the completed Comprehensive Plan Future Land Use Map amendment application at time of submittal:

- a. Fee, \$1250.00 for large scale amendment; \$500.00 for small scale amendment made out to Gadsden County Board of County Commissioners.
- b. Two (2) copies of the signed and notarized application and submittal documents.
- c. An electronic copy (in .pdf format) of the submittal package.
- d. A vicinity map showing the location of the subject property (8.5" by 11"). **Attachment A**
- e. A copy of a certificate of title or a copy of the recorded deed, title insurance policy or other instrument demonstrating ownership and bearing a legal description of the property. **Attach. B**
- f. Authorization to Represent, if applicable. **Attachment C**
- g. Verification of a Citizen's Bill of Rights Public Meeting, if required. (Copy of mailed notice and newspaper ad, postage receipt, written meeting summary.) **Attachment D**
- h. N/A For small scale (map) amendments as defined under §288.0656(2)(d) F.S. to increase the site area to a maximum of 20 acres within a rural area of opportunity, provide a written confirmation from the Planning Division indicating that the plan amendment furthers the economic objectives set forth in the executive order issued under §. 288.0656(7) F.S.
- i. Two aerial photographs obtained from the Gadsden County Planning Division or County Property Appraisers Office which identifies the subject property and all property within 500 foot radius of the subject property. Provide an 8.5" X 11" copy. **Attachment E.1 and E.2**
- j. An 8.5" by 11" signed and sealed survey containing a legal description indicating acreage. The legal description must be submitted in a format that can be copied and pasted into an ordinance (e.g. in Word format or in an e-mail). **Attachment F**
- k. A scaled drawing of the property showing all boundaries, adjacent properties, adjacent land use designation, existing use of adjacent property, roads, easements, flood zones, size of the parcel in square feet or acres, dimensions in linear feet, wetlands, and other environmental sensitive lands, as applicable. Provide an 11" X 17" copy. **Attachment G**
- l. Copy of Letter to Division of Historical Resources, Dept. of State to determine whether or not there are any historical resources recorded on the site as listed on the Florida Master Site File (Policy 6.4.8). **Attachment H**
- m. Address the requirements of Policy 1.2.13: Any applicant for a Future Land Use Map amendment shall at minimum supply the following information to the County when requesting such Map amendment: **Attachment I**
 - N/A A. Location and amount (in percentage of total parcel) of on-site jurisdictional wetlands.
 - B. Availability and capacities of existing and proposed potable water and sanitary sewer utilities.
 - C. Proposed location of ingress and egress of development.
 - D. Distance and location of nearest same land use category.
 - E. Description of adjacent land use categories.
 - N/A F. In addition, for any land use category which supports residential development:
 - 1) Existing and proposed school capacities (See Policy 10.6.1).
 - 2) Existing and proposed park space (See Policy 6.3.3).
- n. A written analysis of consistency with the relevant policies of the Comprehensive Plan. Specifically, the analysis shall address at minimum, and as applicable, the following

Gadsden County Comprehensive Plan Future Land Use Map Amendment Application

policies. This list is **not** all inclusive and each applicant shall address relevant policies to the request.

Attachment J

- Policy 1.2.4
- Policy 1.2.5
- Policy 1.2.9 (Level of service analysis/concurrency)
- Policy 1.2.13
- Policy 1.2.16
- Policy 1.2.19
- Policy 1.4.1
- Policy 1.4.2
- Policy 1.4.5 (Compatibility Analysis)
- Policy 4.5.2
- Policies 5.3.2, 5.33 & 5.3.4
- Policy 5.4.4

I understand that the application must be submitted at least 45 days prior to the public hearing to meet legal advertisement requirements for public notice.

 I AM THE OWNER

 X I AM THE LEGAL REPRESENTATION OF THE OWNER (See attached Authorization to Represent) of the property described by this Comprehensive Plan Future Land Use Map application. I declare that I have read said application and all sketches, data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief. I understand that by signing this document, I am giving the County or agent thereof the authority to duplicate, disseminate, and reproduce any and all items submitted as part of this request, whether copyrighted or not. And that, upon submission said application and documents, as well as all correspondence, become a matter of public record.

Ailaran M. Fletcher
Signature of Property Owner or Authorized Representative

Aug 19, 2019
Date

State of Florida County of Bay

Sworn to and subscribed before me this 19 day of August, 2019 by

Ailaran Fletcher who is personally known to me /or has

produced PLDLM as identification and did not take an oath.

Julie Alford
Notary Signature

Notary Seal

Julie Alford
Notary Name Printed



Attachment A - Vicinity Map

Future Land Use categories

- AGRICULTURE 1
- AGRICULTURE 2
- AGRICULTURE 3
- COMMERCIAL
- CONSERVATION
- HEAVY INDUSTRIAL
- LIGHT INDUSTRIAL
- RURAL RESIDENTIAL
- SILVICULTURE
- URBAN SERVICE AREA
- HISTORICAL
- MINING
- MUNICIPAL
- PUBLIC
- RECREATIONAL
- Area of Request



FLU Web Map

Map data © OpenStreetMap contributors, Map layer by Esri

OR 483 PG 1138

Attachment B - Warranty Deed

483 PAGE 1138-1146
REC. NICHOLAS THOMAS, CLERK
GADSDEN CO., FLORIDA

9808865

98 SEP 15 AM 10:12

A296-10
R296-84

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 28th----- day of August-----,
19 98

by first party, Grantor, Richard Davis Keele, Sr.

whose post office address is 2764 Riverrun Road, Navarre, Fl. 32566

to second party, Grantee, Judy W. Keele

whose post office address is Route 3, Box 3155, Quincy, Florida 32351

WITNESSETH, That the said first party, for good consideration and for the sum of
Ten----- Dollars (\$--10.00----) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Gadsden-----, State of Florida----- to wit:

Homestead Property

SEE ATTACHED EXHIBIT A & B

SEE ATTACHED MARITAL AGREEMENT (PENDING DIVORCE)

Documentary Tax Pd. 70¢
Immovable Tax Pd. _____
NICHOLAS THOMAS, CLERK, GADSDEN COUNTY
By Nicholas Thomas 9.16.98
Deputy Clerk Date

ZDNE
(1)

(Revised 3/97)

If your state requires 8 1/2" x 11" forms, cut on the bottom of this page at the dotted line.



© E-Z Legal Forms. Before you use this form, read it. Fill in all blanks, and make whatever changes are necessary to your particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no representation or warranty, express or implied, with respect to the merchantability of this form for an intended use or purpose.

OR 483 PG 1139

IN WITNESS WHEREOF, The said first party has signed and sealed this instrument on the day and year first above written, Signed, sealed and delivered in presence of:

Nancy Leonard Harvey
Signature of Witness

Nancy Leonard Harvey
Print name of Witness

Martha Solis
Signature of Witness

Martha SOLIS
Print name of Witness

Richard D Keele Sr.
Signature of First Party

Richard D KEELE SR.
Print name of First Party

Signature of First Party

Print name of First Party

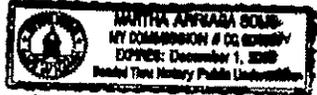
State of FLORIDA
County of GADSDEN

On September 15, 1998 before me, Martha Ariaga Solis
appeared Richard Davis Keele

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Martha Ariaga Solis
Signature of Notary



Affiant Known Produced ID
Type of ID K400-744-90-71-0
(Seal)

State of _____
County of _____
On _____ before me,
appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID _____
(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

OR 483 PG 1140
JOHN T. CLARK, III

LAND SURVEYING • FLORIDA & GEORGIA

1224 WEST CRAWFORD STREET
 GUNNY, FLORIDA 32061

TELEPHONE:
 (904) 878-3178

LEGAL DESCRIPTION
 From ROW BLACK to RICHARD KEELE
 At Northwest corner of Wetumpka

COMMENCE at a concrete monument "SJPC" known as marking the southwest corner of Lot 48 in McNeil's Little River Survey of the Forbe's Purchase in Gadsden County, Florida and proceed;

THENCE South 89 degrees 24 minutes 57 seconds East (not the lot line) for a distance of 1807.14 feet to an iron bar & metal cap "LS 3266" marking the end of a curve at centerline station 288+32.85 for a 100 foot right of way known as County Road No. 65-B (also known as "The Old Federal Road") as depicted on a Department of Transportation map #50705-2601, last revised 12-20-59;

THENCE South 80 degrees 07 minutes 50 seconds East, along said centerline, for a distance of 126.35 feet to a nail & cap "ALS 3266";

THENCE North 05 degrees 55 minutes 48 seconds East for a distance of 50.12 feet to a concrete monument "ALS 3266" on the northern (right of way) boundary of said County Road No. 65-B for the POINT OF BEGINNING.

THENCE continue North 05 degrees 55 minutes 48 seconds East, along the common boundary for lands known as Tract 7 and Tracts 8, for a distance of 900.00 feet to a concrete monument "ALS 3266";

THENCE South 84 degrees 24 minutes 23 seconds East, along the southern boundary of Robert Mabel's land, for a distance of 1364.48 feet to a concrete monument "ALS 3266" at the accepted eastern boundary of said Lot 48 and on the western boundary of a 100 foot right of way known as State Road No. 267 (also known as "Lake Talquin Road");

THENCE along said western (right of way) boundary and a curve to the left, having a radius of 2914.93 feet and an arc length of 738.81 feet, being subtended by a chord of South 34 degrees 33 minutes 15 seconds West for a distance of 736.84 feet to a concrete monument "ALS 3266" for the end of said curve;

THENCE South 27 degrees 05 minutes 47 seconds West, along said western (right of way) boundary, for a distance of 361.22 feet to a concrete monument "ALS 3266" at the intersection with said northern (right of way) boundary of County Road No. 65-B;

THENCE North 80 degrees 07 minutes 50 seconds West, along said northern (right of way) boundary, for a distance of 38.00 feet to a concrete monument "SD";

THENCE continue North 80 degrees 07 minutes 50 seconds West, along said northern (right of way) boundary, for a distance of 1049.60 feet to said POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 28.12 acres more or less.

File R984.1eg

Exhibit "A"

JOHN T. CLARK, III

OR 483 PG 1141

LAND SURVEYING • FLORIDA & GEORGIA

1324 WEST CRAWFORD STREET
QUINCY, FLORIDA 32361

TELEPHONE:
(904) 875-3178

LEGAL DESCRIPTION
HOMESITE for RICHARD & JUDY KEELE
Near Northwest corner of Wetumpka

COMMENCE at a concrete monument "8JPC" known as marking the southwest corner of Lot 48 in McNeil's Little River Survey of the Forbe's Purchase in Gadsden County, Florida and proceed;

THENCE South 89 degrees 24 minutes 57 seconds East (not the lot line) for a distance of 1807.14 feet to an iron bar & metal cap "LS 3266" marking the end of a curve at centerline station 286+32.55 for a 100 foot right of way known as County Road No. 65-B (also known as "The Old Federal Road") as depicted on a Department Of Transportation map #50705-2601, last revised 12-20-59;

THENCE South 80 degrees 07 minutes 50 seconds East, along said centerline, for a distance of 126.35 feet to a nail & cap "RLS 3266";

THENCE North 05 degrees 55 minutes 48 seconds East for a distance of 50.12 feet to a concrete monument "RLS 3266" on the northern (right of way) boundary of said County Road No. 65-B;

THENCE South 80 degrees 07 minutes 50 seconds East, along said northern (right of way) boundary, for a distance of 524.29 feet to an iron bar & metal cap "RSM 3266" for the POINT OF BEGINNING.

