



**Zoning**  
123 W. Indiana Avenue  
Room 202  
DeLand, Florida 32720

## ZONING VERIFICATION BASIC SUMMARY

April 7, 2023

Parcel Number: 424204060213  
Address: 974 S Nova Rd  
Ormond Beach Florida 32174

As of this date, the following information is associated with this parcel number:

### Zoning Classification(s)

- MPUD(3) Mixed Use Planned Unit Development

### Future Land Use Designation(s)

- Mixed Use

### Future Land Use Reference(s)

- (3) Mixed Use: New development shall be processed as a Planned Unit Development (PUD) and must be consistent with the Mixed Use Zone (MXZ) Designation. If 1.5 acres or less, PUD is not required.

### Overlay(s)

- None

### Code Violation(s)

- There are no outstanding code violations on this property. Please contact Code Compliance staff at [CodeCompliance@volusia.org](mailto:CodeCompliance@volusia.org) or (386) 736-5925 for additional information.

Any development of this property must comply with all applicable regulations including, but not limited to, Chapter 72 - Land Planning of the Volusia County Code of Ordinances and the requirements of any other governmental agency. If you have any questions, please feel free to contact us via email at [Zoning@volusia.org](mailto:Zoning@volusia.org) or by phone at (386) 943-7059.

Thank you,  
Zoning Office

*Disclaimer: Please be advised that this zoning verification summary is based upon available records furnished by the County of Volusia. This summary is based on the Zoning Ordinance in effect on the date this summary was generated. Code regulations are subject to change. While every attempt has been made to ensure the accuracy and completeness of this document, the County of Volusia disclaims any liability for any damages in connection with its use. In addition, the County of Volusia assumes no responsibility for the cost of correcting any unreported conditions.*

Please return recorded document to:

Volusia County  
Growth and Resource Management  
123 W. Indiana Ave., Room 202  
Deland, FL 32720



## EXHIBIT "1"

**SNOW ENTERPRISES, LLC**  
**d/b/a as SNOW ENTERPRISES SOUTHEAST, LLC**  
**DEVELOPMENT AGREEMENT**  
**(PUD-13-046)**

A. Development Concept. The property shall be developed as an MPUD substantially in accordance with the Master Development Plan. The Master Development Plan shall govern the development of the property as an MPUD and shall regulate the future use of this parcel.

1. Master Development Plan. The Master Development Plan shall consist of the Preliminary Plan prepared by Parker Mynchenberg & Associates, Inc., dated April 18, 2013, and this Development Agreement (hereinafter "Agreement"). The Preliminary Plan is hereby approved and incorporated in this Agreement by reference as Exhibit "B." The Master Development Plan shall be filed and retained for public inspection in the Growth and Resource Management Department and shall constitute a supplement to the Official Zoning Map of Volusia County.

2. Amendments. All amendments of the Master Development Plan, other than those deemed by the Zoning Enforcement Official's reasonable opinion to be minor amendments, in accordance with section 72-289 of the zoning code, shall require the review and recommendation of the Planning and Land Development Regulation Commission and action by the Volusia County Council in the same manner as a rezoning of the parcel.

3. Subdivision Approval. The property shall be maintained as a single parcel. A combination of lots shall be required.

4. Final Site Plan Approval. The property is a developed parcel of land. After the Master Development Plan is recorded, all new work conducted on the property shall conform to the County of Volusia Code of Ordinances, Chapter 72, Land Planning, unless otherwise provided for in the Master Development Plan. The preliminary plan, attached as Exhibit B, meets the minimum submittal requirements of a Conceptual Site Plan application in accordance with land development code. Therefore, the MDP shall be in-lieu of a Conceptual Site Plan application. No Final Site Plan application shall be required unless the owner changes use of the property or proposes new construction on the site once this Order and Resolution has been recorded.

B. Unified Ownership. The Applicant or his successors has and shall maintain unified ownership of the subject parcel until after the issuance date of Final Site Plan Development Order.

C. Phases of Development. The property is developed.

D. Land Uses within the PUD. The use of the parcel shall be consistent with the uses prescribed for each area within the proposed MPUD. The locations and sizes of said land use areas are shown on the Preliminary Plan, Exhibit B, consistent with the Master Development Plan.

