

**PLANNING AND ZONING BOARD  
CITY OF KEYSTONE HEIGHTS**

**AGENDA  
Monday, December 11, at 6:00 PM**

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**NOTICE:** APPEAL PROCESS - ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS FOR SUCH PURPOSE SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FLORIDA STATUTES 286.0105.

ANYONE WISHING TO ADDRESS THE BOARD REGARDING ANY TOPIC ON THIS AGENDA IS REQUESTED TO COMPLETE A CARD AND RETURN TO THE CITY MANAGER. SPEAKERS ARE RESPECTFULLY REQUESTED TO LIMIT THEIR COMMENTS TO THREE (3) MINUTES.

**Please turn OFF cell phones and any other electric devices**

**ROLL CALL – City Manager**

**Public Comment** – this portion of the agenda is designed to allow citizens an opportunity to bring matters to the attention of the Board. It is not reasonable to expect that the Board will engage in debate or deliberation about matters on which the Board has received no prior information as part of the agenda.

**Items for Consideration:**

1. Use by Exception – Storage Units  
101 Commercial Drive, Keystone Heights FL  
Parcel No. 20-08-23-002170-001-14

**PLEDGE OF CIVILITY**

WE WILL BE RESPECTFUL OF ONE ANOTHER EVEN WHEN WE DISAGREE.  
WE WILL DIRECT ALL COMMENTS TO THE ISSUES.  
WE WILL AVOID PERSONAL ATTACKS.

**City of Keystone Heights  
Application for Special Exception**

Application No. \_\_\_\_\_

**Owner's Name and Address** (as shown in the public records of Keystone Heights, FL)

Name : John Pellerito phone: 352.494.1829

Address: 6997 Crystal Lake Rd, Keystone Hts, FL 32656

Application Fee: \$250<sup>00</sup>

**Legal Description of Property** (provide copy of deed):

Street Address: 101 Commercial Drive, Keystone Hts, FL 32656

**Requested Use:**

Zoning applicable to the property: \_\_\_\_\_

Land Use applicable to the property: \_\_\_\_\_

Requested use of the property : Climate controlled storage

Size of property (acres) : 1.83 Size of Proposed Use (SF or acres): 5,000 SF

Other uses on property: None Currently

Please complete the attached description of the proposed use and adjacent uses.

I hereby certify that I am the Owner of the property that is the subject of this application for Special Exception:

Signature of Owner: 

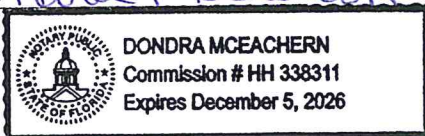
I hereby certify that I am the owner of said property and that I appoint :

\_\_\_\_\_ as my agent.

Personally known  or has produced the following identification: \_\_\_\_\_

Notary Public : Dondra McEachern

Clay County, Florida



Agent Contact Information:

Address: 430 SE State Rd 100, Keystone Hts, FL 32656

Phone: 352.478.8754 e-mail: general@coredent.com

**City of Keystone Heights  
Application for Special Exception**

Application No. \_\_\_\_\_

What is the existing use of the property (list each use and the size of each use) ? \_\_\_\_\_

most recently was a tractor supply store  
existing use is currently nothing.

How many parking spaces are dedicated to this use (identify the total parking for the property and what parking is assigned to other uses on the property, if any:

Parking on property: 30 spaces

Parking for the existing use : N/A

Parking for other uses on the property: yes

Parking for the proposed use (are additional spaces to be provided)? none needed  
but there is additional land should more be required

The proposed use is in a building where other uses are also located: \_\_\_\_\_ yes  no

The proposed use is the only use on the property  yes \_\_\_\_\_ no

Draw the property below and identify the uses adjacent to the proposed use. Identify where parking is located (show parking in the right of way if used by business patrons):

See attached

Identify the uses that are adjacent to the proposed use:

North : N. FL Well company South: SR-100

East: Residential West: Medical office





NORTH FLA. WELL DRILLING  
&  
PUMP SERVICE  
352-373-3204

Proposed Climate Control Storage

State Road 100

Aza Health  
Wellness A to Z

Flower Petals



Prepared by and return to:

Kim A. Story  
Taylor Arrubla Hardwick Real Estate Services P.A.  
420 S. Lawrence Blvd.  
Keystone Heights, FL 32656  
(352) 473-8088  
File Number: 2023-1525

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 29th day of June, 2023, between Futch's Keystone Heights LLC, a Florida limited liability company, whose post office address is 540 CR 207A, East Palatka, FL 32131, grantor, and JMP Holdings FL LLC, a Florida limited liability company, whose post office address is PO Box 1866, Keystone Heights, FL 32656, grantee:

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

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

Parcel 1:

Lots Thirteen (13) and Fourteen (14), ERVIN TRIEST DEVELOPMENT, a subdivision according to plat or map thereof recorded in Plat Book 17, Page 13, of the Public Records of Clay County, Florida.  
Parcel 2: A parcel of land situated in Government Lots 3 and 4 of Section 20, Township 8 South, Range 23 East, Clay County, Florida; said parcel being more particularly described as follows:

Commence at the intersection of the Southwesterly right-of-way line of State Road No. 100 with the Southerly right-of-way line of Sylvan Way as shown on a plat of the Town of Keystone Heights, as recorded in Plat Book 2, Pages 39 and 40, of the Public Records of Clay County, Florida, and run North 35 degrees 04 minutes 38 seconds East, and perpendicular to the center-line of State Road No. 100 a distance of 166.00 feet to a concrete monument on the Northerly right-of-way line of the Georgia Southern and Florida Railroad and the Point of Beginning; thence continue North 35 degrees 04 minutes 38 seconds East, along the Easterly right-of-way line of Commercial Circle, 139.75 feet to an iron pipe at the Southeast corner of Ervin Triest Development, as per plat thereof recorded in Plat Book 17, Page 13, Public Records of Clay County, Florida and the North line of Government Lot 3; thence run South 89 degrees 33 minutes 52 seconds East, along said last aforementioned line 314.01 feet to an iron pipe; thence run South 00 degrees 53 minutes 35 seconds West, and along an old fence 184.71 feet to the North line of lands described in Official Records Book 127, Page 608, of said county; thence run North 54 degrees 55 minutes 22 seconds West, along said North line 100.00 feet to an iron pipe.; thence run South 00 degrees 53 minutes 35 seconds West, along the West line of said lands described in Official Record Book 127, Page 608, a distance of 200.00 feet to an iron pipe in the Northerly right-of-way line of said Railroad; thence run North 54 degrees 55 minutes 22 seconds West, along said Northerly right-of-way line 374.50 feet to the Point of Beginning. Being the same lands described in Deed Book 126, Page 206, Clay County Public Records.

**LESS AND EXCEPT** that certain parcel of land as described in Official Record Book 1129, Page 209, Public Records of Clay County, Florida.

**AND**

**Parcel 2-A**

A parcel of land situated in Lot 12 of Ervin Triest Development as per plat thereof recorded in Plat Book 17, Page 13, Public Records of Clay County, Florida; said parcel being more particularly described as follows:

Begin at the Southwest corner of said Lot 12 and run North 35 degrees 04 minutes 38 seconds East, along the West line of said Lot 12 a distance of 50.00 feet; thence run South 54 degrees 55 minutes 22 seconds East, 72.37 feet to the South line of said Lot 12; thence run North 89 degrees 33 minutes 52 seconds West, along said South line, 87.96 feet to the Point of Beginning.