THENCE continue South 80 degrees 07 minutes 50 seconds East, along said northern (right of way) boundary, for a distance of 302.02 feet to an iron bar & metal cap "RSM 3266";

THENCE North 09 degrees 52 minutes 10 seconds East for a distance of 288.46 feet to a concrete monument "RSM 3266";

THENCE North 80 degrees 07 minutes 50 seconds West for a distance of 302.02 feet to a concrete monument "RSM 3266";

THENCE South 09 degrees 52 minutes 10 seconds West for a distance of 288.46 feet to said POINT OF BEGINNING.

Said property contains 2.00 acres more or less.

Together with and subject to covenants, easements, and restrictions of record.

File R984B.leg Dated: February 24, 1997 Sheet 2 of 2

Exhibit B

OR 483 PG 1142

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN AND
FOR GADSDEN COUNTY, FLORIDA

CASE NO.:

IN RE: THE MARRIGE OF:

JUDY KEELE,

Petitioner/Wife,

and

RICHARD KEELE,

Respondent/Husband.

MARITAL SETTLEMENT AGREEMENT

BY THIS AGREEMENT, JUDY KEELE, Wife and RICHARD KEELE, Husband, agree that:

1. **BACKGROUND.** The parties were married to each other on August 31, 1984, in Leon County, Florida and are now Husband and Wife. Differences have arisen between the parties. Efforts to reconcile the differences have failed. The parties want to settle all of their rights and obligations arising from the marital relationship.
2. **DISCLOSURE AND COUNSEL.** Each party warrants that full disclosure of his of her financial condition and property has been made to the other. Each party has had the opportunity to secure independent legal advice concerning the rights and obligations arising from the marital relationship, the separation and the possible termination of the marital relationship. Each party warrants to the other that he or she fully understands the legal rights and obligations arising from the marital relationship, its possible termination, and from this Agreement.
3. **DOCUMENTS.** Each party shall execute any documents that are necessary to effectuate this Agreement.
4. **ENTIRE AGREEMENT.** This instrument contains the entire Agreement between the parties and shall not be changed except in writing signed by the parties. This instrument replaces any prior negotiations or agreements of the parties. Captions of paragraphs are not a part of this Agreement.
5. **ATTORNEY'S FEES AND COSTS.** Each party shall pay his or her own

attorney's fees and costs in establishing the provisions of this Agreement and during the dissolution action. If the terms of this Agreement need enforcing through a court of law, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

6. **SURVIVORSHIP OF AGREEMENT.** In the event that the Final Judgment of Dissolution of Marriage incorporates the provisions of this Agreement, notwithstanding the fact that such terms are incorporated into the Judgment, the terms of this Agreement shall survive the entry of such Judgment. Thereafter, the provisions of this Agreement shall continue to be enforceable as a matter of contract, in addition to any remedies of enforcement available to the parties pursuant to a Final Judgment of Dissolution of Marriage.

7. **EFFECT UPON DIVORCE.** The provisions of this Agreement shall not be construed to prevent either party from suing for an absolute divorce in this jurisdiction on such grounds as he or she shall select, or as to which he or she may be advised.

8. The parties represent to each other as follows:

INDEPENDENT LEGAL ADVICE. Each party has had independent legal advice of counsel, or has had the opportunity to retain counsel of his or her choosing in the negotiation of this Agreement. Each party understands the facts and has been fully informed as to his or her legal rights and obligations and each is signing this Agreement freely and voluntarily, intending to be bound by it.

9. **GOVERNING LAW:** This Agreement shall be governed by Florida Law.

10. **CUMULATIVE REMEDIES.** Each remedy afforded by this Agreement is cumulative to all remedies provided in it or by law.

11. **RELEASE OF RIGHTS.** Each party releases his or her right, title or interest in the property or estate of the other except as provided in this Agreement. Hereafter neither party has a claim, demand, right, title or interest to the property of the other or to the property that is acquired hereafter by the other, nor a claim or demand of any kind against the other party. Each party waives, releases and relinquishes all rights that he or she may have or may hereafter acquire as to the other party to:

a. Elect to take against any will or codicil of the other party in force at the time of the execution of this Agreement.

b. Exercise any right to an elective share.

c. Act as personal representative of the other party's estate, except as provided by will or codicil executed after the date of this Agreement or as ordered by a court of competent jurisdiction.

12. **CREDIT AND WARRANTY.** Hereafter neither party shall use the credit of the other nor obligate the other in any way. Each party warrants that he or she has not

OR 483 PG 1144

incurred any obligations that will be the debt of the other, except as specified in this Agreement. Neither party shall incur such an obligation after execution of this Agreement. If a claim or demand is asserted in violation of the warranty in this paragraph, whether well founded or not, the party who created or allegedly created the claim or demand shall indemnify the other from any loss or demand resulting from the claim or demand and the defense of it, including attorney's fees for trial, appeal or otherwise.

13. SEPARATION. Each party shall be free from the control and authority of the other. Each party may engage in any business or employment for his or her separate benefit. Neither party shall molest, harass, or interfere with the other party in any way. The Husband shall not have any physical contact with the Wife or come onto the Wife's property without the Wife's permission. Nothing herein shall prevent telephone contact between the parties or to prevent the Husband from taking possession of his personal property herein listed.

14. RECONCILIATION. The parties recognize that there is no possibility of a reconciliation between them. If, however, a reconciliation shall take place and a subsequent rupture of the marital relationship occurs, this Agreement shall remain in effect.

15. TAX LIABILITY. The parties have filed joint tax returns during the marital relationship. Each party warrants that the returns are correct and complete to the extent that income, credits, deductions, adjustments or other matters of the party are included on the returns, that all deductions have been properly taken and that no audit or examination of the returns is pending. If the returns are examined by the Internal Revenue Service subsequent to this Agreement and any deficiencies in tax are assessed, the party or parties to whose income the deficiencies are attributable shall pay all taxes, interest and penalties that are assessed and shall hold the other harmless from the taxes, interest and penalties and any expenses incurred because of the examination. If any refunds are received as a result of an examination, the refunds shall be the property of the party to whose income the refund is attributable. Each party shall promptly notify the other of any pending administrative or legal proceeding concerning the taxes. These provisions shall also apply to any joint returns filed subsequent to the execution of this Agreement.

16. SET OFF. If either party pays a claim or demand that should be paid by the other party under this Agreement or by law, the party making the payment may deduct the amount properly paid from any amounts due or to become due to the other party under this Agreement or otherwise. This right of set off is cumulative to any rights given by this Agreement or by law.

17. NOTICES. All notices under this Agreement shall be in writing. Notices shall be delivered to the recipient whenever possible, or mailed with sufficient postage to reach the destination. Notice shall be effective upon receipt. The place where notice is given may be changed from time to time by the party entitled to receive it in the same manner that notice is given.

18. PERSONAL PROPERTY. The parties have divided their tangible personal property by mutual agreement, and each party shall have a full use and ownership of the

items as divided free from any claim of the other party. OR 483 PG 1145

The Husband shall take the following items:

- | | | | |
|----|-----------------------|----|--------------------------|
| a. | trout lines | b. | outboard motor gas tanks |
| c. | lower unit motor | d. | pre-printed cards |
| e. | supplies for jigs | f. | hunting dogs |
| g. | bass boat | h. | deep sea boat |
| i. | racing car trailer | j. | old tractor |
| k. | rods/reels | l. | fishing tackle |
| m. | aluminum boat/trailer | n. | 2 pistols |

The Wife shall take the following items:

- a. all remaining items of personal property, including but not limited to the Winchester rifle, the shotgun, and the catfish boat and trailer.

19. **AUTOMOBILES.** The parties presently own two automobiles acquired during the marriage. The Wife shall take title in her name only her car and shall be solely responsible for all expenses and liabilities related to this automobile, holding the Husband harmless from any claims related thereto. The Husband shall take title in his name only to the vehicle and shall be solely responsible for all expenses and liabilities related to his automobile, holding the Wife harmless from any claims related thereto.

20. **MARITAL DEBTS.** The parties have incurred financial obligations which shall be paid as follows: The Wife shall be responsible for the credit cards in her name and for up to \$6,000.00 on the Sam's card. The Husband shall be responsible for all liabilities of the business and all liabilities in his name.

21. **MARITAL ASSETS:**

a. **MARITAL HOME:** The parties are joint owners of a marital home located at Route 3, Box 3155, Quincy, Florida 32351, which includes 28 acres. The Wife shall take title in her name only to the marital home, with 5 acres, two acres being the corner lot. The Husband shall quit-claim deed his interest in the property to the Wife. The Wife shall take the household furnishings and all property located on the property, with the exception of those items listed above, and, shall be solely responsible for all expenses and liabilities related to the marital home, holding the Husband harmless from any claims related thereto. The Wife shall be responsible for the maintenance and upkeep of the marital home, including the payment of the taxes and insurance.

The Wife shall pay the Husband within 60 days from the date of this Agreement, \$7,000.00 from the proceeds of the sale of the twenty-three remaining acres, if the twenty-three acres can be sold for \$95,000.00 and if the buyer pays all closing costs. The Wife takes all remaining proceeds from the sale of the twenty-three acres. Until the twenty three acres is sold, the Husband shall be responsible for one-half the payment of the Quincy State bank mortgage.

OR 483 PG 1146

b. BUSINESS: The Husband shall take the business and be solely responsible for all liabilities of the business. The Wife shall quit-claim her interest in the business to the Husband. The Husband shall take title in his name only the business holding the Wife harmless from any claims thereto. The Husband shall be responsible for the maintenance, expenses, and any matter related to the business, including the payment of taxes and insurance.

DATED in Gadsden County, Quincy, Florida on this ___ day of July, 1998.

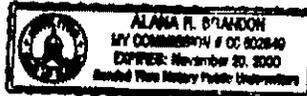
WITNESSES as to the Wife:

Martha Solis
PRINTED NAME Martha Solis

Judy Keele
JUDY KEELE
SNOL K400439585630

Alana R. Brandon
PRINTED NAME Alana R. Brandon

STATE OF FLORIDA
COUNTY OF GADSDEN



Judy Keele, being duly sworn, represents that she executed this Marital Settlement Agreement for the purposes therein expressed.

Sworn to before me this 24 day of July, 1998.

Alana R. Brandon

Notary Public
My Commission Expires:

WITNESSES as to the Husband:

Deborah G. Pitts
PRINTED NAME _____

Richard Keele
RICHARD KEELE

Deborah G. Pitts
PRINTED NAME _____

Richard Keele, being duly sworn, represents that he executed this Marital Settlement Agreement for the purposes therein expressed.

Sworn to before me this 23 day of July, 1998.

Deborah G. Pitts

Notary Public
My Commission Expires:



Attachment C - Authorization to Represent

ACTING AGENT ACKNOWLEDGEMENT

This document does hereby create an acknowledgement by the undersigned principal, Judy W. Keele (hereinafter: "Principal") of the existence of an Acting Agency between Principal and Teramore Development, LLC, its affiliate Spring Hill Land Trust, and their designee Allara Mills Gutcher (hereinafter: "Agent") to act on behalf of Principal with regard to the Property attached hereto as Exhibit "A" for the following matters:

Agent may make application for permits and any government approvals including Future Land Use Map Amendment and zoning classification amendment for the property described in Exhibit "A" to be developed for commercial use as a retail store.