The subject parcel shall be used only for the following uses and their customary accessory uses or structures:

1. Permitted Uses:

Manager/Caretaker Apartment

Retail sales and service including pawn shop and sale and storage of vintage motor vehicles with incidental sales and restoration on vintage motor vehicles;

All I-1 uses not prohibited below.

2. Prohibited Uses:

Alcoholic Beverage Sales

Fuel Sales

Uses not permitted by the County L-1 zoning classification

E. Development Standards.

1. Minimum lot area: 38,825 sq. ft. or acres
2. Minimum lot width: 100 feet
3. Minimum yard size (building):
  - a. Front yard: 30 feet
  - b. Rear yard: 20 feet
  - c. Side yard: 10 feet
4. Maximum lot coverage: 80%
5. Maximum building height: 35 feet
6. Minimum floor area: N/A
7. Landscape Buffer requirements: Required landscaping shall

comply with the minimum requirements of Section 72-284 of the zoning code as amended, except as otherwise stated in this document. At least 50% of required landscaping shall be native species that is drought tolerant. At the time of new site plan approval, the Landscape Buffer shall meet the following minimum requirements:

Nova Road: 20 feet, less existing pavement area.

**Palm trees shall be used to meet the requirements for canopy trees**

Arroyo Parkway	15 feet
North Property Line	An average of 10 feet
West Property Line	30 feet
Remaining Property Boundaries	10 feet

9. Minimum building separation distance 10 feet

10. Off-street parking and loading requirements: Off street parking and loading requirements shall be in accordance with Section 72-286 of the zoning code as amended.

11. Signage requirements: Signs shall comply with applicable requirements of the zoning code as amended, including Section 72-297(j) *Thoroughfare Overlay zone regulations*, Section 72-298 *Sign regulations*, and Section 72-303(j) *Nonresidential development design standards* unless otherwise stated by this document.

12. Nonresidential Development Design Standards: The requirements of Section 72-303 Nonresidential Development Design Standards of the zoning code as amended apply as stated by said Section 72-303, unless otherwise stated by this document.

13. Illumination: To minimize obtrusive aspects of excessive and/or nuisance outdoor light usage, while preserving safety, security and the nighttime use and enjoyment of the property, the following apply:

a. In no case shall illumination from the property increase the level of illumination at the property lines by more than half (0.5) fc.

b. All light fixture including wall and surface mounted luminaries shall be installed and maintained in such a manner that is fully-shielded down.

c. Curfew: all external lighting shall be reduced by 50% after 11pm until sunrise.

d. The illumination plan shall not exceed 70,000 lumens per acre (average 1.6 fc).

e. Light fixtures shall be decorative in appearance. Light poles shall not exceed twenty (20) feet in height.

F. Environmental Considerations. The minimum environmental requirements of Chapter 72 of the Code of Ordinances, County of Volusia, as amended, shall be met.

G. Sewage Disposal and Potable Water Facilities. Provisions for sewage disposal and potable water needs of the MPUD will be provided in accordance with the comprehensive plan, the land development code and Fla. Admin. Code Ann. r. 64E-6. Potable water shall be provided by Holly Hill. Sanitary sewer treatment /waste disposal shall be provided by Holly Hill.

H. Storm water Drainage. Provision for storm water retention shall be in accordance with the land development code.

I. Access and Transportation System Improvements. All access and transportation system improvements shall be provided in accordance with the land development code. The parcel shall be developed in substantial accordance with the following access and transportation system improvements:

1. Access. Access to the project site shall be via Nova Road and secondary access shall be via Arroyo Parkway as depicted on the Master Plan. Future improvements to site access, pedestrian, bicycle and traffic circulation and access points shall be determined during site plan review and /or subdivision application review, in accordance with the requirements of the land development code as may be modified by

the Development Review Committee and/or Volusia County Traffic Engineer as may be necessary to provide required pedestrian, bicycle, and traffic safety improvements on and adjacent to the site.

2. Transportation System Improvements. Transportation system improvements shall be provided as required by the land development code, as determined during site plan review and/or subdivision review, as may be modified by the Development Review Committee and/or Volusia County Traffic Engineer.