**AND**

**Parcel 2-B:**

A parcel of land situated in Government Lot 3 of Section 20, Township 8 South, Range 23 East, Clay County, Florida; said parcel being more particularly described as follows:

Commence at the intersection of the Southwesterly right-of-way line of State Road No. 100 with the Southerly right-of-way line of Sylvan Way as shown on a plat of the Town of Keystone Heights, as recorded in Plat Book 2, Pages 39 and 40, Public Records of Clay County, Florida, and run North 35 degrees 04 minutes 38 seconds East, and perpendicular to the center-line of State Road No. 100 a distance of 166.00 feet to a concrete monument on the Northerly right-of-way line of the Georgia Southern and Florida Railroad; thence run South 54 degrees 55 minutes 22 seconds East, along said right-of-way line 374.50 feet to an iron pipe at the Southwesterly corner of lands described in Official Record Book 127, Pages 608 and 609, Public Records of Clay County, Florida; thence run North 00 degrees 53 minutes 35 seconds East, along the West line of said lands described in Official Record Book 127, Pages 608 and 609, a distance of 152.00 feet to the Point of Beginning; thence continue North 00 degrees 53 minutes 35 seconds East, along said West line 48.00 feet to an iron pipe at the most Northerly corner of said lands described in Official Record Book 127, Pages 608 and 609; thence run South 54 degrees 55 minutes 22 seconds East, along the North line of the last aforementioned lands 100 feet to an iron pipe; thence run North 83 degrees 27 minutes 21 seconds West, 83.13 feet to the Point of Beginning.

Parcel Identification Number: 20-08-23-002170-001-14 and 20-08-23-002170-001-15

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, 2022.

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

Signed, sealed and delivered in our presence:

David Hues  
WITNESS  
PRINT NAME: Daryll Hughes  
Kim Attk  
WITNESS  
PRINT NAME: Kim A. Story

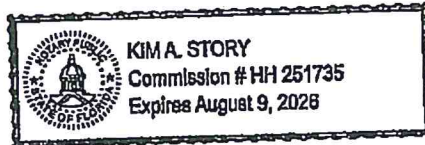
Futch's Keystone Heights LLC, a Florida limited liability company

By: [Signature]  
Daryll W. Futch, its sole member and sole manager

STATE OF FLORIDA  
COUNTY OF CLAY

The foregoing instrument was acknowledged before me by means of  physical presence or ( ) online notarization this 24th day of June, 2023 by Daryll W. Futch, as sole member and sole manager of Futch's Keystone Heights LLC, a Florida limited liability company, on behalf of the company.

Kim Attk  
Signature of Notary Public  
Print, Type/Stamp Name of Notary



Personally known: \_\_\_\_\_  
OR Produced Identification:

Type of Identification Produced: FLDL





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company

**JMP HOLDINGS FL LLC**

### Filing Information

**Document Number** L23000116105  
**FEI/EIN Number** NONE  
**Date Filed** 03/06/2023  
**Effective Date** 03/05/2023  
**State** FL  
**Status** ACTIVE

### Principal Address

101 COMMERCIAL CIRCLE  
 KEYSTONE HEIGHTS, FL 32656

### Mailing Address

POST OFFICE BOX 1866  
 KEYSTONE HEIGHTS, FL 32656

### Registered Agent Name & Address

TAYLOR ARRUBLA HARDWICK P.A.  
 420 S LAWRENCE BLVD  
 KEYSTONE HEIGHTS, FL 32656

### Authorized Person(s) Detail

#### **Name & Address**

Title MRG

**PELLERITO, MELISSA**

POST OFFICE BOX 1866  
 KEYSTONE HEIGHTS, FL 32656

Title MGR

**PELLERITO, JOHN**

POST OFFICE BOX 1866  
 KEYSTONE HEIGHTS, FL 32656

### Annual Reports

**No Annual Reports Filed**





# City of Keystone Heights

555 South Lawrence Blvd  
Keystone Heights, Florida 32656  
352.473.4807 Off 352.473.5101 Fax



2023.11.29

To: Planning and Zoning Board  
From: City Manager  
Re: Use by Exception Application  
Parcel No. 20-08-23-002170-001-14  
101 Commercial Drive Keystone Heights  
Warehouse/Mini Storage

## Property Information

The City of Keystone Heights has received an application for a Use by Exception for 101 Commercial Drive. If approved, it will allow for a climate-controlled storage facility to be located on the property. The proposed use will have 43 individual storage units inside the 5000 square foot building that currently exists on the property with no additional structure to be added at this time.