Signed and acknowledged this the 6th day of August 2019.

Signed, sealed and delivered in the presence of:

Judy W. Keele, a Florida resident:

Print Name: Judy Keele

Judy W. Keele

Signed, sealed and delivered in the presence of:

Print Name: Vanessa Roberts

STATE OF FLORIDA

COUNTY OF Leon

The foregoing Acting Agent Acknowledgement was signed and acknowledged before me this 6th day of August, 2019, by Judy W. Keele.

Personally Known

Produced _____

as identification

Vanessa Roberts

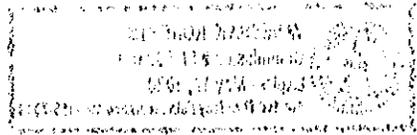
Notary Public

(Stamp Name, Commission # and Expiration below)

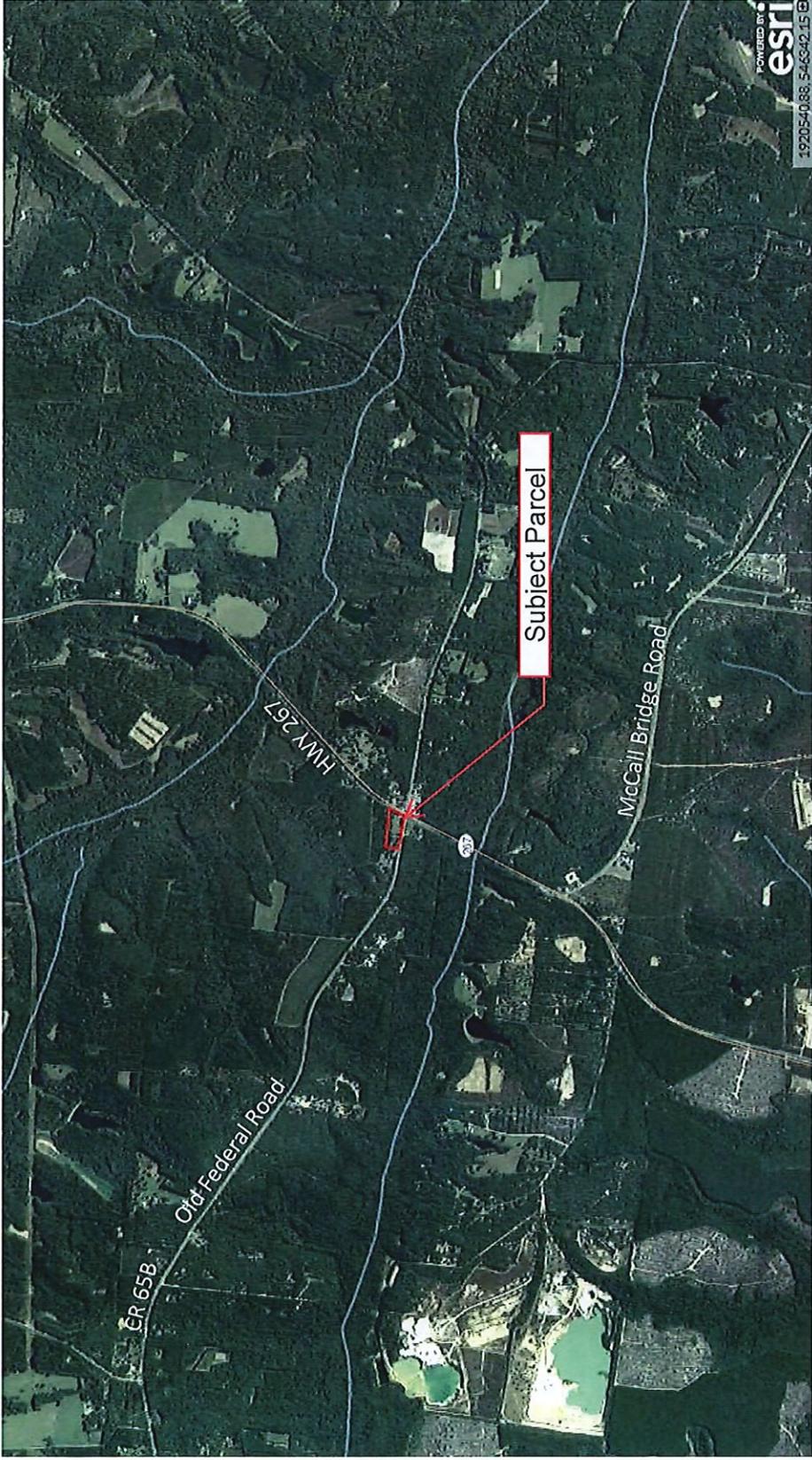


EXHIBIT "A"

Parcel ID 5-01-OR-05-0000-48100-0100
 Location Address 5411 OLD FEDERAL RD
 QUINCY 32351
 Brief Tax Description* OR 483 P 1138 OR 436 P 1369. BEGIN IN MIDDLE OF OLD FEDERAL ROAD WHICH IS THE S.E. CORNER OF THE TRACT OF LAND OWNED BY MAYO FLOURNOY IN LOT 58 OF LITTLE RIVER SURVEY, THENCE RUN N 05 DEG E 2724 FT; S 85 DEG E 789 FT; SOUTH 05 DEG W 5280 FT; N 85 DEG WEST 390 FT; N 05 DEG E 2315 FT; NORTHWESTERLY ALONG MIDDLE OF FEDERAL ROAD TO THE P.O.B. LESS & EXCEPT: BEGIN AT THE SEC OF LOT 58 AND RUN N 05 DEG 00' E 550 FT; N 09 DEG 05' E 1523.84 FT TO R/W OF ROAD #S-65-B; N 54 DEG 08' W 459.00 FT; S 07 DEG 35' WEST 2307 FT TO S BNDRY OF LOT 58; S 85 DEG 00' E 390 FT TO THE P.O.B., LESS RD R/WAY. NOW ALSO, THAT PORTION OF LOT 52 OF LITTLE RIVER SURVEY LYING SOUTH OF CANE CREEK PER DEED BOOK "F", P 80. LESS AND EXCEPT THE EASTERLY 834 FT. NOW ALSO, COMM AT THE SWC OF LOT 57, LITTLE RIVER SURVEY AND RUN S 86 DEG 40' 38" EAST 2143.90 FT; SOUTH 86 DEG 17' 15" E 574.63 FT TO BEGIN: THENCE RUN N 02 DEG 50' 22" E 207.34 FT; N 33 DEG 55' 42" E 137.13 FT; N 62 DEG 01' 25" E 222.80 FT; N 39 DEG 18' 24" E 10567 FT; N 06 DEG 29' 57" E 135.09 FT; N 27 DEG 53' 48" E 128.52 FT; N 28 DEG 57' 26" E 815.29 FT; N 05 DEG 43' 43" E 1335.65 FT TO CANE CREEK; EASTERLY ALONG CREEK TO THE EAST BNDRY OF LOT 57; THEN S 06 DEG W 2860 FT; N 85 DEG W 789 FT TO THE P.O.B. NOW ALSO, FROM THE NWC OF LOT 48, LITTLE RIVER SURVEY, RUN S 85 DEG 13' E 2502 FT TO BEGIN: THEN S 85 DEG 13' EAST 675 FT TO CENTER OF ROCKY COMFORT CREEK; EASTERLY ON CENTER OF CREEK TO THE EAST BNDRY OF LOT 48; S 03 DEG 19' W 4890 FT TO CENTER OF OLD FEDERAL ROAD; N 81 DEG 56' W 801 FT; N 03 DEG 19' E 4985 FT TO THE P.O.B. ALL ACCORDING TO THE DEED IN DB "QQ" P 368, SAVING AND EXCEPTING TO-WIT: BEGIN AT THE INTERSECTION OF E BNDRY OF LOT 48 WITH THE CENTER OF FEDERAL ROAD, THEN NORTH 81 DEG 56' W 444 FT TO CENTER OF ROAD; N 28 DEG 56' EAST 1017 FT TO EAST BNDRY OF LOT 48; S 03 DEG 19' W 952 FT TO THE P.O.B., AS PER DB "QQ" P 369. NOW ALSO, FROM THE NWC OF LOT 48, LITTLE RIVER SURVEY, RUN S 85 DEG 13' E 1700 FT TO BEGIN: THEN RUN S 85 DEG 13' E 802 FT; S 03 DEG 19' W 4985 FT TO CENTER OF FEDERAL RD; WEST 805 FT; N 03 DEG 19' E 4935 FT TO THE P.O.B. ALL OF THE AFORESAID LANDS LYING IN MCNEIL'S LITTLE RIVER SURVEY AND ARE LESS & EXCEPT ANY LANDS LYING IN FEDERAL, STATE OR COUNTY RIGHTS-OF-WAY, LESS PART PER OR 401 P 1286, AND LESS & EXCEPT THAT PART PER OR 484 P 1640.



Attachment E.1 Aerial Photograph of Subject Parcel and Area



Attachment E.2 - Half-mile radius from subject parcel located at 5411 Old Federal Road

<https://qpublic.schneidercorp.com/Application.aspx?AppID=8144&LayerID=14537&PageType=1&PageID=6960>

qPublic.net™ Gadsden County, FL

Layers - Map Search Results Sales List Sales Results Tax Estimator Home

Layer List Legend
 QuickLinks
 Property Search
 View Map

Layers:

- Parcels
- Parcel Numbers
- E911 Addresses
- Yearly Sales
- Roads (Local)
- Roads (Major)
- US Major Highways
- Railroads
- City Labels
- Dimensions
- Elevation
- Feature Land Use
- Sec-Town-Ring
- Streams and Rivers
- Lakes
- Wetlands
- Flood Map
- County Outlines
- 2013 Aerial Photos
- 2016 Aerial Photos

Restore Layer Defaults

Results

Owner Address: KEELE, JUDY W
 5411 OLD FEDERAL RD
 QUINCY, FL 32351

Alternate ID: 56200040000482000100
 Class: SINGLE FAM
 Acreage: 5

Parcel ID: 5-00-06-0000-48100-0100
 Sec/Twp/Rng: L-R-S
 Property Address: 5411 OLD FEDERAL RD
 QUINCY

Brief Tax Description
 7 OR 433 P 1138 OR 424 P 1249
 (Note: Not to be used on split documents)



This record search is for informational purposes only and does **NOT** constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does **NOT** provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

August 5, 2019



Allara Mills-Gutcher
The Planning Collaborative
2311 Lee Street
Lynn Haven, FL 32444
Phone: 850.319.9180
Email: allara@theplanningcollaborative.com

In response to your inquiry of August 5, 2019 the Florida Master Site File lists no previously recorded cultural or historic resources in the following parcel of Gadsden County, Florida:

Parcel ID: 5-0L-0R-0S-0000-48100-0100 with a 500 foot buffer as shown on the corresponding map.