J. Internal Roadways. None are proposed.

K. Other Requirements. Display area: Motor vehicles for sales or rental shall not be parked or displayed within the right-of-way or landscape buffers. A limit of two (2) vehicles are allowed to be displayed in the designated parking area fronting Nova Road.

L. Binding Effect of Plans, Recording, and Effective Date. The Master Development Plan, including any and all supplementary orders and resolutions, and the Preliminary Plan shall bind and inure to the benefit of the Applicant and his successor in title or interest. The MPUD(3) zoning, Order and Resolution and all approved plans shall run with the land.

This Order and Resolution and all subsequent Orders and Resolutions shall be filed with the Clerk of the Court and recorded within forty-five (45) days following execution of the document by the Volusia County Council, in the Official Records of Volusia County, Florida. One copy of the document, bearing the book and page number of the Official Record in which the document was recorded, shall be submitted to the Growth and Resource Management Department. The date of receipt of this document by the Growth and Resource Management Department shall constitute the effective date of this Order and Resolution and its subsequent amendments. The applicant shall pay all filing costs for

recording documents.

M. Conceptual Approval: The parties hereto acknowledge that reductions in density and/or intensity may and do occur; and that minor changes to roadway design, location and size of structures, actual location of parking spaces, specific locations for land uses, and locations and design of stormwater storage, landscape buffers and upland buffers may result to comply with the land development code. A request for such an amendment shall be reviewed by the zoning enforcement official and may be processed as a minor amendment in accordance with section 72-289 of the zoning code. The Applicant agrees to revise and record the Revised Preliminary Plan which reflects any such changes with the Clerk of the Court immediately following the expiration of the 30 day period for appealing Development Review Committee (DRC) decisions to the County Council. A copy of the Revised Preliminary Plan, bearing the book and page number of the Official Record in which the document was recorded, shall be submitted to the Growth and Resource Management Department.


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DONE and ORDERED by the County Council of Volusia County, Florida, this 7TH day of NOVEMBER, 2013.


ATTEST:   
James T. Dinneen  
County Manager

VOLUSIA COUNTY COUNCIL

  
Jason P. Davis  
Chair

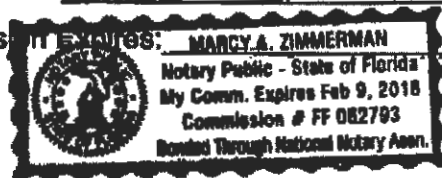
STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 10 day of February 2014, ~~2013~~, by James T. Dinneen and Jason P. Davis, as County Manager and Chair, Volusia County Council, respectively, on behalf of the County of Volusia, and who are personally known to me.

  
NOTARY PUBLIC, STATE OF FLORIDA  
Type or Print Name:

Commission No.:

My Commission Expires:





WITNESSES:

OWNER(S):

SNOW ENTERPRISES, LLC, a North Carolina limited liability company, authorized to do business in the State of Florida as

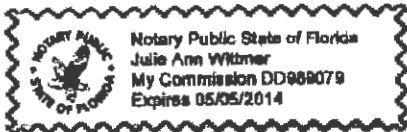
SNOW ENTERPRISES SOUTHEAST, LLC, a Florida limited liability company

Yasha L Seifert  
Amanda Haver

Mickey D. Snow  
Mickey D. Snow, Manager

State of Florida  
County of Volusia

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of December, 2013 by Mickey D. Snow, as Manager of Snow Enterprises, LLC, a North Carolina limited liability company authorized to do business in the State of Florida as Snow Enterprises Southeast, LLC, a Florida limited liability company, who is personally known to me or who has produced as identification(s).



Julie Ann Wittmer  
NOTARY PUBLIC, STATE OF FLORIDA  
Type or Print Name:  
Julie Ann Wittmer  
Commission No.: DD989079  
My Commission Expires: 5/5/2014