The property is located on the northeastern corner of State Highway 100 and Commercial Drive and is currently zoned Commercial General. The property currently has 27 regular parking spaces and 2 additional handicap parking spaces and is zoned Commercial General. This property has been used as a tractor/yard equipment supply retailer for over the passed 10 years.





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Shared boundary lines include North Florida Well Drilling & Pump Service to its north and residential to its east.

## City of Keystone Heights Code of Ordinances

Section 17-100 of the City's Code of Ordinances states the intended use of the General Commercial district with both permitted used and uses by exception. Limited warehousing including mini-warehouses is listed under Section 17-100 (a) (3) (g) as a use by exception.

### *(a) General commercial (CG).*

*(1) These districts are intended to provide for retail goods and services for the community as a whole. Shopping centers may be developed by grant of special exception. These districts are ordinarily dependent on automotive or mass transit service and should primarily located at intersections of major thoroughfares. Districts should be buffered so as to mitigate adverse impact on single-family residential districts. Those commercial uses which are intended for day-to-day shopping activity and are comparable in scale and impact to single-family residential uses may be located near or adjacent to such uses. This district is intended to implement the goals, policies and objectives of the commercial land use category of the city's comprehensive plan.*

### *(2) Permitted uses. The uses permitted in these districts are as follows:*

- a. Retail outlets for the sale of food and drugs, wearing apparel, toys, sundries, sundries and notions, books and stationery, luggage, jewelry, art, florist including silks, cameras, photographic supplies, sporting goods, hobby shops and pet shops (not animal kennel or veterinarian), bakery (but not wholesale baker), home furnishings and appliances, office equipment and furniture, hardware, lumber and building materials, auto parts, and similar uses;*
- b. Service establishments such as barber or beauty shop, shoe repair, restaurant, gymnasium, laundry or dry cleaner, funeral-home, job printing, radio and television repairs, lawn care service, pest control companies, and similar uses;*
- c. Banks, loan companies, mortgage brokers, stockbrokers, and similar financial institutions;*
- d. Business and professional offices;*
- e. Retail plant nursery;*
- f. Retail sale of beer and wine;*
- g. Auto service station, maintenance and minor repairs, car wash;*
- h. Theater;*
- i. Government buildings and facilities;*





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- j. Produce markets (no outside sales);
- k. Mobile food vendors (see section 11-52);
- l. Those uses permitted in CB zoning.

**(3) Uses by exception. In these districts, uses by exception are as follows:**

- a. Animal kennel;
- b. Restaurant with a drive thru;
- c. Child care center;
- d. On-premises consumption of liquor, beer and wine;
- e. Limited wholesale operation;
- f. Contractor, not requiring outside storage;
- g. Limited warehousing, including mini-warehouses;
- h. Motels;
- i. Churches;
- j. Cabinet shops;
- k. Hospital, nursing home;
- l. Sale of new and used automobiles and boats;
- m. Automotive/truck service garage (not including semi tractor trailer repairs);
- n. Hot dog cart consistent with section 17-129.

**(4) Minimum lot or site requirements. The minimum requirements for lots and sites in these districts are as follows:**

- a. Lot or site area: None;
- b. Lot width: None;
- c. Lot depth: None.

**(5) Minimum yard requirements. The minimum yard requirements in these districts are as follows:**

- a. Front yard: 20 feet. If buildings adjacent have produced a lesser front yard, front yard shall be the average of buildings on adjacent lots. Where lot is adjacent to RS and RG districts, front yard shall meet the requirements for such adjacent property;
- b. Rear yard: 20 feet;
- c. Side yard: Ten feet.



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- (6) *Building restrictions. The building restrictions in these districts are as follows:*
  - a. *Maximum lot coverage: 50 percent;*
  - b. *Maximum building height: 35 feet.*

Section 17-193 of the City’s Code of Ordinances outlines number of parking spaces required within the city limits. Parking requirements for self storage is found in table (e) (4.2).