When interpreting the results of this search, please consider the following information:

- This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.
- Federal, state and local laws require formal environmental review for most projects. This search **DOES NOT** constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Cody VanderPloeg
Archaeological Data Analyst
Florida Master Site File
Cody.VanderPloeg@dos.myflorida.com

Cultural Resource Search 500 Foot Buffer Gadsden County



0 0.03 0.06 0.12 0.18 0.24 Miles

August 2019

Post Office Box 1679
Quincy, Florida
32353-1679
Quincy: (850) 627-7651



1640 West Jefferson Street
Quincy, Florida
32351-5679
Tallahassee: (850) 878-4414

September 9, 2019

MEMORANDUM

RE: 5411 Old Federal Road

To: Jill Jeglie

From: RaSarah Browder Johnson, Development Coordinator (On Behalf of Talquin Engineering and Water Department)

Talquin already serves the current location with electric service and any future development by the applicant or others would be subject to our prevailing Line extension policy. Additionally, any utility easements that would be applicable for additional services needed for renovation(s) or expansion at the Subject property would be needed. We have an 8" water main in the R/W of Old Federal Road as well as a 6" in the R/W of Pat Thomas Parkway.

Attachment D - COBR Meeting (8/12/19)

THE GADSDEN TIMES
Quincy, Gadsden County, Florida
STATE OF FLORIDA
COUNTY OF GADSDEN
SS

Before the undersigned authority personally appeared a representative of FLORIDA NEWSPAPERS, INC. who on oath does say they are the publisher of The Gadsden County Times, a newspaper published in Quincy, Florida.

PUBLIC NOTICE

RE: The Planning Collaborative
COBR AD

The above public notices were published in The Gadsden County Times newspaper issues on the following dates...
August 8, 2019

Affiant further says said The Gadsden County Times is a newspaper published in Quincy, in said Gadsden County, Florida, and the said newspaper has heretofore been continuously published in said Gadsden County, Florida, each Thursday and has been entered as second class mail matter at the post office in Quincy in said Gadsden County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says he has neither paid nor promised any person, firm or corporation any discount, in securing this advertisement for publication in the said newspaper.

[Signature]
WILLIAM SNOWDEN

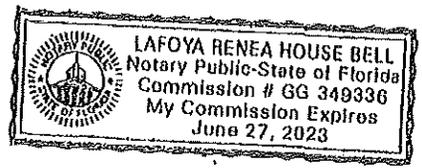
Sworn to and subscribed before me

On August 8, 2019

Notary: *Lafoya Renea House Bell*

State of Florida at Large
WILLIAM SNOWDEN is personally known to me

NOTARY PUBLIC:

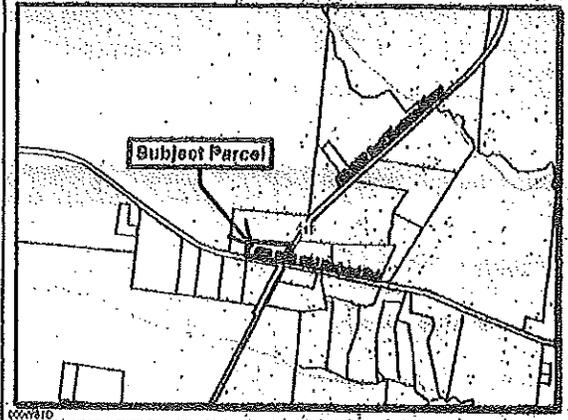


Citizen's Bill of Rights Meeting for A Future Land Use Map Amendment

The purpose of this meeting is for citizen input regarding a Future Land Use Map amendment to the parcel shown below. The parcel is five acres at the northwest corner of HWY 267 (Lake Talquin Highway) and Old Federal Road (CR 65B). The parcel is located approximately 4.3 miles south of the I-10/267 Interchange. The parcel ID (tax) number is 5-0L-0R-0S-000-48100-0100 and is addressed as 5411 Old Federal Road.

This property is currently designated as Agriculture-2 which allows one dwelling per 10 acres, and the request is to change the Future Land Use Map for these five acres to Commercial. The intent is to construct a Dollar General store to serve the local community.

A meeting will be held at the Hampton Inn located at 165 Spooner Road, Quincy, FL in the conference room on Monday, August 12, from 5:30 - 7:00 pm to receive citizen input.



Mailing List

BEAMAN REED S AND JOHN H &
TEOFILA E C BEAMAN
2001 NW 10TH AVE
GAINSVILLE, FL 32605

BRANTLEY VIRGINIA M & JAMES S
5523 OLD FEDERAL RD
QUINCY, FL 32351

BRANTLEY VIRGINIA M & JAMES S
5523 OLD FEDERAL ROAD
QUINCY, FL 32351 DUPLICATE

BUTLER CARLTON B AND
ROBERT C BUTLER
P O BOX 3789
TALLAHASSEE, FL 32315

C DUB HUNT CLUB LLC
403 PLANTATION RD
TALLAHASSEE, FL 32303

CHAMBLISS BETTY DUNCAN
2973 PRIMROSE LANE
DALLAS, TX 75234

CHASON ACYE
4842 OLD FEDERAL RD
QUINCY, FL 32351

CHASON ARTHUR M
1413 SUMTER ST
QUINCY, FL 32351

COLSON GARY W AND DEBORAH G
5505 OLD FEDERAL RD
QUINCY, FL 32351

FLETCHER CLYDE EUGENE
4126 OLD FEDERAL RD
QUINCY, FL 32351

GELLER DEL
5818 OLD FEDERAL RD
QUINCY, FL 32351

HALL GARY D
350 LONGWOOD PL
JONESBORO, GA 30236

HALL GARY D
350 LONGWOOD PL
JONESBORO, GA 30236-5563
DUPLICATE

INGLE JERRY & WATERS CYNTHIA
122 WIREGRASS LANE
QUINCY, FL 32351

KEELE JUDY W
5411 OLD FEDERAL RD
QUINCY, FL 32351

KIPP JAMES E & KIMBERLY A
39 WIREGRASS LANE
QUINCY, FL 32351

LEITMAN STEVE
5812 OLD FEDERAL RD
QUINCY, FL 32351-9589

MANNING JOHNNY W AND TARA R
5830 OLD FEDERAL RD
QUINCY, FL 32351

NABELL ROBERT E & CANDACE T
290 E ROSEHILL DR
TALLAHASSEE, FL 32312

NABELL ROBERT E & CANDICE T
290 E ROSEHILL DR
TALLAHASSEE, FL 32312
DUPLICATE

OWENS MARCELINE R
10 WINSOR CIRCLE
ANNISTON, AL 36207-6320

OWENS WOODROW W
10 WINSOR CIRCLE
ANNISTON, AL 36207-6370

RAYNAK ROSE (ELE) W/REM
RAYNAK GUY ZANE
5438 OLD FEDERAL RD
QUINCY, FL 32351

RHAMES ANITA HILDE & BOBBY A
4870 OLD FEDERAL RD
QUINCY, FL 32351-0000

RHAMES BOBBY AND ANITA
4870 OLD FEDERAL ROAD
QUINCY, FL 32351
DUPLICATE

STARNES BILLY C & REBECCA L
805 GARNER RD
QUINCY, FL 32351

STINSON E O
77A PEARL STREET
SAN FRANCISCO, CA 94103

STINSON WILLIAM III
5800 OLD FEDERAL RD
QUINCY, FL 32351

STUART JAMES LEON JR
265 HOLLY KNOWE RD
FLEMING ISLAND, FL 32003

TALQUIN ELECTRIC COOPERATIVE
P O BOX 1679
QUINCY, FL 32353-1679

TITF/FORESTRY
LAKE TALQUIN ST FOREST
C/O DEP 3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

TODD ELTON E
5271 42ND AVE NORTH
ST PETERSBURG, FL 33709

Note: Due to four duplicate names and addresses, 28 mailings were made.

Attachment 2 - Sign In Sheet



Citizen's Bill of Rights Meeting for a Comprehensive Plan Future Land Use Map Amendment
For property at the northwest corner of the intersection of HWY 267 and Old Federal Road

Monday, August 12, 2019 5:30 - 7:00 PM

Attendees Sign-Up Sheet

1. Wanda Geller 5618 Old Federal Rd
2. Del Geller " " " "
3. Debbie Wilson 5505 Old Federal Rd.
4. Gary Wilson 5505 Old Federal Rd
5. Virginia Brantley 5523 Old Federal Rd
6. Jim Brantley 5523 Old Federal Rd
7. Rose Raynak 5438 Old Federal Rd
8. MARION LASLEY 5 DANTE COURT Q 32351
9. _____
10. _____



#7

**Citizen's Bill of Rights Meeting for a Comprehensive Plan Future Land Use Map Amendment
For property at the northwest corner of the Intersection of HWY 267 and Old Federal Road**

Monday, August 12, 2019 5:30 -- 7:00 PM

Meeting Notes

The meeting was noticed in the Gadsden County Times (Attachment 1).

The meeting began at 5:30 PM. Eight individuals attended (Attachment 2).

Attendees of the applicant included:

From Teramore Development: Chris West and Luke Strickland.

From the planning collaborative: Allara Mills-Gutcher (agent for the applicant).

Rose Raynak, 5438 Old Federal Road provided written comments (Attachment 3).

Concerns Included:

- The Intersection is dangerous
- People drive too fast on HWY 267
- This development will increase traffic
- Log trucks turn at that corner, oftentimes driving too fast
- There is too much crime in the area
- The response time from the Sherriff's office is already very slow
- This store will disrupt the feel of the agriculture area; interrupt the country feeling
- Property values will decline
- This area is gopher tortoise habitat
- This development will create a bottle neck of traffic turning onto Old Federal Road
- The bottle neck will create delays for emergency vehicles
- There is much wildlife (deer specifically) killed on this roadway
- People already throw trash onto their properties, this store will cause more of that to occur
- This development is considered sprawl

Questions Included

1. Has the developer conducted a study to support the location?

Answer: Yes, there has been a market study completed to support the success of the location.

2. Is water and sewer available?

Answer: The development will be served by an on-site septic system and potable water well.

3. There are two stores in Quincy, does Teramore own those?

No, Teramore does not own either of the stores in Quincy.

4. Can the driveway be reconfigured so as not to be directly across the street from Rose Raynak's driveway?

Answer: Teramore will look at alternate designs for site access.

The meeting ended at 7:15 PM.

Additional notes:

Allara Mills-Gutcher spoke with Robert Butler who resides on Old Federal Road on August 13, 2019. Mr. Butler offered his opinion as indifference regarding the development and inquired about the results of the meeting.

A letter of support was provided to the applicant from Anita Rhames (Attachment 4).