**EXHIBIT "A"**

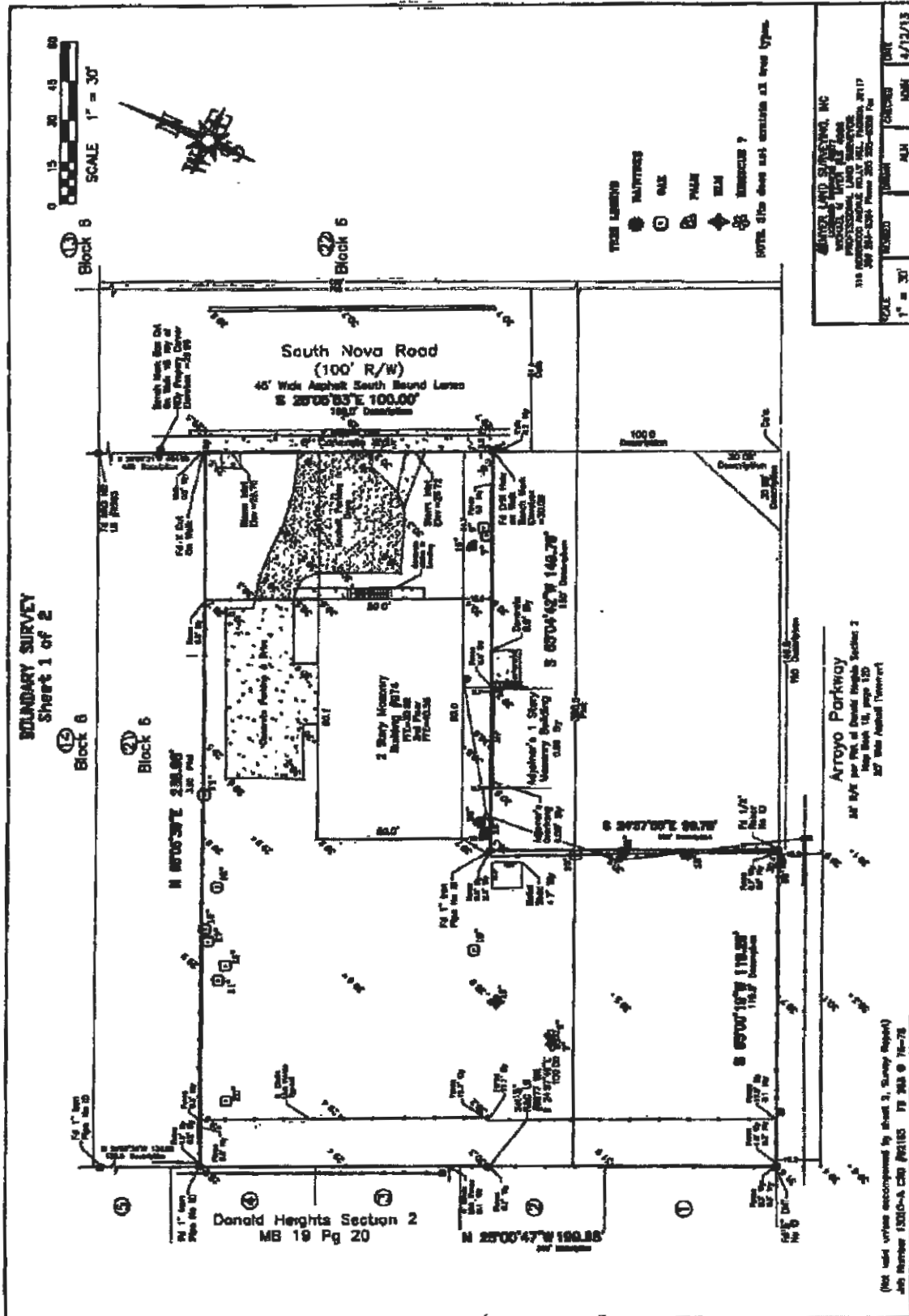
**Legal Description**

The Southerly 100 feet lying Northerly of Arroya Parkway, excepting the Easterly 150 feet thereof, of Lot 21, Block 6, Mary C. Fleming Subdivision, as per map recorded in Map Book 1, Page 1, Public Records of Volusia County, Florida; said real estate being further described as the Westerly 119.90 feet, as measured along the North line of Arroya Parkway, of the Southerly 100 feet of Lot 21, Block 6, Mary C. Fleming Subdivision, lying Westerly of Nova Road (a 100 foot right of way), and Northerly of Arroya Parkway (a 50 foot right of way), as per map in Map Book 1, Page 1, Public Records of Volusia County, Florida, reserving an easement for road, drainage and utility purposes over the Westerly 25 feet thereof.