**Sec. 17-193. Number of parking spaces required.**

- (a) *All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. Handicapped spaces shall be provided in accordance with the standard building code.*
- (b) *The presumptions established by this article are that:*
  - (1) *A development must comply with the parking standards set forth in subsection (e) to satisfy the requirement stated in subsection (a); and*
  - (2) *Any development that does meet these standards is in compliance. However, the Table of Parking Requirements is only intended to establish a presumption and should be flexibly administered, as provided in Section 17-194.*
- (c) *Uses in the Table of Parking Requirements (subsection (e)) are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 17-109. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.*
- (d) *The council recognized that the Table of Parking Requirements set forth in subsection (e) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit issuing authority is authorized to determine the parking requirements using this table as a guide.*
- (e) *The Table of Parking Requirements.*

<b>Use</b>	<b>Parking Requirement</b>
1.1 Single-family	3 spaces per dwelling unit plus one space per room rented out
1.2 Mobile Home	
1.3 Two Family	
1.4 Multi-family	1 space for each bedroom in each unit plus one additional space for every 4 units in the development
1.5 ACLF	3 spaces for every 5 beds
1.52 Rooming House	1 space for every bedroom
2.1 Professional Office	1 space per 200 square feet of gross floor area
2.2 Business Office	





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2.3 Bank	
2.4 Medical Clinic	
2.5 Office Park	
3.1—3.15 Personal Services	1 space per 200 square feet of gross floor area
3.16 Restaurant	1 space per 100 square feet of gross floor area
3.17 Restaurant w/drive-through	
3.18 Funeral Home	1 space per 100 square feet of gross floor area
3.2 Service stations	1 space per 150 square feet of gross floor area devoted to sales plus sufficient area to accommodate vehicles at pumps w/o interfering with other parking
3.3—3.5 Retail Sales	1 space per 200 square feet of gross floor area
3.6 Theaters	1 space per 10 seats
3.7 Convenience stores	1 space per 150 square feet of gross floor area
3.8—4.1 Retail Sales	1 space per 200 square feet of gross floor area
4.2 Personal Storage	1 space per employee
4.31—4.33 Animal Services	1 space per 200 square feet of gross floor area
4.4 Hotel/Motel	1 space for each room plus additional spaces in accordance w/this section for restaurants etc.
4.5 Shopping Center	1 space per 200 square feet
5.1—5.7 Wholesale Manufacturing	1 space per 400 square feet for sales; 1 space for every 2 employees on the maximum shift for manufacturing
6.1 Schools	1.75 spaces per classroom for elementary and middle; 5 spaces per classroom for high school
6.2 Trade/Vocational Schools	1 space per 100 square feet of gross floor area
5.2 Churches	1 space for every 4 seats; 2 paces per residential unit; 1 pace per 200 feet of floor area used neither or services or residential purposes
6.4 Libraries	1 space per 300 square feet of gross floor area
6.5 Social Clubs	
7.1—7.34 Recreation	1 space per 200 square feet within enclosed buildings plus 1 space for every three people facility is designed to accommodate at maximum capacity
8.1—8.4 Motor Vehicles/Vehicles Sales and Service	1 space per 200 square feet of gross floor area
11.1—11.2 Public Facilities	1 space per 200 square feet of gross floor area



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## Planning and Zoning Actions

The Planning and Zoning Board is tasked by the Code of Ordinances to review Use by Exception applications and take one of the following actions.

1. Approve the application as presented
2. Approve the application with suggested conditions
3. Deny the application

The Planning and Zoning Board should take into consideration the impact that such use will have on the surrounding area such as the following:

1. Any noise that may impact surrounding businesses or residential areas
2. Levels of traffic that may impact surrounding areas
3. Parking available for the use

## Staff Findings

The property meets minimum parking requirements, setbacks and lot standards as outlined in the City's Code of Ordinances. Noise and traffic levels should not exceed the levels previously had by former uses of this property. Code enforcement has notified the property owner of the fence that needs repair to act as the buffer between the residential properties and the subject property as stated in section 17-184.

Staff does not recommend any additional conditions for the proposed use of this property other than the repair/replacement of the fence or placement of minimum buffer requirements as stated in section 17-184.