Rose Raynak

Attachment 3 - Rose Raynak Comments

SAFETY:

- Most hazardous corner in the County
- Blind curve on a hill
- No left turn zone (even though they eminent domained my property for the sake of one)
- Sheriff and FHP sit on that corner monitoring traffic regularly because of accidents and speeders
- Regular cut through route for semi-trucks to Hwy 20
- Log trucks park empty loads on corner
- Big electrical bucket trucks turning at that corner for Talquin on South East Corner
- People set up campers with garage sales on corner on weekends
- Robbery – cameras – home, store, surrounding areas
- Personal safety – senior citizens
- Dog Fight abductions – right from front yard
- Creating a hazardous corner for Wetumpka Fire Department to navigate in emergency situations
- Even with a red flashing light and multiple stop signs, have witnessed dozens of accidents
- School buses in the dark
- Georgia Pacific trucks – take two lanes to turn at that road from the north
- Bear Creek traffic – including horses and bicycles that ride that area to get to Bear Creek

PROPERTY VALUES:

- Decreased where Dollar General, Liquor Store, Pawn Shops, Thrift Shops are placed
- Three of the nicest homes in the area are on that corner
- Already trying to rezone to build a huge single family dwelling area – will depreciate those lots and properties even before they are built
- Privacy – we bought in that area to get away from the business areas
- Quality of people the store attracts – unlike a Publix
- Parking – up and down the shoulders of the roads making it even more dangerous
- Driveways – repaving; turning around on blind corner causing more accidents
- Trash in ditch
- Already replaced every window in the house to get some quiet from traffic on corner and planted tree buffer – Jake brakes

ECONOMIC IMPACT:

- Putting another small business out of business only 1/8 mile away
- Even restaurants in the area are having a hard time sustaining customers – Country Boys

ENVIRONMENTAL IMPACT:

- Sewage? Lift Stations? Septic Distance from Road and potential widening of the road
- Environmental hazard with chemicals and other cleaning supplies they retain
- Lake Talquin residents already put one company out of business because of digging for gravel in the area and causing loads on the environment and ground water. If digging for gravel is going to disturb the environment a commercial establishment with cleaning solvents would also have a detrimental impact on the area.
- Wildlife: Deer – every week one is hit near the house on the road; there at 5:30 a.m. in the morning; Bear within 1,000 feet of corner – every morning on my corner and that corner
- Dogs – mine, neighbors, wandering the area

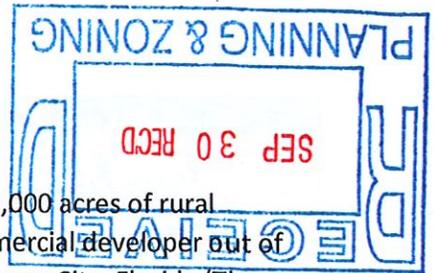
Attachment 4 - Letter of Support

Bobby Rhames Construction LLC
4870 Old Federal Road, Quincy, FL 32351

To who It may concern' I Bobby Rhames as well as my Wife Anita Rhames of 4870 Old Federal in Quincy Fl.32351 own property and reside not more than one half mile from the proposed location of the new Dollar General near us and would be very happy to welcome it to our community.

Regards'





PROTECT OUR FUTURE

We, the undersigned represent over 220,000 acres of agricultural land and 33,000 acres of rural residential area surrounding a 5-acre parcel of Agricultural-1 land that a commercial developer out of Thomasville, Georgia (Teramore Development) and a Land Planner out of Panama City, Florida (The Planning Collaborative) are attempting to get rezoned from Agricultural-1 to Commercial for the primary purpose of building and locating a Dollar General store on the northwest corner of the intersection of Highway 267 (Pat Thomas Parkway) and County Road 65B (Old Federal Rd.) in Quincy, Florida.

There are many land use considerations and ordinances that protect the surrounding neighborhood and that the Gadsden County Planning Commission and Board of County Commissioners must take into consideration before granting an exception to the zoning regulations for this parcel of land. Private property owners are provided the right to have a say in the zoning of their neighborhood by law and under the Future Land Use plans of the county. There are serious safety issues involved with locating a commercial establishment at this intersection, including but not limited to blind corners, speed of oncoming traffic stopping at that intersection to turn, commercial log trucks attempting to navigate up the hill from either direction and coming upon a random stopped car waiting to turn at that intersection, availability of the County Sheriff's Office to respond to emergencies and burglaries, and no lighting along the road that makes the corner almost invisible at night upon approaching it. There are safety issues involved with Emergency Management's access to a clear roadway in the event of emergencies, accidents, and with natural disasters becoming more and more frequent. There are personal rights of the public surrounding the property which include the right to a safe, clean, quiet, and protected property; safe from unwanted invasion, destruction, or other environmental or health violations like commercial drain fields, garbage containers, and garbage littering the roadway. There are local established business operations that would be severely impacted by the development of this corner for a Dollar General store, putting established business in the area out of business for a business interest from another state. This project would also disrupt the environment of the area and the natural habitat of many critical species (i.e., deer, bear, hawks, owls), including the endangered gopher turtle. This commercial venture would negatively impact property values of the surrounding neighborhoods, reducing tax base for the County to provide for institutional and emergency services.

We the undersigned, strongly object to the request for rezoning of this parcel of land and strongly urge the Gadsden County Planning Commission and the Board of Commissioners to embrace their responsibilities under the Gadsden County Comprehensive Plan for Future Land Use and deny this petition for rezoning.

NEIGHBORHOOD COMMUNITY RESIDENTS

#	Print Name	Sign	Address	Phone
1	Lestie M. Childress	<i>Lestie M Childress</i>	79 Misty Dawn Rd. ^{Quincy}	509-0758
2	Jan M. Lee	<i>Jan M Lee</i>	402 Reynolds Rd. ^{Quincy}	272-4957
3	Jessica Pinkett	<i>Jessica Pinkett</i>	320 Old Federal	408-9294
4	Robert Wilhoit	<i>Robert Wilhoit</i>	47 Alvin Hayes ^{Quincy}	1509-2678
5	Hustin Nettles	<i>Hustin Nettles</i>	435 B Oklawaha Cr	274-0812

#	Print Name	Sign	Address	Phone
5	Terry Bayliss	Terry Bayliss	925 Saddleberry Rd	(850) 228-6143
6	Fered Zadeh	Fered Zadeh	8326 Pat Thomas	713-367-9841
7	Tommy Hayward	Tommy Hayward	58 Anna Alley	
8	Sam Brown	Sam Brown	Quincy Fl	950 508-7102
9	GUYE BURKETT	GUYE BURKETT	311 CRACVILLE RD	556-2452
10	Robert H. Hester	Robert H. Hester	Quincy	281-536-0121
11	Steve Newman	Steve Newman	Quincy, FL	526-8843
12	Chris Parker	Chris Parker	Hosler	?
13	Freddie Blum	Freddie Blum	Quincy	
14	Ben Whited	Ben Whited	875 Saddleberry Rd Quincy	850-491-9359
15	Don Howard	Don Howard	231 GAINWAY RD	
16	DON STRINGER	DON STRINGER	232 THARPE CR	
17	WESLEY JOYNER	Wesley Joyner	86 CLEARWATER ST. Quincy	
18	Joe Rowan	Joe Rowan	54 Bobolink Ln.	
19	SHEIBY SANFORD	SHEIBY SANFORD	1040 TALQUIN AVE	
20	JAMES KING	James M. King	1265 McCall Bridge Rd.	
21	Pamela Williams	Pamela Williams	57 Blackwell Rd.	728-7050
22	Jim Hamm	Jim Hamm	468 DRAKE ACRES RD	728-9495
23	Billy Knight	Billy Knight	4780 BRISTOL WAY	442-6369
24	William Craft	William Craft	1041 Drake Acres Rd	570-0023
25	Ricky Warner	Ricky Warner	513 W. Washington	
26	Jim Jones	Jim Jones		
27	Dale C. White	Dale C. White		850 915 6310
28	David Meza	David Meza	80 Bobolink Lane	850-510-4896
29	Jerry Mills	Jerry Mills	3417 Felton Springs	661-3417
30	Gary Howe	Gary Howe	2443 Lakeview Pkwy	600-345-7101
31	Melissa Sowell	Melissa Sowell	601 Tindell Rd	354-4062
32	Helen Tucker	Helen Tucker	8326 Pat Thomas PKWY	852-228-8722

#	Print Name	Sign	Address	Phone
33	Monica Huggins	Monica Huggins	Lakeview Pt Rd	857-753206
34	Sharon Zimmicki	Sharon Zimmicki	14 Cricket Ln.	850-6289788
35	Eric Brown	Eric Brown	171 High St	850-4050327
36	Jerniah Mathews	Jerniah Mathews	739 Drake Acres Rd	850-368-9061
37	Kristine Mendoza	Kristine Mendoza	75. Mossy Oaks 2nd St	850-339-3039
38	Tommy Secardin	Tommy Secardin	85 Ebenbrens.	229-058478
39	James Muntz	James Muntz	18380 Telford Dr	508-1497
40	Sasha Whittington	Sasha Whittington	17800 NW Cedar Bristol	247-9812
41	De Whittington	De Whittington	21254 NW Woodman	247-9812
42	Ganef Knight	Ganef Knight	4780 Bristol Hwy	Quincy Ga 508-5372
43	Renny Armstrong	Renny Armstrong	788 Drake Acres	508-5372
44	Jeff Carter	Jeff Carter	1708 Collins Rd	408-0652
45	Cindy Mathews	Cindy Mathews	739 Drake Acres Rd	363-9061
46	Ardeo alcaz	Ardeo alcaz	136 AYCI LN	880-7457336
47	Alberto Martinez	Alberto Martinez	19339 Hidden Elk	850 6747369
48	Carson Dickens	Carson Dickens	514 Big Richard	850 57574
49	Crystal Eihart	Crystal Eihart	1305 Sadberry Rd.	(239)990-4690
50	Paul W. Childers	Paul W. Childers	85 Evening Breeze Rd.	509-0360
51	Raymond Clark	Raymond Clark	79 Misty Dawn Rd.	597-5978
52	Marcus Weeks	Marcus Weeks	456 Drake Acres	661-5725
52	Brandyn Weeks	Brandyn Weeks	2/5E Drake Acres	509-0041
54	REBECCA PERSE	Rebecca Perse		
55	Kellie Jackson	Kellie Jackson	1183 Sadberry Rd	850-354-3264
56	Phillip Rodgers	Phillip Rodgers	1229 Sadberry Rd	850-597-6048
57	Alan Johnson	Alan Johnson	120 Houlthorn Court Ln.	
58	J. Calabrese	J. Calabrese	595 Drake Acres Rd	82-351
59	Bill Lyb	Bill Lyb		
60	Phillip Golisky	Phillip Golisky	2084 Lake View Rd	32351

#	Print Name	Sign	Address	Phone
61	Jill Shay	<i>Jill Shay</i>	531 Crocker ^{Quincy} Darrell Rd	239-841-3112
62	Tashunda Colter	<i>Tashunda Colter</i>	4545 McCall Blvd	352-301-7628
63	James McDonough	<i>James McDonough</i>	4352 Sycamore rd	
64	Dakota Hemmings	<i>Dakota Hemmings</i>	4950 Pine grove chrd	320-4189
64	Marilyn Jayer	<i>Marilyn Jayer</i>	86 Clearwater St.	510-3997
66	JAMES STEELE	<i>James Steele</i>	311 Tommy trail	
67	Rex Campbell	<i>Rex Campbell</i>		
68	Cynthia Bradwell	<i>Cynthia Bradwell</i>	3175 McCall Bridge rd	627-7159
69	Betty Wheelwright	<i>Betty Wheelwright</i>	178 Carlene Lane	313-8593
70	Kevin Wyatt	<i>Kevin Wyatt</i>	178 Carlene home	
71	Brantly Morris	<i>Brantly Morris</i>	260 Chiquipin Way	
72	Mike Groll	<i>Mike Groll</i>	551 REYNOLDS	627-2513
73	Mike Panman		2900 Old Federal	610-4309
74	Maeve			
75	Ricky Mills			
76	Michael Fletcher	<i>Michael Fletcher</i>	4724 old Federal Rd. ^{Quincy} FL.	
77	Johnny Ray	<i>Johnny Ray</i>	590 Drake Acres Rd	743-9551
78	Philip Nudum	<i>Philip Nudum</i>	1229 Strawberry rd	
79	Ed Allen	<i>Ed Allen</i>	258 Chiquipin Way	273-9368
80	Gary May	<i>Gary May</i>	#50 Little Cove Rd	850324-2983
81	Anthony Donnell	<i>Anthony Donnell</i>	46 Hart + V @	850 627 1072
82	R EURNS	<i>R EURNS</i>	PO BOX 333	850-678-416
82	Keith Bauer	<i>Keith Bauer</i>	3692 Gatlin Road.	850-212-1805
84	Terry Burdeshaw	<i>Terry Burdeshaw</i>	358 Casowden Rd	850-566-5099
85	Thomas Sowell	<i>Thomas Sowell</i>	424 Casowden Rd	850-627-3082
86	Darrell Steffen	<i>Darrell Steffen</i>	71 Rentsz Rd	850 570 076
87	Terry Britt	<i>Terry Britt</i>	522 Drake Acres	354-2689
88	Robin Marchant	<i>Robin Marchant</i>	822 Drake Acres	850-354-2689