AND

The Northerly 100 feet of the Southerly 200 feet lying Northerly of Arroya Parkway and Westerly of Nova Road (a 100 foot right of way), Lot 21, Block 6, Mary C. Fleming Subdivision, as per map recorded in Map Book 1, Page 1, Public Records of Volusia County, Florida, reserving an easement for road, drainage and utility purposes over the Westerly 25 feet thereof.

EXHIBIT "B"



SCALE	1" = 30'	DATE	4/12/13
REVISION		BY	
DATE		BY	
DATE		BY	
DATE		BY	

DAVENPORT SURVEYING, INC.  
 318 S. W. 10th Ave., Suite 100  
 Ft. Lauderdale, FL 33304  
 Phone: 954-562-1111  
 Fax: 954-562-1112

BOUNDARY SURVEY  
 Sheet 1 of 2

Donald Heights Section 2  
 MB 19 Pg 20

Arroyo Parkway  
 45' R/W  
 per MB of Donald Heights Section 2  
 Map Book 18, page 100  
 20' wide natural (treeless)

(Not used unless accompanied by sheet 3, Survey Report)  
 Job Number 13005-A 120 021165 FS 943 0 14-78

**I-1 LIGHT INDUSTRIAL CLASSIFICATION [28]**

*Purpose and intent:* The purpose and intent of the I-1 Light Industrial Classification is to provide sufficient space in appropriate locations for industrial operations engaged in the fabricating, repair or storage of manufactured goods of such a nature that objectionable byproducts of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading and handling of goods and materials) are not nuisances beyond the lot on which the facility is located.

*Permitted principal uses and structures:* In the I-1 Light Industrial Classification, no premises shall be used except for the following industrial uses and their customary accessory uses or structures: (Ord. No. 98-25, § VII, 12-17-98)

Adult bookstores (refer to subsection 72-290(1)). (Ord. No. 92-6, § XLII, 6-4-92)

Adult theaters (refer to subsection 72-290(1)). (Ord. No. 92-6, § XLII, 6-4-92)

Agricultural or farm implement manufacturers.

Aircraft and aircraft part manufacturers.

Aluminum extrusion, rolling manufacturers.

Automobile, truck, truck-trailer, motorcycle, mobile home, manufactured dwelling, recreational vehicle and bicycle manufacturers. (Ord. No. 84-1, § XXXVI, 3-8-84)

Automobile service station, type B.

Bakery products manufacturers.

Basket and hamper manufacturers.

Bedding manufacturers.

Beverage manufacturers.

Blacksmith shops.

Boat manufacturers.

Bolt, nut, screw, washer and rivet manufacturers.

Box and crate manufacturers.

Building components manufacturers.

Building materials storage and sales.

Bus garages and repair shops.

Business equipment manufacturers.

Button manufacturers.

Candy manufacturers. (Ord. No. 84-1, § XXXVI, 3-8-84)

Carbon paper and inked ribbon manufacturers.

Carpet and rug manufacturers.

Chewing gum manufacturers.

Chocolate, cocoa and related products manufacturers.

Cigar and cigarette manufacturers.

Cleaning and dyeing of garments, hats and rugs.

Coal and coke storage and sales.

Coffee, tea and spice processing. (Ord. No. 84-1, § XXXVI, 3-8-84)

Communication towers not exceeding 70 feet in height above ground level. (Ord. No. 97-19, § II, 8-7-97)

Condensed and evaporated milk processing. (Ord. No. 84-1, § XXXVI, 3-8-84)

Container manufacturers.

Contractor's shop, storage and equipment yard. Convenience stores with more than eight vehicular service positions per fuel dispenser island. (Ord. No. 2004-20, § V, 12-16-04)

Cosmetic and toiletry manufacturers.

Creamery and dairy operations.

Culvert manufacturers.

Dairy products manufacturers.

Display and sale (retail or wholesale) of products or parts manufactured, assembled, or otherwise used by the manufacturer, on the premises. (Ord. No. 81-39, § XXVI, 11-19-81; Ord. No. 90-34, § 39, 9-27-90)

Dry-cleaning plants.

Electrical component manufacturers.

Essential utility services.