#	Print Name	Sign	Address	Phone
89	Jessica Kelly	Jessica Kelly	822 Drake Acres	912-347-9360
90	Joshua Britt	Joshua Britt	82 Drake Acres	912-347-3172
91	Matt Derier		266 Southwick Ln	850-694-6848
92	Shienna Dorio		266	601-0554
93	Chuck Fisher		156 Loop Dr.	627-3023
94	Gayle Fisher		156 Loop Dr.	627-3023
95	Way Hawthorn		Home Less	
96	Roberto Mendon		75 Mossy Oaks	830-509-8116
97	Shelby Morris	Shelby Morris	3094 Cock Landing Rd	850-566-1814
98	DARYL MORRIS	Daryl Morris	3094 Cock Landing Rd	850-591-4316
99	Melanie King	Melanie King	1265 McCall Bridge Rd	850-627-3270
100	Miller Floyd	Jayne Floyd	80 Whitehouse Dr	334-618-3850
101	Dawn & Phillip	Thomas Phillip	196 Wild Turkey Ln	524-2090
102	Paula Coleman	Paula Coleman	149 Tommy Trail Rd	334-400-3600
103	Servando ortuno	Servando ortuno	149 Tommy Trail Rd	334-400-3600
104	Sandra Hester	Sandra Hester	67 Carlene Lane	688-8999
105	TIM WRENNO		3319	
106	Felicia Kelly	Alicia Kelly	3939 McCall Bridge Rd	850-228-7582
107	William Stokes	Joanna Stokes	1000 Sadberry Rd	850-895-4883
108	Laura Cook	Laura Cook	35750 COUNTRY	825-3017
110	Deborah Tinter-Dietrich	Deborah Tinter-Dietrich	32 Talquin Resort Drive Quincy, FL 32351	850-627-9010
111	Julie Chasen	Julie Chasen	230 South Hill Country Ln	850-339-3001
112	Mark McLaughlin	Mark McLaughlin	4350 Sycamore Rd	850-442-4150
113	Linda Beckins	Linda Beckins	2925 Lakeview Pkwy	407-929-6418
114	GEORGE	George	6689 Pt. of View	850-627-7489
115	John STATION	John Station	1332 SAUBERRY	850-567-2093
116	Michelle	Michelle	880 228 31-14	
117	Sheila B. Jones	Sheila B. Jones	1536 post plat	(807)43-9420



#	Print Name	Sign	Address	Phone
118	Arlene Kirklin		2453 Lakeview Pt Rd	850 631 1966
119	Lynna Jo Teece		2801 Lakeview Pt Rd	850-627-6402
120	Dustin Wilson		22 Northwood Ln	850-509-3722
121	Sophia Campbell		845 Old Federal	850 509 2012
122	Laura Ellen		303 Cowden Lane	661-7535
123	Vickie Reeves		501 Caswooden Rd	627-2884
124	Paul Rorie		80 Clearwater St	850 570 6027
125	Rufus Keigans		Quincy	
126	Melissa Keigans		Quincy	
127	Michael Chaffin		601 CARMEN MARIA LN QUINCY	850-688-5372
128	Randy Mann		137 Sealberry Rd Quincy, MS	
129	Bessie Tamm		124 Dantit Ct	
130	Brandon Hunt		3620 OH FEDERAL RD	850 541 - 8179
131	Chark Purus		2580 Cooks Landing	715-9372
132	Mont Perry		162 Boring Tr Rd	241-2190
133	Doug McCaltum		2821 Lakeview Pt Rd	850-694-1994
134	Brian Smith		900 Talqua Ave	850-528-5040
135	Birdie Connor		69 Hart Rd	850 694 4398
136	J.B. Wiggins		260 Telquindale	80-212-8550
137	STEVEN SCHOPPAUL		271 WILD TURKEY LN.	860-514-1329
138	Matt Carter		122 Del Rio Dr.	850-868-0120
139	Winnie Brackin		2925 Lakeview Pt Rd, Quincy, MS	407-999-6435
140	LARRY MATTHEWS		739 DRAKE CRES	850-3691
141	Brian Varp		314 Laurel Lane 30324	850-509-0665
142	Rae Whitte		10 WILD TURKEY	
143	Rae Whitte		10 WILD TURKEY	
144	Rae Whitte		10 WILD TURKEY	
145	Mark W. King		400 OKLAHOMA CR.	

#	Print Name	Sign	Address	Phone
146	Thomas P. Ashford	Thomas P. Ashford	23 Woodwood ^{Quincy} Dr	561-629-6573
147	Gail Ray ↔	Gail Ray	590 Hake Ave Rd	627-23045
148	Anthony Bennett	Anthony Bennett	162 Tommy Trail	212-9554
149	Deise Clark	Deise Clark		—
150	Allen Lewis	Allen Lewis		—
151	Janis French	Janis French	2168 Lake View Pt Rd	228-1958
152	Josh Smith	Josh Smith	237 Tommy Trail	—
153	Lewis Tedrich	Lewis Tedrich	91 Short Ln	—
154	Jay Bryant	Jay Bryant	1391 Doeewood Ct	208-5066
155	Genaro Miranda	Genaro Miranda	263 Talquin	945-5312
156	Kendra Brown	Kendra Brown	720 Dunn St	901-401-1496
157	Mickey Cochran	Mickey Cochran	2207 150 th Tr	—
158	Jonathan Maye	Jonathan Maye	979 Lakeview Pt Rd, Quincy	850-274-0299
159	Rodger Kunkle	Rodger Kunkle	13328 ¹⁴⁰⁵ 1505 N 8 th Rd	334-991-4505
160	Debra Kunkle	Debra Kunkle	13309 Hwy 84T	334-796-224
161	Tom Perkins	Tom Perkins	2069 MAHAN	566-2409
162	Arion Ambrey	Arion Ambrey	61 Evening Meeze Ln	634-0132
163	Jason Phillips	Jason Phillips	79 Misty Dawn Rd	NA
164	Angie Burke	Angie Burke	17430 NE one Trail	567-9836
165	Walter C. Rupp	Walter C. Rupp	T HARPER Cir	
166	F. Cabell	Frank Cabell	300 Wild Turkey	
167	Jeff Tenn	Jeff Tenn		
168	Jeff Tenn	Jeff Tenn		
169				
170	Jason Levere	Jason Levere		
171	Pat Levere Smith	Pat Levere Smith	231 Quincy Rd Quincy	850-509-2211
172	Amber Levere	Amber Levere	108 Plato Place	850-544-0844
173	Inred Levere	Inred Levere	108 Plato Place	334-901-8325

PROTECT OUR FUTURE



We, the undersigned represent over 220,000 acres of agricultural land and 33,000 acres of rural residential area surrounding a 5-acre parcel of Agricultural-1 land that a commercial developer out of Thomasville, Georgia (Teramore Development) and a Land Planner out of Panama City, Florida (The Planning Collaborative) are attempting to get rezoned from Agricultural-1 to Commercial for the primary purpose of building and locating a Dollar General store on the northwest corner of the intersection of Highway 267 (Pat Thomas Parkway) and County Road 65B (Old Federal Rd.) in Quincy, Florida.

There are many land use considerations and ordinances that protect the surrounding neighborhood and that the Gadsden County Planning Commission and Board of County Commissioners must take into consideration before granting an exception to the zoning regulations for this parcel of land. Private property owners are provided the right to have a say in the zoning of their neighborhood by law and under the Future Land Use plans of the county. There are serious safety issues involved with locating a commercial establishment at this intersection, including but not limited to blind corners, speed of oncoming traffic stopping at that intersection to turn, commercial log trucks attempting to navigate up the hill from either direction and coming upon a random stopped car waiting to turn at that intersection, availability of the County Sheriff's Office to respond to emergencies and burglaries, and no lighting along the road that makes the corner almost invisible at night upon approaching it. There are safety issues involved with Emergency Management's access to a clear roadway in the event of emergencies, accidents, and with natural disasters becoming more and more frequent. There are personal rights of the public surrounding the property which include the right to a safe, clean, quiet, and protected property; safe from unwanted invasion, destruction, or other environmental or health violations like commercial drain fields, garbage containers, and garbage littering the roadway. There are local established business operations that would be severely impacted by the development of this corner for a Dollar General store, putting established business in the area out of business for a business interest from another state. This project would also disrupt the environment of the area and the natural habitat of many critical species (i.e., deer, bear, hawks, owls), including the endangered gopher turtle. This commercial venture would negatively impact property values of the surrounding neighborhoods, reducing tax base for the County to provide for institutional and emergency services.

We the undersigned, strongly object to the request for rezoning of this parcel of land and strongly urge the Gadsden County Planning Commission and the Board of Commissioners to embrace their responsibilities under the Gadsden County Comprehensive Plan for Future Land Use and deny this petition for rezoning.