Exempt excavations (refer to subsection [72-293\(15\)](#)) and/or those which comply with division 8 of the Land Development Code of Volusia County [article III] and/or final site plan review procedures of this article. (Ord. No. 84-1, § III, 3-8-84; Ord. No. 89-20, § VI, 6-20-89; Ord. No. 90-34, § 39, 9-27-90)

Exempt landfills (refer to subsection [72-293\(16\)](#)). (Ord. No. 89-20, § VI, 6-20-89; Ord. No. 90-34, § 39, 9-27-90)

Exterminating establishments.

Feed and seed processing and storage.

Financial institutions.

Fire stations. (Ord. No. 92-6, § XLII, 6-4-92)

Firearms manufacturers.

Flex office/warehouse facility. (Ord. No. 2004-20, § V, 12-16-04)

Food products manufacturers.

Fruit and vegetable handlers or processors.

Fur finishing.

Furniture manufacturers.

Gas or steam fitting shops.

Grain blending and packaging, but not milling.

Greenhouses.

Heating, air conditioning, ventilation, stove, refrigerator manufacturers.

Heavy truck sales, rental, storage (not including salvage or junkyards) or service establishments. (Ord. No. 2004-20, § V, 12-16-04)

Helipads.

Hosiery mills.

Ice manufacturers.

Industrial vocational training school.

Insecticides, fungicides, disinfectants and related industrial and household chemical compounds (blending only).

Iron, ornamental manufacturers.

Knitting, weaving, printing, finishing of textiles and fibers into fabric goods.

Laundries and linen services.

Leather goods manufacturers (not including tanning operations).

Machinery and machine shops.

Meat products (no slaughtering).

Moving and storage companies.

Nail, tack, spike and staple manufacturers.

Outdoor entertainment event (refer to [section 10-31](#) et seq., article II, Code of Ordinances of the County of Volusia). (Ord. No. 2002-22, § XIV, 11-7-02)

Perfumes and perfumed soaps (compounding only).

Pest exterminators.

Pharmaceutical products, drugs (compounding only).

Planning and millwork manufacturers.

Plastic products manufacturers (secondary production). (Ord. No. 90-34, § 39, 9-27-90)

Plating, electrolytic process.



Plumbing supply.

Printing, publishing and engraving.

Publicly owned parks and recreational areas. (Ord. No. 92-6, § XLII, 6-4-92)

Publicly owned or regulated water supply wells. (Ord. No. 92-6, § XLII, 6-4-92)

Radiator repair, cleaning and flushing establishments.

Radio and television broadcasting stations.

Recycling collection center. (Ord. No. 90-34, § 39, 9-27-90)

Recycling transfer station. (Ord. No. 92-6, § XLII, 6-4-92)

Research and development establishment. (Ord. No. 2004-20, § V, 12-16-04)

Restaurants, types A and B, when contained within the principal industrial structure.

Sawmills.

Scale and vault manufacturers.

✎ Sheet metal products manufacturers.

✎ Sign and paint shop.

Solid waste transfer station. (Ord. No. 92-6, § XLII, 6-4-92)

Tool, die and gauge shops.

Railroad yards, sidings and terminals.

Trailer, carriage and wagon manufacturers.

✎ Truck or freight transfer terminals. (Ord. No. 82-20, § XI, 12-9-82)

✎ Truck stops.

Truck, automobile, boat, mobile recreational vehicle and shelter, motorcycle and trailer storage. (Ord. No. 92-6, § XLII, 6-4-92)

Warehouses.

Welding or soldering shops.

Wholesale houses and distributors.

Wood product manufacturers.

Yards of general contractors engaged in building or heavy construction.

Yarn, threads and cordage manufacturers.

(Ord. No. 2004-20, § V, 12-16-04)

*Permitted special exceptions:* Additional regulations/requirements governing permitted special exceptions are located in sections [72-293](#) and [72-415](#) of this article. (Ord. No. 90-34, § 39, 9-27-90)

Air curtain incinerators (refer to subsection [72-293\(19\)](#)). (Ord. No. 90-34, § 39, 9-27-90)

Animal hospitals, veterinary clinics.

Communication towers exceeding 70 feet in height above ground level. (Ord. No. 97-19, § II, 8-7-97)

Circus headquarters. (Ord. No. 87-14, § VIII, 6-18-87)

Fixed-wing aircraft landing fields.