NEIGHBORHOOD COMMUNITY RESIDENTS

#	Print Name	Sign	Address	Phone
1	Sarah Johnson	<i>Sarah Johnson</i>	166 Talquin Av	850-554-9675
2	Allen Clark			
3	Allen Clark	<i>Allen Clark</i>	3007 Cooks Landing	627-3396
4	Tom Hardem	<i>Tom Hardem</i>	354 Louisa ^{Palmer} Ln	850-692-1493

#	Print Name	Sign	Address	Phone
5	George R. HULCHER	George R. Hulcher	3084 Cook Rd & Road Quincy FLA 32351	945-4190
6	William J Fason	William J Fason	10411 Lewin Avenue Quincy, FL 32359	363-9262
7	BARBARA WALTER	Barbara Walter	23 Southern Counties Ln Quincy FL 32351	510-7036
8	WES GREENWALD	Wes Greenwald	292 LOIS LANE Quincy, FLA 32351	508-5989
9	W.D. JOHNSON	W.D. Johnson	166 Talbot Dr AV Quincy FL 32351	510-3474
10	Les Walter	LES WALTER	23 Southern Counties Ln	5107036
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1	Sarah Johnson	<i>Sarah Johnson</i>	166 Talquin Av	850-556-9675
2	<i>Allen Clark</i>			
3	Allen Clark	<i>Allen Clark</i>	3007 Cooks Landing	627-3576
4	Tom Harden	<i>Tom Harden</i>	354 Louys ^{P.O. Box} 600	850-692-1493

#	Print Name	Sign	Address	Phone
5	George R. HULETER	George R. Huleter	3084 Cook Ln & Road QUINCY FLA 32351	945-4190
6	William J Fason	William J Fason	1041 Telewin Avenue Quincy, FL 32359	363-9262
7	BARBARA Wachter	Barbara Wachter	23 Southern Counties Ln QUINCY FL 32351	510-7036
8	WES GREENWALD	Wes Greenwald	292 LOIS LANE Quincy, FLA 32351	508-5989
9	WD Johnson	WD Johnson	166 Talquin AV Quincy FL 32351	510-3474
10	Les Wachter	Les WACHTER	23 Southern Counties Ln	5107036
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NEIGHBORHOOD COMMUNITY RESIDENTS

Print Name Sign Address Phone

- 1 ~~Craig W. Colson~~ *Craig W. Colson 5505 Old Federal Rd 627-3404*
- 2 ~~Deborah Colson~~ *Deborah Colson 5505 Old Federal Rd Quincy 627-3104*
- 3 *Virginia Brantley Virginia Brantley 5523 Old Federal Rd Quincy 627-2941*
- 4 *Jim Brantley Jim Brantley 5508 Old Federal Rd 627-2941*

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Elizabeth Johnson

6658 Old Federal Rd, Quincy, Fl. 32351 | (850) 510-0657 | Didijohnson448@gmail.com

Date

To Whom It May Concern

For New Dollar General Store

Corner of Pat Thomas Parkway and Old Federal Road

Dear To Whom It May Concern:

I'm the Captain at the Wetumpka Volunteer Fire Department. I'm writing you to object my concerns about the new development of Dollar General at the corner of Pat Thomas Pkwy and Old Federal Road in the community of Wetumpka. The intersection at that location is very dangerous. It is at the top of two large hills and the visual is limited there. My point of view is from a Firefighters perspective. I've already encountered numerous accidents at this location. Several of these accidents have been on the verge of being fatalities. When you arrive on scene to one of these accidents it is sights that some can't bare to see. But as a firefighter you have to encounter these scenes and think of ways to help prevent those from happening again. These are our friends and family members that are at risk. With this development the activity in this area will rise. As a concerned citizen of this community myself it is something that we just don't want or need. We already have six or more of these stores in Gadsden County and that is well than enough.

Sincerely,

Elizabeth Johnson



RECEIVED

SKR

Planning Commission Agenda Request

Date of Meeting: October 17, 2019

Date Submitted: October 4, 2019

To: Honorable Chairperson and Members of the Commission

From: Suzanne K. Lex, AICP, Growth Management Director

Subject: **PUBLIC HEARING:** (Legislative) Consideration and Recommendation for the Adoption of Ordinance 2018-018 for the Amendment of Chapters 1 and 7 of the Land Development Code, specifically regarding the ‘Citizens Growth Management and Planning Bill of Rights’ (LDR 2018-01)

Statement of Issue:

Public hearing for the amendment of Chapter 1, Administration and Enforcement and Chapter 7, Development Orders, Development Permits, and Development Agreements of the Land Development Code, to amend the ‘Citizens Growth Management and Planning Bill of Rights’ (CBOR) and move it from Chapter 7 to Chapter 1.

Background:

On May 4, 2010, the Board of County Commissioners adopted the Citizens Growth Management and Planning Bill of Rights’ that is in place today as Ordinance 2010-005. Since 2010, the Board has requested and considered revisions to the CBOR in 2015, 2018 and continued through 2019. Since 2015, the proposed amendments were discussed by the Board at Commission Meetings and Workshops, but the primary requirements for citizen participation and a super-majority vote have been supported. At the April 30, 2019 Board of County Commissioners Workshop staff was directed to bring the item back for review. The Planning Commission was presented this material for consideration at the August 22, 2019 meeting. As revised the Citizen Bill of Rights retains the Citizen Participation Meeting and the requirement for a “Super Majority” vote for all Comprehensive Plan Amendments, Major Subdivision(s), and Special Exception uses. In addition, the Planning staff will take a more active role in the process by both noticing the subject property and attending the Community Participation Meeting.

Analysis:

The current version of the Citizen’s Bill of Rights requires the following:

- A. ***Mandated Citizen Participation Plan** – this step requires public notice to property owners and neighborhood associations within one-half mile of the development site property boundaries.*

Staff Recommendation: Retain and revise this requirement.

Staff was directed to retain this provision, and to attend the Citizen Participation Meeting. This provision is retained with the mailing and newspaper advertisement requirement. In addition, the Gadsden County Planning Department staff will notice the subject property with a two-foot by two-foot sign no less than twenty days prior to the Community Participation meeting.

- B. ***Neighborhood Participation** – notification of neighborhood associations by county staff within 10 days of the filing of any application or proposal filed for comprehensive plan map amendment; requires a community meeting 30 calendar days prior filing the application; requires a second community meeting 15 days prior to amendment adoption hearing of a plan amendment after review “by DCA”. (Note: the timing of the second requirement in this subsection is not clear. Although the staff is required to notify the neighborhood associations of the filing within 10 days after filing with the county, the community meeting requirement 30 days prior to “submittal to DCA” (now DEO) is confusing. This timing should be based upon the Planning Commission hearing, not the submittal or filing date to DCA (now DEO) as that timing is more fluid.))*

Staff Recommendation: Retain and revise this requirement.

This requirement is unclear and sets forth deadlines that are confusing and cumbersome. The community is notified both by mail and newspaper, and additionally with the proposed change Gadsden County Planning Department shall notify the public through signage on the subject property. In addition, Planning Department staff recommends that the Community Participation Meeting and the Conceptual Review meeting with staff occur within the same timeframe. The applicant shall notify the Planning Department staff in writing and schedule the Conceptual Review meeting no less than thirty days prior to the Community Participation Meeting. The applicant will provide a minimum twenty-day notice by mail of the Community Participation Meeting to the surrounding property owners and concurrently the County will a notice the subject property with a two-foot by two-foot sign. A representative from the Gadsden County Planning staff shall attend the Community Participation Meeting.

Following the Community Participation Meeting the applicant must submit to the Planning Department a formal application no less than fifteen-days and no more than ninety days. A one-time extension may be granted for an additional 30 days. The intent of this change is to provide an option for the applicant to make changes in response to community input and reflect these changes in the formal application submittal. At a minimum, two more public

meetings will occur which affords an opportunity for additional community input.

The existing provisions that the applicant include issues identified at the meeting and how these were addressed is retained. However, identified issues cannot be the basis to deny the request if the proposed development meets the Comprehensive Plan and Land Development Code requirements.

- C. *Seven day “cooling-off” period – plan amendments cannot be changed in the seven business days prior to the advertised public hearing. If revised within this period, then the hearing must be rescheduled.*

Staff Recommendation: Delete this requirement.

The project application submitted for review cannot be changed once noticed for an advertised public hearing. This language is unnecessary. An application and staff analysis are presented on the County’s website at a minimum seven days prior to a meeting. Any changes shall occur at the advertised public meeting subject to Planning Commission or Board action. This allows for continued community engagement in a public forum.

- D. *Super-majority vote – required for all comprehensive plan amendments, major land development reviews, variances, special exceptions, major site plans and major subdivision(s). A super majority vote is also required for amendment of this section.*

Staff Recommendation: Retain this requirement.

This requirement should be retained applicable to all Comprehensive Plan Amendments, Major Subdivision(s), and Special Exception uses. All proposed development that is listed as a special exception is identified in the Gadsden County Comprehensive Plan and in the Gadsden County Land Development Code. Variances approvals should be revised to go before the Planning Commission, and an exceptional undue hardship is required to meet the burden of proof.

- E. *Requires all comprehensive plan map amendments and “site development applications” to protect environmental resources.*

Staff Recommendation: Delete this requirement.

The Army Corp of Engineers under the Federal Government, the State of Florida Department of Environmental Protection and the Northwest Florida Water Management District, and Gadsden County require protection of environmental resources. Both the Comprehensive Plan and the Gadsden County Land Development Code contain requirements to ensure the protection of environmentally sensitive areas, wetland habitat, and protection of endangered and threatened species. These regulations accomplish this and therefore such language is unnecessary.

F. No Free Density – when the conversion of land from residential or agriculture occurs to create “urban density”, proof must be made to show “land for significant public benefit is offered in fair and equitable exchange”.

Staff Recommendation: Delete this requirement

Any increase in density occurs through a proposed Future Land Use Map amendment and once adopted through Zoning Map amendments. There is no measure or parameters for the “fair and equitable exchange” of “land for significant public benefit” for the conversion of land from rural and agricultural to urban density. If this requirement is retained, there needs to be a program to detail the exchange of residential and agriculture lands to urban density and at a minimum, defining “urban density” is, “significant public benefit” and a methodology to determine what constitutes a “fair and equitable exchange”. Additional guidance is needed to describe the ratio of lands exchanged and criteria for an “appropriate location”. In addition, as written, this paragraph is a deterrent to a developer who may seek to provide a compact, walkable, mixed use community. These types of communities provide better urban form, and should be encouraged opposed to condition by an exchange of lands.

G. Requires the establishment of urban service boundaries by 2014.

Staff Recommendation: Delete this requirement

This is a carry-over from a settlement agreement with the Department of Community Affairs, and the regulations that formed the basis have since been replaced. The State Land Planning Agency would no longer direct a local government to develop an Urban Service Boundary.

As revised, Chapter 163, Part II, has shifted the focus of the State Land Planning Agency to impacts on significant state resources and facilities.

It is proposed that the amended Chapter 7001.1 be relocated to the public hearing process in Chapter 1 of the Land Development Code. Changes to the Citizen’s Bill of Rights will not become in conflict with those pertinent sections.

Planning Commission Recommendation:

The Planning Commission heard this agenda item on April 12th and May 15th of 2018. They voted 5-2 in favor amending the ordinance to only apply to Comprehensive Plan Future Land Use Map amendments, and to delete in full Parts D-G of the Subsection. On August 22, 2019 the Planning Commission took no action and tabled the item, with the understanding that this Code revision would be presented for consideration to the Board of County Commissioners.

Board of County Commissioners Recommendation:

Item 8: Citizen Bill of Rights Staff Report 10.17.2019 PC Meeting

At the September 17, 2019 the Board of County Commissioners voted to return the item to the Planning Commission for consideration and a recommendation at the next regularly scheduled Planning Commission meeting.

Options:

1. Recommend to the Board of County Commissioners adoption of Ordinance 2018-018 amending Chapters 1 and 7 of the Land Development Code.
2. Recommend to the Board of County Commissioners do not adopt Ordinance 2018-018 amending Chapters 1 and 7 of the Land Development Code.
3. Board Direction.

Recommendation:

Option 1.

Attachments:

1. Ordinance 2018-018
2. Strikethrough-underline showing the proposed changes to Section 1700 of the Gadsden County Land Development Code.
3. Clean copy of the proposed changes to Section 1700 of the Gadsden County Land Development Code.