Flea markets (refer to subsection [72-293\(7\)](#)). (Ord. No. 90-34, § 39, 9-27-90)

Gas and oil wells. (Ord. No. 84-1, § XXXVI, 3-8-84)

Group homes. (Ord. No. 94-4, § XLIV, 5-5-94)

Junkyards (refer to subsection [72-293\(11\)](#)). (Ord. No. 84-1, § XXXVI, 3-8-84)

Materials recovery facility as regulated under Rule 62-701.700, F.A.C., (minimum parcel size of 20 acres) (refer to subsection [72-293\(16\)](#)). (Ord. No. 2004-20, § V, 12-16-04)

Nonexempt excavations (refer to subsection [72-293\(15\)](#)). (Ord. No. 89-20, § VIII, 6-20-89; Ord. No. 90-34, § 39, 9-27-90)

Only one single-family dwelling for the owner or manager of an existing permitted principal use. (Ord. No. 84-1, §§ XXX, XXXVI, 3-8-84)

Professional and trade schools related to permitted uses (refer to subsection [72-293\(5\)](#)).

Public uses not listed as a permitted principal use. (Ord. No. 92-6, § XLII, 6-4-92)

Public utility uses and structures (refer to subsection [72-293\(1\)](#)). (Ord. No. 84-1, § III, 3-8-84)

Schools, parochial or private (refer to subsection [72-293\(4\)](#)).

Silverware and plateware manufacturers. (Ord. No. 90-34, § 39, 9-27-90)

Temporary and permanent asphalt batching and cement plants (refer to subsection [72-293\(9\)](#)).

Tire retreading, recapping and vulcanizing shops. (Ord. No. 90-34, § 39, 9-27-90)

(Ord. No. 89-20, § XIII, 6-20-89; Ord. No. 90-34, § 39, 9-27-90; Ord. No. 98-25, § VII, 12-17-98)

(Ord. No. 2004-20, § V, 12-16-04)

*Dimensional requirements:*

*Minimum lot size:*

Area: One acre. (Ord. No. 2004-20, § V, 12-16-04)

Width: 150 feet. (Ord. No. 2004-20, § V, 12-16-04)

*Minimum yard size:*

Front yard: 30 feet.

Side yard: Ten feet, unless abutting an agricultural, conservation, residential or mobile home zoned property, then 35 feet. (Ord. No. 81-39, § XXVII, 11-19-81; Ord. No. 98-25, § VII, 12-17-98; Ord. No. 2004-20, § V, 12-16-04; [Ord. No. 2022-1](#), § I(Exh. A), 1-18-22)

Rear yard: 20 feet, unless abutting an agricultural, conservation, residential or mobile home zoned property, then 35 feet. (Ord. No. 98-25, § VII, 12-17-98; Ord. No. 2004-20, § V, 12-16-04; [Ord. No. 2022-1](#), § I(Exh. A), 1-18-22)

For buildings over 35 feet in height, the side and rear yards shall be increased by one foot of yard for each foot of building height over 35 feet. (Ord. No. 81-39, § XXVII, 11-19-81; Ord. No. 98-25, § VII, 12-17-98)

Waterfront yard: 25 feet. For buildings over 35 feet in height, the waterfront yard shall be increased one foot for each foot of height over 35 feet. (Ord. No. 82-20, § XIII, 12-9-82; Ord. No. 90-34, § 39, 9-27-90; Ord. No. 94-4, § XLIV, 5-5-94)

*Maximum building height:* 45 feet; abutting a residential classification, 35 feet. (Ord. No. 81-39, § XXVII, 11-19-81; Ord. No. 92-6, § XLII, 6-4-92)

*Maximum lot coverage:* No maximum.

*Off-street parking and loading requirements:* Off-street parking and loading areas meeting the requirements of [section 72-286](#) shall be constructed. (Ord. No. 90-34, § 39, 9-27-90)

*Landscape buffer requirements:* Landscaped buffer areas meeting the requirements of [section 72-284](#) shall be constructed.

*Final site plan requirements:* Final site plan approval meeting the requirements of division 3 of the Land Development Code [article III] is required. (Ord. No. 88-2, § IV, 1-19-88)

(Ord. No. 2004-20, § V, 12-16-04; [Ord. No. 2021-34](#), § I(Exh. A), 12-14-21)