ORDINANCE 2018 - 018

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE, AMENDING CHAPTER 1, ADMINISTRATION AND ENFORCEMENT AND SECTION 7001.1, THE CITIZENS GROWTH MANAGEMENT AND PLANNING BILL OF RIGHTS IN CHAPTER 7, DEVELOPMENT ORDERS, DEVELOPMENT PERMITS, AND DEVELOPMENT AGREEMENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE GADSDEN COUNTY LAND DEVELOPMENT CODE, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of existing and future residents of the county by enacting and enforcing regulations concerning the use of property necessary for the protection for the public; and

WHEREAS, the Board of County Commissioners of Gadsden County has adopted the Gadsden County Land Development Code, as required pursuant to §163.3202, Florida Statutes; and

WHEREAS, The Gadsden County Planning Commission, acting as the local planning agency, reviewed this amendment and made a recommendation to the Board of County Commissioners; and

WHEREAS, duly noticed public hearings were conducted on such proposed amendment on August 22, 2019 by the Gadsden County Planning Commission and on September 17, 2019 by the Board of County Commissioners.

WHEREAS, words with underline type shall constitute addition and ~~striketrough~~ shall constitute deletions to the original text from the language existing prior to adoption of this Ordinance.

Now therefore, be it ordained by the Board of County Commissioners of Gadsden County, Florida, that:

SECTION I: Approval and Adoption of Amendment.

The amendment to the Gadsden County Land Development Code as attached hereto as Exhibit "A" is hereby adopted and approved.

SECTION II: Repeal

Those parts of Chapters 1 and 7 of the Gadsden County Land Development Code in conflict herewith are hereby repealed and superseded to the extent of such conflict and shall have no further effect whatsoever.

SECTION III: Severability

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

SECTION IV: Inclusion in the Land Development Code

This Ordinance shall be codified in the Gadsden County Land Development Code as set forth in Exhibit "A."

SECTION V: Modification

It is the intent of the Board of County Commissioners that the provisions of this Ordinance, including the amendment attached hereto as Exhibit "A," may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed by the Clerk.

Section VI: Scrivener's Errors

The County Attorney may correct any scrivener's errors found in this Ordinance by filing a corrected copy of the Ordinance with the Clerk.

Section VII: Effective Date

This Ordinance shall become effective as provided by law.

The above and foregoing Ordinance was read and approved at a duly convened public hearing at a regular meeting of the Board of County Commissioners of Gadsden County, Florida, this 17th day of September 17, 2019.

BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA

By: _____

Dr. Anthony Viegbesie, Chairperson

Nicholas Thomas
Clerk of the Circuit Court

CHAPTER 7

DEVELOPMENT ORDERS, DEVELOPMENT PERMITS,
AND DEVELOPMENT AGREEMENTS

(Ord. # 2003-006, 8-19-03; Ord. # 2015-12, 10-20-15)

SECTION 7001.1 SUBSECTION 1700. -CITIZENS GROWTH MANAGEMENT AND PLANNING BILL OF RIGHTS

For the purposes of this Subsection, the Board of County Commissioners shall not be classified as an applicant.

This section ~~established~~ establishes additional requirements for Comprehensive Plan Future Land Use Map Amendments ~~and Major Land Development Reviews including but not limited to variances, s~~ Special Exceptions, major Site Plans and m Major Subdivisions in Gadsden County. All applicants for small scale and large scale Comprehensive Plan Future Land Use Map Amendments, Special Exceptions and Major Subdivisions ~~Land Development Reviews~~ shall comply with the following requirements:

- A. Mandated ~~Community Citizen~~ Participation Meeting Plan - Developers ~~The applicant must conduct a Community Participation Meeting prepare a citizen participation plan and publish notice of the meeting and notify~~ provide notice by mail and ~~newspaper impacted to all~~ property owners and neighborhood associations within one half mile of the external boundary of the property which is the subject of the application. ~~development site property boundaries. The notice shall include the date, time and location of the meeting, the address, parcel identification number and location map of the subject property, the application type, and the contact name and information of the applicant's representative. The Community Participation Meeting shall be held within the same district as the subject property.~~ The Growth Management Department must verify that proper notification has occurred. The Developer shall conduct workshops with citizens impacted to identify all issues of concern prior to any public hearing. The developer must present to the Planning Commission and Board of County Commissioners a list of all issues raised, and indicate if and how they were resolved. Unresolved issues then become the focus of P & Z and BOCC discussion.
- B. The applicant shall provide the Planning Official a copy of the proposed notice and shall schedule a pre-application meeting no less than thirty days prior to the Community Participation Meeting. The applicant shall mail the notice approved by the Planning Official to the surrounding property owners at the mailing address shown on the Property Appraiser's website no less than twenty days prior to the Community Participation Meeting, and shall publish the notice in at

least one newspaper of general circulation in the County (the one published in the location of the subject property, if any) no less than 20 days prior to the Community Participation Meeting. The applicant shall provide the Planning Official with proof of mailing and publication. At least twenty days prior to the Community Participation Meeting the County will post a notice on the subject property, with a two-foot by two-foot sign, providing the date, time and location of the Community Participation Meeting, the application type and the contact name and information of the Planning Official, or designee. The Planning Official, or designee, shall attend the Community Participation Meeting.

~~Neighborhood Participation—Gadsden County's Department of Planning and Community Development Department (Department) must compile a list of all valid neighborhood associations (with contact person) operating within the unincorporated areas. Within 10 business days of the filing of any applications or proposals filed for comprehensive plan amendments or land development regulations, the Department shall notify potentially impacted neighborhood associations of such filings. Prior to submittal to DCA of plan amendments that would change future land use map a Community or neighborhood meeting must be held 30 calendar days before the application is filed and the application must verify that the meeting was held. A second Community or Neighborhood meeting must be held 15 business days before the amendment adoption hearing after review by DCA.~~

C. The applicant must submit a formal application no less than fifteen-days and no more than ninety days after the Community Participation Meeting. A one-time extension may be granted for an additional thirty days. The application must include a list of all issues raised at the Community Participation Meeting, and indicate if and how they were resolved or addressed. The Planning Official, or designee, shall include the list in the agenda requests to the Planning Commission and Board of County Commissioners. The Planning Official, or designee, shall post on the County's website a list of all applications under review that are subject to these requirements, including the dates of the scheduled public meetings before the Planning Commission and the Board of County Commissioners, and the name and contact information of the Planning Official, or designee.

~~C. Seven Day "Cooling Off" Period—Plan amendments cannot be changed in the seven (7) business days prior to the advertised public hearing. This will allow the citizens, commissioners, and others to fairly evaluate the document. If the plan amendment is revised within that period, the hearing will be postponed unless all affected parties agree otherwise. Any material changes to proposed plan amendments must be submitted and made available to the public at least five (5) business days prior to the hearing at the adoption stage.~~

D. "Super Majority"--Votes for ALL COMPREHENSIVE PLAN All Comprehensive

Plan Future Land Use Map aAmendments, Special Exceptions and Major Land Development ReviewsSubdivisions including ~~but not limited to variances, special exceptions, major site plans and major subdivision~~ shall require a "super majority" vote of the BOCC. A super majority vote of the BOCC is required to amend or repeal this ordinance. If all five members of the Board of County Commissioners are not present at the meeting at which the application is scheduled to be considered for action, an applicant shall be granted up to two continuances if requested at the meeting. All continuances shall be posted on the County's website and the application may be considered for action at a subsequent properly noticed public meeting. Any publication requirements shall be deemed satisfied by publication of notice of the initial public hearing and additional publication is not required.

~~D. All comprehensive land use map changes and site development applications shall protect Gadsden County Environmental Resources as identified in and in compliance with the adopted Comprehensive Plan requirements and Land Development Code.~~

~~E.~~

~~F. "No Free Density"--The conversion of rural and agricultural land to urban density in the form of compact, walkable, mixed use communities in appropriate locations shall only be undertaken where land for significant public benefit is offered in fair and equitable exchange. This shall include the permanent preservation of natural and agricultural lands and open spaces;~~

~~G.~~

~~H. G. "Establish Reasonable Urban Service Boundaries"--County government will work with the municipalities and other appropriate parties to establish reasonable urban services boundaries within the DCA mandated timeframe of 2014.~~

~~I.~~

(Ord. #2010-005, 05-04-10, Ord. #2018-18, 09-17-19)

CHAPTER 7

DEVELOPMENT ORDERS, DEVELOPMENT PERMITS, AND DEVELOPMENT AGREEMENTS

SUBSECTION 1700.CITIZENS GROWTH MANAGEMENT AND PLANNING BILL OF RIGHTS

For the purposes of this Subsection, the Board of County Commissioners shall not be classified as an applicant.

This section establishes additional requirements for Comprehensive Plan Future Land Use Map Amendments Special Exceptions, and Major Subdivisions in Gadsden County. All applicants for Comprehensive Plan Future Land Use Map Amendments, Special Exceptions and Major Subdivisions shall comply with the following requirements:

- A. Mandated Community Participation Meeting - The applicant must conduct a Community Participation Meeting and publish notice of the meeting and provide notice by mail and to all property owners within one half mile of the external boundary of the property which is the subject of the application. The notice shall include the date, time and location of the meeting, the address, parcel identification number and location map of the subject property, the application type, and the contact name and information of the applicant's representative. The Community Participation Meeting shall be held within the same district as the subject property.
- B. The applicant shall provide the Planning Official a copy of the proposed notice and shall schedule a pre-application meeting no less than thirty days prior to the Community Participation Meeting. The applicant shall mail the notice approved by the Planning Official to the surrounding property owners at the mailing address shown on the Property Appraiser's website no less than twenty days prior to the Community Participation Meeting, and shall publish the notice in at least one newspaper of general circulation in the County (the one published in the location of the subject property, if any) no less than 20 days prior to the Community Participation Meeting. The applicant shall provide the Planning Official with proof of mailing and publication. At least twenty days prior to the Community Participation Meeting the County will post a notice on the subject property, with a two-foot by two-foot sign, providing the date, time and location of the Community Participation Meeting, the application type and the contact name and information of the Planning Official, or designee. The Planning Official, or designee, shall attend the Community Participation Meeting.

- C. The applicant must submit a formal application no less than fifteen-days and no more than ninety days after the Community Participation Meeting. A one-time extension may be granted for an additional thirty days. The application must include a list of all issues raised at the Community Participation Meeting, and indicate if and how they were resolved or addressed. The Planning Official, or designee, shall include the list in the agenda requests to the Planning Commission and Board of County Commissioners. The Planning Official, or designee, shall post on the County's website a list of all applications under review that are subject to these requirements, including the dates of the scheduled public meetings before the Planning Commission and the Board of County Commissioners, and the name and contact information of the Planning Official, or designee.
- D. "Super Majority" Votes - All Comprehensive Plan Future Land Use Map Amendments, Special Exceptions and Major Subdivisions shall require a "super majority" vote of the BOCC. A super majority vote of the BOCC is required to amend or repeal this ordinance. If all five members of the Board of County Commissioners are not present at the meeting at which the application is scheduled to be considered for action, an applicant shall be granted up to two continuances if requested at the meeting. All continuances shall be posted on the County's website and the application may be considered for action at a subsequent properly noticed public meeting. Any publication requirements shall be deemed satisfied by publication of notice of the initial public hearing and additional publication is not required.

(Ord. #2010-005, 05-04-10; Ord. # 2018-18, 09-17-19)